

# ICE/DRO RESIDENTIAL STANDARD

## VISITATION

**I. PURPOSE AND SCOPE.** Residents will be able to maintain ties through visitation with their families, the community, legal representatives, and consular officials, within the constraints of safety and good order.

Conjugal visits for ICE/DRO residents are prohibited.

**II. EXPECTED OUTCOMES.** The expected outcomes of this Residential Standard are as follows:

1. Residents will be able to receive contact visits from their families, associates, legal representatives, consular officials, and others in the community.
2. Residents will be advised of visiting privileges and procedures as part of the facility's admission and orientation program in a language he or she can understand.
3. Information about visiting policies and procedures will be readily available to the public.
4. The number of visitors a resident may receive and the length of visits will be limited only by reasonable constraints of space, scheduling, staff availability, safety, security, and good order. The minimum duration for a visit shall be 60 minutes.
5. Visitors will be required to adequately identify themselves and register in order to be admitted into a facility; and safety, security, and good order will be maintained.
6. A background check will be conducted on all new volunteers prior to their being approved to provide services to residents.
7. Each new volunteer will complete an appropriate, documented orientation program, and sign an acknowledgement of his or her understanding of the applicable rules and procedures and an agreement to comply with them.
8. Where required, residents have regular access to translation services and/or are provided information in a language that they understand.
9. The standard complies with federal laws and with DHS regulations regarding residents with special needs.

**III. DIRECTIVES AFFECTED.** None

## IV. REFERENCES

The First Edition National Residential Standards were written using a variety of methodologies including previous and current practices, review and comment from various subject matter experts, review and comment from various government and non-government organizations, and a review of current state codes in Pennsylvania and Texas. Each standard is written in a manner that affords each resident admission and continuous housing to a family residential facility in a dignified and respectful manner.

There are no specific codes, certifications, or accreditations that deal specifically with unique management requirements of families awaiting the outcome of their immigration proceeding in a non-secure custodial environment.

American Correctional Association 4th Edition Standards for Adult Local Detention Facilities: 4-ALDF: 5B-01, 5B-02, 5B-03, 5B-04, 2A-21, 2A-27, 2A-61, 6A-02, 6A-06, 7B-03, 7C-02, 7F-05, 7F-06.

## V. EXPECTED PRACTICES

### 1. Overview

Facilities that house ICE/DRO residents provide visiting facilities and procedures for residents to maintain communication with persons in the community. Safety, security, and good order are always primary considerations in a residential facility. Visitors must be properly identified and attired, and are subject to search upon entering the facility and at any other time while in the facility. Except as otherwise permitted herein, visitors may not give anything directly to a resident, although it may be permissible to leave certain items and funds for a resident. All visits in residential facilities shall be contact visits.

Any violation of the visitation rules may result in corrective action against the resident. Introduction of contraband or other criminal violations may lead to criminal prosecution of a visitor and/or resident. Violations may also be grounds for visitor's to be permanently barred from eligibility to visit residents.

As detailed later in this Residential Standard, the category of visitation requested will determine conditions of visitation, including visitors permitted, hours of visitation, the approval process, and the location in the facility for the visit. Visits are categorized as one of the following:

- a. Social Visitation. Family, relatives, friends and associates. Children may be subject to special restrictions. (Paragraph 9)
- b. Legal Visitation. Attorneys, other legal representatives, and legal assistants. (Paragraph 10)
- c. Consultation Visitation. For residents subject to Expedited Removal. (Paragraph 11)
- d. Consular Visitation. Similar to legal visitation but with consular officials who have U.S. Department of State identification. (Paragraph 12)
- e. Non-Governmental Organization Visitation and Tours. (Paragraph 13)
- f. Community Service Organization Visitation. Representatives of civic, religious, cultural groups, etc. (Paragraph 14)
- g. Other Special Visitation. (Paragraph 15)

### 2. General

Each facility shall establish written visiting procedures, including a schedule and hours of visitation.

All visits shall be contact visits within a residential center.

A facility administrator may temporarily restrict visiting when necessary to ensure the safety and good order of the facility.

### 3. Notification of Visiting Rules and Hours

Each facility shall:

- a. Provide written notification of visitation rules and hours in the resident handbook (or equivalent) given each resident upon admission.
- b. Post the rules and hours in common areas and each housing unit, where they can easily be seen by residents.
- c. Make the schedule and procedures available to the public, both in written form and telephonically. A live voice or recording shall provide telephone callers the rules and hours for all categories of visitation.
- d. Post visiting rules and hours in the visitor waiting area.

### 4. Visitor Logs

Each facility shall maintain a log of all general visitors, and a separate log of legal visitors, as described below.

Facility staff shall record the following information in the **general visitor's log**:

- a. The name and alien registration number (A-number) of the resident visited
- b. The visitor's name and address
- c. The visitor's immigration status
- d. The visitor's relationship to the resident
- e. The date and time in and time out

See 10 n for the procedures for the **legal visitor's log**.

### 5. Incoming Property and Funds for Residents Brought by Visitors

In accordance with the Residential Standard on "**Funds and Personal Property**," each facility shall have written procedures regarding incoming property and money for residents.

The facility administrator may allow a visitor to leave cash or a money order with a designated staff member for deposit in a resident's account, and shall provide the visitor with a receipt for money and property left at the facility. **Under no circumstances may visitors give property or money directly to a resident.**

The shift supervisor must approve all items that visitors bring for residents. The visiting room staff may not accept articles or gifts of any kind for a resident, unless the facility administrator and/or shift supervisor has approved them.

Residents may receive only minimal amounts of personal property, including:

- a. Small religious items

- b. Religious and secular reading material (soft cover)
- c. Legal documents and papers
- d. Pictures (10 maximum), measuring 5" x 7" or smaller
- e. Prescription glasses
- f. Dentures
- g. Personal address book or pages
- h. Correspondence
- i. Wedding rings
- j. Other items approved by the facility administrator

## **6. Consequences of Violation of Visitation and Contraband Rules**

Any violation of the visitation rules may result in corrective action against the resident, which may include the loss of visitation privileges. Visiting privileges can be revoked only through the formal resident review process; however, the facility administrator has the authority to restrict or suspend a resident's ordinary visiting privileges temporarily when there is reasonable suspicion that the resident has acted in a way that threatens the safety, security, or good order of the facility. Ordinarily, the restriction or suspension should be limited to the time required to investigate and initiate the corrective action.

A visitor's failure to abide by visiting rules may result in immediate cancellation or termination of a visit and/or suspension of future visitation privileges.

Introduction of contraband or other criminal violations may lead to criminal prosecution of a visitor and/or resident.

## **7. Dress Codes for Visitors**

The facility shall establish and maintain a dress code for visitors over the age of five (5) years. A written copy shall be available to the public upon request.

The minimum dress code is as follows.

### **a. Female Visitors**

- 1) Shorts shall cover customarily covered areas of the anatomy, including the buttocks and crotch area, both when standing and sitting. Shorts no higher than mid-thigh comply. "Short shorts," jogging shorts, cut-offs, and other obviously inappropriate short garments are prohibited.
- 2) Skirts and dresses shall extend no higher than mid-thigh when the wearer is seated.
- 3) Slits in skirts and dresses shall rise no higher than mid-thigh when the wearer is seated.
- 4) Sheer (see-through) clothing is prohibited.
- 5) The top of shirts and dresses (excluding straps) shall be no lower than the

underarm in the front and back. Bare midriffs and strapless tops, tube tops, and swimsuits are prohibited.

- 6) Shoes shall be worn at all times.
- 7) Gang “colors” and other gang displays are prohibited.

**b. Male Visitors**

- 1) Shorts shall cover customarily covered areas of the anatomy, including the buttocks and crotch area, both when standing and sitting. Shorts no higher than mid-thigh comply. “Short shorts,” jogging shorts, cut-offs, and other obviously inappropriate short garments are prohibited.
- 2) Shirts shall be worn at all times. Muscle shirts, bare midriff shirts and sleeveless shirts are prohibited.
- 3) Shoes shall be worn at all times.
- 4) Gang “colors” and other gang displays are prohibited.

**8. Visiting Room Conditions**

The facility’s visiting areas shall be appropriately furnished and arranged, and as comfortable and pleasant as practicable. Also, as practicable, space should be provided outside of the immediate visiting areas for the secure storage of visitors’ coats, handbags, and other personal items.

The facility administrator shall provide adequate supervision of all visiting areas, and the visiting area staff shall ensure that all visits are conducted in a quiet, orderly, and dignified manner.

**9. Visits by Family and Friends**

**a. Hours and Time Limits**

Each facility shall establish a daily visiting schedule based on the resident population and the demand for visits. Visits shall be permitted daily during set hours. The facility may authorize special visits for family visitors unable to visit during regular hours. Where staff resources permit, the facility may establish evening visiting hours.

To accommodate the volume of visitors within the limits of space and staff resources, and to ensure safety, the facility administrator may restrict visits. The facility’s written rules shall specify time limits for visits -- 60 minutes minimum, under normal conditions.

ICE/DRO encourages more generous limits when possible, especially for family members traveling significant distances. In unforeseen circumstances, such as the number of visitors exceeding visiting room capacity, the facility administrator may modify visiting periods.

**b. Persons Allowed to Visit:**

Family, relatives, friends and associates unless they would pose a threat to the security and good order of the institution

**c. Visitor Identification and Search**

Staff shall verify each visitor's identity before admitting him or her to the facility. No adult visitor may be admitted without verified photo identification, such as a driver's license or other photo identification card. Staff shall contact the supervisor on duty when a visitor's identity is in question. At the supervisor's discretion, a minor (under the age of 18) without positive identification may be admitted if the accompanying adult visitor vouches for his or her identity. Children must remain under the direct supervision of an adult visitor, so not to disturb other visitors; and excessively disruptive conduct by children may result in termination of the visit.

The ICE facility administrator may establish a procedure for limited random criminal background and warrant checks, for the purpose of ensuring facility safety and security.

Staff shall escort visitors to the visiting room only after completing identification and inspection, as provided in the facility's written procedures. All visitors are subject to a personal search, which may include a pat ("pat-down") search as well as a visual inspection of purses, briefcases, packages, and other containers. No person who refuses to be searched may be permitted to visit.

In each facility, written procedures shall provide for the prevention, cancellation, or termination of any visit that appears to pose a threat to safety, security, or good order. Staff who believe a situation poses such a threat shall alert the shift supervisor or equivalent, who may prevent, cancel, or terminate the visit.

Inspecting staff may ask the visitor to open a container for visual inspection of its contents. If warranted, staff may ask the visitor to remove the contents and place them on a table; however, the staff may not place his or her hands inside the container. Facilities shall provide and promote visitors' use of lockers or a secure area provided for safekeeping of personal belongings during visits.

Only a staff member with the rank of supervisor or above may deny or cancel a visit. In these cases, the staff member shall document his or her action in a memorandum sent through official channels to the facility administrator. The visiting room staff, with concurrence from the shift supervisor, may terminate visits involving inappropriate behavior.

Facilities shall not require approved visitor lists from ICE/DRO residents.

**d. Contact Visits**

Written procedures shall detail the limits and conditions of contact visits in facilities permitting them. Ordinarily, within the bounds of propriety, handshaking, embracing, and kissing are permitted during the visit; however, staff may limit physical contact to minimize opportunities for contraband introduction and otherwise maintain the orderly operation of the visiting area. Liberal application of this standard is encouraged,

For further information see the Residential Standard on “**Searches of Residents.**”

## **10. Visits by Legal Representatives and Legal Assistants**

### **a. General**

In visits referred to as "legal visitation," each resident may meet privately with current or prospective legal representatives and their legal assistants.

### **b. Hours**

Each facility shall permit legal visitation seven days a week, including holidays, for a minimum of eight hours per day on regular business days, and a minimum of four hours per day on weekends and holidays.

The facility shall provide notification of the rules and hours for legal visitation, as specified above, and prominently post this information in the waiting areas and visiting areas for general and legal visitors, in the recreation area and in the housing units.

On regular business days, legal visitations may proceed through a scheduled meal period, and the resident shall receive a meal tray after the visit.

### **c. Persons Allowed to Visit**

Subject to the restrictions stated below, individuals in the following categories may visit residents to discuss legal matters:

#### **1). Attorneys and Other Legal Representatives**

An attorney is any person who is a member in good standing of the bar of the highest court of any state, possession, territory, commonwealth, or the District of Columbia, and is not under an order of any court suspending, enjoining, restraining, disbaring, or otherwise restricting him or her in the practice of law.

A legal representative is an attorney or other person representing another in a matter of law, including law students, law graduates not yet admitted to the bar, “reputable individuals” (8 CFR 292.1), accredited representatives, accredited officials, and attorneys from other countries. See 8 CFR 292.1 for more detailed definitions of these terms.

#### **2). Legal Assistants**

Upon presentation of a letter of authorization from the legal representative under whose supervision he or she is working, an unaccompanied legal assistant may meet with a resident during legal visitation hours. The letter shall state that the named legal assistant is working on behalf of the supervising legal representative for purposes of meeting with the ICE/DRO resident(s).

#### **3). Interpreters**

The facility shall permit interpreters to accompany legal representatives and legal assistants on legal visits, subject to **Visitor Identification and Search** procedures detailed above.

#### 4). **Messengers**

The facility shall permit messengers who are not legal representatives or legal assistants to deliver documents to and from the facility, but not to visit residents.

#### **d. Identification of Legal Representatives and Assistants**

Prior to each visit, all legal representatives and assistants shall be required to provide identification.

State bar cards are the preferred forms of identification, and attorneys who are members of state bars that do not provide bar cards are required to present other documentation that verifies bar membership. If such documentation is not readily available to attorneys licensed in a particular state, the person shall be required to indicate where he or she is licensed as an attorney and how that fact may be verified.

Legal representative and legal assistants may not be asked to state the legal subject matter of the meeting.

Legal representatives and assistants are subject to a search at any time of his or her person and belongings for the purpose of ascertaining the presence of contraband.

#### **e. Identification of Resident To Be Visited**

The facility may not require legal representatives and assistants to submit a resident's A-number as a condition of visiting, and shall make a good-faith effort to locate a resident if provided with any other information about the resident.

#### **f. Call-Ahead Inquiries**

Each facility shall establish a written procedure to allow legal representatives and assistants to telephone the facility in advance of a visit, to determine whether a particular individual is detained there. The request must be made to the on-site ICE/DRO staff or, where there is no resident staff, to the ICE/DRO office with jurisdiction over the facility.

If the person seeking the information states that he or she already represents the resident, ICE/DRO staff shall confirm that the caller's name corresponds with the name on a Form G-28, *Notice of Appearance*, on file. To protect confidentiality, if a Form G-28 is not yet on file, ICE/DRO staff must be satisfied that the person making the inquiry is, in fact, a legal representative or legal assistant who is considering representing the subject resident in legal proceedings.

When unfamiliar with the person making the inquiry, ICE/DRO staff should request documentary evidence, such as a letter of request on identifying letterhead, and shall accept such evidence by fax. Alternatively, at the request of the caller, staff shall seek the consent of the resident for the disclosure of residential information. In either case, ICE/DRO staff shall respond to the caller as soon as possible, but in no case more than 24 hours after the call was made.

Notwithstanding the general policy set forth in the previous paragraph, the ICE/DRO retains the discretion to withhold this telephonic information on a case-by-case basis if it has clear and compelling facts to support the belief that disclosure would endanger national security, facility security, or the resident. In such circumstances, ICE/DRO staff



may request further information to allay the security concerns raised and may seek the resident's consent to the disclosure.

**g. Pre-Representation Meetings**

During the regular hours for legal visitation, the facility shall permit residents to meet with prospective legal representatives or legal assistants. The facility shall document such "pre-representation meetings" in the logbook for legal visitation.

At the "pre-representation" stage no attorney-client relationship exists. Therefore, to meet with a resident, legal service providers need not complete a Form G-28 to state that they are legal representatives of the resident).

**h. Form G-28 Required for Attorney-Client Meetings**

Attorneys representing residents on legal matters unrelated to immigration are not required to complete a Form G-28.

Once an attorney-client relationship has been established, the legal representative shall complete and submit a Form G-28, which shall be available in the legal visitation reception area. Staff shall collect completed forms and forward them to ICE/DRO.

Each completed Form G-28 becomes a permanent part of the resident's A-file, and it remains valid until ICE/DRO receives written notice of the relationship's termination from the resident or the legal representative. Staff shall place such notices in the A-file on top of the Form G-28.

**i. Private Meeting Room**

Visits between legal representatives or assistants and a resident are confidential, and shall not be subject to auditory supervision. Private consultation rooms shall be available for such meetings.

Staff shall not be present in the confidential area during the meeting unless the legal representative or assistant requests the presence of staff; however, staff may observe such meetings visually through a window or camera to the extent necessary to maintain security, as long as staff cannot overhear the conversation.

When a situation arises where private conference rooms are in use and the attorney wishes to meet in a regular or alternate visiting room, the request should be accommodated to the extent practicable. Such meetings should be afforded the greatest degree of privacy possible under the circumstances.

Due to the presence of children and the requirement to provide for attorney-client visitation, visitation areas shall be constructed in a manner that allows for parents to view the activities of their minor children within the visitation area. When necessary each facility is required to provide a means where a parent can talk privately out of the hearing range of the children.

**j. Materials Provided to Residents by Legal Representatives**

The facility's written legal visitation procedures must provide for the exchange of documents between a resident and the legal representative or assistant.

Documents or other written material provided to a resident during a visit with a legal

representative shall be inspected but not read. Residents are entitled to retain legal material received for their personal use. Quantities of blank forms or self-help legal material in excess of those required for personal use may be held for the resident with his or her stored property. The resident shall be permitted access to these documents, through the established avenues of communication.

**k. Resident Search**

Each facility shall have written procedures to govern resident searches. Each resident shall receive a copy of these search procedures in the resident handbook (or equivalent) given to each resident upon admission.

**l. Group Legal Meetings**

Upon the request of a legal representative or assistant, the facility administrator may permit a confidential meeting (with no staff present) involving the requester and two or more residents. This may be for various purposes: pre-representational, representational, removal-related, etc. The facility should grant such requests to the greatest extent practicable; that is, if it has the physical capacity and the meeting would not unduly interfere with security and good order. Each facility administrator shall limit resident attendance according to the practical concerns of the facility, or the security concerns associated with the meeting in question.

See also the Residential Standard on “**Legal Rights Group Presentations.**”

**m. Pro Bono List and Resident Sign-Up**

ICE/DRO shall provide each facility the official list of local *pro bono* legal organizations, which is updated quarterly by the local DOJ Executive Office for Immigration Review. The facility shall promptly and prominently post the current list in resident housing units and other appropriate areas.

Any legal organization or individual on the current list may write the facility administrator to request the posting and/or general circulation of a sign-up sheet. The facility administrator shall then notify residents of the sign-up sheet's availability and, according to established procedures, ensure coordination with the *pro bono* organization.

**n. Legal Visitation Log**

Staff shall maintain a separate log to record all legal visitors, including those denied access to the resident. The log shall include the reason(s) for denying access.

Log entries shall include: the date; time of arrival; visitor's name; visitor's address; supervising attorney's name (if applicable); resident's name and A-number; purpose of visit (e.g., pre-representation, representational, Expedited Removal consultation); time visit began; time visit ended. Staff shall also record any important comments about the visit.

**o. Availability of Legal Visitation Policy**

The facility's written legal visitation policy shall be available upon request and posted in

all common areas and housing units. The site-specific policy shall detail the visitation hours, procedures and standards, including, but not limited to: telephone inquiries; dress code; legal assistants working under the supervision of an attorney; pre-representational meetings; Form G-28 requirements; identification and search of legal representatives; identification and search of visitors; materials provided to residents by legal representatives; confidential group legal meetings; and resident sign-up.

## **11. Consultation Visits for Residents Subject to Expedited Removal**

### **a. General**

Residents subject to Expedited Removal who have been referred to Asylum Officers are entitled by statute and regulation to consult with persons of the resident's choosing, both prior to the interview, and while the Asylum Staff's decision is under review. Such consultation visitation is for the purpose of discussing immigration matters, not for social visits.

- The consultation visitation period **begins** before any interview with Asylum staff, and continues while the Asylum staff's determination undergoes review by the Supervisory Asylum Staff or Immigration Judge.
- The consultation visitation period **ends** when a Notice to Appear is issued and the resident is placed in removal proceedings before an immigration judge; however, the resident retains legal and other visitation privileges, in accordance with this Residential Standard.
- Consultation visitation may neither incur Government expense nor unduly delay the removal process.

### **b. Method of Consultation**

Because expedited removal procedures occur within short time frames, each facility shall develop procedures that liberally allow an opportunity for consultation visitation, in order to ensure compliance with statutory and regulatory requirements and to prevent delay in the Expedited Removal process. Given the time constraints, consultation by mail will generally not prove viable.

The facility shall facilitate consultation visitation by telephone and face-to-face, and staff shall be sensitive to individual circumstances when resolving consultation-related issues.

Consultation visitation shall be allowed during legal visitation hours and during general visitation hours; however, confidentiality shall be ensured only during legal visitation hours. If necessary to meet demand, the facility administrator shall increase the facility's consultation visiting hours.

### **c. Persons Allowed To Visit for Consultation Purposes**

Residents subject to Expedited Removal may consult whomever they choose, in person or by phone, at any time, during the first 48 hours following notification of Expedited Removal. Consultants might include, but are not limited to, attorneys and other legal representatives, prospective legal representatives, legal assistants,

members of non-governmental organizations (NGOs), friends, and family members.

Consultation visitors are subject to the same identification and security screening procedures as general visitors. If documented security concerns preclude an in-person visit with an individual, the facility administrator shall arrange for consultation by telephone. If security reasons also preclude consultation by telephone, the facility administrator shall consult the respective Chief Counsel.

**d. Privacy**

Consultation visits, in person or by telephone, receive the same privacy as communications between legal representatives and residents.

**e. Admittance for Asylum Staff Interview**

Residents subject to Expedited Removal may bring and consult advisors during the Asylum staff interview. The presence of persons to consult is also allowed during the immigration judge's review of a negative credible fear determination, at the judge's discretion.

**f. Log**

Staff shall record consultation visits in the legal visitation log.

The purpose of the visit shall be noted as "ER consultation."

The facility shall create a separate record of the visit that is placed in the resident's A-file, or place a copy of the visitation log page in the resident's A-file.

**g. Form G-28 for Consultation Visits**

Visitors are not required to file a Form G-28 to participate in a consultation visit or provide consultation during an Asylum staff interview or immigration judge's review of a negative credible fear determination. This applies even if the visitor is an attorney or legal representative.

**h. Other Considerations for Consultation Visits**

For other considerations in regard to consultation visits, the above procedures for "**Visits by Legal Representatives and Legal Assistants**" apply. Specifically, see policies for Group Legal Meetings, Call-Ahead Inquiries, Searches, Identification of Resident to be Visited, Materials Provided to Residents by Legal Representatives, *Pro Bono* List and Resident Sign-Up, and Availability of Legal Visitation Policy.

**12. Consular Protection<sup>1</sup>**

According to international agreements, residents must be advised of their right to consular access, and the ICE/DRO must facilitate this access. Therefore, it is ICE/DRO policy and practice that all detained individuals shall be provided with notice of their right to contact their consular representatives and to receive visits from their consulate's staff during intake

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<sup>1</sup> For additional guidance, ICE officers should consult ICE Office of Investigations Directive 73001.1 "Consular Notification of Detained or Arrested Foreign Nationals."

orientation and in the resident handbook.

The facility administrator shall ensure that all residents are notified of and afforded the right to contact and receive visits from their consular staffs. The same hours, privacy, and conditions that govern legal visitation guide consular visitation. Consular visits may be permitted at additional times with the facility administrator's prior authorization.

To visit, consular staffs must present U.S. Department of State identification.

### **13. Non-Government Organization Visitation with Residents and Tours of Facilities**

All requests by NGOs and other organizations to send representatives to visit residents must be submitted in writing to JFRMU. The written request must state the exact reason for the visit and issues to be discussed.

All efforts shall be made to accommodate NGO requests for facility tours in a timely manner. All tours shall be limited to a reasonable number of participants, who must submit in a timely manner the personal information needed for their background checks. Tours shall be scheduled at the convenience of the residential facility, so as not to disrupt normal operations and to be in compliance with facility security requirements.

Written requests from domestic or international organizations associated with residential issues shall be submitted to JFRMU.

### **14. Visits from Representatives of Community Service Organizations**

The facility administrator, in consultation with ICE/DRO, may approve visits to one or more residents by individuals or groups representing community service organizations, including civic, religious, cultural, therapeutic, and other groups. Volunteers may provide a special religious, educational, therapeutic, or recreational activity.

The facility administrator's approval shall take into account such factors as:

- a. Safety and security considerations
- b. Availability of personnel to supervise the activity
- c. Sufficient advance notification to the facility administrator

Residents' immediate family and other relatives, friends, and associates, as detailed above under **Persons Allowed to Visit**, may not serve as volunteers.

To assist the facility administrator's decision, facility staff (such as chaplains and recreation specialists) shall verify the organization's *bona fide* interests and qualifications for this type of service.

Groups must:

- a. **Provide the facility with advance notification** of the names, dates of birth, and Social Security numbers of the group members who will be visiting.

All volunteers, regardless of title or position, are subject to a minimal background check that includes, but is not limited to, a criminal history check, verification of identity, occupation, and credentials for the type of activity involved.

b. **Provide identification** for the individual members of the group upon arrival at the facility.

c. **Comply with visitation rules.**

Each approved volunteer shall receive an appropriate orientation to the facility and acknowledge his or her understanding of rules and procedures by signing an agreement to comply, particularly in regard to permissible behavior and relationships with residents. The orientation and signed agreement shall:

- Specify lines of authority, responsibility, and accountability for volunteers.
- Prohibit volunteers from:
  - Using their official positions to secure privileges for themselves or others
  - Engaging in activities that constitute a conflict of interest
  - Accepting any gift from or engaging in personal business transactions with a resident or a resident's immediate family

All volunteers shall be held accountable for compliance with the rules and procedures.

d. **Read and sign a waiver of liability** from each group member that releases ICE/DRO of all responsibility in case of injury during the visit, before being admitted to any secure portion of the facility or location where residents are present.

**15. Other Special Visits**

a. **Law Enforcement Officials' Visits**

Facility visitation procedures shall cover law enforcement officials requesting interviews with residents and requires notification to the Field Office Director, Chief Counsel, and JFRMU.

b. **Visitation by Former Residents or Aliens in Proceedings**

Former ICE/DRO-residents, individuals with criminal records, and individuals in deportation proceedings shall not be automatically excluded from visiting. Individuals in any of these categories must so notify the facility administrator before registering for visitation privileges. To determine visitation privileges, the ICE facility administrator shall weigh the nature and extent of an individual's criminal record and/or prior conduct against the benefits of visitation.

c. **Visiting Rules Regarding Animals**

Each facility shall establish and disseminate a policy and implementing procedures governing under what circumstances, if any, animals may accompany human visitors onto or into facility property.

**Standard Approved:**

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**John P. Torres**  
**Director**  
**Office of Detention and Removal**

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**Date**