

MEMORANDUM

TO: Anthony S. Tangeman,
Deputy Executive Assistant Commissioner Office of Detention and Removal

FROM: Lawyers Without Borders, Inc. Delegation to the York Correctional Institution¹

RE: Report on Observations during a General Tour of the Niantic, CT facility

DATE: January 16, 2003

This memorandum summarizes and evaluates information gathered at the York Correctional Institution, Niantic, Connecticut ("York"), through interviews with detainees, observations of the delegation staff, and discussions with INS and York personnel on the November 7, 2003 visit.

INS Detention Standards

The Immigration and Naturalization Service promulgated the "*INS Detention Standards*" in November 2000 to insure the "safe, secure and humane treatment of individuals detained by the INS." The thirty-six *Standards* contained in the Detention Operations Manual cover a broad spectrum of issues ranging from visitation policies to grievance procedures and food service. These standards apply to INS Service Processing Centers ("S.P.C."), Contract Detention Facilities ("C.D.F."), and state and local government facilities used by the INS through Intergovernmental Service Agreements ("I.G.S.A."). The *Detention Standards* went into effect at INS S.P.C.s on January 1, 2001. The INS proposed to phase-in the standards in its contract facilities, and state and local facilities, by the year 2003. The *Detention Standards* constitute a "floor" not a "ceiling" for treatment of INS detainees. In other words, they are meant to establish the minimal requirements that INS must adhere to in its facilities. Each District Office or Officer in Charge ("OIC") may, in his or her discretion, promulgate policies and practices affording INS detainees more enhanced rights and protections than those provided for by the *Standards*.

York Correctional Institution is a high-security prison used to house female detainees on behalf of the INS through an I.G.S.A. At the time of the visit, it housed 58 detainees from various nations, the majority of whom were women from Colombia.² Generally, the average stay appears to be 60 days, although shorter and significantly longer stays (up to 14 months) were mentioned to the delegation staff during the visit.³ Ninety percent of the detainees are "criminals" awaiting deportation because of their criminal offenses and the remaining 10% are in

¹ The delegation was comprised of [REDACTED] b6 [REDACTED] Esq., Pepe & Hazard LLP; [REDACTED] b6 [REDACTED] Esq., Lawyers Without Borders, Inc. (Kelly Law Registry); [REDACTED] b6 [REDACTED] Esq., Lawyers Without Borders, Inc.; [REDACTED] b6 [REDACTED] student, University of Connecticut School of Law; [REDACTED] b6 [REDACTED] Esq., Cohn, Birnbuam & Shea, P.C.; and [REDACTED] b6 [REDACTED], Esq., Pepe & Hazard, LLP.

² Ms. [REDACTED] b6 [REDACTED] notes.

³ Ms. [REDACTED] b6 [REDACTED] notes, Ms. [REDACTED] b6 [REDACTED] notes.

“court battles” over their immigration status.⁴ The majority of the women were brought to York, via the INS Office in Hartford, from the Federal Correctional Institute in Danbury. Typically, a few days before the completion of their prison sentences, the women were informed that they would be turned over to the custody of the INS. They were then brought to Danbury from all over the country, processed through the INS Office in Hartford, and then brought to York. They are eventually deported back to the capital city of their home country.⁵

This memorandum discusses the York facility’s implementation of the *Standards*. The memo focuses on select portions of the *Standards* where INS implementation is of particular importance for the achievement of their stated goal to insure the “safe, secure, and humane treatment” of INS detainees. In particular, this memo focuses primarily on the four Legal Access *Standards* : (1) Legal Materials; (2) Telephone Access; (3) Visitation; and (4) Group Rights Presentations; as well as other issues of concern observed during the course of the tour.

I. General Information

The *Standards* require that each facility “develop a site-specific detainee handbook to serve as an overview of, and guide to, the detention policies, rules, and procedures in effect at the facility. The handbook must also describe the services, programs, and opportunities available through various sources including the facility.”⁵ The handbook should constitute a comprehensive guide to life in the facility and include, at a minimum, the information specified in Section III, A through J of the *Detainee Handbook Standard*, of the *Standards*. The purpose of the Handbook requirement is to give detainees notice of all applicable rules, policies, and privileges of the facility. An I.G.S.A. is not obligated to create a new detainee handbook, and may use their inmate handbook “provided [the procedures described in the handbook] meet or exceed the objective represented by each standard.”⁶

The Lead Warden and the INS District Officer both orally assured the delegation that each detainee was given a copy of the Inmate Handbook upon admittance to the facility, and the detainees interviewed each acknowledged receipt of the Inmate Handbook. According to Chief Warden [REDACTED] b6, b7C the handbook is available in English and Spanish. However, one Spanish speaking detainee claimed that the Handbook was available only in English, and had been translated to her in Spanish by her Embassy.⁷

The Handbook pertains to inmates only, with no additional information regarding the policies, procedures, and rules governing INS detainees.⁸ Therefore, it does not inform the detainees of the INS policies governing their rights. For instance, the Inmate Handbook includes the prison’s policies and procedures governing telephone access, but does not inform the INS detainees of the additional telephone access that a detainee is required to be offered per

⁴ Approximately 12 of the 58 women housed at York on November 7 did not yet have a final determination in their deportation hearings. Conversation with [REDACTED] b6, b7C Supervisor, INS Detention and Removal. Ms. [REDACTED] b6 notes.

⁵ *Id.*

⁵ Detention Operations Manual, (hereinafter “DOM”), Standard 19, Detainee Handbook.

⁶ *Id.*

⁷ Ms. [REDACTED] b6 notes.

⁸ See “York Correctional Institution, Inmate Handbook”, attached.

*Detention Operations Manual Standard 2, Telephone Access.*⁹ This is particularly troublesome because most of the detainees are not in the position to question the conditions of their confinement for the sole reason that they were recently prisoners. They may not understand that, having completed their criminal prison sentences, they are no longer prisoners, and have additional rights.

Our delegation was unable to ascertain whether at the Danbury Federal Correctional Institution, the detainees were informed of the INS policies, procedures, and rules governing detainees. The INS District Officer told our delegation that at the Hartford INS Sub-Office, where the detainees are processed before being brought to York, the detainees often were given the opportunity to view the video “Know Your Rights”, produced by the INS through the Florence Project. He mentioned, however, that the detainees were usually uninterested in viewing the video, and that it is seldom ever played for new detainees.¹⁰

II. Observation of Implementation of Legal Access Standards

A. Legal Access / Visitation

The range of permissible visitors includes: Consular officials, attorneys, legal representatives, friends, family, and media.

i. Visitation by Attorneys

The *Standards* provide that facilities should allow detainees to meet privately with their current or prospective legal representatives and legal assistants and to meet with their consular officials. The Standards specify that legal visitation should be allowed seven days a week for a minimum of eight hours on weekdays and four hours on the weekends.¹¹ However, the Facility policy indicates that detainee access to attorneys and other legal professionals is limited to the normal visiting hours of the Facility.¹²

Generally, the normal visitation hours are flexible, with visitation hours during the mornings, afternoon and late evenings during the week. (Visiting hours are 8:00 a.m. – 10:45 a.m.; 12:30 p.m. – 2:15 p.m.; and 6:15 p.m. – 9:15 p.m. Monday, Wednesday, Friday and Saturday or Sunday, depending on the inmate number. Tuesdays have no morning visiting hours, and Thursdays do not have afternoon visiting hours.¹³) Privileged visits, including attorney visits, are encouraged to take place between the hours of 8:00 a.m. – 4:00 p.m., with twenty-four hour advance notice preferred.¹⁴ G-28’s or bar cards are not necessary. (The state of Connecticut does not issue bar cards.) A photo identification card is required.¹⁵ It was not made clear to the delegation what procedures were used in the event that a detainee missed a meal during an attorney visit. However, since advance notice is requested for attorney visits,

⁹ See Sec. 1. III, below.

¹⁰ Ms. [REDACTED] notes.

¹¹ DOM Standards 1: Visitation

¹² *Inmate Handbook*, Part II, Section 10.H.1.A. Privileged Visit, at page 10.

¹³ *Inmate Handbook*, Attachment B, “Visits”

¹⁴ *Supra*, note 12.

¹⁵ *Id.*

attorneys have the ability to reserve a visiting room (normally assigned on a first come – first served basis), and to arrange the visits around the meal schedule.¹⁶ Given that advance notice of an attorney visit is suggested, an attorney wishing to visit an individual in administrative or disciplinary segregation should be able to arrange such a visit. Generally, individuals in segregation are restricted to shorter or less frequent family visits, and fewer phone calls.¹⁷ (Legal calls are allowed to individuals in segregation, but these calls must be approved by a supervisor or counselor.¹⁸)

Visitation is also allowed on the weekends. The hours are posted at the visitors' entrance to the Facility, and are indicated in the Inmate Handbook.¹⁹ There did not appear to be any posting of hours within the visitation area. Private rooms are available for attorney visits in order to allow for confidential meetings with clients.²⁰ The Inmate Handbook also indicates the option of arranging for a non-contact visit.²¹ The delegation staff did not have the opportunity to see the space provided for non-contact visits. Detainees are not strip searched after non-contact visits, although it was unclear to the delegation staff whether detainees were generally aware of the option for non-contact visits. Regardless of the option, however, it appears that most, if not all, legal visits are "contact visits", after which the detainees are subject to strip searches with no requirement of cause.²² This may amount to a blanket strip search policy by the facility, although such a policy would violate the *Standards*. Please note that the detainee interviews conducted by the delegation staff occurred in a reception area apart from the normal visitation room, out of courtesy to the delegation. The detainees were not subject to strip searches after the interviews.

ii. Visitation by Family/Friends

The Facility policy indicates that each detainee is allowed 2, two-hour visits during the week and 1, one-hour visit on one day of the weekend.²³ Visitation hours are as mentioned above. All visits are contact visits, and detainees are subject to strip searches after each visit. According to the Inmate Handbook, inmates will have contact visits unless "expressly designated for non-contact visiting."²⁴ There are no separate visiting rules and procedures for detainees. There is a children's area in the visitation center of the Facility, so detainees are able to have visits with children.

The Facility has a fair visitation policy for family and friends, offering a range of hours during the week and weekends. Considering the number of prisoners at the Facility, three total visits per week for each detainee seems reasonable. With respect to legal visitation, however, the Facility does not provide adequate visitation hours, nor does it inform the detainees that they

¹⁶ *Inmate Handbook*, Part II, Section 10.H.1.A. Privileged Visit, at page 10.

¹⁷ See, *Administrative Segregation, Restrictive Housing Unit, Unit Handbook, attached hereto, at "Administrative Segregation Activity Schedule"*.

¹⁸ *Id.*

¹⁹ *Inmate Handbook*, Visits, Attachment B.

²⁰ Ms. [REDACTED] notes.

²¹ *Inmate Handbook*, Part II, Section 10.F.3. Non-Contact Visiting, at page 9.

²² Ms. [REDACTED] notes.

²³ *Inmate Handbook*, Attachment B, "Visits".

²⁴ *Inmate Handbook*, Part II, Facility Services, 10 Visiting (F)(1)(c), p. 9.

should be afforded greater time for legal visitation. In addition, detainees are not explained the option of requesting a non-contact visit in order to avoid being strip searched, and are thereby subjected to a blanket strip search policy.²⁵

B. Telephone Access

The *Standards* provide that facilities shall permit detainees to have reasonable and equitable access to telephones. Generally, at least one telephone must be available for every 25 detainees.²⁶ York provides two telephones for each tier, housing 24 inmates/detainees.²⁷ The *Standards* provide that even in I.G.S.A.s, as opposed to INS Detention Centers, calls to legal representatives shall not be restricted in their number or duration, “unless necessary for security purposes or to maintain orderly and fair access to telephones.”²⁸ The restrictions on telephone access to contact legal representation at York, however, were excessive, as each detainee is only allowed two unmonitored calls to her legal representative a month. (It is counted as a call even if the legal representative is not reached.)²⁹ In addition, phone calls to attorneys are permitted only between the hours of 9 a.m. and 3 p.m., whereas personal phone calls may be made from 8:30 a.m. – 9:30 p.m.³⁰ The Warden noted that the prison staff immediately advises detainees if their attorney calls. Apparently, returned calls from attorney are not subject to duration or scheduling limitations.³¹

The inmate handbook provides instructions on how to use the telephones in English and in Spanish. All telephone calls must be collect calls, with the exception of certain “free calls” that are allowed to be placed. The detainees are allowed free calls to the offices of the public defender, or other Legal Assistance offices. Additionally, from conversation with the INS District Officer, calls to consulates and immigration courts were also allowed. However, because of the collect call system, it is virtually impossible for an unrepresented detainee to locate representation. In addition, the facility should expand the hours and days during which detainees may call their legal representation. Currently, legal calls are limited to 30 minutes each, unless the attorney makes a request for a longer call.

C. Legal Materials

The *Standards* mandate the designation of a law library in each INS facility.³² Each library must be large enough to facilitate detainee research and writing in a well-lit and reasonably quiet area. In addition to size, each library facility must have an adequate number of tables and chairs, in order to provide access to all detainees who request to use the library. It must also provide materials, equipment and library holdings sufficient to enable detainees to research and prepare legal documents.

²⁵ Ms. [REDACTED] notes.

²⁶ DOM Standard 14, Telephone Access.

²⁷ Ms. [REDACTED] notes.

²⁸ DOM Standard 14, Telephone Access.

²⁹ Ms. [REDACTED] notes.

³⁰ Ms. [REDACTED]

³¹ Ms. [REDACTED] notes.

³² DOM, Standard 4, Access to Legal Material.

i. Library Conditions and Access

The Library was comfortable, well lit and spacious, and had typewriters available. However, typically only five people are allowed to use the library at a time, significantly affecting the library access available to detainees. Based upon interviews with detainees, it appears that each group of 20-25 inmates/detainees is scheduled for a library visit only once a week. Probably because of the library's space limitations, of the 25 inmates/detainees in a group, only 5 are actually allowed to use the library during the group's scheduled time.³³ It appears that library access is given upon a first-come, first-served basis. In addition, because only five people actually were given access to the library during the scheduled library time, favoritism was also cited as an impediment to gaining access to the library as it appeared that the same people were chosen each time.³⁴ Apparently, an inmate or detainee may request access to the library at an unscheduled time, but this type of access did not appear typical based upon interviews with the detainees.³⁵ Generally, the detainees were allowed from 30 minutes to two hours at a time in the library.³⁶ The facility does not provide adequate access to the library for detainees.

ii. Materials Identified in Attachment A-2 of the Standards

Per *DOM Standard 4, Access to Legal Materials*, the library should contain the publications listed in Attachment A-2 of the *Standards*. The library, however, only had a limited number of legal books on immigration, and the volumes available were out-dated (1993). The library had no legal materials in a foreign language.³⁷ The Florence Project packet "Know Your Rights" was not available, but the INS District Officer stated that the CD version of this packet would soon be ordered for York, although it was unclear whether this would be accompanied by additional computers to be placed in the library.³⁸ (Computers are available in a computer lab used for computer classes, but there are no computers in the library, and they are not readily available for detainees to use in preparing their legal cases..³⁹) The library has a librarian that helps inmates and detainees order publications not currently in the library's holdings. The delegation staff, however, did not have the opportunity to speak with the librarian because the library was closed during the visit. It is unknown whether the library has ordered the holdings listed in the *DOM*. An effort should be made to supply the library with the materials listed in Attachment A-2, and to have a procedure put into place that has these materials updated regularly.

iii. Photocopies and Mail

1. Photocopies

Per the *Standards*, facilities must make copies of detainees' legal documents as required for court filings. At York, the library staff will make one copy of any legal document for a detainee, charging ten cents for each additional copy.⁴⁰

³³ See Ms. [redacted] notes, Ms. [redacted] notes, Ms. [redacted] notes.

³⁴ Ms. [redacted] notes.

³⁵ Ms. [redacted] notes.

³⁶ Ms. [redacted] notes, Ms. [redacted] notes.

³⁷ Ms. [redacted] n

³⁸ Ms. [redacted] notes.

³⁹ See Sec. IV, D, "Computer Access, Equipment and Holdings", below.

⁴⁰ Ms. [redacted] notes. (Conversation with Major [redacted] Acting Chief of Support Services.)

Other documents may be copied at ten cents per copy. One detainee noted, however, that the detainee's lawyer must make the request for copies of the legal document.⁴¹ If more than one copy of a legal document is required, and a detainee is indigent, the library staff will make the additional copies upon request. A detainee is determined to be indigent if her account has not exceeded \$5.00 in the past 90 days or if she had less than \$5.00 on account at admission.⁴² [

2. Mail

Overall, the facility appeared to offer INS detainees the same mail access as its regular detainees.⁴³ This is problematic because the standards applied to the general prison population do not reach those laid out in the *Standards*.⁴⁴ Specifically, since the inmate handbook does not contain the notifications required under the *Standards*, the detainees should be provided in writing of the mail facilities available to them. Also, without a separate detainee handbook, the detainees are unaware that according to the *Standards*, incoming mail should be opened in the presence of the detainee. (York, as an I.G.S.A., however, is only asked to use this standard as a useful guideline.) Regarding special correspondence (referring generally to legal correspondence), the *Standards* require it to be inspected for contraband and that any such inspection "be in the presence of the detainee". Both prison staff and detainees reported that in *practice* Niantic does not permit detainees to be present when "special correspondence" is opened.⁴⁵

iv. Computer Access and Equipment

The INS Detention Standards mandate that an adequate number of typewriters, and/or computers, carbon paper, writing implements, writing tablets and non-toxic liquid paper be available for use by the detainees.

The law library did not have computers, but did have several typewriters available. Computers in a separate computer lab are available to the detainees, but generally only for use during computer classes, including hardware repair classes. Detainees are not given access to their own computer disks. The library did appear to have adequate equipment for detainees to prepare their own legal documents.⁴⁶

D. Group Rights Presentations

The *Standards* provide that facilities shall permit authorized persons to make presentations to groups of detainees for the purpose of informing them of U.S. immigration law

⁴¹ Ms. (b)(6) notes.

⁴² Inmate Handbook, Attachment F.

⁴³ Mr. b6, b7C notes.

⁴⁴ DOM Standard 9, Correspondence and other Mail.

⁴⁵ Mr. b6 es.

⁴⁶ Ms. b6 notes.

and procedures consistent with the security and orderly operations of the I.G.S.A.⁴⁷ All facilities must cooperate fully with authorized persons seeking to make such presentations.

The INS District Officer would be accommodating to any group wishing to make a group legal rights presentation within the guidelines. This was evidenced by the INS District Officer's willingness to host the delegation staff, and his full cooperation in allowing the delegation to interview several detainees as it requested. In addition, the INS District Officer verbally agreed to permit any attorneys, non-profits, or BIA certified organizations to make group presentations. He noted that, to date, no organization had requested permission to make a group presentation, and that therefore no group rights presentations had been made.⁴⁸

The Colombian Consulate regularly meets with and supplies information to Colombian detainees. According to one detainee who was interviewed, the Consulate provided significantly more information to detainees on their rights than the Facility or INS.⁴⁹

VI. Other General Observations Unrelated to the Legal Access Standards

A. Recreation Issues

The *Standards* require that "all facilities shall provide INS detainees with access to recreational programs and activities, under conditions of security and supervision that protect their safety and welfare."⁵⁰ Every effort should be made to provide outdoor recreation facilities, but lacking such, the recreation room should be large, with exercise equipment and having access to sunlight. The York facility's recreation areas consist of an indoor gymnasium and a large outdoor recreation field.

i. Indoor Recreation

Currently, there is no indoor recreation because inmates and detainees are being housed in the gym. This overflow issue may soon be corrected because the facility is scheduled to open a new housing building containing 120 beds.⁵¹ *See below, Section VIII (C) Accommodations.*

ii. Outdoor Recreation

There was adequate space and equipment provided for outdoor recreation, allowing for badminton games, volley ball, etc.⁵² The detainees are allowed 45 minutes of outdoor recreation time, five days per week. This time, however, is often limited to 20-30 minutes per day.⁵³ According to the *Standards*, each detainee shall have access to outdoor or indoor

⁴⁷ DOM, Standard 3, Group Presentation on Legal Rights.

⁴⁸ Ms. [REDACTED] notes.

⁴⁹ Ms. [REDACTED] notes.

⁵⁰ DOM, Standard 27, Medical Care.

⁵¹ Ms. [REDACTED] notes.

⁵² Ms. [REDACTED] notes.

⁵³ Ms. [REDACTED] notes.

recreation at least one hour daily, five days per week.⁵⁴ The detainees at York should be given additional recreation privileges to meet the minimum requirements of the *Standards*.

B. Medical Issues

Overall, the detainees interviewed considered the medical care provided to be good. However, a few detainees noted that requests for medical services were frequently denied.⁵⁵ In order to obtain medical treatment, the detainee must submit an "Inmate Request Form", indicating the type of treatment required and the nature of the problem. Even before the request for treatment is made, the detainee is advised to purchase items from the Commissary, such as cold remedies, motrin, antifungal cream and lotion, prior to being seen at Sick Call.⁵⁶ Making such purchases, however, may be difficult for many detainees, even if they are not considered indigent (having less than \$5 in their account).⁵⁷

C. Detainee Classification

York classifies detainees according to the classification categories used for inmates, and not according to the classification system outlined in the *Standards*. This is appropriate as long as the INS objective of separating detainees by category is followed. The classification system at York does not meet this INS objective. All of the detainees are of one classification, Level 3, which signifies medium threat.⁵⁸ There is no opportunity to be re-classified to Level 2, the lowest threat, even if the detainee demonstrates peacefulness and poses no threat. However, detainees can be re-classified to a Level 4 or 5 if the detainee behaves badly.⁵⁹ The inmates and detainees do wear color-coded clothes, which conforms to York's classification system. However, there is intermixing of the levels. Through interviews with detainees, it was learned that the detainees are being housed along side Level 5 inmates.⁶⁰ Prison staff did distinguish between inmates and "administrative detainees" in their responses to the delegation staff questions. Apart from the difference in title, however, there was no visible distinction in privileges, living conditions or treatment of the detainees.⁶¹

D. Administrative Segregation

The *Standards* state that administrative segregation is a non-punitive separation when there is a threat to self, staff, other detainees, property or the security/orderly operation of the facility. Administrative segregation also includes segregation pending a disciplinary proceeding, but in no case may be used as a punishment.⁶² There is, however, a separate Administrative

⁵⁴ DOM Standard 27, Recreation.

⁵⁵ Ms. [REDACTED] notes, Ms. [REDACTED] notes.

⁵⁶ Ms. [REDACTED] notes.

⁵⁷ Ms. [REDACTED] notes.

⁵⁸ Ms. [REDACTED] notes.

⁵⁹ *Id.*

⁶⁰ Ms. [REDACTED] notes, Ms. [REDACTED] notes.

⁶¹ Ms. [REDACTED] notes.

⁶² DOM, Standard 30, Administrative Segregation.

Segregation Restrictive Housing Unit Handbook.⁶³ It does not appear that this handbook is distributed to the general population upon entering the facility.

The Administrative Segregation Handbook provides for three phases of administrative segregation. It limits the detainee's privileges in accordance with the Phase of segregation. For example, the handbook limits the amount of money that detainees may spend in the commissary, and the number of family visits the detainee may receive. Phone calls are also limited, except for legal calls as approved by a supervisor/counselor. Otherwise, the detainee's privileges are generally identical to those of the general population.

Notably, there is nothing in this handbook allowing for review or appeal of the segregation designation, as required by the *Standards*. Also, it appears that administrative segregation may be used as a disciplinary measure, which is clearly contrary to the INS Standards for administrative segregation which state that administrative segregation must be non-punitive in nature. Moreover, there are no regulations requiring that written orders be issued before segregation begins, as required by the *Standards*.

Finally, it appears that segregated detainees do not enjoy all of the same privileges as the general population, as required by the Standards. Rather, there are various restrictions on visitation, phone calls, etc., depending on the Phase of segregation.

E. Accommodations

Housing for INS detainees should be fully separated from the general prison population, as indicated by both Facility and INS personnel.⁶⁴ At York, all detainees are housed in Building 2 South.⁶⁵ Notably, this same unit houses "all high security status" inmates and d inmates being held on high bond.⁶⁶ The delegation's interviews with detainees confirmed that there were several high security inmates in their unit.⁶⁷ It is disturbing and contrary to the *Standards* that INS detainees are housed with high security inmates.

As a result of the overpopulation of the Facility, some newly admitted detainees were subject to housing in the gym area amongst the general prison population. Dozens of inmates and detainees were being housed in the gym, with floor mats for sleeping, until a new housing unit is available. (This arrangement appeared to be temporary, although the delegation staff did not learn of the target date for completion of additional housing units. Thus, the Facility's own established housing policies are not followed.⁶⁸

F. Personal Item Retention

The Facility establishes money accounts for detainees to which money sent by family or friends is deposited and then made accessible to the detainees. Some detainees complained

⁶³ See attached, "Administrative Segregation, Restrictive Housing Unit, Unit Handbook"

⁶⁴ Ms. [REDACTED] notes.

⁶⁵ Ms. [REDACTED] notes.

⁶⁶ *Id.*

⁶⁷ See notes from each member of the delegation.

⁶⁸ Ms. [REDACTED] notes.

about the delay, ranging from 20 to 30 days, in accessing their funds.⁶⁹ Another detainee complained that ever since she received a final decision regarding her department, all money and correspondence sent to her had been returned to sender apparently because of the impending department.⁷⁰ Another detainee noted that family members are not allowed to deposit money into the detainee's account during visits.⁷¹ Rather, all money must be sent by mail and takes approximately three weeks to appear on the detainee's account.⁷²

Conclusion

Overall, York provides for "safe, secure and humane treatment of individuals detained by the INS." It is a well-run prison. However, as noted above, the policies, procedures and rules at York pertaining to inmates apply equally to detainees. Little effort is made to distinguish the individuals detained by the INS from the other inmates in the facility. The facility needs to prioritize the phasing-in of the *Standards*, as required by the *Standards* themselves. Specifically, the *Standards* regarding attorney telephone calls and visits should be implemented and there should be greater library access and holdings for detainees.

⁶⁹ *Id.*

⁷⁰ Ms. [b6] notes.

⁷¹ Ma. [b6] notes.

⁷² Ms. [b6] notes, Ms. [b6] notes.