

UNIVERSITY OF MIAMI
SCHOOL of LAW



Immigration Clinic

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Marc Moore, Field Office Director
Paul Candemeres, Assistant Field Office Director
Anthony Aiello, Assistant Field Office Director
Miami Field Office
Krome SPC
18201 SW 12th Street
Miami, FL 22194

Michael Hornett, Supervising Detention and Deportation Officer
Laura Bedard, Warden
Glades Detention Center
1297 East SR 78
Moore Haven, Florida 33471

Dear Officers Moore, Candemeres, Aiello, Supervising Detention and Officer Hornett, and Warden Bedard,

On behalf of the Immigration Clinic of the University of Miami School of Law, we would like to thank you for giving us the opportunity to visit the Glades Detention Center on Friday, August 26, 2011. It was a great experience for all of us and we hope that the detainees found it informative. We are writing to you today in order to discuss five important issues that were raised during our trip, with the hope that we can work together toward effective resolutions.

First, we are concerned that the facility is not following the ICE/DRO Detention Standard on Law Libraries and Legal Material, which we attach to this letter. The law library is a critical resource for the detainees, and since immigration law is complex, it is important that all detainees have access to the library's reading material. Detainees at Glades expressed concern about extensive waits to use the law library, and reported being able to spend only one hour per week or less in the library. The Detention Standard requires that a facility afford detainees "regular access" to the law library, meaning "no less than five hours per week." Detainees also reported that they were often permitted to use the law library only by foregoing their daily hour of recreation, whereas the Detention Standard specifically prohibits this practice.

During our visit to the Center we provided some legal materials and are happy to provide additional material. The accessibility of this material can also be improved by providing more copies of printed documents or even an electronic file. Further, we believe that together we discuss ways to improve the law library time allotments for the detainees.

Second, we are very concerned about the detainees' lack of access to private attorney phone calls. When speaking with clients at Glades by telephone, we have been informed by officers that all attorney-client calls from that facility are recorded. Attorney-client communications are confidential and privileged and must not be recorded. Government employees also must not be permitted to sit in the room during a detainee's call with an attorney. The ICE/DRO Detention Standard on Law Libraries and Legal Material specifically states that detainees "will be able to have confidential contact with attorneys and their authorized representatives in person, on the telephone, and through correspondence." Section II (2). We request that ICE and Glades correct this situation immediately.

Third, some detainees mentioned there were not enough beds to accommodate all of them. As a result, some detainees were provided with small plastic sleeping compartments or "canoes." The detainees described these provisional sleeping compartments as very uncomfortable and often too small. We are concerned that these accommodations are indicative of overcrowding.

Fourth, we are very concerned with the quality of the water at the facility. The water is yellow and murky and has a foul smell. This was not only brought to our attention by the detainees but was also confirmed by our observations during visits to Glades. The detainees have also reported this problem to Florida Immigrant Advocacy many times, and FIAC has raised this issue with ICE in the past. Safe, potable water is required by the ICE/DRO Detention Standard on Environmental Health and Safety.

Lastly, we would like to receive more information regarding the ways in which detainees have contact with their deportation officer, and in particular, we would like to know how the officers are implementing the prosecutorial discretion discussed in the June 2011 memorandum by ICE Director John Morton. We are interested in learning who makes the prosecutorial discretion decisions, when case reviews for such decisions occur, and how *pro se* detainees can receive notice of their case reviews and have an opportunity to provide relevant information to the decision-makers. We are also interested in learning what information the ICE officers provide during their weekly visits to Glades detainees.

We greatly appreciate your attention to this letter. Our clinic and our partner, Americans for Immigrant Justice (formerly known as Florida Immigrant Advocacy Center) would like to request a meeting with you to discuss how to address these issues. We would also like to visit the law library to review the material that is currently available to the detainees and find ways to improve their legal resources. We are hopeful that you will allow us the opportunity to assist you in both reaching the expected outcomes outlined in the *Detention Standards Manual* and resolving the problems mentioned above.

Sincerely,

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Autumn Page, Law Student
Jessica Marroquin, Law Student
Andrea Solano, Law Student
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