

M E M O R A N D U M

November 13, 2002

To: Anthony S. Tangeman, Deputy Executive Associate
Commissioner Office of Detention and Removal

From: American Bar Association Delegation to Santa Ana Detention Facility¹

File: 09999:2658

Re: INS Compliance with Detention Standards at the Santa Ana, California
Detention Facility



This memorandum summarizes and evaluates information gathered at the Santa Ana City Jail located at 62 Civic Center Plaza, Santa Ana, California 92702 (the “Santa Ana Facility”) through interviews of detainees, observation by delegation staff, and discussions with Detention Supervisor [REDACTED] on October 2, 2002.²

INS Detention Standards

The Immigration and Naturalization Service (INS) promulgated the “*INS Detention Standards*” in November 2000 to ensure the “safe, secure and humane treatment of individuals detained by the INS.” The thirty-six *Standards* contained in the Detention Operations Manual cover a broad range of issues as described more fully below. These standards apply equally to state and local government facilities used by the INS through Inter-Governmental Service Agreements (“I.G.S.A.”), such as the Santa Ana Facility. The Detention Standards went into affect at INS Service Processing Centers on January 1, 2001, but do not appear to have been completely phased-in at the Santa Ana Facility.

I. General Information

As noted above, the Santa Ana Facility is an I.G.S.A. detention facility. Of the 251 persons housed at the Santa Ana Facility, approximately 83 are INS detainees. Approximately 80% of the INS detainees are classified as criminal aliens.³ The countries of origin most represented by the INS detainees housed at the Santa Ana

¹ The delegation was comprised of [REDACTED], [REDACTED], [REDACTED], and [REDACTED] of Fried, Frank, Harris, Shriver & Jacobson (Los Angeles, CA). Also present during the delegation’s tour was [REDACTED] Esq. of the Catholic Charities of Orange County.

² According to her business card (“Attachment A”), Ms. [REDACTED] can be reached at Police Department [REDACTED] Santa Ana, CA 92702.

³ According to Officer [REDACTED] an INS detainee at the Santa Ana Facility is classified as criminal if his or her record indicates a criminal history.

Facility are Mexico, El Salvador, Viet Nam, and Guatemala.

II. Legal Access/Visitation

The Santa Ana Facility has four general visitation non-contact booths and two open contact visitation rooms. The contact rooms each contain one small round table and four chairs. According to Ms. [b6, b7C] visitors are permitted at any time other than “lock down” periods, which are generally from 12:00 - 1:00 p.m., 5:30 - 6:30 p.m., and 11:00 - 6:00 a.m.⁴ Detainees are strip searched after each contact visit with an attorney.⁵ Otherwise, detainees did not have many complaints concerning problems with visitation.

III. Telephone Access

There does not appear to be any problems regarding the number of telephones available to detainees at the Santa Ana Facility. There were approximately a dozen telephones available in the processing unit (including one in each private interview room). There were also six telephones available in the housing module visited by the delegation, which houses up to 64 detainees. Thus, detainee access to telephones is generally not a problem, though, as discussed below, access is denied during occasional “lock downs” of up to 72 hours due to staff shortages.

The *INS Detention Standards* for telephone access, Section III.D. provides:

Even if telephone service is generally limited to collect calls, the facility shall permit the detainee to make direct calls:

1. to the local immigration court and the Board of Immigration Appeals;
2. to Federal and State courts where the detainee is or may become involved in a legal proceeding;
3. to consular officials;
4. to legal service providers, in pursuit of legal representation or to engage in consultation concerning his/her expedited removal case;
5. to a government office, to obtain documents relevant to his/her immigration case; and
6. in a personal or family emergency, or when the detainee can otherwise demonstrate a compelling need (to be interpreted liberally).

⁴ Mr. [b6] notes.

⁵ Mr. [b6] and Mr. [b6] notes.

However, the policy of the Santa Ana Facility is that local calls are free of charge for detainees, and all other calls must be dialed collect. Several detainees disputed this, stating that *all* calls must be dialed collect⁶ -- even local calls to courts, attorneys or family members -- though one detainee corroborated that “very” local calls are free.⁷ The cost of a collect call is \$3.25 for the first minute and \$1.25 for each minute thereafter. International calls are not permitted at all.⁸ Certain detainees indicated that the practice at other local INS Facilities of permitting the use of phone cards is the better system.⁹ Detainees also indicated that telephone usage is subject to frequent disconnections, requiring them to redial calls and incur the \$3.25 charge a second time.¹⁰ The service provider for the Santa Ana Facility is Pac Bell.

The telephone system does not permit detainees to place free “1-800” calls.¹¹ Nor does the system provide free pre-programmed calls.¹² The facility has plans to implement an improved telephone service that would provide free 1-800 numbers for various governmental consulates, legal representatives, and the INS. Facility representatives were not sure, however, when or how this new system would be administered and suggested that it may be cell-phone based.¹³

A. Receiving and Delivering Phone Messages

The *INS Detention Standards* on telephone access, Section III.I., provide:

The facility shall take and deliver telephone messages to detainees as promptly as possible. When facility staff receives an emergency telephone call for a detainee, the caller’s name and telephone number will be obtained and given to the detainee as soon as possible. The detainee shall be permitted to return the emergency call as soon as reasonably possible within the constraints of security and safety. The facility shall enable indigent detainees to make a free return emergency call.

However, Officer [b6, b7C] indicated that the Santa Ana Facility does not take and deliver phone messages from attorneys because it is generally too difficult to verify who is on

⁶ This is reflected in the notes of detainee interviews conducted by Ms. [b6], Mr. [b6], and Ms. [b6].

⁷ Mr. [b6]’ notes.

⁸ Ms. [b6] and Ms. [b6] notes of interviews with detainees.

⁹ Ms. [b6] and Mr. [b6] notes of interviews with detainees.

¹⁰ Mr. [b6] and Ms. [b6] notes. Mr. [b6] personal experience corroborates this complaint. He received a collect call from a detainee that was disconnected midway through the call. The detainee attempted to call back immediately.

¹¹ Ms. [b6] notes.

¹² Ms. [b6] and Mr. [b6] notes of the interviews with detainees.

¹³ Ms. [b6] notes.

the other end of the line. Exceptions may be made if the officer answering the phone recognizes the voice of an attorney, otherwise messages are not taken and delivered from any other persons. There is no procedure for taking and delivering emergency phone calls, though a message may be delivered if a supervisor approves. According to Officer [b6, b7C] such approval is rare.¹⁴

The fact that messages are not received -- together with the fact that detainees are required to make collect calls (as discussed above) -- makes it very difficult for detainees to keep in contact with their attorneys and family members. According to the detainees, it is more difficult to leave messages with attorneys calling collect and, in any event, it does not make much sense to try because attorneys are unable to call back and speak with detainees.¹⁵ This problem is further exacerbated by the problems with disconnections discussed above since often, when a detainee's call with his or her attorney is disconnected, the attorney is on another line or otherwise unavailable by the time the detainee calls again.¹⁶

B. Privacy

Generally, the phone system does not provide physical privacy because the telephones are located close together in a central location in the housing module. The telephones in the private interview rooms adjacent to the processing unit do provide privacy, but detainees do not have access to these rooms after they have completed the booking process.¹⁷

All calls are electronically monitored unless the detainee submits the name and telephone number of his or her legal representatives at booking and asks for those calls to be private.¹⁸ However, Officer [b6, b7C] is uncertain whether detainees are told at booking that they have the right to private calls with their attorneys. Even when a detainee submits the name of his or her attorney, the call still will be monitored unless an officer is able to validate the attorney's telephone number and make arrangements for the detainee's calls to those numbers to be private. Validating an attorney's phone number typically consists of calling the phone number to determine whether it is answered with the phrase "law office" or a similar phrase.¹⁹ One detainee explained that he is unable to speak privately with his attorney if his attorney uses a cell phone or home line.²⁰ Another detainee indicated that calls with his attorneys are monitored because his attorney works for the Center for Human Rights and not a law firm.²¹ Officers have also indicated that detainees cannot have private phone conversations

¹⁴ Ms. [b6] notes.

¹⁵ Mr. [b6] notes of interview with detainee.

¹⁶ Ms. [b6] notes of interview with detainee.

¹⁷ Ms. [b6] notes.

¹⁸ Detainees must fill out an "Attorney Telephone Number Notification" form ("Attachment B").

¹⁹ Ms. [b6] notes.

²⁰ Mr. [b6] notes of interview with detainee.

²¹ Ms. [b6] notes of interview with detainee.

with more than one attorney.²²

In addition, there is no procedure for notifying detainees who have retained attorneys after the initial booking process that calls to the attorney may be excepted from monitoring upon request and validation. There were no posted notices notifying detainees of this right. Also, Officer [b6, b7C] knew of no procedure for allowing calls made by pro per detainees to be private.²³

C. Posted Signs

The phones in the processing unit have placards posted nearby notifying detainees in both English and Spanish that telephone calls are monitored. There are also signs posted in the processing unit explaining in both English and Spanish how to place free local calls and long distance collect calls. In the housing module, the placards were not posted by all of the phones. Instead, there was one sign posted by a cluster of phones in a central location stating that it is the detainee's responsibility to notify the person contacted that the call is being monitored. The delegation did not notice any posted signs providing a list of pre-programmed free calls.

A sign posted in the housing module notifies detainees that phone calls will be disconnected if the phone system detects any of the following: a three-way call, call waiting, call forwarding, a cordless phone too far away from its base, or background noise.²⁴

A list of pro bono agencies is posted near the telephone clusters in the housing modules. However, the list is in English only. With one exception, all of the listed pro bono service providers are located in Los Angeles, not Orange County. As a result, detainees are required to call these pro bono providers collect (although detainees claim that all calls, not just local calls, must be dialed collect).²⁵

IV. Legal Materials

The *INS Detention Standards* on access to legal materials, Section III.A., provides:

The facility shall provide a law library in a designated room with sufficient space to facilitate detainees' legal research and writing. The law library shall be large enough to provide reasonable access to all detainees who request its use. It shall contain a sufficient number of tables and chairs in a well-lit room, reasonably isolated from noisy areas.

²² Ms. [b6] notes of interview with detainee.

²³ Ms. [b6] notes.

²⁴ Mr. [b6] notes.

²⁵ Ms. [b6] notes.

There is no law library at the Santa Ana Facility. Instead, on-line Westlaw research is available via computer terminals. There is one computer terminal per housing module and they are available *only to detainees representing themselves pro per*.²⁶ In making the determination as to whether a particular detainee can have access to Westlaw, detainees explained that the officer in charge of the housing module (the “Module Officer”) looks to the detainee’s file to determine whether he or she has an attorney of record. Detainees who have had trouble contacting their attorneys for weeks, or even months (often because of the telephone issues described more fully above), expressed frustration with this policy since they are not permitted to remove their attorney’s name from the record.²⁷ Officer [b6, b7C] also explained that certain legal forms are available upon request, but admitted that there is really no way for detainees to determine which forms they need.

Pro per detainees are permitted to print out materials from the computer, but are not permitted to save any information. Detainees in general, whether pro per or not, are also permitted to make photocopies and mail documents as reasonably needed.²⁸ The detainees did not have any complaints in this regard.

The staff at the Santa Ana Facility was not familiar with the Florence Project’s “Know Your Rights” packets or video, and admitted that they did not have these materials on site.²⁹

V. Group Rights Presentations

Group rights presentations are conducted at the Santa Ana Facility very infrequently. Ms. [b6] of the Catholic Charities of Orange County offers presentations, but staff members and detainees had never heard of the Florence Project’s “Know Your Rights” video.³⁰ Detainees reported having the opportunity to meet with Ms. [b6] one on one to discuss their legal rights.³¹

VI. Recreation Issues

Generally, detainees have access to the indoor and outdoor recreation areas any time they are not in “lock down.” The officers explained that “lock down” hours are at night, from 11:00 p.m. to 6:30 a.m.; during lunch, from 12:00 p.m. to 1 p.m.; and at dinner, from 5:30 p.m. to 6:30 p.m.³² The facility also goes into “lock down” whenever a head count is necessary -- a minimum of four times per day according to the Detainee Handbook. One detainee explained that in his housing module, his access to the

²⁶ Mr. [b6] notes.

²⁷ Mr. [b6] notes of interview with detainee.

²⁸ Mr. [b6] notes.

²⁹ Mr. [b6] notes.

³⁰ Ms. [b6] notes.

³¹ Notes of Ms. [b6], Mr. [b6], and Ms. [b6].

³² Mr. [b6] notes. See also Detainee Handbook, (May 1, 2002) at 4 (“Attachment C”).

recreation areas is limited. Because his housing module contains both criminal and non-criminal inmates, each group must split time in the recreation areas in order to avoid “mixing” of the groups.³³ Also, there are sometimes extended “lock down” periods of up to seventy-two (72) hours because of staff shortages.³⁴

A. Outdoor Recreation

The detainees’ access to the outdoors is limited to a small concrete area located adjacent to each housing module, covering an area of approximately 20 feet by 30 feet. The outdoor recreation area has high walls and was only partially open to the sky. One detainee explained that it is difficult to get sun in the enclosed area.³⁵ The activities available to the detainees in this outdoor area are handball and ping pong.³⁶

B. Indoor Recreation

The indoor recreation area in the housing module contained an open space with a television at one end and chairs distributed throughout. There were six telephones in the recreation area, none of which were located in a booth or otherwise enclosed.³⁷ Throughout the housing module recreation area, the delegation observed posted materials covering topics such as: pro bono legal services information, INS contact information, a calendar for various classes, meetings and religious groups, and information about the telephone system.³⁸ The delegation did not observe any board games in the common area, though the Detainee Handbook indicates that they are available for detainee use.

VII. Classes

The Santa Ana Facility offers a number of courses for detainees as set forth on the “Santa Ana Jail School Pre-Application Form” (“Attachment D”). However, as noted above, the vast majority of inmates at the Santa Ana Facility are criminal inmates and criminal inmates are not permitted to mix with non-criminals. Thus, as a practical matter, the most popular courses, such as the computer course, are not available to non-criminal INS detainees.³⁹ This is especially true since there is a wait-list for the more popular courses and enrollment is determined by seniority (criminal inmates are generally detained longer than INS detainees).⁴⁰

³³ Mr. [b6] and Ms. [b6] notes of interviews with detainees.

³⁴ Ms. [b6] notes.

³⁵ Ms. [b6] notes of interview with detainee.

³⁶ Mr. [b6] notes.

³⁷ Ms. [b6] notes.

³⁸ Mr. [b6] notes.

³⁹ Mr. [b6] notes of interview with detainee.

⁴⁰ Mr. [b6] notes.

VIII. Medical Issues

The delegation met with Ms. [REDACTED], a Director of Operations with the Correctional Managed Care Medical Corporation,⁴¹ who explained the medical services provided for both criminal inmates and INS detainees at the Santa Ana Facility. Ms. [REDACTED] noted that the facility is not accredited by the California Medical Association, but that it is subject to annual inspections and quarterly audits.⁴²

During the day, the Santa Ana Facility has one registered nurse, one licensed vocational nurse, and one medical clerk. During the night shift, there is one registered nurse, and either one licensed vocational nurse or one nurse practitioner. There is a doctor on call twenty-four hours a day. The doctor comes in for daily sick calls or as needed. Only a doctor or registered nurse can diagnose; the licensed vocational nurse can provide input, but cannot diagnose.⁴³

When treating or examining detainees who do not speak English, the medical staff uses a telephone “translation line” for assistance, if a translator is not on site.

A. General Procedures for Medical Services

New detainees are given a pre-screening examination upon arrival to the Santa Ana facility. This examination includes both medical and mental health testing. In connection with this examination, detainees are asked to provide basic information by filling out a “Santa Ana Jail Medical/Mental Pre-Screening” form (“Attachment F”). When an INS detainee is transferred from other INS facilities, the Santa Ana Facility does not always receive the detainee’s medical records. A detainee may obtain his or her medical records by signing a release; a court order is not required.⁴⁴

If a detainee desires medical attention after being admitted to the facility, he or she must fill out a “sick call request” form (“Attachment G”). Generally, detainees are seen by medical personnel within 24 hours of submitting a request, though detainees interviewed by the delegation indicated that sometimes it takes longer.⁴⁵ The facility has daily sick calls to talk to detainees about their conditions. If a detainee’s problem is minor and can be treated on-site, the on-site medical staff will treat the detainee. On a daily basis, a licensed vocational nurse distributes medications as prescribed.⁴⁶

If, on the other hand, the problem is an emergency, the detainee is transferred to Western Medical Center, a nearby hospital. Unless an INS agent is available at the time, a police officer from the facility will accompany the detainee. If a detainee

⁴¹ According to her business card (“Attachment E”), Ms. [REDACTED] can be reached at [REDACTED] [REDACTED] Anaheim, CA 92085, phone number ([REDACTED]) [REDACTED].

⁴² Ms. [REDACTED] notes.

⁴³ Ms. [REDACTED] notes.

⁴⁴ Ms. [REDACTED] notes.

⁴⁵ Mr. [REDACTED] notes of interviews with detainees.

⁴⁶ Ms. [REDACTED] notes.

experiences a problem such that the detainee cannot safely stay in the facility, the medical staff will contact the San Pedro INS facility for assistance.⁴⁷

If the problem is not an emergency, but requires an off-site medical procedure, the process for obtaining permission can take a long time. A doctor will first determine whether a detainee requires a medical procedure. The request must then be approved by the INS. Ms. [b6] stated that it can sometimes take the INS several weeks to a month (or longer) to respond to a request for a medical procedure.⁴⁸ Even when an off-site medical procedure is approved, at least one detainee reported an instance in which the INS failed to appear to transport him off site to receive an approved and pre-scheduled medical procedure and the staff at the Santa Ana Facility refused to transport him.⁴⁹ Apparently, it is the responsibility of the INS, and not facility police officers, to transport INS detainees, but the INS is not reliable in this regard. Another detainee explained that the Santa Ana doctor repeatedly approved an off-site eye procedure for him, but the INS keeps denying his request.⁵⁰

The facility also offers dental visits one day per week. In order to see a dentist, detainees must request a dental visit through the same “sick call request” form discussed above.

B. Mental Health Services

The facility offers psychiatric clinics twice every month, which are run by a psychiatrist. Interpreters are generally made available for the psychiatric clinics. On Thursdays and Saturdays, there are counselors available to meet with detainees. Otherwise, counselors are available on an on-call basis. Detainees are also observed for behavior changes by the officers in charge of overseeing the housing units. Officer [b6, b7C] stated that the officers can fill out a form to describe a detainee’s behavior if a problem is perceived and forward it to the medical staff. Officers can request psychiatric examinations for the detainees. In addition, there is a crisis intervention team (called the Psychiatric Evaluation Team, or PET Team) available to determine if someone needs acute care or other assistance. Alcoholics Anonymous meetings are held every Monday.⁵¹

According to Ms. [b6] if a detainee is taking psychiatric medications when he or she first arrives at the Santa Ana Facility, the medical staff continues administering the medications and facilitates continuing treatment from any outside doctors.⁵² However, detainees explained difficulties obtaining medication prescribed prior to being detained

47 Ms. [b6] notes.

48 Ms. [b6] notes.

49 Mr. [b6] notes of interview with detainee.

50 Ms. [b6] notes of interview with detainee.

51 Ms. [b6] notes.

52 Ms. [b6] notes.

at the Santa Ana Facility.⁵³ One detainee explained that when he submitted a request to receive his prescribed depression medication, the doctor at the Santa Ana Facility would not permit him to take the medication because “everybody in jail is depressed.”⁵⁴

Ms. [b6] stated that the facility had a “suicide unit.” Officer [b6, b7C] noted also that anyone on a suicide watch is placed into a housing unit with a bunk mate.

C. Segregation for Medical Reasons

A detainee who has been diagnosed (either by the doctor or registered nurse) with a contagious disease or illness is isolated from the other inmates. A doctor must sign off on the isolation protocols. The segregation ends when the person is cured or no longer contagious. The facility does not have an infirmary.

Detainees who are HIV positive are not generally segregated from the inmate population. Their HIV status is kept confidential. If the detainee is being treated by an outside HIV clinic, he or she is generally permitted to visit the clinic.⁵⁵

D. Refusal of Treatment and Hunger Strikes

A detainee may refuse to take medications up to three times if the medicine is not critical. After three refusals, the doctor’s involvement is required in ensuring the health of the detainee. The detainee will be counseled about their refusal to take medication and, ultimately, the doctor at the facility will determine whether a detainee who refuses medical care can be housed safely at the facility. All refusals are documented in the detainee’s medical record.⁵⁶

There are no formal procedures for hunger strikes, other than monitoring the detainee’s vital signs. Officers are required to report any detainees who are not eating. Officer [b6, b7C] explained that she has seen persons within the facility who may not eat the food given at meal times, but who would instead eat food purchased at the commissary.⁵⁷

IX. Religious Issues

The Santa Ana Facility has a group Bible study twice a week and a Muslim prayer group meets on Fridays. The facility has a chaplain and one detainee explained that a Muslim religious figure once visited the facility regularly, but does not visit any more. Meals which accommodate detainees’ religious beliefs are provided upon

⁵³ Mr. [b6] and Ms. [b6] notes of interviews with detainees.

⁵⁴ Mr. [b6] notes of detainee interviews.

⁵⁵ Ms. [b6] notes.

⁵⁶ Ms. [b6] notes.

⁵⁷ Ms. [b6] notes.

request.⁵⁸

According to the Detainees, they are permitted to keep a Bible or Koran, but no other personal belongings.⁵⁹ The Detainee Handbook provides that a detainee “may request . . . authorization for items not listed [in the handbook] by submitting an Inmate Request Form to the Security Supervisor.”⁶⁰ It was not clear whether, in practice, the Santa Ana Facility permits detainees to retain religious items.

X. Other Issues

A. Lack of Detainee Contact with INS Representatives

INS Detainees at the Santa Ana Facility have experienced difficulty contacting INS representatives to discuss their immigration status. Officer [REDACTED] b6, b7C explained that an INS representative was supposed to visit the Santa Ana Facility every Thursday, but that no one from the INS had come to the facility since late August. Detainees may request to meet with their deportation officer, but deportation officers rarely come to the Santa Ana Facility to meet with detainees.⁶¹ One detainee indicated that he submitted a request to meet with his INS counselor over four months ago, but has still not met with him. Even when INS representatives do come, they typically do not bring detainee files and are unprepared to discuss the detainee’s immigration status. According to detainees, deportation officers typically come to the Santa Ana Facility merely to make an appearance, but are of little assistance.⁶²

B. Grievance and Disciplinary Procedures

When a detainee has a complaint, he or she may fill out an “Inmate Grievance Form” (see “Attachment I”) and submit it to the Module Officer. If the detainee is not satisfied with the Module Officer’s response, he or she may submit the grievance form to the Module Officer’s superior. Officer [REDACTED] b6, b7C also explained that different Module Officers are on duty at different times. Thus, when a detainee has a complaint directed at a Module Officer, the detainee has the opportunity to submit the grievance form to a different officer when the first officer is off duty.⁶³

The Detainee Handbook sets forth a non-exclusive list of behaviors classified as minor and major disciplinary violations. The consequences for disciplinary violations are described as follows:

⁵⁸ Mr. [REDACTED] b6 notes.

⁵⁹ Mr. [REDACTED] b6 notes of interviews with detainees. On the other hand, Ms. [REDACTED] b6 notes of her interview with a detainee indicate that certain items, such as crosses and angels, are permitted to remain in detainees’ possession.

⁶⁰ See Detainee Handbook, (May 1, 2002) at 14. The “Inmate’s Request Form” is attached hereto as “Attachment H.”

⁶¹ Mr. [REDACTED] notes.

⁶² Mr. [REDACTED] b6 and Ms. [REDACTED] b6 notes of interviews with detainees.

⁶³ Mr. [REDACTED] notes.

1. Verbal warning
2. Loss of privileges
3. Extra work privileges
4. Removal from work detail
5. Disciplinary isolation
6. Forfeiture of good time and/or work time
7. Criminal charges⁶⁴

The handbook fails to outline (1) which penalties correspond to which violations or (2) what disciplinary procedures, if any, are in place. Notably, the “Inmate Grievance Form” appears to have a box to be checked if a detainee has a disciplinary complaint. However, the delegation did not notice the facility’s disciplinary policies posted anywhere in the facility.

C. Detainee Work Program

The Santa Ana Facility has a work program, though one detainee indicated that work programs are not available to non-criminals.⁶⁵ Other detainees indicated that they are required to clean and perform other “janitorial services” in their housing module without pay. If they refuse, they are put in “lock down.”⁶⁶

D. Personal Item Retention

As noted above, the Detainee Handbook sets forth a list of “authorized items” detainees may keep in their cell.⁶⁷ Detainees may store as many items in their cell as their jail issued property bins will hold. The Detainee Handbook further states that certain “daily used items” may be stored neatly on the desktop and/or bookshelf within the cell.

E. Dietary Requirements

Detainee meals are provided by Aramark Corporation. The diet provided by Aramark Corporation includes approximately 3100-3200 calories per day and is determined by certified dieticians. Detainees can and do request accommodations for religious and ethnic diet requirements.⁶⁸ Coffee and juice is also available in the housing module.

⁶⁴ See Detainee Handbook, (May 1, 2002) at 11.

⁶⁵ Ms. [REDACTED] notes of interview with detainee.

⁶⁶ Ms. [REDACTED] and Ms. [REDACTED] notes of interviews with detainees.

⁶⁷ See Detainee Handbook, (May 1, 2002) at 13.

⁶⁸ Mr. [REDACTED] notes of interview with [REDACTED] food services manager with Aramark Corporation.

XI. Conclusion

Overall, the staff at the Santa Ana Facility was very cooperative and the facility was a very clean and well-maintained state-of-the-art facility. For the most part, detainees represented that the staff is generally respectful toward them. As Ms. [REDACTED] explained, the INS detainees at this facility are better off in many ways than their counterparts at other nearby INS facilities.

However, perhaps due to the nature of the I.G.S.A. arrangement with the INS, the policies and procedures at the Santa Ana Facility did not seem to be informed by the *INS Detention Standards* in several respects. There is significant room for improvement, particularly with respect to detainee access to legal resources and receiving telephone messages. There also appears to be a consistent problem with the availability of INS representatives to speak with Santa Ana detainees.

These failings seem to have more to do with failings of the INS than the facility staff. For instance, the lack of detainee contact with INS officials, the lack of a "1-800" number, and the failures in connection with medical transportation are INS responsibilities. The Santa Ana staff seemed willing to accommodate the needs of INS detainees — Ms. [REDACTED] explained that she is trying to gather enough INS detainees to fill the popular computer class and is willing to make any required legal materials available to detainees — but it does not appear that the INS has adequately informed the Santa Ana staff of these standards and made the appropriate materials and resources available.