

*Office of Enforcement and Removal Operations
Buffalo Field Office*

U.S. Department of Homeland Security
4250 Federal Drive
Batavia, New York 14020



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: Tae Johnson
Assistant Director
Custody Management

THROUGH: Jay M. Brooks
Deputy Assistant Director
Detention Management Division

FROM: Thomas E. Feeley
Field Office Director
Buffalo Field Office

A handwritten signature in black ink, appearing to read "T. Feeley", written over the printed name of Thomas E. Feeley.

SUBJECT: Buffalo Federal Detention Facility Waiver Request: Staff Inspection of
Incoming Mail

Purpose:

This memorandum requests the Assistant Director for Custody Management approved a waiver on behalf of the Buffalo Federal Detention Facility (BFDF) that would allow BFDF staff to open incoming mail in the absence of ICE detainees.

Background:

On March 20-22, 2018, the Nakamoto Group (NG), Inc., completed a Performance Based National Detention Standards (PBNDS) Audit of the Buffalo Federal Detention Facility (BFDF) in Batavia, New York. During the audit, NG cited the BFDF for:

- Component 5.1-6: All facilities shall implement procedures for the inspection of all incoming general correspondence and other mail (including packages and publications) for contraband in the presence of the detainee (unless otherwise authorized by the facility administrator).

NG reported this as repeat deficiency, citing the BFDF was opening incoming mail outside the presence of ICE detainees.

Discussion: BFDF Policy 5.4.1- Mail, Telephone and Visiting: Inspection and Rejection of Incoming/Outgoing Mail – All incoming and outgoing mail shall be opened and inspected for enclosures, contraband, money and other items (see policy for complete list).

Analysis: On August 08, 2017, the Deputy Assistant Director for Deportation approved a similar waiver relating to "Staff Inspection of Incoming Mail." Please see attached.

Recommendation:

Citing BFDF Policy 5.4.1, I request the Assistant Director for Custody Management approve this waiver to allow BFDF designated detention personnel to inspect incoming mail in the absence of ICE detainees.

Approve: jmb 5/31/18 Disapprove: _____
Modified: _____ Needs Discussion: _____