



STRATEGIES AND STORIES

5 Starting an ICE-Approved

V I S I T A T I O N P R O G R A M

ACKNOWLEDGEMENTS

Detention Dialogues in California, the Catholic Sisters of Mercy in Illinois, and Conversations with Friends in Minnesota are excited to offer this new resource for immigration detention visitation programs in the United States. The primary author and editor of this guide is Christina Fialho, coordinator of Detention Dialogues. Additional writing and editing were contributed by Conversations with Friends coordinator Rev. John Guttermann, the Catholic Sisters of Mercy Visitation Program coordinators Sr. Pat Murphy and Sr. JoAnn Persch, and Detention Dialogues coordinator Christina Mansfield. This guide would not have been possible without input from Sally Pillay of IRATE & First Friends and Rocío Villalobos of the Hutto Visitation Program. Dan Gutiérrez designed the guide.

We wish to thank the many refugees, asylum seekers, victims of human trafficking, legal permanent residents, and other immigrants who have taught us visitors more than we could have ever imagined. This guide is dedicated to the millions of men, women, and children who have passed through U.S. Immigration and Customs Enforcement (ICE) detention facilities since 2003 in a network of over 250 jails and private prisons.

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INTRODUCTION

Detention Dialogues in California, the Catholic Sisters of Mercy in Illinois, and Conversations with Friends in Minnesota are excited to offer this new resource for immigration detention visitation programs in the United States.



This resource is aimed at helping communities establish an immigration detention visitation program, which is approved by U.S. Immigration and Customs Enforcement (ICE). This resource serves as a supplement to the national visitation network's original manual, *Visiting Immigrants in U.S. Detention Facilities*, which was compiled through the generous support of the Detention Watch Network.

The national immigration detention visitation network is an emerging coalition of volunteer-run immigration detention visitation groups in the United States. Members are diverse; while some are large coalitions of non-profit organizations, others are small groups of individuals. Some groups have activities covering a wide range of immigration-related issues, while others concentrate only on visitation. Membership reflects the richness and diversity of experience, knowledge, and perspectives that arise from working in widely different contexts. What all network members have in common is a commitment to affirming the humanity of those in immigration detention through visitation, while holding local officials and national bodies accountable.

The vast majority of U.S.-based immigration detention visitation programs are not formally approved by ICE; like the Hutto Visitation Program in Texas, these programs operate through partnerships with attorneys and by way of outreach to the families of those in detention. However, ICE has officially approved some of these visitation programs, including three programs run by the Catholic Sisters of Mercy in Illinois, Conversations with Friends in Minnesota, and Detention Dialogues in California.

Deciding whether your program could benefit from a relationship with ICE and your local detention facility depends on a number of factors. To assist visitation programs in deciding whether to seek approval from ICE or to operate through other alliances, we have outlined a step-by-step process to starting an approved visitation program and compiled stories from three approved programs in Illinois, Minnesota, and California.

Additionally, we have showcased the Hutto Visitation Program in Texas and IRATE & First Friends in New Jersey. The Hutto Visitation Program operates an amazing program without any relationship with ICE or the Hutto Detention Facility. IRATE & First Friends operated for years in a similar fashion to the Hutto Visitation Program, but eventually decided to build relationships with ICE and a number of detention facilities in New York and New Jersey.

As the experience of these programs will show, there are many ways to operate a visitation program. *What works in some communities may not work in your community. You may find that an entirely different strategy works better in your community!* It is our hope that this guide will help you think through potential issues to determine what might work best in your area. For those groups who decide to pursue approval from ICE, this guide also will provide you with some helpful hints as you walk through the process.

Good luck!

STEP-BY-STEP PROCESS TO GAINING ACCESS: POLITE PERSISTENCE

This step-by-step guide is based on the experience of three ICE-approved visitation programs, but please note that each community is different. What works in some communities may not work in your community. You may find that an entirely different strategy works better in your community.

Step One: Determine the Detention Facility's Visitation Policy

Usually, the visitation policy can be found on the detention facility's website. If not, you might try going directly to the facility and inquiring inside.

Step Two: Determine What Other Groups Have a Presence in the Facility

Most detention facilities have a chaplaincy program. Others invite legal service organizations into the detention facilities to conduct Know Your Rights presentations for those persons in immigration detention. If possible, you may try reaching out to these programs as a way into the facility.

Step Three: Build Support in the Community

Most detention visitation groups are formed out of faith communities and university student organizations where they benefit from a larger community of support and a ready-made pool of volunteers. If you are not connected to a faith community or university group, you might try advertising the creation of a new immigration detention visitation program in local media. Ethnic media is a great place to start because readers may be bilingual, leading to a bilingual volunteer pool. Additionally, try connecting with pro-immigrant coalitions in your area and offering to conduct presentations on immigration detention to their members.

To show the detention facility and ICE that you have a strong community of support, you also may consider asking groups to write letters of support on your behalf. (See Attachment A for a Sample Letter of Support.)

Step Four: Connect with the Detention Facility

It is preferable to obtain an introduction to the facility through a contact (i.e. a chaplain, etc.). If this is not possible, call and/or visit the facility. If the facility has a programs department, contact the program director or volunteer coordinator.

Try requesting an in-person meeting with the detention facility staff and providing them with information about the benefits of a volunteer-run immigration detention visitation program. (See Attachment B for a sample one-pager to provide to the detention facility.)

When communicating with the detention facility, use ICE's Performance-Based National Detention Standards (PBNDS) to support your reasons for why a visitation program is important. Different versions of the three sets of PBNDS currently apply to ICE's various detention facilities. Standard 5.7 of the 2011 PBNDS, Standard 32 of the 2008 PBNDS, and the Standard on Visitation of the 2000 PBNDS all encourage community visitation. ICE has begun implementing the 2011 PBNDS across its detention facilities, with priority given to facilities housing the largest populations of persons in immigration detention. (View Standard 5.7 here: <http://www.ice.gov/detention-standards/2011/>)



We suggest connecting with the detention facility before reaching out to ICE for three reasons. First, the facility might perceive your initiative in reaching out to ICE first as a way of you trying to “go above” them. Second, as ICE’s PBNDs are merely guidelines, the standards are not legally enforceable if a facility refuses to comply. Thus, the detention facility will be ultimately responsible for whether or not your program is implemented. Third, building a strong working relationship with the detention facility staff from the beginning will be beneficial.

Step Five: Connect with ICE

Reach out to ICE by phone. This is a helpful link with the contact information of each ICE Field Office: <http://www.ice.gov/contact/ero/>

It may take multiple attempts before you are able to reach a person or even a voicemail message. All three ICE-approved visitation programs only received a response back from ICE after mailing ICE a letter asking for approval. Therefore, you might consider mailing a letter to the local ICE Field Office. (See Attachment C for a sample request letter to ICE.)

Step Six: Try Coordinating a Meeting with ICE and the Detention Facility

A meeting can lead to many different possibilities in addition to the start of a visitation program. However, not all first meetings result in a visitation program. Be prepared to be persistent. If a meeting does result in a visitation program, you may consider asking ICE to provide you with a pro bono telephone extension, so that immigrants in detention may call you at no cost. Currently, all ICE facilities allow immigrants in detention controlled access to contractor-operated telephones to make free calls to select groups with pro bono telephone extensions. Detention Dialogues and IRATE & First Friends have access to pro bono telephone extensions; this access allows the visitation groups to connect immigrants in detention to pro bono attorneys, families and friends in the United States and abroad, and to visitors for conversation.

Step Seven: Consider Advertising Your New Program

See Attachment D for a sample press release to help advertise your program to the greater community. Also see Attachment E for a sample sign-up sheet you may need to post in the detention facility.

For Additional Support:

Contact Christina Fialho at CFialho@detentiondialogues.org
 Christina Mansfield at CField@detentiondialogues.org
 Sr. JoAnn and Sr. Pat at jpmrsm@comcast.net
 Rev. John Guttermann at intpasj@me.com
 ...and join the national visitation network!

STORIES FROM APPROVED VISITATION PROGRAMS

Conversations with Friends, Ramsey County Detention Center, Saint Paul, Minnesota

“Conversations with Friends: Minnesota Detained Immigrant Visitor Project is sponsored by the Interfaith Coalition on Immigration (ICOM), and our program made its first visit on Sunday, March 27, 2011. This first visit followed a year-and-a-half period of negotiation with jail administrators. From the beginning, these negotiations included twin commitments to:

1. Create an ‘in-person’ visitation program serving immigrants in civil immigration detention; and
2. Build a relationship of trust with the facility’s staff and administration.

We also thought that the best relationship with jail administration needed to begin with direct contact with the Under Sheriff in charge of the facility. When that did not work as we had hoped, we contacted a county commissioner who helped us secure a meeting with an assistant to the Sheriff (the Sheriff administers the detention center through the administrators that s/he selects). That meeting was followed with another that included the Under Sheriff. Subsequent meetings were with the Under Sheriff and his staff.

Background

The idea for Conversations with Friends, an immigration detention visitation program at the Ramsey County Detention Center, arose out of a series of meetings among four clergy who met to discuss how to help immigrants.

When discussing civil immigration detention, we assumed that a credential as a member of the clergy gave us the right to have in-person visits with immigrants in detention, but we learned from a religious order that such was not the case at the Ramsey County Detention Center. When attempting to visit an individual in immigration detention they were supporting, they were told that clergy, like family, are only allowed ‘video visits’ at Ramsey, in spite of the fact that in-person contact is the preferred way of offering spiritual and psychological support to someone undergoing the trauma of detention. We defined the purpose of the visitation program as a means of befriending detained immigrants through an offer of a listening, caring, and compassionate presence. (Note: we are not formally affiliated with the *BeFriender* program). This purpose led to the selection of the program’s name, *Conversations with Friends*.

Once committed to developing a program and to a campaign to access the detention center for in-person visitation, we followed the guidelines of the *Visiting Immigrants in U.S. Detention Facilities* manual, which stressed the importance of being nonsectarian. Visitors and persons in detention of all faiths and of no faith were to be welcomed.

The Campaign for Recognition

- I. The campaign for recognition and facility access involved two overall tactics:
 1. Direct contact and conversations with detention center administrators (some of which is recounted above).
 - A. A lead person was designated.
 - B. Supporters were invited to every meeting with jail administrators (and at most meetings, there was at least one other person besides the lead person in attendance).

2. A public information campaign.
 - A. At the onset letters of support were secured from the Executive Director of the Immigrant Law Center of Minnesota and The Advocates for Human Rights. These letters were sent to detention center administrators. There were conversations with other organizations.
 - B. The 'public face' of the project was regular announcements sent to an email list of potential supporters.
 - i. The announcements provided information only. No action was requested.
 - ii. These communications shared information about the program, its goals, and the importance placed on developing a positive relationship with the detention center.
 - iii. This intent was to create an infrastructure of potential support that could be called upon for help if needed.
 - iv. Over time inquiries were made about the program.
 1. One of the most important contacts came from the Minnesota Council of Churches (MCC).
 2. The MCC agreed to share information with their network and also submitted a letter of recommendation to the jail administration in support of the project.
- II. The leaders of the visitation campaign oppose mandatory detention of immigrants, but the visitation program is a separate activity that is not part of that opposition. The visitation project also separated from ICOM's monthly 'faith-action vigil' demonstrations at the detention center.
 1. The 'vigils' are about supporting detained immigrants and their families and opposing mandatory detention
 2. The visitation program is about 'visitation' and direct support of individuals during their detention. It is not about detention itself.
 - A. For the jail this gives assurance that visitation is not a 'stealth campaign' meant for some other end beyond visitation. This helped us build trust.
 - B. For visitors and the jail, visitation is only about compassionate care. This opens it to those who are not interested in or are uncomfortable with political activism.
 - C. The visitation program was set up in partnership with the jail in the care of immigrants in detention, although this inscribes a difficult and sometimes uncomfortable line.

Last Step: The Jail Administration Request for ICE Approval

The Ramsey County Detention Center is an Immigration and Customs Enforcement (ICE) contract facility. In other words, ICE has an Intergovernmental Service Agreement (IGSA) contract with the facility to hold civil immigration detainees for ICE. Our understanding was that the security and policies of the facility were the county's decisions, not ICE's. Our decision to approach the facility directly assumed that detention center administrators and the Sheriff's office were the final arbiters; if a volunteer visitation program were to be approved, it would be the county and the detention center making the decision. We never considered seeking ICE permission until asked to do so by detention center administrators. Before giving final approval for the program, the detention center requested that we send a letter to ICE telling them about the program. Thus, ICE had the final right of refusal or approval. This was an act of 'due diligence' on the part of the jail: they did not want to violate any of ICE's expectations per the care of 'their/ICE's' detainees. The response was a phone call from ICE to the visitation lead giving permission for the program. The visitation lead then informed jail administrators of the call who then verified the approval by calling the local ICE representative.

'ICE' Relationship

Access to the facility was built on developing a relationship with the administrators of the Ramsey County Detention Center. The visitation project does not have a formal or working relationship with ICE. However, given ICE's approval of the visitation program, it seems reasonable to assume that detention center administrators, on occasion, report about the program to ICE and that ICE, on occasion, checks in with the administrators about the program.

That the program is 'known to ICE' may also have assisted the visitation lead in gaining permission from ICE to visit in person with a person detained at another Minnesota ICE IGSA facility.

Tenuous as the relationship with ICE is, it also means the visitation project is known and that ICE might at some point facilitate access to another facility. This is untested. We are considering trying to establish occasional conversations with ICE.

Program Structure

Conversations with Friends' volunteers attend a training from the coordinator, a training from jail administrators, and they undergo a security clearance process. Visits are from 7-8 pm on Sunday evenings, twice a month. Persons in detention are informed of the visits through written, posted notices in English, Spanish and Somali (See Attachment E), and oral announcements by jail staff. A combination of the two is important to reach persons who are not fluent in English or literate in their native language.

Jail administration has designated two small classrooms in the jail as the sites for visits. We generally schedule about four to six volunteers per session, and often have one room designated as Spanish-only and another for English conversations. Two volunteers meet with two or three immigrants in detention for conversation. These private, informal conversations are preferable to large group interactions that can be dominated by one or two individuals.

In general the conversations are completely confidential. Volunteers make it clear that they are not attorneys and that they cannot help people with their cases. They clarify that the purpose of the visits is to let detained immigrants know that community members care and to offer informal conversations.

It is common for the people we visit to complain about conditions of detention. We handle these complaints in one of two ways. Occasional, serious issues are communicated to the jail administration for follow-up. Examples include comments that individuals are unable to get needed medication or specially prescribed diets. In a few cases, attention is sought from jail staff during the visit for an issue that requires immediate attention. In all cases, the visitation coordinator follows up with a request for information on outcomes with the jail administration.

Past and Future

The successful implementation of the program at the Ramsey County Detention Center, along with the Sheriff's recent assurances that the visitation project is a recognized program, justifies our process. We were able to obtain in-person visits with persons in immigration detention, although this took a long time. The positive outcomes include the establishment of a program with a good reputation among advocates and the Sheriff's office.

We are working to expand the visitation program to other facilities and the Ramsey County experience is our template for action. However, it is the circumstances and volunteers at each facility that will determine how the process and goals might need adjusting and what the definition of success will be in different settings."

Sisters of Mercy, McHenry County Jail, Woodstock, Illinois

"We actually started with ICE in September 2007 because our first request was to get into Broadview Staging Center where deportations were happening. The officers at the center could not give us permission; so, we started contacting the ICE main office in Chicago. All of our calls went unreturned. We sent a certified letter to ICE, and finally, we received a call from Mr. Chris McDaniels (one of the ICE assistant deputies in the field office) who said that we did not need to meet since they had standards and everything that they needed for the immigrants in detention. He suggested we go to McHenry County Jail. So, a group made an appointment and went to meet with the jail leaders. They told us we couldn't come in.

Therefore, we kept pursuing a meeting with ICE, which actually happened in May of 2008. The Director of ICE's Field office, Mr. Glen Triveline, set up a meeting for us at the McHenry County Jail. There were 3 ICE officials, the Chief of the Jail and the Chaplain. All of them kept saying that they had all that they needed for the immigrants in detention. The answer at the end of the meeting was still "no."

Meanwhile we already had started work on a state bill, which Fred Tsao of Illinois Coalition for Immigrant and Refugee Rights (ICIRR) had written. With the help of ICIRR, we were lobbying in Springfield, our Capitol. During this time we had several more meetings at the jail, which were unsuccessful. The law passed unanimously in the Illinois House and Senate on November 20, 2008, and it was signed into law by the Governor in December of 2008 and became law in June of 2009.



The new law, H.B. 4613, created the Access to Religious Ministry Act of 2008, which amended Illinois' County Jail Act. The new law provides 'that any county jail in the State of Illinois for which an intergovernmental agreement has been entered into with United States Immigration and Customs Enforcement (ICE) for detention of immigration related detainees shall be required to provide to religious workers reasonable access to such jail.'

Nevertheless, the jail still did not permit us to do our visiting. In order for us to gain access, we had to contact Representative Daniel Burke and Representative Jack Franks, who had gotten the bill into the House, to meet with Sheriff Keith Nygren and the jail staff. It still took about two more months before the Sheriff agreed to our terms and we were able to begin the full program. The program began in January 2010.

Today, our program at McHenry County Jail is very successful! We go to the jail every Tuesday for 4 hours. We have a volunteer pool of 70 regular community members, and each week, a team of at least 14 different visitors who speak English, Spanish, Polish, and Chinese visit with immigrants in detention at this county jail. We have been able to negotiate contact visits, which we would not have been able to accomplish without a relationship with the Sheriff, the jail leadership, and the officers who accompany us. During each visit, we are permitted to bring in religious reading material in different languages. After each visit, we are able to do follow up with families so that we act as a bridge between immigrants in detention and their family members who may not be able to visit them. These are the highlights of our McHenry County Jail visitation program!

In addition to our robust visitation program at McHenry County Jail, we also operate a small visitation program at the Broadview Processing Center. While we were building up our visitation program at McHenry, we did not give up on our desire to visit with those being deported who would like to talk with someone at Broadview. That took me, Sr. JoAnn, and Sr. Pat along with other religious leaders threatening to lie down in front of the buses as they left to go to the airport for deportation. It was a planned action and other religious

leaders had agreed to join us. We met several times and also met with a lawyer. The other strategy was to get press before the event and there was significant coverage announcing that these two 'elderly nuns' were going to lay down in front of the buses to show that immigrants are humans and have religious and human rights that were being violated.

ICE did not want us to lie in front of the buses, and so, ICE negotiated with us about praying on the buses. That happened in April of 2009. We also did some more negotiating to finally be able to get inside of the Broadview Center on deportation day. This happened in March of 2010.

Today, our visitor volunteers go into the Broadview Center at 4:00 am to meet with those being deported and some also work with the families who get there to say good-bye. There is a team of three for each week of the month. A security agent escorts them to the garage where the bus is ready for the airport. Each team does it in their own style, but we tell those who are about to be deported that we are in solidarity with them, that we are sorry this is happening, and that there is a group of people praying for them outside at the moment. Also, we give them information about safe houses over the border if they are going to Mexico. And then we say a prayer or two. They join in if it is the 'Padre Nuestro.' They also like the prayer of protection. This is all done in Spanish since people being deported are all from south of the border—Mexico, Central, and South America.

Once we got both programs running, we didn't have to ask ICE for further assistance. However, we know they are there if we had to have back-up for something. Fortunately, things are working well. Both ICE and McHenry County Jail will be represented at our pastoral workers gathering this April.

If we had to do it all over again, we would definitely do it again! Although it was slow and difficult, the results are worth it mostly for the detained immigrants."



Detention Dialogues, West County Detention Facility, Richmond, California

"We (Christina Fialho and Christina Mansfield) met in August 2010, and together, we decided to start an immigration detention visitation program. Before determining the detention facility's visitation policy, we had to determine what counties were detaining immigrants. We knew that Santa Clara County in California had been detaining for years, but the county's Public Information Officer told us that the county had never had an agreement with ICE to detain. So, we filed a series of California Public Records requests to determine which counties were detaining immigrants and to what extent.

We determined that we wanted to focus our attention on the West County Detention Facility in Richmond, California. This facility recently had entered into an agreement with ICE, and we had heard from immigration attorneys that the facility wanted to uphold ICE's detention standards. We looked into the facility's visitation policy and learned that family members and friends could not visit without a prior approved appointment. This policy requires persons in detention to request a visit with their on-duty lieutenant and then call their loved one and let them know the date and time when they could visit. This meant that we would not be able to obtain a person's A-number (or Alien Registration Number) from an attorney or family member and begin visits. It also meant that even if we were able to establish contact with a person in immigration detention through an attorney or loved one, the person in detention would have to have money in order to call us to schedule a visit. The only way we would be able to start a visitation program would be to build a relationship with the detention facility to maneuver around these two obstacles.

So, we started attending Know Your Rights (KYR) presentations, which UC Davis Law School and Centro Legal de la Raza were just establishing. The first KYR was conducted in December 2010, and we attended this KYR. We started to build relationships with the facility staff in charge of programs, and slowly got connected up the chain of command.

Eventually, we spoke with the Director of Support Services for Contra Costa County. In an email, she explained, "Adding a new program, at this time, would increase the daily demand on our already-strained custody staffing levels." We responded with the following:

'Thank you for your message and for voicing your concerns regarding the capacity of your staff. We would like to set a time to meet with you to explain why this visitation service for federal immigration detainees will not burden your staff. Instead, in line with Immigration and Customs Enforcement Standard 32 [now Standard 5.7], this service will ensure that these civilly-held detainees will be able to maintain morale and ties through visitation with their community. Would you be available for a meeting in the next couple of weeks?

We also want to make sure that you are aware that this visitation service would be offered through the support of Santa Clara University (Janet Napolitano's alma mater) and the California Institute of Integral Studies. Additionally, this service is part of a national and international partnership that has been developing over the last 13 years to provide immigrants who are detained across the world with a connection to the outside world through visitation.

We hope you will accept our invitation to meet with us, as we are hopeful that future conversations will lead to a strong relationship with you and your staff that allows us to leverage our own distinct roles to support immigration detainees and your facility.

Thank you for your time, and we look forward to hearing from you.'

Within two days, we received an email from the lieutenant in charge of overseeing the 'ICE detainees.' He apologized for the confusion, explained his interest in our program, but said he could not approve it without ICE's approval. So, we contacted ICE's Field Office Director. It took probably a couple of weeks of calls, voicemails, and a mailed letter before we received a call back from ICE. However, we still remember the call (and have the voicemail saved!), saying that ICE thought it was a great idea for us to start a visitor program.

With this good news, we contacted West County Detention Facility. At this point, we were told that for security purposes, we could not start the program. They told us that there was just not enough staff to oversee our program.

Believing that 'no is the beginning of yes,' we did not give up here. We persisted. We called the West County Detention Facility and told them that we were very disappointed and knew that our supporters, such as Santa Clara University (SCU), would be disappointed. We explained that we had received a small grant from SCU (which happens to be DHS Secretary Janet Napolitano's alma mater) to start a visitation program. This appeal led to a meeting with ICE and the detention facility staff in July 2011.



Photo courtesy of Will Coley

Prior to this meeting, we set up a series of meetings with local leaders to ensure support for the program. We already had conducted a volunteer training, and had the support of 25 volunteers. We also had delivered a series of presentations and speeches at local universities and to pro-immigrant coalitions. Additionally, we had met with County Supervisor John Gioia and spoke with the office of Congresswoman Zoe Lofgren, Ranking Member of the House Judiciary Subcommittee on Immigration Policy, to gain their support. We have not yet had to call on either Supervisor Gioia or Congresswoman Lofgren for assistance, but we keep these

contacts as a sort-of "ace up our sleeve."

Fortunately, the meeting with ICE and the West County Detention Facility went fabulously. We explained that our 'visitation service' was a cost-effective solution to expanding programs for immigrants detained at the facility. We had received helpful advice along the way that using the term 'service' as opposed to 'program' would resonate more with the jail and ICE. This small modification in our language proved helpful. The fact that our 'visitation service' was going to be the first of its kind in California seemed to appeal to the West County Detention Facility. We also mentioned that a couple of other counties in the U.S. had successfully implemented approved 'visitation services.' So, there was precedent for these types of services offered only to immigrants in ICE custody.

This success was a product of compromise. Part of the reasons we were approved is that we consented to visit during regular visiting hours, which did not create more "man hours" for their staff. However, ICE also offered to provide us with a pro bono telephone extension, which now allows immigrants detained at the facility to call us for free.

This compromise was not the end of our struggle to gain access to WCDF. Visitation did not begin until a few months later because the phone line did not work properly. Additionally, our fliers in the facility did not accurately reflect the phone number persons in detention needed to dial in order to reach us. So, we went back and forth trying to resolve these issues with the lieutenants and technical repair personnel.

Eventually, our phone started ringing, and we were able to begin visits. Visitation hours are rather liberal at WCDF, although visits are capped at 30 minutes. During visiting hours, visitors communicate through a glass barrier. There are no phones to pick up for semi-private communication, and you have to raise your voice in order to be heard over the dozens of other people in the same room. Our next goal is to obtain the ability to conduct contact visits.

As our 'polite persistence' resulted in a working relationship with the West County Detention Facility and ICE, we have been able to speak for free with anyone who calls us on our pro bono line. We receive 70 calls on average each day, sometimes as many as 100 calls. The detention facility has encouraged us to help immigrants in detention connect to their families and pro bono attorneys, and the pro bono number has helped us to facilitate these connections. In addition to visits, we have begun to do monthly walk-throughs at the facility where we are able to make announcements in each pod about our visitation program and help persons in detention fill out their visitation request slips.



Recently, ICE conducted an inspection of the West County Detention Facility and Detention Dialogues was deemed a "best practice," which ICE hopes to see replicated in other facilities. We are hopeful that ICE's positive reaction to Detention Dialogues will help groups around the country more quickly start immigration detention visitation programs.

In conclusion, Detention Dialogues is proud to fight for, to stand next to, to sit across from immigrants with criminal convictions, victims of

human trafficking, and asylum seekers. We take any call and visit with any person. These men and women are the parents of our friends, they are members of our churches, they are our neighbors, and we want them back in our community. Until they are, we will continue to offer them a connection to the outside world as they offer us a glimpse into the reality of immigration detention."

QUESTIONS & ANSWERS

Can I operate a visitation program without seeking approval from ICE or the detention facility?

Yes. In fact, many U.S.-based immigration detention visitation programs operate without communicating with ICE or the detention facility. Like the Hutto Visitation Program in Texas, these programs function through partnerships with attorneys and by way of outreach to the families of those in detention. To offer readers a glimpse into what it is like to run a visitation program not approved by any government agency, here is a short history of the Hutto Visitation Program in Texas:

“The Hutto Visitation Program began in March 2010,” said Rocío Villalobos, program coordinator, “thanks to the combined efforts of Grassroots Leadership, Texans United for Families, and the University of Texas Community Engagement Center. We began thinking about the possibility of having a visitation program at Hutto after we started learning more about what the conditions were like in the facility when families were detained there. Although the families were released in late 2009, Hutto was converted to a women-only immigration detention facility shortly thereafter. Based on the facility’s history, we were concerned for the well-being of the women and felt the need to have a presence in the facility in order to monitor the conditions.

Currently, our visitation program at Hutto is informal. We have partnered with the attorneys who conduct the legal orientation program in the facility and they help us obtain the names and A numbers of women who are interested in receiving a visit. We have not yet attempted to become a formal visitation program, but it is something that we are strongly considering.

We are considering starting a formal program, mainly because it has been a challenge to find ways to advocate for the women with whom we visit in detention. I imagine that this may be common for other visitation programs, but it’s especially difficult for us to know who to turn to because we don’t have a formal relationship and don’t know which staff members at the facility would be sympathetic to our work (aside from the chaplain, but even he doesn’t really know we’re a visitation program). We try to communicate as much as possible with the lawyers who do have access at Hutto, but this communication with lawyers alone has not been enough to do anything substantive to improve the conditions for those women detained at Hutto. Our inability to advocate for those in detention has been extremely frustrating, particularly because we feel as though we’re sitting on all of this information and not doing something with it.

Nevertheless, even without a formal program, I believe we have a great degree of access to the facility. For example, we have contact visits where we typically only wait 5-20 minutes to visit. Additionally, one of the major advantages of being an informal visitation program is that we don’t have to worry as much about the women seeing us as an extension of ICE. When we first visit with the women, we identify ourselves as volunteers with the visitation program and make clear that we’re working with the attorneys from American Gateways and not the staff at the detention center. I think that distinction is particularly important given that many women have told us stories about being treated in a cruel and condescending manner by staff and guards at Hutto. We have been very successful in building trust and rapport with the women we visit, which makes our efforts to provide companionship and break the isolation of detention all the more meaningful.”

How might an approved visitation program differ from programs, like Hutto, that operate informally?

Conversations with Friends: “Our relationship with the jail strengthens our program in a number of ways:

1. The required volunteer background check (without cost at present) gives some assurance to program leaders about their volunteers, builds confidence and trust within the group as well as with the jail staff, helps our volunteer group set standards and boundaries, and provides some independent accountability.
2. Jail program personnel are invested in the success of the visitation program, something they have demonstrated by assisting in our relationships with other staff, the giving of tips, assurances that we are safe, and other assistance.
3. Program participants are oriented at the detention center, giving them a ‘feel’ for what it is like to be detained there.
4. In person contact with jail personnel humanizes them.
5. Though there are limits to our ability to present complaints and concerns to jail administrators, it is something we can do.
6. In the beginning some visitors did not want to visit any individual with a criminal record: jail program administrators ‘pushed back’ on that, challenging us to not create that barrier. We agreed.
7. Our relationship has at times allowed us to engage staff in conversations about those in detention, why they are there, and the immigration system that has brought them into detention. These conversations have been positive and have given them new information.
8. The visitation program has also helped create a platform for other conversations with the Sheriff and detention center staff about immigration and immigration enforcement related issues.

The jail relationship is sometimes frustrating, they are usually slow to respond, and responses are often minimal or opaque. This has gotten better over time and with the election of a new Sheriff who has brought a new openness to his office.”

Sisters of Mercy: “If we did not have an approved visitation program, we would have never been able to meet with immigrants in the same room as we do now. Immigrants in detention are able to sign up to come to see us. We can bring sheets into the jail to get information if they want us to call families, make contact with immigration lawyers or consulates. We have a vehicle for reporting concerns about health issues or whatever is a problem. We have built good relationships with the Sheriff, the jail administration, and ICE. They trust us and our relationship also helps educate them.”

Detention Dialogues: “Our program differs from informal programs in two main ways. First, for many persons in immigration detention, we are their first point of contact to the outside world. By establishing an approved visitation program, we have been able to obtain an ICE pro bono number. This number allows immigrants in detention to call us at no cost. This provides us with the opportunity and responsibility to connect persons in detention to pro bono attorneys and to their loved ones on the outside instead of the other way around. Second, our efforts to support persons in immigration detention may inadvertently lead to the growth of immigration detention at WCDF. WCDF staff told us that they received a high inspection rating from ICE and that our program was deemed a ‘best practice.’ In the same breath, WCDF staff told us that ICE might increase the number of persons ICE detains at WCDF. We are very much aware that improving the treatment of persons detained by ICE at WCDF can help rationalize the practice of immigration detention. While we’d rather see ICE stop the unnecessary detention of immigrants altogether, we also feel that if ICE is going to detain, we would hope that ICE would use facilities like WCDF that partner with visitation groups. We, however, do not want to provide ICE with cover for their continued efforts to unnecessarily deprive persons of their liberty.”

Is it possible for a program that has operated without a relationship with ICE to become an ICE-approved visitation program?

IRATE & First Friends: “Yes, we started out working as an informal visitation program in the mid-1990s. We decided to build a relationship with the jail and with ICE (then INS) in 2001 when First Friends started as a distinct entity. INS was responsible for the Elizabeth Detention Center, which later was transferred to ICE. We felt that having both the jail and ICE on our good side would make access easier, and we would be able to turn to either both or one of them when we encountered issues or concerns.

Both ICE and the facilities are now fully aware of who we are, and they have helped us expand our programs in the facilities. For example, ICE provided us with toll free phone lines that we have in each of the dorms in four facilities. In addition, both ICE and the detention facilities have allowed us to donate soft cover books for the immigrants in detention and engage in our Stamp Out Despair Campaign, providing stamps, envelopes, note cards and writing papers for the immigrants in detention.

Whenever there is an issue with a person in detention, we now feel comfortable contacting the facility staffers to help us address the issue. Even though we have access to ICE, we mostly deal with the staff of the jails or privately-run facilities. If there is something that needs great attention, we do contact ICE for assistance. We are now working on building a relationship with the new Field Office Director of ICE who oversees the ICE detainee population at two of facilities we visit. She has provided us with a meeting and has introduced us to ICE supervisors who work in the facilities. More importantly, she provided us with a list of contact information for each deportation officer and case manager in the facilities. It’s the most transparency that we ever obtained from ICE, and it would not have been possible without this collaboration between all of us.”

What one suggestion do you have for a new group who wants to establish an ICE-approved program?

Sisters of Mercy: “One suggestion would be that you have to have patience because often the process is slow, but you have to keep the reality of the immigrants who are detained in front of you. Our style was to do this peacefully and respectfully, but you can’t take ‘no’ for an answer.”

Detention Dialogues: “You have to be patient because starting a program can take months, and as we’ve seen, years. You cannot be discouraged when you hear the word ‘no.’ When we hear the word ‘no,’ we hear ‘not right now, but soon.’ This is our sign to push harder. If you can start visiting with persons by connecting with their lawyers, we would encourage doing this while you try to start an approved program. However, an approved program offers you unprecedented access to the detention facility, which allows your program to provide an array of services and support to those inside.”

Is there any difference between starting a visitation program at a county jail versus starting a visitation program at a facility run by a private prison corporation?

IRATE & First Friends: “Yes, there certainly are differences in the policies and procedures, and in how each facility accepts a visitation program. From our experience, county jails place more restrictions on visitation programs than privately-run facilities. For example, county jails usually require persons held in their facility to make a list of their family members and friends who may visit. Some county jails limit this list to 2 to 3 people. As a visiting program, we are required to submit a monthly updated list of all the volunteers visiting each county jail in order to bypass the requirement that our volunteers be listed on an individual’s visitation list. Even though we regularly send these lists, volunteers sometimes encounter problems with new desk officers who do not recognize our program and who refuse to let our volunteers in to visit as they are not listed on the person’s visitor list.

To the contrary, the privately-run facilities have their own visiting standards. Some might be more restrictive than county jails, but we do not need to provide a volunteer list to the privately-run facilities we visit. We just need to provide the name or alien registration number (A number) of the detainee in order to get in.”

Would you suggest working with the media to conduct outreach to the community?

Conversations with Friends: “We did not use media or engage in actions that might be considered advocacy. For example, although both the vigils outside of the jail and the visitation program, Conversations with Friends, is sponsored by the Interfaith Coalition on Immigration (ICOM), we continue to try to (somewhat imperfectly) maintain a wall between the vigils/advocacy and the visitation program. The point is that we visit to visit. We are not acting as reporters or reformers. Indeed, the one time we had some problems is when jail administrators thought we were trying to get the Sheriff to end immigrant detention in Ramsey County. While we all experience considerable discomfort at being in some ways a collaborator, our main focus always has to be visitation. If we did not come to visit, the detained immigrant’s isolation would be even more pronounced.”

Sisters of Mercy: “Media can help like it did with our potential arrest. However, it can also hurt if you do it to reach your goals and ICE or the jail staff sees you as an adversary. As Sheriff Nygren said, “When we fought you, we didn’t have trust. Now we do.” And when the deportations moved from Broadview to 101 W. Congress for a while, Mr. Louis Zamora, an ICE deputy, wrote a protocol for us to get in and do what we were doing. He said that he was one who fought against our getting into Broadview, but now he wanted the program to be successful at any place we operated. Those are the reasons one wants to build relationships not build walls.”

Detention Dialogues: “We are still learning how to use media to our advantage. When we first started this work, we received a number of requests for interviews. We asked a lot of questions of the reporters before we consented to any interviews. We turned down most interviews because we were not comfortable with the angle of the story. However, we did find that Spanish print, radio, and television were helpful. We had a great segment air on Univision, which resulted in our phone line ringing off the hook for weeks. When we do speak with the media, we try to focus on our experience as visitors—what we see day in and day out. We are careful not to disclose any confidential information about those persons with whom we visit.”

Do you have any advice for groups that may want to expand their visitation programs to other facilities?

IRATE & First Friends: “If you decide to expand your program, I have to emphasize that you need to try to get ICE as well as facility operators to refer you to other facilities as a reference.”

Detention Dialogues: “Even if you have a relationship with ICE, you will need to establish a relationship with the new detention facility. We have begun to slowly expand our services to the Sacramento County Jail and Yuba County Jail. Currently, we do not operate formal programs at either facility, but we do visit with immigrants detained at those facilities when contacted by attorneys or loved ones. We have spoken to ICE about expanding to those facilities, and ICE has told us that we have to speak with the Sheriffs to see if they are willing to participate. We are hopeful that the Sheriffs of Sacramento County and Yuba County will be eager to take advantage of our program, as we have proven that visitation programs can benefit not only those individuals in immigration detention, but also the detention facilities themselves. We hope this is not just wishful thinking!”

Knowing what you know now, would you do anything differently?

Detention Dialogues: “We conducted our first training of volunteers nine months before we were able to connect our first volunteer for a visit. Knowing that, we would have set better expectations for our volunteers in the first training. We learned from this, and in our second volunteer training, we explained in depth about our experience starting the program. We made sure that our volunteers knew that the road would be long.”

Sisters of Mercy: “If the situation were the same, we would do what we did. In another situation we might have to develop a different strategy.”

ATTACHMENT A

SAMPLE COMMUNITY LETTER OF SUPPORT

Date

Minnesota Council of Churches in Support of Conversations with Friends

Dear Mr. _____,

I am writing in support of the Detainee Visitation Project at _____ Jail.

This project, an ecumenical and interfaith effort of the Interfaith Coalition on Immigration, is in line with our Immigration Policy Statement ratified by our Board of Directors in December of 2007.

The Minnesota Council of Churches represents nearly one million Christians in the state from fifteen different denominations encompassing 24 different regional denominational offices. Our Board of Directors, made up of the bishops and other executives of the various denominational offices, believe that all people, regardless of immigration status should be treated with dignity and respect. We also believe that local churches and faith-based organizations should be able to seek ways to welcome, help, and empower the refugee, immigrant visitor, and undocumented person in their community.

Detention is a traumatic experience. I understand that some of those detained were brought here as children and know no other life outside their US experience. Up until the moment they were detained they have lived productive lives, supporting their families. Some have emotional and physical health problems, which need care during detention. For all these people the trauma of detention can be a humiliating, hope destroying experience.

As Christians we take seriously the instruction to visit the prisoner as written in the Gospel of Matthew. We also follow the biblical teachings to welcome the stranger and to bring hope to the hopeless. The Detainee Visitation Project is for us a perfect example of the gospel lived out in this world.

I am also impressed with the carefulness with which this project is progressing. We at the Minnesota Council of Churches support their objective of serving civil immigrant detainees with in-person 'attorney type' visitation by people would understand the importance of maintaining proper boundaries, and who will respect the Jail. To support their efforts we have offered meeting space to fully train any potential participants in this process. We encourage you to support these dedicated people in their effort to become friends to those in the midst of a most traumatic and challenging experience.

ATTACHMENT B

[Note: Refer to your visitation program as a “service.” Basically, you are offering to provide a cost-effective service to expanding services to “ICE detainees.”]

SAMPLE ONE-PAGER EXPLAINING YOUR VISITATION PROGRAM

VISITING IMMIGRANTS IN DETENTION

What is an immigration detention visitation service?

An immigration detention visitation service connects immigrants in detention to community volunteers for conversation. Volunteers will not visit as social workers or lawyers, but simply as friends. Volunteers will be encouraged to recognize their role as listeners, allowing the detained immigrant to guide the conversation.

What are the benefits of this visitation service?

A visitation service for ICE detainees will support the [Detention Facility’s operating philosophy that ... For example, the West County Detention Facility has an operating philosophy that all detainees will either work or be involved in a program.] Surveys typically show that boredom is one of the most common and damaging problems in detention. Unable to alleviate tension, trauma, and anxiety through activity, the detained immigrant’s boredom may reinforce these feelings. Many immigrants in detention do not have family or friends who can visit them either because their family members are undocumented or because they have been transferred to [Detention Facility] from another part of the country. Visits from community members give detainees a “break,” serve to boost their morale, and help individuals refocus their emotions on positive relationships and behavior while in detention.

Does ICE encourage visitation?

Yes, Standard 5.7 of the 2011 Operations Manual ICE Performance-Based National Detention Standards (PBNDS) encourages visitation. “This Detention Standard ensures that detainees will be able to maintain morale and ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety, security and good order.”

Will this visitation service cost [Detention Facility] anything?

No. In fact, this visitation service will provide ICE detainees with an additional activity without the need to increase [Detention Facility’s] capacity because there is no overhead cost for such a service. As organizers of this service, we would make sure each volunteer undergoes the appropriate background check and completes an appropriate, documented orientation program so that they are aware of [Detention Facility’s] applicable rules and procedures and agree to comply with them.

Are there any other similar visitation services offered in the United States?

Yes. Similar visitation services have been started around the country, and Local Field Offices in Illinois, Minnesota, New Jersey, and California have approved such community visitation services.

ATTACHMENT C

SAMPLE LETTER TO ICE ASKING FOR APPROVAL

Your Contact Information

Date

Immigration & Customs Enforcement

Attn: Your Field Office Director

Address

Dear Director Name,

As we recommend that you try to establish approval from the detention facility first, it is best to reach out to ICE after your detention facility suggests that you do so. I am writing to request your approval of a visitation service for ICE detainees at [Detention Facility], located at [Address].

I would like to provide [Detention Facility] with a visitation service, which would connect ICE detainees at [Detention Facility] to community volunteers for conversation. As you know, Standard 5.7 of the 2011 ICE Performance-Based National Detention Standards (PBNDS) encourages visitation not only from families and legal representatives, but also from the community within the constraints of safety, security, and good order. In line with Standard 5.7, this visitation service at [Detention Facility] will ensure that civilly-held ICE detainees will be able to maintain morale and ties through visitation with their community.

This visitation service would be offered through the support of [Information about you and your group or organization]

Additionally, this service is part of a national and international partnership that has been developing over the last 13 years to provide immigrants who are detained across the world with a connection to the outside world through visitation. Currently, [Detention Facility] does not offer this service to ICE detainees, although the first visitation program in the United States for ICE detainees was started over a decade ago in New Jersey.

[Detention Facility] is willing to work with me to implement this service if you approve our request. By welcoming this visitation service for ICE detainees at [Detention Facility], ICE will help [Detention Facility] maximize access to visitation, thereby improving conditions of confinement while protecting the integrity of the immigration system. Attached, you may find a one-pager with a little more information.

Thank you for your time. We are happy to set up a time to meet with you to discuss this further. You may reach me at [your number] or via email at [your email]. We look forward to hearing from you soon.

Respectfully,

Your Name

ATTACHMENT D

SAMPLE PRESS RELEASE

FOR IMMEDIATE RELEASE

DATE

General Contact Information:

Your Contact Information

First Detention Visitation Program in California Approved

Richmond, CA - Detention Dialogues, a student-led group dedicated to building a culture of respect to address the growth in immigration detention, has announced the approval of the first immigration detention visitation program in California.

In 2010, close to 400,000 persons were held in county jails and detention centers for violating a civil immigration law. The detention of immigrants costs taxpayers approximately \$45,000 per detainee per year for a total of \$1.8 billion in this fiscal year with \$157.7 million more requested in the 2012 fiscal year budget. Detained immigrants include both individuals and families, including young children. Many are asylum seekers and can languish in detention for weeks, months, and sometimes years. Whatever their circumstances may be, individuals in detention have limited access to the outside world.

"Our mission is to connect immigrants in detention to the outside world through visitation, while stimulating public awareness and meaningful dialogue about immigration detention," said Christina Fialho, co-founder of Detention Dialogues.

Detention Dialogues received approval this month from the West County Detention Facility (WCDF) and from U.S. Immigration and Customs Enforcement (ICE), the federal department responsible for housing ICE detainees, to begin visitation. The visitation program will be operating as an official service to detainees at WCDF, a program-oriented facility in Richmond, California.

WCDF is located in the Point Pinole area of Contra Costa County. The facility itself is a large coeducational adult medium-security prison, approximately 25 miles from San Francisco. Detainees are required to schedule their own visits, and scheduled visitors are welcome during the week and on weekends. While no contact visits are allowed, Detention Dialogues visitors will be able to meet with detainees on any day of the week from behind windows in a large visitation room. Additionally, detainees will be able to call Detention Dialogues at no cost using a three-digit extension provided to Detention Dialogues through the ICE detainee pro bono telephone system.

"We hope our work will inspire dialogue on our responsibility as Americans to engage with the issue of immigration detention," said Christina Mansfield, Detention Dialogues' other co-founder. "Our goal is to enable all motivated actors—including government, community members, nonprofits, academia, business, and philanthropy—to leverage their own distinctive roles to address the growth in immigration detention."

To become a visitor volunteer, interested participants are required to attend two trainings, one with Detention Dialogues and the other with WCDF staff. The next training set will be in August, and Detention Dialogues will be accepting only a limited number of volunteers. To join Detention Dialogues, go to <http://detentiondialogues.blogspot.com/> and click on Become a Volunteer!

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ATTACHMENT E

SAMPLE SIGN-UP SHEET FOR REQUESTING A VISITOR

VISITATION SIGN-UP SHEET

Would you like to be connected to a community member for one-on-one visitations?

This person is NOT a government employee. This person is NOT a lawyer.

This person is NOT a social worker. This person is NOT a religious minister.

This person would be offering friendship and the opportunity to connect with a community member who cares deeply about the lives of those inside of detention.

¿Te gustaría un visitante? Si desea recibir la visita de un miembro de la comunidad, escriba su nombre en la lista por favor. Esto miembro NO ES un empleado del gobierno. Esto miembro NO ES un abogado. Esto miembro NO ES un trabajador social. Esto miembro NO ES un ministro religioso.

Este miembro ofrece amistad y la oportunidad de hablar con alguien de la comunidad que se preocupa por las vidas de los que están dentro de la cárcel.

[illegible]