

Sent:3 May 2014 18:46:36 +0000

To:Urbina, Ian (b)(6),(b)(7)(C)

Subject:2004 Policy Voluntary Work Standard

Attachments:Policy Amendment-Voluntary Work Standard.pdf

Ian –

Apologies for the delay. Please see attached ICE policy restricting the work of ICE detainees to within the secure perimeter of the facility they are housed in. In understand you had some questions allegations made by ICE detainees in Eloy around 2007 being asked to do construction? Feel free to send me their names/biographic info and I'll get you details but, as you can see from this memo, detainees are not permitted to work outside of our facilities.

Thanks!

(b)(6),(b)(7)



U.S. Immigration
and Customs
Enforcement

NOV -2 2004

MEMORANDUM FOR: Field Office Directors

FROM:

(k)(2),(b)(6),(b)(7)
Acting Director

(k)(2),(b)(6),(b)(7)(C)

SUBJECT: Policy Amendment - Voluntary Work Standard

Purpose

The purpose of this memorandum is to clarify policy and procedures of the Immigration and Customs Enforcement (ICE) Detention Standard for "Voluntary Work Programs.". The Office of Detention and Removal, Detention Management Division, has reviewed the standard and has determined that it does not sufficiently address detainee supervision or work beyond the facility secure perimeter and that revision of the standard is required.

Discussion

The standard encourages the use of ICE detainees for voluntary work details in all facilities and requires it for Service Processing Centers (SPCs) and Contract Detention Facilities (CDFs). However, the standard does not clearly delineate the responsibility of facility staff to properly supervise and maintain direct supervision of ICE detainees on work details, nor does it preclude the use of detainees outside the secure perimeter of a facility.

Field Office Directors are instructed to inform all detention facilities utilized to house ICE detainees of the following policy amendment:

- 1) For local jails and facilities used under an Intergovernmental Service Agreement (IGSA), ICE detainees may not work outside of the secure perimeter.
- 2) For SPCs and ICE CDFs, only detainees with a Level 1, (or low designation), may work outside the secure perimeter of the facility. ICE detainees assigned to work details outside the secure perimeter of the facility must be supervised at all times by an officer. Detainees must be supervised at a ratio of not less than one officer to four detainees. Detainees must be within sight and sound of the supervising officer at all times.

Memorandum for Field office Directors
Subject: Policy Amendment- Voluntary Work Standard
Page 2

This policy amendment shall be attached to the current ICE standard for Voluntary Work Programs and shall remain in effect until appropriate changes have been made to the standard, and forwarded to the field for implementation. The standard shall be subject to the normal review and approvals process including a period of review and comment by the field.

Should your staff have any questions, please contact (k)(2),(b)(6),(b) Chief, Detention Compliance Standards Branch at (202) 305-(k)

Sent: 15 Apr 2014 11:50:50 +0000

To: Urbina, Ian (b)(6),(b)(7)(C)

Cc: (k)(2),(b)(6)

Subject: Can you give me a buzz this a.m.
Need to go over a few things with you.

Thanks!

202-732- (k)(2),(b)(6),(b)(7)

Ian Urbina

From: Ian Urbina

Sent: 9 May 2014 12:45:03 -0400

To: (b)(6),(b)(7)(C)

Subject: Can you give me a call soonest
Want to give you a heads up on one thing.

Ian Urbina

The New York Times

(b)(6) nytimes.com

202 370 (b)(

Urbina, Ian

From:Urbina, Ian

Sent:3 May 2014 06:24:54 -0400

To:(b)(6),(b)(7)(C)

Subject:checking in.

Hi there (b)(6),(b)

Pestering you to no end, I know. But I simply am trying to be sure that I close all loops here. So, right now I do not have an answer to the two questions from yesterday. I have to file a new version of the story today. So, I will need to keep what we have currently in the story which is that on record you folks say that centers are not allowed to use detainees to produce goods or services that do not strictly benefit the detention center where they are held.

Ian

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Ian Urbina

The New York Times

202 370 (b)(6),

(b)(6),(b)(7)(C)

Sent: 4 Apr 2014 21:07:51 +0000

To: Urbina, Ian (b)(6),(b)(7)(C)); Fairfield, Hannah (b)(6),(b)(7)(C)

Subject: FW: List of facilities with VWP for NYT graphic department

Attachments: Copy of ICE Facilities_VWP Standard_03-26-14.xlsx

Ian/Hannah –

At long last, here you go. Feel free to give me a buzz if you have any remaining questions!

1) Is there anything you'd like to say about the cost of increasing the amount of \$ detainees receive as part of the Voluntary Work Program?

Each participating facility determines rate of pay for voluntary work. ICE is authorized under appropriations passed by Congress to reimburse facilities who participate in the voluntary work program \$1 per day for each detainee.

OFF RECORD: The Bureau of Prisons, which has three pay scales for inmates, pay between \$.12/hour - \$.15/hour, with the majority being performance pay. A normal inmate work day will be 7 hours long. Inmates receiving this type of payment receive no more than \$5.25 per month at the minimum pay or \$25/quarter at the highest pay.

2) Does the money that detainees earn through the voluntary work program get paid in cash or is it deposited to their commissary account? Also are all detainees, regardless of whether they are deported or allowed to stay in the U.S., allowed to withdraw the money that has accrued in their account when they leave detention?

At almost all ICE detention facilities, voluntary work program funds are deposited into the detainees' detention/commissary account; although, at one or two ICE-owned processing centers, detainees are paid cash daily at the end of the work detail. ICE detention standards require that all facilities are required to have written policies and procedures to return funds, valuables and personal property to detainees upon their departure from the facility.

3) What is the average length of stay for a detainee?

Average Length Of Stay YTD FY14: 31.1 days

4) We're still very much needing to figure out exactly when the program began.

ICE detention standards regulate the way facilities structure their voluntary work programs if they choose to have them. Many of the facilities that house ICE detainees administered voluntary programs long before ICE signed agreements with them. Those facilities often provide ICE detainees the same opportunities to participate in their work programs as they provide to county or US Marshals' prisoners at the same facility. The detention standard on Voluntary Work Programs establishes rules and safeguards for voluntary work programs that might not otherwise have been in effect at those facilities. The first set of detention standards to regulate facility voluntary work programs was promulgated in 2000.

5) What portion of detainees are deported versus allowed to stay in the U.S.?

See removal numbers for the last few years:

FY2008: 369,221

FY2009: 389,843
 FY2010: 392,862

FY2011: 396,906
 FY2012: 409,849
 FY2013: 368,644

BACKGROUND: On any given day roughly 5500 individuals participate in the voluntary work programs of the overall roughly 30,000 people in detention. Contrast that with the 1.8 million individual on the pending docket, it shows what a small percentage of individuals participate in voluntary work programs against the much larger number of folks in immigration proceedings or awaiting some other form of relief who are not in a detained setting.

6) List of all ICE facilities who have Voluntary Work Programs? *Note: this is for a NYT graphic

ICE Facilities Inspected Against Volunteer Work Program

Data: Facility Performance Management System (FPMS) database, 3/11/2014. ICE Integrated Decision Support (IDS), 10/6/2013.

TABLE I: ICE FACILITIES INSPECTED AGAINST VOLUNTEER WORK PROGRAM DETENTION STANDARD DURING C

DETLOC	FACILITY NAME	CITY	STATE
STCDFTX	SOUTH TEXAS DETENTION COMPLEX	PEARSALL	TX
STWRTGA	STEWART DETENTION CENTER	LUMPKIN	GA
EAZ	ELOY FEDERAL CONTRACT FACILITY	ELOY	AZ
CSCNWWA	NORTHWEST DETENTION CENTER	TACOMA	WA
PIC	PORT ISABEL	LOS FRESNOS	TX
ADLNTCA	ADELANTO CORRECTIONAL FACILITY	ADELANTO	CA
JENADLA	JENA/LASALLE DETENTION FACILITY	JENA	LA
HOUICDF	HOUSTON CONTRACT DETENTION FACILITY	HOUSTON	TX
MONTGTX	JOE CORLEY DETENTION FACILITY	CONROE	TX
OTRPCNM	OTERO COUNTY PROCESSING CENTER	CHAPARRAL	NM
EPC	EL PASO SERVICE PROCESSING CENTER	EL PASO	TX
YORCOPA	YORK COUNTY PRISON	YORK	PA
CCASDCA	SAN DIEGO CONTRACT DETENTION FACILITY - CCA	SAN DIEGO	CA
CBENDTX	COASTAL BEND DETENTION FACILITY	ROBSTOWN	TX
KCCDCTX	KARNES COUNTY CIVIL DETENTION CENTER	KARNES CITY	TX
KRO	KROME NORTH SERVICE PROCESSING CENTER	MIAMI	FL
WCCPBFL	BROWARD TRANSITIONAL CENTER	POMPANO BEACH	FL
ESSEXNJ	ESSEX COUNTY JAIL	NEWARK	NJ
POLKCTX	POLK COUNTY ADULT DETENTION FACILITY	LIVINGSTON	TX

FRMVLVA	IMMIGRATION CENTERS OF AMERICA FARMVILLE	FARMVILLE	VA
HASKLTX	ROLLING PLAINS DETENTION CENTER	HASKELL	TX
HUDSONJ	HUDSON COUNTY JAIL	KEARNEY	NJ
ECC	EL CENTRO SERVICE PROCESSING CENTER	EL CENTRO	CA
DENICDF	DENVER CONTRACT DETENTION FACILITY	AURORA	CO
BTV	BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	BATAVIA	NY
TLACYCA	THEO LACY FACILITY	ORANGE	CA
FLO	FLORENCE SERVICE PROCESSING CENTER	FLORENCE	AZ
IRWINGA	IRWIN COUNTY DETENTION CENTER	OCILLA	GA
GLADEFL	GLADES COUNTY DETENTION CENTER	MOORE HAVEN	FL
LRDICDF	LAREDO PROCESSING CENTER	LAREDO	TX
MUSIKCA	JAMES MUSICK FACILITY	IRVINE	CA
NGDCTGA	NORTH GEORGIA DETENTION CENTER	GAINESVILLE	GA
ELZICDF	ELIZABETH CONTRACT DETENTION FACILITY	ELIZABETH	NJ
CACTYCA	CALIFORNIA CITY CORRECTIONAL CENTER	CALIFORNIA CITY	CA
CCAFLAZ	CCA, FLORENCE CORRECTIONAL CENTER	FLORENCE	AZ
SUFFOMA	SUFFOLK COUNTY HOUSE OF CORRECTIONS	BOSTON	MA
YUBAJCA	YUBA COUNTY JAIL	MARYSVILLE	CA
DODGEWI	DODGE COUNTY JAIL	JUNEAU	WI
TRICOIL	TRI-COUNTY JAIL	ULLIN	IL
MCHENIL	MCHENRY COUNTY CORRECTIONAL FACILITY	WOODSTOCK	IL
CCADCAZ	CCA CENTRAL ARIZONA DETENTION CENTER	FLORENCE	AZ
WORCEMD	WORCESTER COUNTY JAIL	SNOW HILL	MD
PIKCOPA	PIKE COUNTY CORRECTIONAL FACILITY	LORDS VALLEY	PA
CONWECA	CONTRA COSTA COUNTY JAIL WEST	RICHMOND	CA
KENOSWI	KENOSHA COUNTY DETENTION CENTER	KENOSHA	WI
BERGENJ	BERGEN COUNTY JAIL	HACKENSACK	NJ
HRREGVA	HAMPTON ROADS REGIONAL JAIL	PORTSMOUTH	VA
ORANGNY	ORANGE COUNTY JAIL	GOSHEN	NY
LSRDCTX	LA SALLE COUNTY REGIONAL DETENTION CENTER	ENCINAL	TX
SENECOH	SENECA COUNTY JAIL	TIFFIN	OH
LIMESTX	LIMESTONE COUNTY DETENTION CENTER	GROESBECK	TX
KARNETX	KARNES COUNTY CORRECTIONAL CENTER	KARNES CITY	TX
MONTGMO	MONTGOMERY COUNTY JAIL	MONTGOMERY CITY	MO
PHELPNE	PHELPS COUNTY JAIL	HOLDREGE	NE
RGRNDTX	RIO GRANDE DETENTION CENTER	LAREDO	TX

ERO Custody Management Division

ICE Facilities Inspected Against Volunteer Work Program Standard

Data: Facility Performance Management System (FPMS) database, 3/11/2014. iCF Integrated Decision Support (iIDS), 10/6/2013.

TABLE 1: ICE FACILITIES INSPECTED AGAINST VOLUNTEER WORK PROGRAM DETENTION STANDARD DURING CALENDAR YEAR 2013

DETLOC	FACILITY NAME	CITY	STATE	TYPE	Operator	FY13 ADP
STCDFTX	SOUTH TEXAS DETENTION COMPLEX	PEARSALL	TX	CDF	Private	1,769
STWRTGA	STEWART DETENTION CENTER	LUMPKIN	GA	DIGSA	Private	1,560
EAZ	ELOY FEDERAL CONTRACT FACILITY	ELOY	AZ	DIGSA	Private	1,478
CSCNWWA	NORTHWEST DETENTION CENTER	TACDMA	WA	CDF	Private	1,333
PIC	PORT ISABEL	LOS FRESNOS	TX	SPC	Private	1,087
ADLNTCA	ADELANTO CORRECTIONAL FACILITY	ADELANTD	CA	DIGSA	Private	1,081
JENADLA	JENA/LASALLE DETENTION FACILITY	JENA	LA	DIGSA	Private	980
HOUICDF	HOUSTON CONTRACT DETENTION FACILITY	HOUSTON	TX	CDF	Private	898
MONTGTX	JOE CORLEY DETENTION FACILITY	CONROE	TX	IGSA	Private	839
DTRPCNM	DTERO CDUNTY PROCESSING CENTER	CHAPARRAL	NM	DIGSA	Private	827
EPC	EL PASO SERVICE PROCESSING CENTER	EL PASO	TX	SPC	Private	772
YORCOPA	YORK CDUNTY PRISON	YORK	PA	IGSA	Public	761
CCASDCA	SAN DIEGO CONTRACT DETENTION FACILITY - CCA	SAN DIEGO	CA	CDF	Private	653
CBENDTX	COASTAL BEND DETENTION FACILITY	ROBSTDWN	TX	USMS IGA	Private	584
KCCDCTX	KARNES COUNTY CIVIL DETENTION CENTER	KARNES CITY	TX	DIGSA	Private	581
KRO	KROME NDRTH SERVICE PRDCESSING CENTER	MIAMI	FL	SPC	Private	568
WCCPBFL	BROWARD TRANSITIONAL CENTER	POMPANO BEACH	FL	CDF	Private	555
ESSEXNJ	ESSEX CDUNTY JAIL	NEWARK	NJ	IGSA	Public	548
POLKCTX	POLK COUNTY ADULT DETENTION FACILITY	LIVINGSTON	TX	IGSA	Private	513
FRMVLVA	IMMIGRATIDN CENTERS DF AMERICA FARMVILLE	FARMVILLE	VA	DIGSA	Private	509
HASKLTX	ROLLING PLAINS DETENTION CENTER	HASKELL	TX	IGSA	Private	467
HUDSDNJ	HUDSDN COUNTY JAIL	KEARNEY	NJ	USMS IGA	Public	430
ECC	EL CENTRO SERVICE PROCESSING CENTER	EL CENTRO	CA	SPC	Private	427
DENICDF	DENVER CONTRACT DETENTION FACILITY	AURORA	CO	CDF	Private	412
BTV	BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	BATAVIA	NY	SPC	Private	411
TLACYCA	THED LACY FACILITY	ORANGE	CA	IGSA	Public	398
FLO	FLORENCE SERVICE PROCESSING CENTER	FLORENCE	AZ	SPC	Private	377
IRWINGA	IRWIN COUNTY DETENTIDN CENTER	OCILLA	GA	USMS IGA	Private	357
GLADEFL	GLADES COUNTY DETENTION CENTER	MOORE HAVEN	FL	IGSA	Public	332
LRDICDF	LAREDO PROCESSING CENTER	LAREDO	TX	USMS IGA	Private	321
MUSIKCA	JAMES MUSICK FACILITY	IRVINE	CA	IGSA	Public	308
NGDCTGA	NORTH GEORGIA DETENTION CENTER	GAINESVILLE	GA	IGSA	Private	276
ELZICDF	ELIZABETH CONTRACT DETENTION FACILITY	ELIZABETH	NJ	CDF	Private	271
CACTYCA	CALIFORNIA CITY CORRECTIONAL CENTER	CALIFORNIA CITY	CA	USMS IGA	Private	236
CCAFLAZ	CCA, FLORENCE CORRECTIONAL CENTER	FLORENCE	AZ	USMS IGA	Private	234
SUFFOMA	SUFFOLK COUNTY HOUSE OF CORRECTIONS	BOSTDN	MA	IGSA	Public	227
YUBAJCA	YUBA COUNTY JAIL	MARYSVILLE	CA	IGSA	Public	211
DDDGEWI	DDDGE COUNTY JAIL	JUNEAU	WI	USMS IGA	Public	194
TRICIL	TRI-COUNTY JAIL	ULLIN	IL	IGSA	Private	192
MCENIL	MCHENRY COUNTY CORRECTIONAL FACILITY	WOODSTOCK	IL	USMS IGA	Public	188
CCADCAZ	CCA CENTRAL ARIZONA DETENTION CENTER	FLORENCE	AZ	USMS IGA	Private	178
WDRCEMD	WDRCESTER CDUNTY JAIL	SNOW HILL	MD	IGSA	Public	178
PIKCPA	PIKE COUNTY CORRECTIONAL FACILITY	LORDS VALLEY	PA	IGSA	Public	173
CONWECA	CONTRA CDSTA COUNTY JAIL WEST	RICHMOND	CA	USMS IGA	Public	160
KENOSWI	KENOSHA COUNTY DETENTION CENTER	KENOSHA	WI	USMS IGA	Public	155
BERGENJ	BERGEN COUNTY JAIL	HACKENSACK	NJ	USMS IGA	Public	137
HRREGVA	HAMPTON ROADS REGIONAL JAIL	PORTSMOUTH	VA	USMS IGA	Public	131
DRANGNY	DRANGE COUNTY JAIL	GDSHEN	NY	IGSA	Public	118
LSRDCTX	LA SALLE COUNTY REGIONAL DETENTION CENTER	ENCINAL	TX	USMS IGA	Private	105
SENECOH	SENECA COUNTY JAIL	TIFFIN	DH	IGSA	Public	85
LIMESTX	LIMESTONE COUNTY DETENTION CENTER	GROESBECK	TX	USMS IGA	Public	66
KARNETX	KARNES CDUNTY CDRRECTIDNAL CENTER	KARNES CITY	TX	USMS IGA	Private	40
MONTGMO	MONTGOMERY COUNTY JAIL	MONTGOMERY CITY	MO	IGSA	Public	19
PHELPNE	PHELPS COUNTY JAIL	HOLDREGE	NE	USMS IGA	Public	11
RGRNDTX	RIO GRANDE DETENTION CENTER	LAREDO	TX	USMS IGA	Private	0

Sent: 26 Mar 2014 17:40:29 +0000

To: Urbina, Ian (b)(6),(b)(7)(C)

Subject: ICE responses

Ian –

Here are our responses to some of your questions. How much more time do I have in terms of getting you bio details on the detainees you mentioned? I have some but am working on getting all of them. Do you have a sense of when your piece is going to run?

Thanks!

(b)(6),(b)

Q: You mentioned: "In calendar year 2013, 55 of the detention facilities offered Volunteer Work Programs. Twenty-one Volunteer Work Programs were operated by local governments and the remaining programs by private partners." Can you clarify this a bit: a) when you say private partners do you mean like CCA or who? b) Am I correct to assume that all these programs are overseen by ICE (ie regardless of whether they are run by private, local or ICE officials) c) How many total facilities where ICE detainees are held are there nationally (you say 55 detention facilities, 21 local gov and an un-tallied sum for "private partners"). d) I need a rough estimate for how many immigrant detainees in a typical year or month nationally participate in the volunteer work program.

A: Yes, private service providers such as CCA, GEO, MTC and ICA as examples, along with governmental partners.

B: One of the ICE standards addresses the basic requirements of VWP, however, day to day operations of the program are performed by the service provider.

C: There are 254 authorized detention facilities in use by ICE as of March 18, 2014. In CY 2013, our most recent year that data was collected on VWP, 55 of the facilities inspected by ICE contractors offered VWP. 21 of the 55 detention facilities were operated by local governments and the remainder by private partners.

The 55 facilities that offered "Volunteer Work Programs" accounted for 76.1% of FY13 Total Average Daily Population.

D: Currently, the program does not track how many detainees participate in the volunteer work program.

Q: How much BOP pays per day to a private company versus what ICE reimburses a private company per detainee per day? And if you have your own cost comparisons for per diem per detainee versus BOPs numbers let me see those please.

We do not have our own cost comparison for ICE and BOP facilities. It is important to keep in mind that there are a number of factors that influence bed day rates, including local Department of Labor wage determinations, facility location, staffing levels, government vs. contractor provided medical care, ICE detention standards, transportation requirements, etc.

Q: When did the immigration work program begin? What year? I know appropriations goes to 79. But I also hear that the program has been around since the 50s in some form. Could you clarify this for me?

We do not have this information readily available.

Urbina, Ian

From:Urbina, Ian

Sent:6 May 2014 18:39:43 -0400

To:(b)(6),(b)(7)(C)

Subject:Lingering question

What percentage of detained immigrants are deported versus those allowed to stay in the US?

Advocates have provided us with estimates ranging from 30-50 percent end up being allowed to stay in US but I would like to get an answer directly from ICE.

Thanks,

Ian

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Ian Urbina

The New York Times

202 370 (b)(6),(

(b)(6),(b)(7)(C)

Urbina, Ian

From: Urbina, Ian

Sent: 2 May 2014 11:30:57 -0400

To: (b)(6),(b)(7)(C) Hannah Fairfield

Subject: Queries.

(b)(6),(b)(7)(C)

Thanks for the email. Hannah may have more questions about the spreadsheets but a couple from me:

1) I don't see an answer to the question I sent again yesterday pertaining to whether ICE has any rules about detainees being used to produce goods or services for the benefit beyond their limited detention center. Previously you said on record that this is forbidden. Is the case and if so, where is that in ICE rules?

2) I don't quite understand what the third tab actually is telling us. Can you explain that one?

I am in and out of meetings. So, might be easiest to do this by email and I recognize these emails will be on background, by default.

Thanks,

Ian

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Ian Urbina

The New York Times

202 370 (b)(6),

(b)(7)(C)

(b)(6),(b)(7)(C)

Urbina, Ian

From: Urbina, Ian

Sent: 7 May 2014 11:36:10 -0400

To: (b)(6),(b)(7)(C)

Subject: Question regarding food

(b)(6),(b)(7)(C)

Question for you: In this 2011 IGSA between ICE and the York County, Pennsylvania, I noticed that, at the bottom of page 40, there's a passage that reads "Food will never be used for reward or punishment." Does ICE have a general prohibition on detention facilities using food as payment?

Thanks,

Ian

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Ian Urbina

The New York Times

202.370 (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Ian Urbina

From: Ian Urbina

Sent: 3 May 2014 15:25:41 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: 2004 Policy Voluntary Work Standard

Ok b (b)(6),(b)(7)(C) this doesn't answer the question I asked. The question was whether they are allowed to be engaged in work for the benefit of outside institutions: preparing meals for the county jail down the road, for example, making plaques for sale online, cooking for county homeless shelter?

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 374 (b)(6),

(b)(7)(C)

On May 3, 2014, at 2:46 PM, (b)(6),(b)(7)(C) wrote:

Ian –

Apologies for the delay. Please see attached ICE policy restricting the work of ICE detainees to within the secure perimeter of the facility they are housed in. I understand you had some questions/allegations made by ICE detainees in Eloy around 2007 being asked to do construction? Feel free to send me their names/biographic info and I'll get you details but, as you can see from this memo, detainees are not permitted to work outside of our facilities.

Thanks!

(b)(6),(b)(7)(C)

<Policy Amendment-Voluntary Work Standard.pdf>

Ian Urbina

From: Ian Urbina
Sent: 4 May 2014 09:50:02 -0400
To: (b)(6),(b)(7)(C)
Subject: Re: 2004 Policy Voluntary Work Standard
That prohibition in guidelines somewhere?

Ian Urbina
The New York Times
(b)(6),(b)(7)(C) @nytimes.com
202 370 (b)(6),(b)(7)(C)

On May 4, 2014, at 9:48 AM, (b)(6),(b)(7)(C) <(b)(6),(b)(7)(C)@ice.dhs.gov> wrote:

No, they are not.

From: Ian Urbina [mailto:urbina@nytimes.com]
Sent: Saturday, May 03, 2014 03:25 PM
To: (b)(6),(b)(7)(C)
Subject: RE: 2004 Policy voluntary Work Standard

Ok but (b)(6),(b)(7)(C) this doesn't answer the question I asked. The question was whether they are allowed to be engaged in work for the benefit of outside institutions: preparing meals for the county jail down the road, for example, making plaques for sale online, cooking for county homeless shelter?

Ian Urbina
The New York Times
(b)(6),(b)(7)(C) @nytimes.com
202 370 (b)(6),(b)(7)(C)

On May 3, 2014, at 2:46 PM, (b)(6),(b)(7)(C) <(b)(6),(b)(7)(C)@ice.dhs.gov> wrote:

Ian -

Apologies for the delay. Please see attached ICE policy restricting the work of ICE detainees to within the secure perimeter of the facility they are housed in. In understand you had some questions allegations made by ICE detainees in Eloy around 2007 being asked to do construction? Feel free to send me their names/biographic info and I'll get you details but, as you can see from this memo, detainees are not permitted to work outside of our facilities.

Thanks!

(b)(6),(b)
(7)(C)

<Policy Amendment-Voluntary Work Standard.pdf>

Sent: 15 Apr 2014 14:52:35 +0000

To: Urbina, Ian

C: (b)(6),(b)(7)(C)

Subject: RE: At long last

Yep – that works. Thanks.

From: Urbina, Ian [mailto:(b)(6),(b)(7)(C)]

Sent: Tuesday, April 15, 2014 10:51 AM

To: (b)(6),(b)(7)(C)

Subject: Re: At long last

Couple very small things:

1) In text below you say "The Voluntary Work Program, allows detainees to feel productive and contribute to the orderly operation of detention facilities."

May I sand that down a tiny bit so that it sounds more conversational: ""The program allows detainees to feel productive and contribute to the orderly operation of detention facilities." We say the formal name of the program higher up in the story.

2) Also am I safe in clarifying that the detainees who participate are not officially "employees", and the money paid to them are "stipends", not wages, which means the work is not bound by minimum wage laws. ?

You say this in your statement but I need to explain to the reader why this distinction between wages/employees versus volunteers/stipends matters - at least legally speaking.

Thanks,
Ian

On Fri, Mar 21, 2014 at 7:26 AM

wrote:

(b)(6),(b)(7)(C)

Hey Ian –

Many apologies about the delay. Here's all the different info you asked for in one big package. You can use most any of it on the record, attributable to me, unless otherwise noted below.

First, a rundown of (b)(6),(b)(7)(C) immigration and criminal history:

STATEMENT I (response to detainee history)

ICE is committed to sensibly and effectively enforcing our nation's immigration laws. Following the completion of prison term in Texas (b)(6),(b)(7)(C) was released to ICE custody. In August, 2013 an immigration judge with DOJ's Executive Office of Immigration Review (EOIR) ordered (b)(6),(b)(7) removed to Mexico and denied all pending applications for citizenship (b)(6),(b)(7)(C). (b)(6),(b)(7) appealed this decision on Sept. 17, 2013. On Feb. 12, 2014, the Board of Immigration Appeals remanded the case to reconsider (b)(6),(b)(7)(C) claim to U.S. citizenship and allow him the opportunity to seek adjustment through his daughter. As such, (b)(6),(b)(7) is in ICE custody pending the outcome of his case, per a removal order from a DOJ immigration judge.

BACKGROUND

(b)(6),(b)(7) was admitted to the United States at Tampa, Fla., on May 24, 1990, as a legal permanent resident.

On February (b)(6) 2005, he was convicted in United States District Court, Western District of Michigan for use of communications facility to facilitate drug deal, and sentenced to forty-eight (48) months incarceration. October (b)(6) 2005, he was convicted in 370th District Court Edinburg, Texas for manslaughter, and sentenced to ten years' incarceration.

On July 23, 2010, ICE issued (b)(6),(b)(7)(C) a notice to appear in immigration court as a removable drug offender and aggravated felon.

(b)(6),(b)(7)(C) filed a habeas petition against EOIR on July 6, 2011, but on March 28, 2012, the district court denied his petition due to lack of jurisdiction while (b)(6),(b)(7)(C) remained incarcerated with TDCJ. In the dismissal, the district court also denied (b)(6),(b)(7)(C) motion to be recognized as a U.S. citizen.

On Aug. 2, 2012 (b)(6),(b)(7)(C) was released by the State of Texas to ICE custody at the Houston CDF.

On April 25, 2013, the first of three USC claim memorandums was generated, based on acquisition through (b)(6),(b)(7)(C) adoptive parent, with the ultimate conclusion that (b)(6),(b)(7)(C) did not establish a probative claim to citizenship. A second memorandum was generated on July 22, 2013, based on a claim of acquisition through his mother, with another conclusion that he had not established a probative claim. On Aug. 19, 2013, an updated memorandum was submitted based on additional information from (b)(6),(b)(7)(C) again with a conclusion that (b)(6),(b)(7)(C) had not established a probative claim.

On Aug. 20, 2013, an immigration judge with DOJ's Executive Office of Immigration Review (EOIR) ordered (b)(6),(b)(7)(C) removed to Mexico and denied all pending applications. (b)(6),(b)(7)(C) appealed this decision on Sept. 17, 2013. On Feb. 12, 2014, the Board of Immigration Appeals remanded the case to reconsider (b)(6),(b)(7)(C) claim to U. S. citizenship and allow him the opportunity to seek adjustment through his daughter.

Secondly, info on the voluntary work program:

STATEMENT II (in response to voluntary work questions)

The Voluntary Work Program, allows detainees to feel productive and contribute to the orderly operation of detention facilities. It was initially developed in an effort to improve detainee morale and reduce the frequency of disciplinary incidents at a facility offering participation in this program. The Voluntary Work Program, which as its name implies is completely voluntary and at the discretion of the detainee, does not constitute employment and is done by detainees on a voluntary basis for a small stipend.

- **How many total detention centers are there where the voluntary work program exists and how many of these centers are run by private companies like CCA?**

In calendar year 2013, 55 of the detention facilities offered Volunteer Work Programs. Twenty-one Volunteer Work Programs were operated by local governments and the remaining programs by private partners.

- **What oversight is in place for detained immigrants taking part in the voluntary work program run by CCA in ICE facilities?**

All ICE detention facilities are required to comply with applicable federal, state and local work safety laws and regulations. Additionally, as participants in a voluntary work program and in accordance with the requirements of the agency's detention standards, ICE affords detainee volunteers basic Occupational Safety and Health Administration (OSHA) protections.

Detainees are provided opportunities to work and earn money while confined, subject to the number of work opportunities available and within the constraints of safety, security and good order. Under the facility's governing detention standards, each facility's staff determines where and what type of work a detainee may perform while participating in the program; these details are then recorded in a voluntary work program agreement.

As with all facilities housing ICE detainees, CCA facilities undergo periodic reviews and inspections to ensure compliance with the requirements of the relevant detention standards.

- **What are the labor rights of immigrant in the voluntary work program? Are they classified the same way prisoners in federal jails are? If not, how are they classified?**

Subject to the number of available work opportunities and within the constraints necessary to ensure the safety, security and good order of the detention facility, adult detainees who are physically and mentally able to work are provided the opportunity to participate in a voluntary work program, if one is available in the facility. The primary factors considered in hiring a detainee volunteer are his or her security classification level and the specific requirements of the volunteer assignment. Volunteering detainees will not be denied work opportunities based on non-merit factors, such as social group, race, religion, sex, physical or mental handicaps, or national origin.

- **What labor protections are afforded them?...**

All ICE detention facilities are required to comply with applicable federal, state and local work safety laws and regulations. Additionally, as participants in a voluntary work program and in accordance with the requirements of the agency's detention standards, ICE affords detainee volunteers basic Occupational Safety and Health Administration (OSHA) protections. Facility administrators also implement procedures for immediately and appropriately responding to on-the-job injuries and are expected to immediately notify ICE in such situations.

Detainees participating in the volunteer work program are required to work according to a fixed schedule, not to exceed 40 hours per week and eight hours per day. If a detainee believes that he or she was unfairly removed from a volunteer assignment, the detainee may file a grievance with the local Field Office Director or facility administrator in accordance with ICE's detention standards.

- **Does the lack of work permits of undocumented detainees working in federal ICE prisons run by CCA pose an issue in terms of their employment in the detention centers?**

Under 8 U.S.C. § 1555(d), appropriations for ICE are available for “payment of allowances (at such rate as may be specified from time to time in the appropriation act involved) to aliens, while held in custody under the immigration laws, for work performed. . . .” The appropriations act for Fiscal Year 1979 is the most recent appropriation act in which the amount of this fee has been specified. Specifically, Pub. L. No. 95-431 provided for the “payment of allowances (at a rate not in excess of \$1 per day) to aliens, while held in custody under immigration laws for work performed. . . .” 92 Stat. 1021 (1978). The U.S. Court of Appeals for the Fifth Circuit upheld this \$1 per-day payment in a case alleging that the alien plaintiffs were owed Fair Labor Standards Act-compliant wages. *See Alvarado Guevara, et al. v. INS*, 902 F.2d 394 (5th Cir. 1990) (*per curiam*).

- **Does CCA, or ICE, pay the salary (from my understanding, between \$1-\$3 a day) of immigrant detainees?**

In accordance with the requirements of ICE's detention standards, detainees should receive a minimum of \$1.00 per day in monetary compensation for work completed. The cost associated with the payment of volunteer workers is dependent upon the facility. For instance, in facilities owned and operated by ICE, the agency pays detainee volunteers at a rate of \$1 per day for their participation in the Voluntary Work Program. Although ICE contractors can elect to provide its volunteer detainees with a higher level of compensation, ICE's reimbursement to the contractor for such work remains at \$1 per day as provided by law.

Third, your stats questions

- **There are a couple research questions, I hoped you might guide us on. There is a statistic in a story of ours from several years ago. I'd like to update that statistic. I'm wondering if you might have a more recent number we can use. Here is the operative sentence: "In the United States — with almost 400,000 annual detentions in 2010, up from 280,000 in 2005 — private companies now control nearly half of all detention beds, compared with only 8 percent in state and federal prisons, according to government figures." (please provide the figures from 2010 until 2013)**

FY10-FY13 ADP by Facility Owner

The following document was created based on IIDS: IIDS is a data warehouse that contains dynamic data extracted from the

Enforcement Integrated Database

Data Source: FY11-13 data (IIDS as of 10/06/2013; EID data through 10/04/2013). FY10 (IIDS as of 10/05/2012).

10/5/2012).

Data does not include ORR and MIRP facilities

FY10-FY13 ADP by Facility Owner

Facility Owner	FY13		FY12		FY11		FY10	
	ADP	% of Total	ADP	% of Total	ADP	% of Total	ADP	% of Total
Government	27,875	82%	28,383	83%	27,642	83%	25,389	83%
Private*	5,913	18%	5,908	17%	5,689	17%	5,522	17%
Total	33,788	100%	34,290	100%	33,331	100%	30,911	100%

*Note: Includes Contract Detention Facilities and other facilities such as hotels and hospitals.

- **We are looking for a rough statistic that would indicate the percent (ballpark) for the number of immigrants detained (in a typical day or year) that have been charged or convicted of a crime aside from the crime of illegally entering the country.**

According to ICE's records at the time of initial book-in, approximately 63 percent of individuals booked into ICE detention facilities have either been charged or convicted of a crime other than immigration-related criminal offenses (e.g., illegal entry, felony re-entry, alien smuggling, false citizenship).

Please call me if you have any questions and, again, apologies for the delay!

(b)(6),(b)(7)(C)

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Ian Urbina
The New York Times
202 370 (b)(6)
(b)(6),(b)(7)(C)

Sent: 8 Apr 2014 15:18:40 +0000

To: Urbina, Ian

Subject: RE: (b)(6),(b)(7)(C) checking

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Tuesday, April 08, 2014 11:05 AM

To: (b)(6),(b)(7)(C)

Su

Antigua native. couple drug convictions from 90s. Traffic violation from 90s too. He is now 48 years old. He was detained from 2009 to 2013. He was released. He says he indeed has a green card. He says its valid (though its the same number from while back). But I want to make sure he indeed is in the country legally and find out what his status was such that he was released. He was in a facility in NJ. He claims he was eventually released because another detainee at the facility committed suicide and so they released him due to bad press. I doubt that is the official reason for his release but would like to give ICE a chance to groundtruth what he says about his current status.

--

Ian Urbina

The New York Times

202 370 (b)

(b)(6),(b)(7)(C), (b)(6),(b)(7)(C)

Sent: 2 Apr 2014 11:27:55 +0000
To: Urbina, Ian
Subject: RE: Four questions for you
Hi Ian –

Apologies for the delay – I was unexpectedly out sick on Monday & Tuesday. Am back in the office today and will start working on this.

Thanks!

(b)(6),(b)(7)(C)

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Tuesday, April 01, 2014 2:27 PM
To: (b)(6),(b)(7)(C)
Subject: Four questions for you.

I met with editors today and some further questions came up. I'm wondering if you can help.

- 1) Does the money that detainees earn through the voluntary work program get paid in cash or is it deposited to their commissary account? Also are all detainees, regardless of whether they are deported or allowed to stay in the U.S., allowed to withdraw the money that has accrued in their account when they leave detention?
- 2) What is the average length of stay for a detainee?
- 3) We're still very much needing to figure out exactly when the program began. Do you have any suggestions on how we could figure that out or who we should consult to answer that question?
- 4) What portion of detainees are deported versus allowed to stay in the U.S.?

Thanks,
Ian

--

Ian Urbina
The New York Times
202 370 (b)(6),
(b)(6),(b)(7)(C)

Sent: 2 Apr 2014 16:59:01 +0000
To: Ian Urbina
Subject: RE: Four questions for you
I'm getting there!

Could you give me a quick call when you have a minute?

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Wednesday, April 02, 2014 7:36 AM
To: (b)(6),(b)(7)(C)
Subject: Re: Four questions for you

Hope you're truly feeling better.

Ian Urbina
The New York Times

(b)(6),(b)(7)(C)
202 370 (b)(6),(b)

On Apr 2, 2014, at 7:28 AM (b)(6),(b)(7)(C) <(b)(6),(b)(7)(C)@ice.dhs.gov> wrote:

Hi Ian –

Apologies for the delay – I was unexpectedly out sick on Monday & Tuesday. Am back in the office today and will start working on this.

Thanks!

(b)(6),(b)(7)(C)

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Tuesday, April 01, 2014 2:27 PM
To: (b)(6),(b)(7)(C)
Subject: Four questions for you

I met with editors today and some further questions came up. I'm wondering if you can help.

1) Does the money that detainees earn through the voluntary work program get paid in cash or is it deposited to their commissary account? Also are all detainees, regardless of whether they are deported or allowed to stay in the U.S., allowed to withdraw the money that has accrued in their account when they leave detention?

2) What is the average length of stay for a detainee?

3) We're still very much needing to figure out exactly when the program began. Do you have any suggestions on how we could figure that out or who we should consult to answer that question?

4) What portion of detainees are deported versus allowed to stay in the U.S.?

Thanks,
Ian

--

Ian Urbina
The New York Times
202.370. (b)(6),
(b)(6),(b)(7)(C)

Sent: 7 Apr 2014 16:14:00 +0000

To: Urbina, Ian; Hannah Fairfield

Subject: RE: FW: List of facilities with VWP for NYT graphic department

That's our mistake on the spreadsheet. It is indeed called the Voluntary Work Program.

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Monday, April 07, 2014 10:55 AM

To: (b)(6),(b)(7)(C) Hannah Fairfield

Subject: Re: FW: List of facilities with VWP for NYT graphic department

With regard to proper name of program. Your last email said Voluntary Work Program. But material below (ie list with facility names) says Volunteer Work Program. So, I just want to be double sure that it is indeed Voluntary Work Program.

On Fri, Apr 4, 2014 at 5:07 PM, (b)(6),(b)(7)(C)

wrote:

Ian/Hannah –

At long last, here you go. Feel free to give me a huzz if you have any remaining questions!

1) Is there anything you'd like to say about the cost of increasing the amount of \$ detainees receive as part of the Voluntary Work Program?

Each participating facility determines rate of pay for voluntary work. ICE is authorized under appropriations passed by Congress to reimburse facilities who participate in the voluntary work program \$1 per day for each detainee.

OFF RECORD: The Bureau of Prisons, which has three pay scales for inmates, pay between \$.12/hour - \$.1.15/hour, with the majority being performance pay. A normal inmate work day will be 7 hours long. Inmates receiving this type of payment receive no more than \$5.25 per month at the minimum pay or \$25/quarter at the highest pay.

2) Does the money that detainees earn through the voluntary work program get paid in cash or is it deposited to their commissary account? Also are all detainees, regardless of

whether they are deported or allowed to stay in the U.S., allowed to withdraw the money that has accrued in their account when they leave detention?

At almost all ICE detention facilities, voluntary work program funds are deposited into the detainees' detention/commissary account; although, at one or two ICE-owned processing centers, detainees are paid cash daily at the end of the work detail. ICE detention standards require that all facilities are required to have written policies and procedures to return funds, valuables and personal property to detainees upon their departure from the facility.

3) What is the average length of stay for a detainee?

Average Length Of Stay YTD FY14: 31.1 days

4) We're still very much needing to figure out exactly when the program began.

ICE detention standards regulate the way facilities structure their voluntary work programs if they choose to have them. Many of the facilities that house ICE detainees administered voluntary programs long before ICE signed agreements with them. Those facilities often provide ICE detainees the same opportunities to participate in their work programs as they provide to county or US Marshals' prisoners at the same facility. The detention standard on Voluntary Work Programs establishes rules and safeguards for voluntary work programs that might not otherwise have been in effect at those facilities. The first set of detention standards to regulate facility voluntary work programs was promulgated in 2000.

5) What portion of detainees are deported versus allowed to stay in the U.S.?

See removal numbers for the last few years:

FY2008: 369,221

FY2009: 389,843

FY2010: 392,862

FY2011: 396,906

FY2012: 409,849

FY2013: 368,644

BACKGROUND: On any given day roughly 5500 individuals participate in the voluntary work programs of the overall roughly 30,000 people in detention. Contrast that with the 1.8 million individual on the pending docket, it shows what a small percentage of individuals participate in voluntary work programs against the much larger number of folks in immigration proceedings or awaiting some other form of relief who are not in a detained setting.

6) List of all ICE facilities who have Voluntary Work Programs? *Note: this is for a NYT graphic

ICE Facilities Inspected Against Volunteer Work Program

Data: Facility Performance Management System (FPMS) database, 3/11/2014. ICE Integrated Decision Support (IIDS), 10/6/2013.

TABLE I: ICE FACILITIES INSPECTED AGAINST VOLUNTEER WORK PROGRAM DETENTION CALENDAR YEAR 2013

DETLOC	FACILITY NAME	CITY	STATE
STCDFTX	SOUTH TEXAS DETENTION COMPLEX	PEARSALL	TX
STWRTGA	STEWART DETENTION CENTER	LUMPKIN	GA
EAZ	ELOY FEDERAL CONTRACT FACILITY	ELOY	AZ
CSCNWWA	NORTHWEST DETENTION CENTER	TACOMA	WA
PIC	PORT ISABEL	LOS FRESNOS	TX
ADLNTCA	ADELANTO CORRECTIONAL FACILITY	ADELANTO	CA
JENADLA	JENA/LASALLE DETENTION FACILITY	JENA	LA
HOUICDF	HOUSTON CONTRACT DETENTION FACILITY	HOUSTON	TX
MONTGTX	JOE CORLEY DETENTION FACILITY	CONROE	TX
OTRPCNM	OTERO COUNTY PROCESSING CENTER	CHAPARRAL	NM
EPC	EL PASO SERVICE PROCESSING CENTER	EL PASO	TX
YORCOPA	YORK COUNTY PRISON	YORK	PA
CCASDCA	SAN DIEGO CONTRACT DETENTION FACILITY - CCA	SAN DIEGO	CA
CBENDTX	COASTAL BEND DETENTION FACILITY	ROBSTOWN	TX

KCCDCTX	KARNES COUNTY CIVIL DETENTION CENTER	KARNES CITY	TX
KRO	KROME NORTH SERVICE PROCESSING CENTER	MIAMI	FL
WCCPBFL	BROWARD TRANSITIONAL CENTER	POMPANO BEACH	FL
ESSEXNJ	ESSEX COUNTY JAIL	NEWARK	NJ
POLKCTX	POLK COUNTY ADULT DETENTION FACILITY	LIVINGSTON	TX
FRMVLVA	IMMIGRATION CENTERS OF AMERICA FARMVILLE	FARMVILLE	VA
HASKLTX	ROLLING PLAINS DETENTION CENTER	HASKELL	TX
HUDSONJ	HUDSON COUNTY JAIL	KEARNEY	NJ
ECC	EL CENTRO SERVICE PROCESSING CENTER	EL CENTRO	CA
DENICDF	DENVER CONTRACT DETENTION FACILITY	AURORA	CO
BTV	BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	BATAVIA	NY
TLACYCA	THEO LACY FACILITY	ORANGE	CA
FLO	FLORENCE SERVICE PROCESSING CENTER	FLORENCE	AZ
IRWINGA	IRWIN COUNTY DETENTION CENTER	OCILLA	GA
GLADEFL	GLADES COUNTY DETENTION CENTER	MOORE HAVEN	FL
LRDICDF	LAREDO PROCESSING CENTER	LAREDO	TX
MUSIKCA	JAMES MUSICK FACILITY	IRVINE	CA
NGDCTGA	NORTH GEORGIA DETENTION CENTER	GAINESVILLE	GA
ELZICDF	ELIZABETH CONTRACT DETENTION FACILITY	ELIZABETH	NJ
CACTYCA	CALIFORNIA CITY CORRECTIONAL CENTER	CALIFORNIA CITY	CA
CCAFLAZ	CCA, FLORENCE CORRECTIONAL CENTER	FLORENCE	AZ
SUFFOMA	SUFFOLK COUNTY HOUSE OF CORRECTIONS	BOSTON	MA
YUBAJCA	YUBA COUNTY JAIL	MARYSVILLE	CA
DODGEWI	DODGE COUNTY JAIL	JUNEAU	WI
TRICOIL	TRI-COUNTY JAIL	ULLIN	IL
MCHENIL	MCHENRY COUNTY CORRECTIONAL FACILITY	WOODSTOCK	IL
CCADCAZ	CCA CENTRAL ARIZONA DETENTION CENTER	FLORENCE	AZ
WORCEMD	WORCESTER COUNTY JAIL	SNOW HILL	MD
PIKCOPA	PIKE COUNTY CORRECTIONAL FACILITY	LORDS VALLEY	PA
CONWECA	CONTRA COSTA COUNTY JAIL WEST	RICHMOND	CA
KENOSWI	KENOSHA COUNTY DETENTION CENTER	KENOSHA	WI
BERGENJ	BERGEN COUNTY JAIL	HACKENSACK	NJ
HRREGVA	HAMPTON ROADS REGIONAL JAIL	PORTSMOUTH	VA
ORANGNY	ORANGE COUNTY JAIL	GOSHEN	NY
LSRDCTX	LA SALLE COUNTY REGIONAL DETENTION CENTER	ENCINAL	TX
SENECOH	SENECA COUNTY JAIL	TIFFIN	OH

LIMESTX	LIMESTONE COUNTY DETENTION CENTER	GROESBECK	TX
KARNETX	KARNES COUNTY CORRECTIONAL CENTER	KARNES CITY	TX
MONTGMO	MONTGOMERY COUNTY JAIL	MONTGOMERY CITY	MO
PHELPNE	PHELPS COUNTY JAIL	HOLDREGE	NE
RGRNDTX	RIO GRANDE DETENTION CENTER	LAREDO	TX

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Ian Urbina
The New York Times
202-370-(b)

(b)(6),(b)(7)(C)

Sent: 4 Apr 2014 18:55:35 +0000

To: 'Ian Urbina'

Subject: RE: FYI - Spoke to DHS this morning - Called by them.

Yep – that's him. He's the DHS Press Secretary.

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 2:54 PM

To: (b)(6),(b)(7)(C)

Subject: Re: FYI - Spoke to DHS this morning - Called by them.

Oh and it was (b)(6), (b)(7) he's the one with (b)(6),(b)(7)(C) last name right?)

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6),

On Apr 4, 2014, at 2:44 PM, (b)(6),(b)(7)(C) wrote:

Thanks Ian – I appreciate it. I've been back and forth with them all day about this too. Off the record – (b)(6),(b)(7)(C) is looking at everything we put together for you on this which is apparently what is taking so long...

Was it (b)(6),(b)(7)(C) you talked to?

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 12:26 PM

To: Hannah Fairfield; (b)(6),(b)(7)(C)

Subject: FYI - Spoke to DHS this morning - Called by them.

Explained the story. Asked again for them to get you Hannah the data and me the answers to pending questions and he said he would (b)(6), (b)(7)(C) fingers crossed. He (and I) sang your praises.

--

Ian Urbina

The New York Times

202 370 (b)(6),

(b)(6),(b)(7)(C)

Sent: 4 Apr 2014 18:44:32 +0000

To: 'Urbina, Ian'; 'Hannah Fairfield'

Subject: RE: FYI - Spoke to DHS this morning - Called by them.

Thanks Ian – I appreciate it. I've been back and forth with them all day about this too. Off the record –

(b)(6),(b)(7)(C) is looking at everything we put together for you on this which is apparently what is taking so long...

Was it (b)(6),(b)(7)(C) you talked to?

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 12:26 PM

To: Hannah Fairfield (b)(6),(b)(7)(C)

Subject: FYI - Spoke to DHS this morning - Called by them.

Explained the story. Asked again for them to get you Hannah the data and me the answers to pending questions and he said he would. (b)(6),(b)(7)(C) fingers crossed. He (and I) sang your praises.

--

Ian Urbina

The New York Times

202 370 (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Sent: 4 Apr 2014 18:59:07 +0000

To: Ian Urbina

Subject: RE: FYI - Spoke to DHS this morning - Called by them.

Thanks! For the most part, here at ICE, we're used to taking fire and also strongly believe in transparency and the fact that the taxpayers are writing our paychecks so we take pride in trying to be responsive. Thanks for your patience with the process!

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 2:52 PM

To: (b)(6),(b)(7)(C)

Subject: Re: FYI - Spoke to DHS this morning - Called by them.

Not surprising on (b)(6). Thanks for being really fair candid and speedy with me throughout this process. Very rare to find a smart, straight shooter willing to actually help.

Ian Urbina
The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6)

On Apr 4, 2014, at 2:44 PM,

(b)(6),(b)(7)(C)

wrote:

Thanks Ian – I appreciate it. I've been back and forth with them all day about this too. Off the record – (b)(6),(b)(7)(C) is looking at everything we put together for you on this which is apparently what is taking so long...

Was it (b)(6),(b)(7) you talked to?

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 12:26 PM

To: Hannah Fairfield; (b)(6),(b)(7)(C)

Subject: FYI - Spoke to DHS this morning - Called by them.

Explained the story. Asked again for them to get you Hannah the data and me the answers to pending questions and he said he would. (b)(6), fingers crossed. He (and I) sang your praises.

--

Ian Urbina
The New York Times

202 370 (b)(6),

(b)(7)(C)

(b)(6),(b)(7)(C)

Sent:27 Mar 2014 16:23:01 +0000

To:Ian Urbina

Subject:RE: ICE responses

Ian –

Good news. I've had our folks do some deeper digging to try and be more responsive to some of the stats questions (like how many people currently participate in VWP, etc). So, hopefully I'm going to have some additional helpful info for you on that end early next week.

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Wednesday, March 26, 2014 1:52 PM

To: (b)(6),(b)(7)(C)

Subject: Re: ICE responses

Thanks for this. I think we have until mid next week on BIOs.

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 7962

On Mar 26, 2014, at 10:40 AM (b)(6),(b)(7)(C) wrote:

Ian –

Here are our responses to some of your questions. How much more time do I have in terms of getting you bio details on the detainees you mentioned? I have some but am working on getting all of them. Do you have a sense of when your piece is going to run?

Thanks!

(b)(6),(b)(7)(C)

Q: You mentioned: "In calendar year 2013, 55 of the detention facilities offered Volunteer Work Programs. Twenty-one Volunteer Work Programs were operated by local governments and the remaining programs by private partners." Can you clarify this a bit: a) when you say private partners do you mean like CCA or who? b) Am I correct to assume that all these programs are overseen by ICE (ie regardless of whether they are run by private, local or ICE officials) c) How many total facilities where ICE detainees are held are there nationally (you say 55 detention facilities, 21 local gov and an un-tallied sum for "private partners"). d) I need a rough estimate for how many immigrant detainees in a typical year or month nationally participate in the volunteer work program.

A: Yes, private service providers such as CCA, GEO, MTC and ICA as examples, along with governmental partners.

B: One of the ICE standards addresses the basic requirements of VWP, however, day to day operations of the program are performed by the service provider.

C: There are 254 authorized detention facilities in use by ICE as of March 18, 2014. In CY 2013, our most recent year that data was collected on VWP, 55 of the facilities inspected by ICE contractors offered VWP. 21 of the 55 detention facilities were operated by local governments and the remainder by private partners. The 55 facilities that offered "Volunteer Work Programs" accounted for 76.1% of FY13 Total Average Daily Population.

D: Currently, the program does not track how many detainees participate in the volunteer work program.

Q: How much BOP pays per day to a private company versus what ICE reimburses a private company per detainee per day? And if you have your own cost comparisons for per diem per detainee versus BOPs numbers let me see those please.

We do not have our own cost comparison for ICE and BOP facilities. It is important to keep in mind that there are a number of factors that influence bed day rates, including local Department of Labor wage determinations, facility location, staffing levels, government vs. contractor provided medical care, ICE detention standards, transportation requirements, etc.

Q: When did the immigration work program begin? What year? I know appropriations goes to 79. But I also hear that the program has been around since the 50s in some form. Could you clarify this for me?

We do not have this information readily available.

Sent: 8 Apr 2014 20:11:38 +0000

To: (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C)

Subject: Re: (b)(6),(b)(7)(C) 20 years old, Mexican descent
Adding my colleague (b)(6),(b)(7)(C) in Seattle who can assist.

----- Original Message -----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Tuesday, April 08, 2014 04:10 PM

To: (b)(6),(b)(7)(C)

Subject: (b)(6),(b)(7)(C) years old, Mexican descent

She is in Tacoma Washington and we need to take a picture of her. Can you help process the waiver?

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)
202 370 (b)

Sent: 4 Apr 2014 22:27:35 +0000

To: 'Hannah Fairfield'; Ian Urbina'

Subject: RE: List of facilities with VWP for NYT graphic department

No. ADP = Average Daily Population. That's the average number of people at the entire facility

From: Hannah Fairfield (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 6:26 PM

To: Ian Urbina

Cc: (b)(6),(b)(7)(C)

Subject: Re: List of facilities with VWP for NYT graphic department

Thanks, (b) I want to confirm that the figure in the last column of the spreadsheet (FY13ADP) is the number of detainees participating in the work program for that specific facility. Correct? Hannah

On Apr. 4, 2014, at 5:57 PM, Ian Urbina (b)(6),(b)(7)(C) wrote:

Ok, thanks. Hannah will ask follow ups on it if she has them

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)

On Apr 4, 2014, at 5:47 PM (b)(6),(b)(7)(C)

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From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 5:41 PM

To: (b)(6),(b)(7)(C)

Cc: Hannah Fairfield

Subject: Re: List of facilities with VWP for NYT graphic department

Change over time data showing how participation of program has grown or varied over time?

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(b)(6),(b)(7)(C)
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On Apr 4, 2014, at 5:08 PM, (b)(6),(b)(7)(C)

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OTRPCNM	OTERO COUNTY PROCESSING CENTER	CHAPARRAL
EPC	EL PASO SERVICE PROCESSING CENTER	EL PASO
YORCOPA	YORK COUNTY PRISON	YORK
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CBENDTX	COASTAL BEND DETENTION FACILITY	ROBSTOWN
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MONTGMO	MONTGOMERY COUNTY JAIL	MONTGOMERY
PHelpNE	PHELPS COUNTY JAIL	HOLDREGE
RGRNDTX	RIO GRANDE DETENTION CENTER	LAREDO

<Copy of ICE Facilities_VWP Standard_03-26-14.xlsx>

Sent: 4 Apr 2014 21:46:50 +0000

To: 'Ian Urbina'

Cc: 'Hannah Fairfield'

Subject: RE: List of facilities with VWP for NYT graphic department

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Sent: Friday, April 04, 2014 5:41 PM

To: (b)(6),(b)(7)(C)

Cc: Hannah Fairfield

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<Copy of ICE Facilities_VWP Standard_03-26-14.xlsx>

Sent: 4 Apr 2014 23:57:11 +0000

To: Ian Urbina

Subject: RE: List of facilities with VWP for NYT graphic department

We received that info from BOP so I'm not sure what to tell you on that....

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 7:49 PM

To: (b)(6),(b)(7)(C)

Subject: Re: List of facilities with VWP for NYT graphic department

On your BOP calculations: I've interviewed BOP detainees who say they have been earning about 10 dollars a day so the text you provided doesn't quite compute. Perhaps your calculations are a bit off if the max pay in fed prisons is \$1.15/hour (x 7 hours = \$8.05/day). It depends somewhat what type of job an inmate at a BOP facility has, I'm told, e.g., regular institutional job assignment, UNICOR or PIE program. But even at the hourly rate you provided - max of \$1.15/hour, that's close to \$10/day. Am I missing something here?

Ian Urbina
The New York Times

(b)(6),(b)(7)(C)
202 370 (b)(6),
(b)(7)(C)

On Apr 4, 2014, at 6:27 PM, (b)(6),(b)(7)(C) @ice.dhs.gov wrote:

No. ADP = Average Daily Population. That's the average number of people at the entire facility

From: Hannah Fairfield (b)(6),(b)(7)(C)

Sent: Friday, April 04, 2014 6:26 PM

To: Ian Urbina

Cc: (b)(6),(b)(7)(C)

Subject: Re: List of facilities with VWP for NYT graphic department

Thanks (b)(6), (b)(7)(C) I want to confirm that the figure in the last column of the spreadsheet (FY13ADP) is the number of detainees participating in the work program for that specific facility. Correct? Hannah

On Apr 4, 2014, at 5:57 PM, Ian Urbina (b)(6),(b)(7)(C) wrote:

Ok, thanks. Hannah will ask follow ups on it if she has them.

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The New York Times

(b)(6),(b)(7)(C)

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(6) (b)

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<Copy of ICE Facilities_VWP
Standard_03-26-14.xlsx>

Sent: 8 Apr 2014 16:42:30 +0000
To: Urbina, Ian
Subject: RE: Methodology memo.
Thanks Ian. Let me do some checking.

From: Urbina, Ian, (b)(6),(b)(7)(C)
Sent: Tuesday, April 08, 2014 12:14 PM
To: (b)(6),(b)(7)(C)
Subject: Methodology memo.

(b)(6),(b)
(7)(C)

As we discussed on the phone, we want to get a handle on some of the economic benefits of the program.

So, I want to run these basic calculations by you so that if you see any methodological issues you have a chance to flag them.

1) How many total immigrants participate in the program annually?

My calculation: You mentioned that on any given day roughly 5,500 immigrants participate in the work program. You also mentioned that the average length of stay was about a month. That would equate to at least 65,000 immigrants per year participating in the program.

2) How much does the federal government (and private companies) save by not paying outside contractors to do this same work for minimum wage?

My calculation: You explained that participants in the program are typically paid \$1 per day. You also said that they are not permitted to work more than 40 hours a week.

First, we know that in the most expensive of scenarios, 5,500 total workers x 40 hour week x 52 weeks x \$7.25 per hour min wage = \$82.9 million.

Next, we know that in the less expensive scenario: 5,500 total workers x 20 hour week x 52 weeks x \$7.25 per hour min wage = \$41 million

This would mean that while actual expenses could be higher (since we do not account for the costs of health and unemployment insurance, pension, social security, nor do we factor in the fact that these jobs would likely be paid above min. wage) and it could be lower (since some workers may work less than 20 hours. However, a safe and conservative range for how much it would cost to have this work done by outside contractors is roughly between \$40-80 million annually.

How much does it actually cost currently to have this work done?

365 days a year with roughly 5,500 workers handling a minimum of four hour shifts per day equates to about 2 million shifts or roughly \$2 million in average cost per year.

This means that it currently takes \$2 million per year to get this work done whereas it would otherwise take between \$40 and \$80 million per year (were the work done by employees at minimum wage).

Ian

--

Ian Urbina
The New York Times

202 370 (b)(6),(b)

(b)(6),(b)(7)(C)

Sent: 15 Apr 2014 13:03:23 +0000

To: Urbina, Ian

C (b)(6),(b)(7)(C)

Subject: RE: One other thing

Ian -

That info should be part of the spreadsheet on the 250 facilities that is currently being compiled.

I'm adding my colleague (b)(6),(b)(7)(C) who will help push this through in my absence.

Thanks!

(b)(6),(b)(7)(C)

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Tuesday, April 15, 2014 8:31 AM

To: (b)(6),(b)(7)(C)

Subject: One other thing

Sorry to be a nag but I don't like discrepancies.

As your folks do a survey of facilities we still need to verify that no facilities (esp county jails) never allow detainees to participate in work outside the facility. The basic questions that would be most useful for us to know is whether a facility allows unpaid work, how often it occurs, what sort of non-monetary compensation is provided and whether work is ever performed outside the facility and whether work is ever mandatory (for example I spoke to a sheriff who has a mandatory chain gang program and he "didn't think that his ICE detainees were part of it but they might be").

--

Ian Urbina

The New York Times

202 371 (b)(6),

(b)(6),(b)(7)(C)

Sent:6 Apr 2014 14:48:25 +0000

To:'Ian Urbina'

Subject:RE:[(b)(6),(b)(7)(C)] on the weekend, round 2

So the story didn't run this weekend after all? Any update on that?

-----Original Message-----

From: Ian Urbina [(b)(6),(b)(7)(C)]

Sent: Saturday, April 05, 2014 11:10 PM

To:[(b)(6),(b)(7)(C)]

Subject: Re: Pestering [(b)(6)] on the weekend, round 2

Thanks.

Ian Urbina

The New York Times

[(b)(6),(b)(7)(C)]

202 370 [(b)(6),

> On Apr 5, 2014, at 8:41 PM [(b)(6),(b)(7)(C)] wrote:

>

> Here's your answer -- all background info:

>

> It isn't happening now and almost certainly never did. ICE detainees are no longer at Oakdale, LA, the only BOP prison where we had a sizable presence. Oakdale has a UNICOR operation but ICE detainees were separated from BOP prisoners when they were housed there.

>

> Another point - federal law prohibits prisons and jails from engaging in interstate commerce unless certified by the DOJ program I referenced in my earlier e-mail. We can safely say that ICE detainees do not participate in any work programs that sell goods or services.

>

> -----Original Message-----

> From: Ian Urbina [(b)(6),(b)(7)(C)]

> Sent: Saturday, April 05, 2014 6:50 PM

> To:[(b)(6),(b)(7)(C)]

> Subject: Re: Pestering [(b)(6), [(b)(6),(b)(7)(C)] on the weekend, round 2

>

> Ok I fear we will need some clarity on this point. Can you tell me how many immigrant detainees last year or in a given year are/were housed at BOP facilities and how many participated in UNICOR programs?

>

>

>

>

> Ian Urbina

> The New York Times

> [(b)(6),(b)(7)(C)]

> 202 370 [(b)(6)]

>

>

>> On Apr 5, 2014, at 6:41 PM [(b)(6),(b)(7)(C)]

>>

>> - The DOJ of Bureau of Prisons operates a prison industry program (UNICOR) that sells goods made by inmates to federal agencies... ICE detainees have been housed at BOP facilities... It is possible such detainees have been given the opportunity to participate in UNICOR - but highly unlikely as the program is intended for BOP prisoners... We would have to confirm that.

>

>

Sent: 6 Apr 2014 00:41:20 +0000

To: 'Ian Urbina'

Subject: RE: Pestering (b)(6),(b)(7)(C) on the weekend, round 2

Here's your answer -- all background info:

It isn't happening now and almost certainly never did. ICE detainees are no longer at Oakdale, LA, the only BOP prison where we had a sizable presence. Oakdale has a UNICOR operation but ICE detainees were separated from BOP prisoners when they were housed there.

Another point - federal law prohibits prisons and jails from engaging in interstate commerce unless certified by the DOJ program I referenced in my earlier e-mail. We can safely say that ICE detainees do not participate in any work programs that sell goods or services.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Saturday, April 05, 2014 6:50 PM

To: (b)(6),(b)(7)(C)

Subject: Re: Pestering Gillian on the weekend, round 2

Ok I fear we will need some clarity on this point. Can you tell me how many immigrant detainees last year or in a given year are/were housed at BOP facilities and how many participated in UNICOR programs?

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 7962

> On Apr 5, 2014, at 6:41 PM, (b)(6),(b)(7)(C) wrote:

>

> - The DOJ of Bureau of Prisons operates a prison industry program (UNICOR) that sells goods made by inmates to federal agencies. ICE detainees have been housed at BOP facilities. It is possible such detainees have been given the opportunity to participate in UNICOR - but highly unlikely as the program is intended for BOP prisoners. We would have to confirm that.

Sent: 5 Apr 2014 22:41:36 +0000

To: 'Urbina, Ian'

Subject: RE: Pestering (b)(6), (b)(7)(C) on the weekend, round 2

For your use on background:

ICE detention standards do not prohibit detainees making goods or providing services for the outside market. However:

- ICE dedicated facilities do not sell goods or services from detainee labor on the market.
- Our recent review of work programs did not find any instances of county jails employing ICE detainees in prison industry programs.
- The DOJ of Bureau of Prisons operates a prison industry program (UNICDR) that sells goods made by inmates to federal agencies. ICE detainees have been housed at BOP facilities. It is possible such detainees have been given the opportunity to participate in UNICDR - but highly unlikely as the program is intended for BOP prisoners. We would have to confirm that.
- However, such work programs have been recognized as a best practice in corrections when developed for US citizens.
- GAO has examined prison industry programs run by state and federal prisons and determined they are an effective way to provide job skills:
<http://www.gao.gov/products/GGD-82-37>
- The Department of Justice regulates and certifies prison industry programs, through the Prison Industry Enhancement Certification Program (PIECP). DOJ has written in a regulatory preamble: Prison administrators find PIECP participation an effective way to address idleness among ever-increasing prison populations and as a cost-efficient method for providing inmates with marketable job skills.

From: Urbina, Ian (b)(6), (b)(7)(C)

Sent: Saturday, April 05, 2014 2:44 PM

To: (b)(6), (b)(7)(C)

Subject: Pestering (b) on the weekend, round 2

Also, one blind spot I wanted to be sure you covered, and I think it would be prudent to have this on record from you:

It is correct that the detainees are limited to work that directly sustains their facility and they are not permitted to be used for service work or making goods for the outside market, correct?

--

Ian Urbina
The New York Times

202 370 (b)(6),

(b)(6),(b)(7)(C)

Sent: 5 Apr 2014 21:47:48 +0000

To: 'Urbina, Ian'

Subject: RE: Pestering (b)(6), (b)(7)(C) on the weekend, round 2
Let me double check

From: Urbina, Ian (b)(6), (b)(7)(C)

Sent: Saturday, April 05, 2014 2:44 PM

To: (b)(6), (b)(7)(C)

Subject: Pestering (b)(6), (b)(7)(C) on the weekend, round 2

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Ian Urbina

The New York Times

202 370 (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Sent:6 Apr 2014 14:53:38 +0000
To:'Ian Urbina'
Subject:RE: Pestering (b)(6), on the weekend, round 2
Not bad news - just curious. Thanks for the update.

-----Original Message-----
From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Sunday, April 06, 2014 10:53 AM
To: (b)(6),(b)(7)(C)
Subject: Re: Pestering (b)(6) on the weekend, round 2

My story? Yes, as I mentioned in last email, draft was due Friday. Submitted. That's as much as I know. You seem to be more plugged in than I am and you mentioned Julia and ginger on runway too. So, you can expect more questions from us as we have layers of editors to deal with and couple things still not entirely clear. Sorry if that's bad news.

Ian Urbina
The New York Times
(b)(6),(b)(7)(C)
202 370 (b)(6),

> On Apr 6, 2014, at 10:48 AM, (b)(6),(b)(7)(C) wrote:

> So the story didn't run this weekend after all? Any update on that?

> -----Original Message-----
> From: Ian Urbina (b)(6),(b)(7)(C)
> Sent: Saturday, April 05, 2014 11:10 PM
> To: (b)(6),(b)(7)(C)
> Subject: Re: Pestering (b) on the weekend, round 2

> Thanks.

> Ian Urbina
> The New York Times
> (b)(6),(b)(7)(C)
> 202 370 (b)(6),

>> On Apr 5, 2014, at 8:41 PM (b)(6),(b)(7)(C) wrote:

>> Here's your answer -- all background info:

>> It isn't happening now and almost certainly never did. ICE detainees are no longer at Oakdale, LA, the only BOP prison where we had a sizable presence. Oakdale has a UNICOR operation but ICE detainees were separated from BOP prisoners when they were housed there.

>> Another point - federal law prohibits prisons and jails from engaging in interstate commerce unless certified by the DOJ program I referenced in my earlier e-mail. We can safely say that ICE detainees do not participate in any work programs that sell goods or services.

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>> Subject: Re: Pestering (b)(6), on the weekend, round 2

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>> The New York Times

>> (b)(6),(b)(7)(C)

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>

>

Sent:3 Apr 2014 18:04:48 +0000

To:Ian Urbina

Subject:RE: query from The New York Times, graphics

The ultimate verbiage on this may change slightly once I get the final cleared version back but...you get the point.

From: (b)(6),(b)(7)(C)

Sent: Thursday, April 03, 2014 1:58 PM

To: 'Ian Urbina'

Subject: RE: query from The New York Times, graphics

1) Does the money that detainees earn through the voluntary work program get paid in cash or is it deposited to their commissary account? Also are all detainees, regardless of whether they are deported or allowed to stay in the U.S., allowed to withdraw the money that has accrued in their account when they leave detention?

At almost all ICE detention facilities, VWP funds are deposited into the detainees' detention/commissary account; although, at one or two ICE-owned processing centers, detainees are paid cash daily at the end of the work detail. The ICE detention standards require that all facilities are required to have written policies and procedures to return funds, valuables and personal property to detainees being transferred or released.

2) What is the average length of stay for a detainee?

Average Length Of Stay YTD FY14: 31.1 days

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 03, 2014 1:56 PM

To: (b)(6),(b)(7)(C)

Subject: Re: query from The New York Times, graphics

so I know how to handle one pressing matter, can you tell me on background for now the answers to these:

--is the money paid to detainees using their commissary/phone accounts or in cash? can they withdraw the money when released (either deported or allowed to stay)?

--Am I generally safe in saying (typical length of stay is about a month; between one half and two thirds of all detainees depending on how you count held in facilities run by private companies; roughly half of all detainees deported)

Sent from my iPad

On Apr 3, 2014, at 12:10 PM, (b)(6),(b)(7)(C)

wrote:

Fingers crossed. It's all drafted and compiled— I am just awaiting DHS clearance..

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Thursday, April 03, 2014 12:06 PM
To: (b)(6),(b)(7)(C)
Cc: Fairfield, Hannah
Subject: Re: query from The New York Times, graphics

Sounds like you may be more in the know than I am about the many different planes in the air. All I know is what my editor tells me and she has said she wants a draft filed with missing questions answered ideally by end of today. So, whatever you can do to help with that would be much appreciated.

Sent from my iPad

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I'm working on it. Although, I'll have to say I'm surprised the Times is running Ginger's, Julia's AND your story all in the same weekend. Are you guys planning a special immigration issue/feature?

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Sent: Thursday, April 03, 2014 7:25 AM
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Cc: Fairfield, Hannah
Subject: Re: query from The New York Times, graphics

My editor says she may want this story for the weekend. So, I think we need to pull out all the stops (b)(6),(b)(7)(C) and get all answers today.

Sent from my iPad

On Apr 3, 2014, at 7:22 AM, (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) wrote:

DHS is still holding it up.

From: Fairfield, Hannah
(b)(6),(b)(7)(C)
Sent: Wednesday, April 02, 2014 2:57 PM
To: (b)(6),(b)(7)(C)
Cc: Ian Urbina
Subject: Re: query from The New York Times, graphics

(b)(6),(b)(7) Has there been any movement on release of the data? Hannah

On Mon, Mar 31, 2014 at 12:17 PM, Fairfield,
Hannah <(b)(6),(b)(7)(C)> wrote:
(b)(6),(Any word on the release of the data?
Cheers, Hannah

On Fri, Mar 28, 2014 at 11:46 AM, Fairfield,
Hannah <(b)(6),(b)(7)(C)> wrote:
(b)(6),(Fantastic! I am eager to get to work on
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On Fri, Mar 28, 2014 at 11:39 AM, (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)
wrote:
Hi Hannah –

I have the list/data but am awaiting approval from DHS
to release it. Hopefully we'll have something for you
today.

Ian – Can you give me a buzz when you have a sec?

Thanks!
(b)(6).

From: Fairfield, Hannah
<mailto:(b)(6),(b)(7)(C)>
Sent: Friday, March 28, 2014 11:37 AM
To: (b)(6),(b)(7)(C) Ian Urbina
Subject: Re: query from The New York Times, graphics

(b)(6),(b) I wanted to touch base today to see what
you expect to send me, and when. I'd love to be able
to clear Monday or Tuesday to build the charts and
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(b)(6),(b)(7)(C)
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Hey Hannah –

Let me see what I can do.

Thanks!

(b)(6),(b)(7)(C)

From: Fairfield, Hannah

[mailto:(b)(6),(b)(7)(C)]

Sent: Tuesday, March 25, 2014 4:33 PM

To: (b)(6),(b)(7)(C)

Subject: query from The New York Times, graphics

(b)(6),(b)(7)(C)

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I'm very interested in being able to visualize the presence of the program over time. Is it possible for you to provide me with annual average figures of how many detainees have participated in the work programs since since ICE has existed? Monthly figures would be even more ideal, but I understand if your annual reports simply have the annual ones.

Another visual possibility that Ian suggested is based from the fact you gave him about the number of facilities that have work programs. He mentioned that of the 55 detention facilities with work programs, 21 were operated by local governments and 34 were operated by private companies. A wonderful addition to the story that would show ICE's scope and presence would be a map of those 55, coded by the 21 operated by local governments and 34 operated by private companies. I can make that map if you have a list of the facilities.

Thank you so much for your help. I'm at the number below if you would like to chat on the phone at any time.

Best, Hannah Fairfield

--

Hannah Fairfield
The New York Times
Washington Bureau

202-862- (b)(6),
(b)(7)(C)

--

Hannah Fairfield
The New York Times
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202-862- (b)
(b)(7)(C)

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(b)(7)(C)

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Hannah Fairfield
The New York Times
Washington Bureau
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(b)(7)(C)

Sent:3 Apr 2014 17:57:48 +0000

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Washington Bureau

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(6),(b)

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202-862-(b)(6),

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The New York Times
Washington Bureau
202-862-(b)(6),

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Thank you so much for your help. I'm at the number below if you would like to chat on the phone at any time.

Best, Hannah Fairfield

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Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(6)

--

Hannah Fairfield

The New York Times
Washington Bureau
202-862-(b)
(6), (b)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(7)(C)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6), (b)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(7)(C)

Sent:3 Apr 2014 16:03:27 +0000

To:Ian Urbina

Cc:Fairfield, Hannah

Subject:RE: query from The New York Times, graphics

I'm working on it. Although, I'll have to say I'm surprised the Times is running Ginger's, Julia's AND your story all in the same weekend. Are you guys planning a special immigration issue/feature?

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 03, 2014 7:25 AM

To: (b)(6),(b)(7)(C)

Cc: Fairfield, Hannah

Subject: Re: query from The New York Times, graphics

My editor says she may want this story for the weekend. So, I think we need to pull out all the stop (b)(6),(b)(7)(C) and get all answers today.

Sent from my iPad

On Apr 3, 2014, at 7:22 AM, (b)(6),(b)(7)(C) wrote:

DHS is still holding it up.

From: Fairfield, Hannah (b)(6),(b)(7)(C)

Sent: Wednesday, April 02, 2014 2:57 PM

To: (b)(6),(b)(7)(C)

Cc: Ian Urbina

Subject: Re: query from The New York Times, graphics

(b)(6),(b)(7)(C) Has there been any movement on release of the data? Hannah

On Mon, Mar 31, 2014 at 12:17 PM, Fairfield, Hannah

(b)(6),(b)(7)(C) wrote:

Gillian: Any word on the release of the data? Cheers, Hannah

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(b)(6),(b)(7)(C) Fantastic! I am eager to get to work on making it visually fabulous.

Cheers, Hannah

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(b)(6),(b)(7)(C) wrote:

Hi Hannah -

I have the list/data but am awaiting approval from DHS to release it. Hopefully we'll have something for you today.

Ian – Can you give me a buzz when you have a sec?

Thanks!

(b)(6),(b)(7)

From: Fairfield, Hannah (b)(6),(b)(7)(C)
Sent: Friday, March 28, 2014 11:37 AM
To: (b)(6),(b)(7)(C) Ian Urbina
Subject: Re: query from The New York Times, graphics

(b)(6),(b)(7) I wanted to touch base today to see what you expect to send me, and when. I'd love to be able to clear Monday or Tuesday to build the charts and maps, so it would help to know what information you can send my way. Thanks!
Cheers, Hannah

On Wed, Mar 26, 2014 at 8:49 AM (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) wrote:

Hey Hannah –

Let me see what I can do.

Thanks!

(b)(6),(b)(7)

From: Fairfield, Hannah (b)(6),(b)(7)(C)
Sent: Tuesday, March 25, 2014 4:33 PM
To: (b)(6),(b)(7)(C)
Subject: query from The New York Times, graphics

(b)(6),(b)(7)

Ian Urbina asked me to reach out to you because I am working with him on some graphics to go with his piece. It's not going to publish this weekend, so we have a little time to do visuals that are really special, and I'm hoping that you can help provide or point me to information that I can use for those.

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Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),(b)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(7)(c)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(7)(c)

--

Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(7)(C)

Sent:3 Apr 2014 18:08:32 +0000

To:Ian Urbina

Subject:RE: query from The New York Times, graphics

No – the detainees definitely get their \$ back. The policies lay out (and differ depending upon the facility) on HOW they get the \$ back. Cash/check/debit card, etc.

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 03, 2014 2:06 PM

To: (b)(6),(b)(7)(C)

Subject: Re: query from The New York Times, graphics

Thanks for this. On this: "required to have written policies"? Not sure I understand this. The question is not whether there are policies but what the policy is. So, from this reply I am thinking ICE doesn't know for sure, nor does it impose any rules on the matter (except that facilities have their own rules). That would seem to imply that some facilities return what's in the commissary account and others do not. Am I missing something here?

Sent from my iPad

On Apr 3, 2014, at 1:59 PM, (b)(6),(b)(7)(C) wrote:

1) Does the money that detainees earn through the voluntary work program get paid in cash or is it deposited to their commissary account? Also are all detainees, regardless of whether they are deported or allowed to stay in the U.S., allowed to withdraw the money that has accrued in their account when they leave detention?

At almost all ICE detention facilities, VWP funds are deposited into the detainees' detention/commissary account; although, at one or two ICE-owned processing centers, detainees are paid cash daily at the end of the work detail. The ICE detention standards require that all facilities are required to have written policies and procedures to return funds, valuables and personal property to detainees being transferred or released.

2) What is the average length of stay for a detainee?

Average Length Of Stay YTD FY14: 31.1 days

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 03, 2014 1:56 PM

To: (b)(6),(b)(7)(C)

Subject: Re: query from The New York Times, graphics

so I know how to handle one pressing matter, can you tell me on background for now the answers to these:

--is the money paid to detainees using their commissary/phone accounts or in cash? can they withdraw the money when released (either deported or allowed to stay)?

--Am I generally safe in saying (typical length of stay is about a month; between one half and two thirds of all detainees depending on how you count held in facilities run by private companies; roughly half of all detainees deported)

Sent from my iPad

On Apr 3, 2014, at 12:10 PM, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

wrote:

Fingers crossed. It's all drafted and compiled-- I am just awaiting DHS clearance.

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 03, 2014 12:06 PM

To: (b)(6),(b)(7)(C)

Cc: Fairfield, Hannah

Subject: Re: query from The New York Times, graphics

Sounds like you may be more in the know than I am about the many different planes in the air. All I know is what my editor tells me and she has said she wants a draft filed with missing questions answered ideally by end of today. So, whatever you can do to help with that would be much appreciated.

Sent from my iPad

On Apr 3, 2014, at 12:04 PM, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

wrote:

I'm working on it. Although, I'll have to say I'm surprised the Times is running Ginger's, Julia's AND your story all in the same weekend. Are you guys planning a special immigration issue/feature?

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Sent: Thursday, April 03, 2014 7:25 AM

To: (b)(6),(b)(7)(C)

Cc: Fairfield, Hannah

Subject: Re: query from The New York Times, graphics

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Cc: Ian Urbina
Subject: Re: query from The New York Times, graphics

(b)(6),(b)(7)(C): Has there been any movement on release of the data?
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Ian – Can you give me a buzz when you have a sec?

Thanks!

(b)(6),(b)(7)(C)

From: Fairfield, Hannah

(b)(6),(b)(7)(C)

Sent: Friday, March 28, 2014 11:37 AM

To: (b)(6),(b)(7)(C); Ian Urbina

Subject: Re: query from The New York Times, graphics

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Let me see what I can do.

Thanks!

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From: Fairfield, Hannah

(b)(6),(b)(7)(C)

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To: (b)(6),(b)(7)(C)

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(b)(6),(b)(7)(C)

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Hannah Fairfield
The New York Times
Washington Bureau

202-862-(b)(6),(b)(7)(C)

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(7)(C)

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The New York Times
Washington Bureau
202-862-(b)
(6),(b)

--
Hannah Fairfield
The New York Times
Washington Bureau
202-862-(b)(6),
(b)(7)(C)

Ian Urbina

From: Ian Urbina

Sent: 9 May 2014 09:31:22 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: Question regarding food

ok that makes sense on the standards issue. As for stats: ICE has to track how many detainees are deported per year versus how many are detained. You have already provided me data that is far more detailed than that.

Ian Urbina

The New York Times

202-370 (b)(6),

(b)(6),(b)(7)(C)

On May 9, 2014, at 9:21 AM, (b)(6),(b)(7)(C)

wrote:

Unlike PBNDS 2008 and 20011, the 2000 NDS does not state that food can't be used as a reward and those two facilities fall under the 2000 National Detention Standards. Hence, they are not violating those standards.

On the stats issue, I've asked but haven't had any luck getting a figure. It looks like we don't quite track the figures like that but I'm still trying to get an answer.

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Friday, May 09, 2014 9:17 AM

To: (b)(6),(b)(7)(C)

Subject: Re: Question regarding food

(b)(6),(b)(7)(C) this is helpful. What I really also need is an answer on that question about the percent of total detained (not some subset) who are allowed to stay in the US versus deported.

And on background: if ICE on the one hand knows about these two facilities that give food as reward but on the other hand ICE in its current standards forbid food as a reward, would I be correct in saying that these two facilities are breaking the rule?

Ian Urbina

The New York Times

202-370 (b)(6),(C)

(b)(6),(b)(7)(C)

On May 9, 2014, at 9:10 AM, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

wrote:

STATEMENT

The 2008 and 2011 Performance-Based National Detention Standards, developed in coordination with stakeholders and nongovernmental organizations clearly state that food will never be used for reward or punishment. (See Food Service standards, Expected Outcomes 12 and 13.) Under National Detention Standards, the prohibition against use of food as reward applies only to detainees in segregation. (See Food Service standard, Section III.G.4.)

BACKGROUND

ICE is aware of two detention facilities, Atlanta City and Yuba, which fall under ICE's 2000 National Detention Standards, that provide extra food as one type of compensation for participation in voluntary work programs.

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Wednesday, May 07, 2014 11:36 AM
To: (b)(6),(b)(7)(C)
Subject: Question regarding food

(b)(6),(b)(7)

Question for you: In this 2011 IGSA between ICE and the York County, Pennsylvania, I noticed that, at the bottom of page 40, there's a passage that reads "Food will never be used for reward or punishment." Does ICE have a general prohibition on detention facilities using food as payment?

Thanks,
Ian

--

Ian Urbina
The New York Times
202 370 (b)(6),

(b)(6),(b)(7)(C)

Ian Urbina

From: Ian Urbina

Sent: 9 May 2014 09:17:26 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: Question regarding food

Thanks (b)(6),(b)(7)(C) this is helpful. What I really also need is an answer on that question about the percent of total detained (not some subset) who are allowed to stay in the US versus deported. And on background: if ICE on the one hand knows about these two facilities that give food as reward but on the other hand ICE in its current standards forbid food as a reward, would I be correct in saying that these two facilities are breaking the rule?

Ian Urbina

The New York Times

202-376 (b)(6),

(b)(6),(b)(7)(C)

On May 9, 2014, at 9:10 AM, (b)(6),(b)(7)(C)
wrote:

STATEMENT

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Ian Urbina

The New York Times

202 370 (b)(6), (

(b)(6), (b)(7)(C)

Ian Urbina

From: Ian Urbina

Sent: 9 May 2014 10:38:44 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: Question regarding food

On this statistical question this might be an even simpler way to ask: in the 2013 calendar year, what was the total number of detainees deported and what was the total number of people detained? I have to imagine that ICE has these two raw numbers readily on hand.

Ian Urbina

The New York Times

202-370 (b)(6),

(b)(7)(C)

(b)(6),(b)(7)(C)

On May 9, 2014, at 9:21 AM, (b)(6),(b)(7)(C)

wrote:

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Thanks,
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--

Ian Urbina
The New York Times
202.370.(b)
(b)(6),(b)(7)(C) (cc)

Sent: 5 Apr 2014 22:48:53 +0000
To: 'Urbina, Ian'; 'Hannah Fairfield'
Subject: RE: Several things

- 1) Voluntary Work Program
- 2) Checking
- 3) I'm working to get you figures that specify how many individuals per facility participate in VWP. The numbers you have now show the total average daily population of the facility, only a fraction of which participate in VWP.

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Saturday, April 05, 2014 2:32 PM
To: (b)(6),(b)(7)(C) Hannah Fairfield
Subject: Several things

(b)(6),(b)(7)(C)

1) In our email exchanges you guys have tended to refer to this as the Volunteer Work Program. Others have mentioned it as the Voluntary Work Program. Which is the name you folks want me to use?

2) I am trying to discern an estimate for how many immigrants were detained in 1950 (when the program was created and reimbursement rate first set). I know its a negligible population but I am wondering if I should say in the hundreds or thousands or tens of thousands and if you folks have any figure you think is safe for me to use.

3) On Hannah's query - I read the back and forth and, unless I was missing something, I felt like you two might be saying the same thing. Bottom line: the column in your spreadsheet with stats for 2013 indicates an average of the number of detainees who participated in the reimbursed work program for each cited facility, right?

4) You, kindly, gave me a deportation stat for FY 2013 which as 368,644. Can you give me the stat for how many immigrants were detained for FY 2013 so I can say of an estimate of the percent of detained population in 2013 were deported?

thanks,
Ian

--

Ian Urbina
The New York Times
202 370 (b)(6),

(b)(6),(b)(7)(C)

Ian Urbina

From: Ian Urbina

Sent: 2 May 2014 11:19:34 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: Statement and Spreadsheet

Ok thanks. Can you give me a call please just so I can be sure we are on the same page?

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370

(b)(6),

(b)(7)(C)

On May 2, 2014, at 11:15 AM, (b)(6),(b)(7)(C)

wrote:

Ian –

Finally, here's our statement and attached spreadsheet per your request. Let me know if you have any questions. Many apologies for the delay.

Happy Friday!

(b)(6),(b)(7)

STATEMENT

"ICE detention standards impose safeguards governing the operation of voluntary work programs at ICE detention facilities, including training and health and safety standards.

Facilities that house the overwhelming majority of ICE detainees provide compensation for participation in voluntary work programs. Facilities are reimbursed a minimum of \$1 per day by ICE per Congressional appropriation standards. As of April 2014, the majority of those participating in some sort of voluntary work program – well over 95% - were provided monetary compensation.

Individuals volunteering for work in programs that do not provide monetary compensation are located in a small number of facilities that are not managed by ICE, such as county jails. These facilities maintain voluntary work programs for their own criminal population that provide non-monetary benefits and privileges. Because it is not feasible for some jails to provide monetary compensation exclusively to ICE detainees, the agency has permitted ICE detainees to voluntarily participate in such programs in exchange for the prevailing non-monetary compensation, while ensuring that the jails comply with all other safeguards and requirements in the ICE detention standard governing voluntary work programs.

ICE continues to conduct oversight of the voluntary work programs at detention facilities it uses, and it is engaged in an ongoing review of its practices in this area.”

BACKGROUND

ICE detention standards may include greater protections for individuals than what the non-ICE facilities would otherwise have in place for its own prisoners or detainees.

(b)(6),(b)(7)(C)

Deputy Press Secretary

U.S. Immigration and Customs Enforcement (ICE)

(202) 732-(b)(6),

(202) 615-(b)(7)

<ICE Facilities Voluntary Work Subcatergories 4-25-14.xlsx>

Ian Urbina

From: Ian Urbina
Sent: 2 May 2014 17:30:32 -0400
To: (b)(6),(b)(7)(C)
Subject: Re: Statement and Spreadsheet
I'm assuming you got my last email.

Ian Urbina
The New York Times

(b)(6),(b)(7)(C)
202 370 (b)
(b)(6),(b)(7)(C)

On May 2, 2014, at 11:28 AM, (b)(6),(b)(7)(C) wrote:

Sure – in a long meeting right now. Will call you when that wraps up.

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Friday, May 02, 2014 11:20 AM
To: (b)(6),(b)(7)(C)
Subject: Re: Statement and Spreadsheet

Ok thanks. Can you give me a call please just so I can be sure we are on the same page?

Ian Urbina
The New York Times

(b)(6),(b)(7)(C)
202 370 (b)
(b)(6),(b)(7)(C)

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(b)(6),(b)(7)(C)

Deputy Press Secretary

U.S. Immigration and Customs Enforcement (ICE)

(202) 732-(b)(6),

(202) 615-(b)(7)

<ICE Facilities Voluntary Work Subcategories 4-25-14.xlsx>

Sent: 13 Apr 2014 20:45:58 +0000

To: Ian Urbina'

Cc: (b)(6),(b)(7)(C)

Subject: RE: The list of 250

I can get that for you tomorrow.

By the way, I'm also CC-ing our Press Secretary (b)(6),(b)(7)(C) who is going to be handling my deputy duties while I'm gone. My last day in the office is Tuesday (b)(6) will be your main POC but please keep them both CC'd on everything so we don't drop any balls in the air - unfortunately, lots of ppl are out on leave this coming week.

Thanks!

(b)(6),(b)(7)(C)

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Friday, April 11, 2014 11:25 PM

To: (b)(6),(b)(7)(C)

Subject: The list of 250

Sorry to bug you but this seems like it should be an easy ask and the list is likely someplace in the public but can I have a full list of all the 250 facilities where ICE detainees are housed?

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6),

Sent: 13 Apr 2014 21:00:23 +0000

To: Ian Urbina

Cc: (b)(6),(b)(7)(C)

Subject: RE: The list of 250
Working on it.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Sunday, April 13, 2014 4:56 PM

To: (b)(6),(b)(7)(C)

Cc:

Subject: Re: The list of 250

Thanks. And besides this list the top priority are those questions about what facilities of the 250 do not pay for work provided, what alternate forms of compensation they offer, and whether there are guidelines on paying detainees.

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6)

> On Apr 13, 2014, at 4:46 PM, (b)(6),(b)(7)(C) wrote:

>

> I can get that for you tomorrow.

>

> By the way, I'm also CC-ing our Press Secretary (b)(6),(b)(7)(C) who is going to be handling my deputy duties while I'm gone. My last day in the office is Tuesday (b)(6) will be your main POC but please keep them both CC'd on everything so we don't drop any balls in the air - unfortunately, lots of ppl are out on leave this coming week.

>

> Thanks!

(b)(6),(b)(7)(C)

>

> -----Original Message-----

> From: Ian Urbina (b)(6),(b)(7)(C)

> Sent: Friday, April 11, 2014 11:25 PM

> To: (b)(6),(b)(7)(C)

> Subject: The list of 250

>

> Sorry to bug you but this seems like it should be an easy ask and the list is likely someplace in the public but can I have a full list of all the 250 facilities where ICE detainees are housed?

>

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>

>

> Ian Urbina

> The New York Times

> (b)(6),(b)(7)(C)

> 202 370 (b)(6)

v v

Sent: 11 Apr 2014 16:49:00 +0000
To: Ian Urbina
Subject: RE: Things needed on this matter
Got it

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Friday, April 11, 2014 11:56 AM
To: (b)(6),(b)(7)(C)
Subject: Things needed on this matter

Logical questions that we will need to ask and get answered on record:
--how many and which facilities do not pay anything or pay less than \$1 a day?
--do ICE's guidelines require payment in money or are the guidelines silent on this?
--In the facilities where non-monetary payment are provided what are examples of alternate payment types?
--Are we absolutely certain that no detainees are allowed to work outside the ICE facility, like for example in chain gangs picking up litter along highways.

Thanks,
Ian

Ian Urbina
The New York Times
202-370 (b)(6),
(b)(6),(b)(7)(C)

Sent: 11 Apr 2014 17:00:14 +0000
To: Ian Urbina
Subject: RE: Things needed on this matter
Thanks. This is helpful. Looking into it.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Friday, April 11, 2014 12:57 PM
To: (b)(6),(b)(7)(C)
Subject: Re: Things needed on this matter

FYI -- Just got call from (b)(6),(b)(7)(C) from Butler County Ohio. So, he said that none of the immigrant detainees work on chain gangs, they don't leave the four walls. However, he did say that his immigrant detainees work jobs inside the jail. He houses about 300 immigrants on any given day and typically about 50 are working jobs. I asked him whether these folks are paid, he said no. "It's just part of what I require". They do all the work on cleaning, upkeep of the section of the jail where they are housed. He estimated it saves him hundreds of thousands of dollars per year not having to hire staff to handle janitorial and such in that section of the jail. He said his jail is not a member of the federal work program so he doesn't get a dollar a day reimbursement because his detainees are housed there for too short a period and the federal paperwork would not be worth the headache.

Ian Urbina
The New York Times
202-370 (b)(6), (b)(7)(C)

(b)(6),(b)(7)(C)

> On Apr 11, 2014, at 12:50 PM, (b)(6),(b)(7)(C) wrote:

>
> Got it
>

> -----Original Message-----

> From: Ian Urbina (b)(6),(b)(7)(C)
> Sent: Friday, April 11, 2014 11:56 AM
> To: (b)(6),(b)(7)(C)
> Subject: Things needed on this matter

>
> Logical questions that we will need to ask and get answered on record:
> --how many and which facilities do not pay anything or pay less than \$1 a day?
> --do ICE's guidelines require payment in money or are the guidelines silent on this?
> --In the facilities where non-monetary payment are provided what are examples of alternate payment types?
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> Thanks,

> Ian

>

> _____

> Ian Urbina
> The New York Times
> 202-370 (b)(6), (b)(7)(C)

(b)(6),(b)(7)(C)

>

>

Ian Urbina

From: Ian Urbina

Sent: 1 May 2014 15:21:23 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: This is getting absolutely insane.

I also want to make sure this is included in what you send. Was asked previously:

What rules does ICE have pertaining ICE detainees being engaged in work that goes beyond the benefit of the detention center where they are being held? In other words, what was mentioned on record previously was that ICE detainees are not allowed to be employed in producing goods or services that are for the benefit beyond the maintenance of the detention center where they are detained. Is that still ICE's contention and are there written rules on this matter?

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

2013/07/01 (b)(6),(

On May 1, 2014, at 2:20 PM, "Urbina, Ian (b)(6),(b)(7)(C)" wrote:

you aint the only one.

On Thu, May 1, 2014 at 2:19 PM, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) wrote:

Hey ian - I literally got back to the office on Tuesday. Apparently, I'm going to be able to give you something hopefully by the end of the day.

My apologies! I really thought they were going to wrap this up while I was gone...

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Thursday, May 01, 2014 02:15 PM

To: (b)(6),(b)(7)(C)

Subject: This is getting absolutely insane..

I got bumped up to (b)(6),(b)(7) who every day for past week and half has promised that data was coming "today, I swear" and still nothing. Now I get a bounce back from his email that he is out of office until May 10. I'm starting to feel a little bit played here guys.

202 370 (b)(6)
(b)(6),(b)(7)(C)

Ian Urbina
The New York Times
202 370 (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)

Urbina, Ian

From: Urbina, Ian

Sent: 1 May 2014 14:20:51 -0400

To: (b)(6),(b)(7)(C)

Subject: Re: This is getting absolutely insane.
you aint the only one.

On Thu, May 1, 2014 at 2:19 PM (b)(6),(b)(7)(C)

wrote:

Hey ian - I literally got back to the office on Tuesday. Apparently, I'm going to be able to give you something hopefully by the end of the day.

My apologies! I really thought they were going to wrap this up while I was gone...

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Thursday, May 01, 2014 02:15 PM

To: (b)(6),(b)(7)(C)

Subject: This is getting absolutely insane.

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202 370 (b)(6)

(b)(6),(b)(7)(C)

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Ian Urbina

The New York Times

202 370 (b)(6),

(b)(6),(b)(7)(C)

Ian Urbina

From: Ian Urbina
Sent: 1 May 2014 18:25:14 -0400
To: (b)(6),(b)(7)(C)
Subject: Re: This is getting absolutely insane.
?

Ian Urbina
The New York Times
202-370 (b)(6),
(b)(6),(b)(7)(C)

On May 1, 2014, at 3:44 PM, (b)(6),(b)(7)(C) wrote:

gotcha

From: Ian Urbina [mailto:(b)(6),(b)(7)(C)]
Sent: Thursday, May 01, 2014 3:21 PM
To: (b)(6),(b)(7)(C)
Subject: Re: This is getting absolutely insane.

I also want to make sure this is included in what you send. Was asked previously:

What rules does ICE have pertaining ICE detainees being engaged in work that goes beyond the benefit of the detention center where they are being held? In other words, what was mentioned on record previously was that ICE detainees are not allowed to be employed in producing goods or services that are for the benefit beyond the maintenance of the detention center where they are detained. Is that still ICE's contention and are there written rules on this matter?

Ian Urbina
The New York Times
(b)(6),(b)(7)(C)
202 370 (b)

On May 1, 2014, at 2:20 PM, "Urbina, Ian" (b)(6),(b)(7)(C) wrote:

you aint the only one.

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My apologies! I really thought they were going to wrap this up while I was gone...

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Thursday, May 01, 2014 02:15 PM
To: (b)(6),(b)(7)(C)
Subject: This is getting absolutely insane.

I got bumped up to (b)(6),(b) who every day for past week and half has promised that data was coming "today, I swear" and still nothing. Now I get a bounce back from his email that he is out of office until May 10. I'm starting to feel a little bit played here guys.

202 370 (b)(6),
(b)(6),(b)(7)(C)

--

Ian Urbina
The New York Times
202 370 (b)(6),
(b)(6),(b)(7)(C)

Sent: 10 Apr 2014 14:15:17 +0000

To: Ian Urbina

Subject: RE: Touching base

I will look into it.

What facilities are you referencing here?

I have interviewed immigrants and/or their lawyers currently held at two other facilities and they too have described extra shifts worked in return not for pay but extra food during meals.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 10, 2014 9:51 AM

To: (b)(6),(b)(7)(C)

Subject: Re: Touching base

Ok. Got it. Will find out more details on work being done for no pay.

One of the people we may use on record in the story who described this in detail (as did her lawyer separately) is named (b)(6),(b)(7)(C) who fled Liberia during the civil war there and apparently illegally entered the U.S. in 1990. From what I can tell immigration authorities detained (b)(6),(b)(7)(C) in August 2009 and she was held at the Etowah County Detention Center in Gadsden, Alabama, where she worked most days, scrubbing showers, buffing hallways, and mopping stalls. In return, she earned time outside her cell in a recreational room, she said, where she could mingle with other detainees, watch television or read. She claims that none of the detainees were ever paid for jobs done there. My impression is that (b)(6),(b)(7)(C) has no criminal history. She and her lawyer also said she has always paid her taxes and has two sons, both U.S. citizens and serving in the military. She was released with an electronic ankle bracelet in August, 2010, due to deteriorating health because her home country would not provide travel documents for her return and she now awaits final determination of her legal status.

If you have intel that I should know (on background) about this case and about her claims, give me a call. I have interviewed immigrants and/or their lawyers currently held at two other facilities and they too have described extra shifts worked in return not for pay but extra food during meals.

Ian

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6),

> On Apr 10, 2014, at 9:30 AM, (b)(6),(b)(7)(C) wrote:

>

> In response to this:

>

> Q: Also I am hearing of a number of places where immigrants do work but there is no pay. In return for the work, they get extra food during meals, or more time in group recreation room. Is there anything in ICE guidelines that requires facilities that house immigrant detainees to pay detainees for work?

>

> A: Yes. ICE's detention standards require payment of at least \$1 per day. I sent you think link to the standards earlier this morning.

>

> Q: Or do facilities have leeway to take volunteers for various labor and then if the facility operator wants to pay them the federal reimbursement rate is \$1 a day?

>

> A: False. This would be a violation of all three versions of the ICE detention standards, which require pay of at least \$1 per day

>

> -----Original Message-----

> From: Ian Urbina (b)(6),(b)(7)(C)

> Sent: Wednesday, April 09, 2014 9:24 PM

> To: (b)(6),(b)(7)(C)

> Subject: Touching base

>

> Wondering what your timing is on getting me responses to last several queries (eg methodology, injuries, data). Also I am hearing of a number of places where immigrants do work but there is no pay. In return for the work, they get extra food during meals, or more time in group recreation room. Is there anything in ICE guidelines that requires facilities that house immigrant detainees to pay detainees for work? Or do facilities have leeway to take volunteers for various labor and then if the facility operator wants to pay them the federal reimbursement rate is \$1 a day?

>

> ____

> Ian Urbina

> The New York Times

> 202-370 (b)(6)

> (b)(6),(b)(7)(C)

>

>

Sent:10 Apr 2014 13:30:48 +0000

To:Ian Urbina

Subject:RE: Touching base

In response to this:

Q: Also I am hearing of a number of places where immigrants do work but there is no pay. In return for the work, they get extra food during meals, or more time in group recreation room. Is there anything in ICE guidelines that requires facilities that house immigrant detainees to pay detainees for work?

A: Yes. ICE's detention standards require payment of at least \$1 per day. I sent you think link to the standards earlier this morning.

Q: Or do facilities have leeway to take volunteers for various labor and then if the facility operator wants to pay them the federal reimbursement rate is \$1 a day?

A: False. This would be a violation of all three versions of the ICE detention standards, which require pay of at least \$1 per day

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Wednesday, April 09, 2014 9:24 PM

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—
Ian Urbina

The New York Times

202-370 (b)(6),

(b)(6),(b)(7)(C)

Sent: 10 Apr 2014 13:17:54 +0000

To: Ian Urbina

Subject: RE: Touching base

By the way - you've read this, right? Our detention standard on VWPs?

https://www.ice.gov/doclib/detention-standards/2011/voluntary_work_program.pdf

-----Original Message-----

From: (b)(6),(b)(7)(C)

Sent: Thursday, April 10, 2014 7:24 AM

To: 'Ian Urbina'

Subject: RE: Touching base

Hey Ian - I should have most of the stuff ready for you today. Will check in a few hours.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Wednesday, April 09, 2014 9:24 PM

To: (b)(6),(b)(7)(C)

Subject: Touching base

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Ian Urbina

The New York Times

202-370-(b)(6)

(b)(6),(b)(7)(C)

Sent: 10 Apr 2014 11:23:51 +0000

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To: (b)(6),(b)(7)(C)

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Ian Urbina

The New York Times

202-370-(b)(6)

(b)(6),(b)(7)(C)

Sent:10 Apr 2014 14:23:33 +0000

To:Ian Urbina

Subject:RE: Touching base

And the names of the detainees who are alleging they aren't being paid?

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 10, 2014 10:21 AM

To: (b)(6),(b)(7)(C)

Subject: Re: Touching base

The one in Houston and Stewart in Georgia

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6),(b)(7)(C)

On Apr 10, 2014, at 10:16 AM, (b)(6),(b)(7)(C)

wrote:

I will look into it.

What facilities are you referencing here?

I have interviewed immigrants and/or their lawyers currently held at two other facilities and they too have described extra shifts worked in return not for pay but extra food during meals.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)

Sent: Thursday, April 10, 2014 9:51 AM

To: (b)(6),(b)(7)(C)

Subject: Re: Touching base

Ok. Got it. Will find out more details on work being done for no pay.

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were ever paid for jobs done there. My impression is that (b)(6),(b)(7)(C) has no criminal history. She and her lawyer also said she has always paid her taxes and has two sons, both U.S.

citizens and serving in the military. She was released with an electronic ankle bracelet in August, 2010, due to deteriorating health because her home country would not provide travel documents for her return and she now awaits final determination of her legal status.

If you have intel that I should know (on background) about this case and about her claims, give me a call. I have interviewed immigrants and/or their lawyers currently held at two other facilities and they too have described extra shifts worked in return not for pay but extra food during meals.

Ian

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370 (b)(6),(

> On Apr 10, 2014, at 9:30 AM, (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) wrote:

>

> In response to this:

>

> Q: Also I am hearing of a number of places where immigrants do work but there is no pay. In return for the work, they get extra food during meals, or more time in group recreation room. Is there anything in ICE guidelines that requires facilities that house immigrant detainees to pay detainees for work?

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> A: Yes. ICE's detention standards require payment of at least \$1 per day. I sent you think link to the standards earlier this morning.

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> Q: Or do facilities have leeway to take volunteers for various labor and then if the facility operator wants to pay them the federal reimbursement rate is \$1 a day?

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> A: False. This would be a violation of all three versions of the ICE

> detention standards, which require pay of at least \$1 per day

>

> -----Original Message-----

> From: Ian Urbina (b)(6),(b)(7)(C)

> Sent: Wednesday, April 09, 2014 9:24 PM

> To: (b)(6),(b)(7)(C)

> Subject: Touching base

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>

> ___

> Ian Urbina

> The New York Times

> 202-370 (b)

(b)(6), (b)(7)(C)

>

>

Sent: 11 Apr 2014 14:58:41 +0000
To: Ian Urbina
Subject: RE: unpaid voluntary work program
Hey - Can you give me a quick call when you get this?

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Friday, April 11, 2014 8:15 AM
To: (b)(6),(b)(7)(C)
Subject: Re: unpaid voluntary work program

Ok, thanks for this.

Ian Urbina
The New York Times
(b)(6),(b)(7)(C)
202 370 (b)(6),

On Apr 11, 2014, at 7:55 AM, (b)(6),(b)(7)(C)
wrote:

So you have it, here was our response to that report when it was issued:

"While ICE is still in the process of reviewing the report's findings, we are disappointed that it appears to contain many unsubstantiated and factually incorrect claims. For example, the ACLU provided ICE with a partial list of some of the allegations contained in this report in March. While ICE was only able to identify a portion of the detainees involved in the allegations, the claims made in this report do not match reality. At least four of the aliens who claimed to have been pressured into signing stipulated removal or voluntary departure forms were not eligible for these types of removals due to prior removals or felony criminal convictions. The report goes on to allege, based on these false claims, that ICE and other officers violate international law and coerce non-citizens into waiving their rights. Such factually inaccurate and unsubstantiated anecdotal information serves as a poor foundation from which to draw such sweeping accusations.

The reality is that all four of the detention facilities named in this report have been inspected within the last year and have been found to be in compliance with our rigorous detention standards. In fact, since August 2009 ICE has been engaged in a significant reform of the immigration detention system to prioritize the health and safety of detainees in our custody while increasing federal oversight and improving the conditions of confinement within the detention system.

As a part of these reform efforts, ICE management has officers assigned on-site at all of these facilities to continuously assess living conditions, ensure compliance with the detention standards, and observe routine interactions between detention facility staff and ICE detainees. Any allegations of abuse or misconduct by those charged with the health

and welfare of ICE detainees are promptly reported to the appropriate entities for immediate review, investigation and action.”

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Thursday, April 10, 2014 12:19 PM
To: (b)(6),(b)(7)(C)
Subject: unpaid voluntary work program

Here's an example from the 2012 ACLU Georgia report of a voluntary work program for which detainees are not compensated. On page 87 of the ACLU report, you'll find the following passage:

“The work program at Irwin is not compensated. The 'volunteers,' as the detainees are called, have duties that range from cleaning and kitchen duty to distributing clothing to new arrivals. Detainee interviews revealed that the work of the volunteers is poorly monitored at times, which has resulted in reports of abuse and discrimination dealt out to other detainees.'All the volunteers yell,' Veronica says, 'but the guards do, too.'”

--

Ian Urbina
The New York Times
202 370 (b)(6)
(b)(6),(b)(7)(C)

Sent: 11 Apr 2014 11:55:34 +0000

To: Urbina, Ian

Subject: RE: unpaid voluntary work program

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From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Thursday, April 10, 2014 12:19 PM
To: (b)(6),(b)(7)(C)
Subject: unpaid voluntary work program

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--

Ian Urbina
The New York Times
202 370 (b)(6)

(b)(6),(b)(7)(C)

Sent: 11 Apr 2014 15:15:26 +0000
To: Ian Urbina
Subject: RE: unpaid voluntary work program
202 732 (b)(6),
(b)(7)(C)

From: Ian Urbina [mailto:(b)(6),(b)(7)(C)]
Sent: Friday, April 11, 2014 11:15 AM
To: (b)(6),(b)(7)(C)
Subject: Re: unpaid voluntary work program

gimme # again
in call now.

Ian Urbina
The New York Times
202-370 (b)(6), (b)(7)(C)
(b)(6),(b)(7)(C)

On Apr 11, 2014, at 11:00 AM, (b)(6),(b)(7)(C) wrote:

Hey - Can you give me a quick call when you get this?

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Friday, April 11, 2014 8:15 AM
To: (b)(6),(b)(7)(C)
Subject: Re: unpaid voluntary work program

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Ian Urbina
The New York Times
(b)(6),(b)(7)(C)
202 370 (b)(6),
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"While ICE is still in the process of reviewing the report's findings, we are disappointed that it appears to contain many unsubstantiated and

factually incorrect claims. For example, the ACLU provided ICE with a partial list of some of the allegations contained in this report in March. While ICE was only able to identify a portion of the detainees involved in the allegations, the claims made in this report do not match reality. At least four of the aliens who claimed to have been pressured into signing stipulated removal or voluntary departure forms were not eligible for these types of removals due to prior removals or felony criminal convictions. The report goes on to allege, based on these false claims, that ICE and other officers violate international law and coerce non-citizens into waiving their rights. Such factually inaccurate and unsubstantiated anecdotal information serves as a poor foundation from which to draw such sweeping accusations.

The reality is that all four of the detention facilities named in this report have been inspected within the last year and have been found to be in compliance with our rigorous detention standards. In fact, since August 2009 ICE has been engaged in a significant reform of the immigration detention system to prioritize the health and safety of detainees in our custody while increasing federal oversight and improving the conditions of confinement within the detention system.

As a part of these reform efforts, ICE management has officers assigned on-site at all of these facilities to continuously assess living conditions, ensure compliance with the detention standards, and observe routine interactions between detention facility staff and ICE detainees. Any allegations of abuse or misconduct by those charged with the health and welfare of ICE detainees are promptly reported to the appropriate entities for immediate review, investigation and action.”

From: Urbina, Ian (b)(6),(b)(7)(C)
Sent: Thursday, April 10, 2014 12:19 PM
To: (b)(6),(b)(7)(C)
Subject: unpaid voluntary work program

Here's an example from the 2012 ACLU Georgia report of a voluntary work program for which detainees are not compensated. On page 87 of the [ACLU report](#), you'll find the following passage:

"The work program at Irwin is not compensated. The 'volunteers,' as the detainees are called, have duties that range from cleaning and kitchen duty to distributing clothing to new arrivals. Detainee interviews revealed that the work of the volunteers is poorly monitored at times, which has resulted in reports of abuse and discrimination dealt out to other detainees.'All the volunteers yell,' Veronica says, 'but the guards do, too.'"

--

Ian Urbina

The New York Times

202 370 (b)(6),

(b)(6),(b)(7)(C)

Sent:8 Apr 2014 14:04:28 +0000

To:Urbina, Ian

Subject:RE: Wordsmithing

Detainees are limited to doing work that directly contributes to the operation of their detention facility. They do not provide services or make goods for the outside market.

From: Urbina, Ian (b)(6),(b)(7)(C)

Sent: Tuesday, April 08, 2014 9:27 AM

To: (b)(6),(b)(7)(C)

Subject: Wordsmithing

I need some version of this on record. Tweak wording to your liking and get back to me please:

Detainees are limited to doing work that directly sustains their detention facility and they do not provide services or make goods for the outside market.

--

Ian Urbina

The New York Times

202.370.(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Sent: 11 Apr 2014 11:34:25 +0000

To: Ian Urbina

Subject: RE: Yo! Where's my method memo reply??

Sorry for the delay! I hate to break it to you: I AM seeing other reporters. The dance card's a little full at the moment.

Here you go - on background:

As we discussed on the phone, we want to get a handle on some of the economic benefits of the program. So, I want to run these basic calculations by you so that if you see any methodological issues you have a chance to flag them.

1) How many total immigrants participate in the program annually?

My calculation: You mentioned that on any given day roughly 5,500 immigrants participate in the work program. You also mentioned that the average length of stay was about a month. That would equate to at least 65,000 immigrants per year participating in the program.

A: While this number is not currently tracked, we believe the actual number would be well under 65,000 given the fact that the Average Length of Stay (ALOS) of individuals participating in a facility's VWP would be much higher than a month, which is the basis of your calculation. The ALOS of 31 days is brought down by a significant number of people released or removed quickly (i.e.: recent border crossers or individuals who do not fit our detention priorities). Fifty percent of ICE detainees are removed in a week or less and these aliens would not be enrolled in a VWP.

2) How much does the federal government (and private companies) save by not paying outside contractors to do this same work for minimum wage?

My calculation: You explained that participants in the program are typically paid \$1 per day. You also said that they are not permitted to work more than 40 hours a week.

First, we know that in the most expensive of scenarios, 5,500 total workers x 40 hour week x 52 weeks x \$7.25 per hour min wage = \$82.9 million.

Next, we know that in the less expensive scenario: 5,500 total workers x 20 hour week x 52 weeks x \$7.25 per hour min wage = \$41 million

This would mean that while actual expenses could be higher (since we do not account for the costs of health and unemployment insurance, pension, social security, nor do we factor in the fact that these jobs would likely be paid above min. wage) and it could be lower (since some workers may work less than 20 hours. However, a safe and conservative range for how much it would cost to have this work done by outside contractors is roughly between \$40-80 million annually.

How much does it actually cost currently to have this work done? 365 days a year with roughly 5,500 workers handling a minimum of four hour shifts per day equates to about 2 million shifts or roughly \$2 million in average cost per year.

This means that it currently takes \$2 million per year to get this work done whereas it would otherwise take between \$40 and \$80 million per year (were the work done by employees at minimum wage).

A: One of the benefits of Voluntary Work Programs (VWPs) is that they save taxpayers money, although it is not possible to precisely calculate the extent of savings. Much of the work performed by detainees would otherwise have to be performed by contractor or facility staff. ICE would have to compensate detention facilities for the additional staff they would have to hire if ICE were to prohibit VWPs. However, the primary reason that ICE permits participation in VWPs is that they provide detainees opportunities for occupying their time constructively, in addition to providing them additional funds. These are recognized benefits of such programs utilized by detention and correctional systems throughout the country, including the Department of Justice Bureau of Prisons.

It is likely accurate, as you are calculating, that prohibiting ICE detainee participation in VWPs would cost ICE millions of dollars, in addition to depriving detainees of an opportunity they wish to have. However, we find the methodology you've come up with for the estimate to be unreliable, as there would not likely be one-to-one replacement of staff for detainees in that scenario. Given the fact that the program is voluntary, facilities are unlikely

to rely heavily on the availability of detainee volunteers to ensure the operation of the facility. In other words, facilities may have sufficient staff to perform this work available in VWP's but utilize volunteers to supplement service in a given area.

-----Original Message-----

From: Ian Urbina (b)(6),(b)(7)(C)
Sent: Thursday, April 10, 2014 7:15 PM
To: (b)(6),(b)(7)(C)
Subject: Yo! Where's my method memo reply??

Ian Urbina
The New York Times
(b)(6),(b)(7)(C)
202.370.(b)

ERO Custody Management

Table I: ICE facilities which pay monetary compensation for voluntary work. ¹

FACILITY NAME	AOR	TYPE	OPERATOR	Number of Participants on 4/22/14
STEWART DETENTION CENTER	ATL	IGSA	CCA	254
IRWIN COUNTY DETENTIDN CENTER	ATL	USMS IGA	DETENTION MANAGEMENT	65-70
CHARLESTON COUNTY DETENTION CENTER	ATL	USM5 IGA	COUNTY	17
WORCESTER COUNTY JAIL	BAL	IG5A	COUNTY	1
SUFFOLK COUNTY HOUSE OF CORRECTIONS	BOS	IGSA	COUNTY	46
STRAFFORD COUNTY CORRECTIONS	BOS	IGSA	COUNTY	NONE ASSIGNED AT THIS TIME
BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	BUF	SPC	VM-BG (GUARD)	195
ALLEGANY COUNTY JAIL	BUF	IGSA	COUNTY	10-12
DODGE COUNTY JAIL	CHI	USM5 IGA	COUNTY	18
TRI-COUNTY JAIL	CHI	IGSA	PALADIN	50
MCHENRY COUNTY CORRECTIONAL FACILITY	CHI	USM5 IGA	COUNTY	22
KENOSHA COUNTY DETENTION CENTER	CHI	USMS IGA	COUNTY	NONE ASSIGNED AT THIS TIME
MONTGOMERY COUNTY JAIL	CHI	IGSA	COUNTY	1
ROLLING PLAINS DETENTION CENTER	DAL	IGSA	EMERALD	86
DENVER CONTRACT DETENTION FACILITY	DEN	CDF	GEO	64
SENECA COUNTY JAIL	DET	IGSA	COUNTY	5
OTERO COUNTY PROCESSING CENTER	ELP	IGSA	M&TC	70
EL PASO SERVICE PROCESSING CENTER	ELP	SPC	DOYON-AKAL (GUARD)	112
HOUSTON CONTRACT DETENTION FACILITY	HOU	CDF	CCA	288
JOE CORLEY DETENTION FACILITY	HOU	IGSA	GEO	266
POLK COUNTY ADULT DETENTION FACILITY	HOU	IGSA	CEC	56
ADELANTO CORRECTIONAL FACILITY	LOS	IG5A	GEO	301
THEO LACY FACILITY	LOS	IG5A	COUNTY	10
JAMES MUSICK FACILITY	LOS	IG5A	COUNTY	10
KROME NORTH SERVICE PROCESSING CENTER	MIA	SPC	AKAL (GUARD)	185
BROWARD TRANSITIONAL CENTER	MIA	CDF	GEO	150
GLADES COUNTY DETENTION CENTER	MIA	IGSA	COUNTY	60
ESSEX COUNTY JAIL	NEW	IG5A	COUNTY	116
DELANEY HALL DETENTION FACILITY	NEW	IG5A	CEC	43
ELIZABETH CONTRACT DETENTION FACILITY	NEW	CDF	CCA	50
JENA/LASALLE DETENTION FACILITY	NOL	IG5A	GEO	275

HUDSON COUNTY JAIL	NYC	USMS IGA	COUNTY	38
BERGEN COUNTY JAIL	NYC	USMS IGA	COUNTY	21
ORANGE COUNTY JAIL	NYC	IGSA	COUNTY	11
YORK COUNTY PRISON	PHI	IGSA	COUNTY	20
PIKE COUNTY CORRECTIONAL FACILITY	PHI	IGSA	COUNTY	23
ELOY FEDERAL CONTRACT FACILITY	PHO	IGSA	CCA	400
FLORENCE SERVICE PROCESSING CENTER	PHO	SPC	ASSET (GUARD)	134
CCA, FLORENCE CORRECTIONAL CENTER	PHO	USMS IGA	CCA	151
CCA CENTRAL ARIZONA DETENTION CENTER	PHO	USMS IGA	CCA	7
NORTHWEST DETENTION CENTER	SEA	CDF	GEO	346
PORT ISABEL	SNA	SPC	AHTNA (GUARD)	350
KARNES COUNTY CIVIL DETENTION CENTER	SNA	IGSA	GEO	162
RIO GRANDE DETENTION CENTER	SNA	USMS IGA	GEO	8
LAREDO PROCESSING CENTER	SNA	USMS IGA	CCA	41
LA SALLE COUNTY REGIONAL DETENTION CENTER	SNA	USMS IGA	EMERALD	15
KARNES COUNTY CORRECTIONAL CENTER	SNA	USMS IGA	GEO	NONE ASSIGNED AT THIS TIME
SAN DIEGO CONTRACT DETENTION FACILITY - CCA	SND	CDF	CCA	256
EL CENTRO SERVICE PROCESSING CENTER	SND	SPC	ASSET (GUARD)	175
DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS	SPM	IGSA	COUNTY	13
IMMIGRATION CENTERS OF AMERICA FARMVILLE	WAS	IGSA	ICA	88
RAPPAHANNOCK REGIONAL JAIL	WAS	USMS IGA	COUNTY	2

¹The data was collected from those facilities with an average daily population (ADP) of 10 or more and covers 98% of ICE detainees.

ERO Custody Management

Table II: ICE facilities with a variety of voluntary work assignments without monetary compensation

****Most provide extra priviledges****

FACILITY NAME	AOR	TYPE	OPERATOR	Number of Participants on 4/22/14
ATLANTA CITY DETENTION CENTER	ATL	USMS IGA	CITY	3 to 4
MONROE COUNTY DETENTION-DORM	DET	IGSA	COUNTY	9
MONROE COUNTY DETENTION CENTER	MIA	IGSA	COUNTY	2
ETOWAH COUNTY JAIL	NOL	USMS IGA	COUNTY	19
YUBA COUNTY JAIL	SFR	IGSA	COUNTY	4
SACRAMENTO COUNTY JAIL	SFR	IGSA	COUNTY	12

ERO Custody Management

Table III: ICE facilities where unpaid voluntary work assignments are limited to cleaning housing areas where they reside

FACILITY NAME	AOR	TYPE	OPERATOR	Number of Participants on 4/22/14
PLYMOUTH COUNTY CORRECTIONAL FACILITY	BOS	IGSA	COUNTY	8
BRISTOL DETENTION CENTER	BOS	IGSA	COUNTY	19
FRANKLIN COUNTY HOUSE OF CORRECTIONS	BOS	USMS IGA	COUNTY	6
PINAL COUNTY JAIL	PHO	IGSA	COUNTY	30
SERBURNE COUNTY JAIL	SPM	USMS IGA	COUNTY	4

Sent: 2 May 2014 15:13:49 +0000

To: Urbina, Ian ((b)(6),(b)(7)(C))

Subject: Statement and Spreadsheet

Attachments: ICE Facilities Voluntary Work Subcategories 4-25-14.xlsx

Ian –

Finally, here's our statement and attached spreadsheet per your request. Let me know if you have any questions. Many apologies for the delay.

Happy Friday!

((b)(6),(b)(7)(C))

STATEMENT

"ICE detention standards impose safeguards governing the operation of voluntary work programs at ICE detention facilities, including training and health and safety standards.

Facilities that house the overwhelming majority of ICE detainees provide compensation for participation in voluntary work programs. Facilities are reimbursed a minimum of \$1 per day by ICE per Congressional appropriation standards. As of April 2014, the majority of those participating in some sort of voluntary work program – well over 95% - were provided monetary compensation.

Individuals volunteering for work in programs that do not provide monetary compensation are located in a small number of facilities that are not managed by ICE, such as county jails. These facilities maintain voluntary work programs for their own criminal population that provide non-monetary benefits and privileges. Because it is not feasible for some jails to provide monetary compensation exclusively to ICE detainees, the agency has permitted ICE detainees to voluntarily participate in such programs in exchange for the prevailing non-monetary compensation, while ensuring that the jails comply with all other safeguards and requirements in the ICE detention standard governing voluntary work programs.

ICE continues to conduct oversight of the voluntary work programs at detention facilities it uses, and it is engaged in an ongoing review of its practices in this area."

BACKGROUND

ICE detention standards may include greater protections for individuals than what the non-ICE facilities would otherwise have in place for its own prisoners or detainees.

((b)(6),(b)(7)(C))

Deputy Press Secretary

U.S. Immigration and Customs Enforcement (ICE)

(202) 732-((b)(6),

(202) 615-((b)(7)

Ian Urbina

From:Ian Urbina

Sent:25 May 2014 09:03:54 -0400

To:(b)(6),(b)(7)(C)

Subject:Story is in today's paper. FYI

Thanks again for all your help.

Ian

Ian Urbina

The New York Times

(b)(6),(b)(7)(C)

202 370

(b)

Urbina, Ian

From:Urbina, Ian

Sent:1 May 2014 14:15:24 -0400

To:[(b)(6),(b)(7)(C)]

Subject:This is getting absolutely insane.

I got bumped up to [(b)(6),(b)(7)(C)] who every day for past week and half has promised that data was coming "today, I swear" and still nothing. Now I get a bounce back from his email that he is out of office until May 10. I'm starting to feel a little bit played here guys.

--

Ian Urbina

The New York Times

202 370 [(b)(6),(b)(7)(C)]

[(b)(6),(b)(7)(C)]

Urbina, Ian

From: Urbina, Ian

Sent: 8 May 2014 12:04:04 -0400

To: (b)(6),(b)(7)(C)

Subject: Time's running out.

(b)(6),(b)

There is a chance the story will run this weekend. That means I need the answers to those remaining questions today.

thanks,

Ian

--

Ian Urbina

The New York Times

202 370 (b)(6)

(b)(6),(b)(7)(C)

Sent: 10 Apr 2014 11:38:57 +0000

To: Urbina, Jan (b)(5),(b)(7)(C); Fairfield, Hannah (b)(6),(b)(7)(C)

Cc: (b)(6),(b)(7)(C)

Subject: Updated spreadsheet

Apologies for the delay. Here's the updated spreadsheet that includes the current VWP participants as well as cleared up some mistakes in the old spreadsheet that we found subsequently.

Let me know if you have any questions!

ICE Facilities Inspected Against Voluntary Work Program (VWP) Detention Standard

Sources: CY13 Inspections Data from Facility Performance Management System (FPMS) database on 3/11/2014. FY13 ADP from ICE Integrated Decision Support (IIDS) on 10/6/2013. FY14 ADP from IIDS on 3/29/2014.

TABLE I: ICE FACILITIES INSPECTED AGAINST VOLUNTEER WORK PROGRAM DETENTION STANDARD

DETLOC	FACILITY NAME	CITY	STATE	TYPE	OPERATOR	FY13 ADP	FY14 ADP	VWP PARTICIPANTS 4/1/2014
STCDFTX	SDUTH TEXAS DETENTION COMPLEX	PEARSALL	TX	CDF	Private	1,769	1,727	379
EAZ	ELOY FEDERAL CONTRACT FACILITY	ELOY	AZ	DIGSA	Private	1,478	1,489	400
STWRTGA	STEWART DETENTION CENTER	LUMPKIN	GA	DIGSA	Private	1,560	1,452	254
C5CNWWA	NORTHWEST DETENTION CENTER	TACOMA	WA	CDF	Private	1,333	1,397	346
ADLNTCA	ADELANTO CORRECTIONAL FACILITY	ADELANTO	CA	DIGSA	Private	1,081	1,226	301
JENADLA	JENA/LASALLE DETENTION FACILITY	JENA	LA	DIGSA	Private	980	977	275
HOUICDF	HOUSTON	HOUSTON	TX	CDF	Private	898	928	288

	CONTRACT DETENTION FACILITY							
MONTGTX	JOE CORLEY DETENTION FACILITY	CONROE	TX	IGSA	Private	839	919	266
PIC	PORT ISABEL	LOS FRESNOS	TX	SPC	Private	1,087	910	350
OTRPCNM	OTERO COUNTY PROCESSING CENTER	CHAPARRAL	NM	DIGSA	Private	827	781	70
YORCOPA	YORK COUNTY PRISON	YORK	PA	IGSA	Public	761	683	20
EPC	EL PASO SERVICE PROCESSING CENTER	EL PASO	TX	SPC	Private	772	682	112
CCASDCA	SAN DIEGO CONTRACT DETENTION FACILITY - CCA	SAN DIEGO	CA	CDF	Private	653	656	256
KCCDCTX	KARNES COUNTY CIVIL DETENTION CENTER	KARNES CITY	TX	DIGSA	Private	581	587	162
WCCPBFL	BROWARD TRANSITIONAL CENTER	POMPANO BEACH	FL	CDF	Private	555	548	150
KRO	KROME NORTH SERVICE PROCESSING CENTER	MIAMI	FL	SPC	Private	568	547	185
FRMVLVA	IMMIGRATION CENTERS OF AMERICA FARMVILLE	FARMVILLE	VA	DIGSA	Private	509	518	88
ESSEXNJ	ESSEX COUNTY JAIL	NEWARK	NJ	IGSA	Public	548	509	116
HUDSONNJ	HUDSON COUNTY JAIL	KEARNEY	NJ	USMS IGA	Public	430	464	38
ECC	EL CENTRO SERVICE PROCESSING	EL CENTRO	CA	SPC	Private	427	462	190

HASKLTX	CENTER ROLLING PLAINS DETENTION CENTER	HASKELL	TX	IGSA	Private	467	451	86
BTV	BUFFALO (BATAVIA) SERVICE PROCESSING CENTER	BATAVIA	NY	SPC	Private	411	438	195
TLACYCA	THEO LACY FACILITY	ORANGE	CA	IGSA	Public	398	419	10
DENICDF	DENVER CONTRACT DETENTION FACILITY	AURORA	CO	CDF	Private	412	414	64
IRWINGA	IRWIN COUNTY DETENTION CENTER	OCILLA	GA	USMS IGA	Private	357	404	67
POLKCTX	POLK COUNTY ADULT DETENTION FACILITY	LIVINGSTON	TX	IGSA	Private	513	379	56
FLO	FLORENCE SERVICE PROCESSING CENTER	FLORENCE	AZ	SPC	Private	377	368	134
CCAFLAZ	CCA, FLORENCE CORRECTIONAL CENTER	FLORENCE	AZ	USMS IGA	Private	234	326	151
DHDFNJ	DELANEY HALL DETENTION FACILITY	NEWARK	NJ	IGSA	Private	281	305	43
MUSIKCA	JAMES MUSICK FACILITY	IRVINE	CA	IGSA	Public	308	295	10
LRDICDF	LAREDO PROCESSING CENTER	LAREDO	TX	USMS IGA	Private	321	295	41
ELZICDF	ELIZABETH CONTRACT DETENTION FACILITY	ELIZABETH	NJ	CDF	Private	271	273	45

RGRNDTX	RIO GRANDE DETENTION CENTER	LAREDO	TX	USMS Private IGA	0	224	8
YUBAJCA	YUBA COUNTY JAIL	MARYSVILLE	CA	IGSA Public	211	202	10
TRICOIL	TRI-COUNTY JAIL	ULLIN	IL	IGSA Private	192	180	50
DODGEWI	DODGE COUNTY JAIL	JUNEAU	WI	USMS Public IGA	194	178	18
BERGENJ	BERGEN COUNTY JAIL	HACKENSACK	NJ	USMS Public IGA	137	175	21
MCHENIL	MCHENRY COUNTY CORRECTIONAL FACILITY	WOODSTOCK	IL	USMS Public IGA	188	174	22
GLADEFL	GLADES COUNTY DETENTION CENTER	MOORE HAVEN	FL	IGSA Public	332	174	60
PIKCOPA	PIKE COUNTY CORRECTIONAL FACILITY	LORDS VALLEY	PA	IGSA Public	173	172	23
KENOSWI	KENOSHA COUNTY DETENTION CENTER	KENOSHA	WI	USMS Public IGA	155	169	0
SUFFOMA	SUFFOLK COUNTY HOUSE OF CORRECTIONS	BOSTON	MA	IGSA Public	227	168	46
WORCEMD	WORCESTER COUNTY JAIL	SNOW HILL	MD	IGSA Public	178	166	1
ORANGNY	ORANGE COUNTY JAIL	GOSHEN	NY	IGSA Public	118	114	11
SENECOH	SENECA COUNTY JAIL	TIFFIN	OH	IGSA Public	85	79	14
LSRDCTX	LA SALLE COUNTY REGIONAL DETENTION CENTER	ENCINAL	TX	USMS Private IGA	105	59	15
KARNETX	KARNES COUNTY	KARNES CITY	TX	USMS Private IGA	40	36	0

	CORRECTIONAL CENTER							
CCADCAZ	CCA CENTRAL ARIZONA DETENTION CENTER	FLORENCE	AZ	USMS Private IGA	178	34	7	
MONTGMO	MONTGOMERY COUNTY JAIL	MONTGOMERY CITY	MO	IGSA Public	19	18	1	
PHELPNE	PHELPS COUNTY JAIL	HOLDREGE	NE	USMS Public IGA	11	6	0	
HRREGVA	HAMPTON ROADS REGIONAL JAIL	PORTSMOUTH	VA	USMS Public IGA	131	2	0	