



OIDO

Office of the Immigration
Detention Ombudsman

OIDO
INSPECTION
Critical Issues Concerning
Electronic Tablet
Administration, Oversight, and
Use in ICE Detention Facilities

OIDO-24-002
June 13, 2024



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MEMORANDUM FOR: Patrick J. Lechleitner
Deputy Director and Senior Official
Performing the Duties of the Director
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FROM: Michelle Brané MICHELLE N. BRANE
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Date: 2024.06.13
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SUBJECT: OIDO Case Nos. 22-1090 & 1091
Critical Issues Concerning Electronic Tablet Administration,
Oversight, and Use in ICE Detention Facilities

Attached is the Office of the Immigration Detention Ombudsman's final report based on 11 inspections conducted between September 2022 and January 2023 to evaluate the administration, oversight, and detainee use of electronic tablets. As a result of these inspections, OIDO requested additional documentation and video files to further evaluate contractual compliance, administration, and oversight of the electronic tablets. Our data analysis was completed around October 2023. Upon receipt and review of that information, we reviewed the facilities' performance as well as their compliance with the 2011 Performance-Based National Detention Standards, as revised in 2016 (hereinafter referred to as the 2011 PBNDS), and contract terms.

The report contains four recommendations aimed at improving the facilities and their compliance with the 2011 PBNDS and contract terms. Your office concurred with all four recommendations. Based on information provided in your response to the draft report, we consider three recommendations addressed and open and one recommendation addressed and closed.

Attachments





OIDO INSPECTION OF ELECTRONIC TABLET ADMINISTRATION, OVERSIGHT AND USE IN ICE DETENTION FACILITIES

Executive Summary

The Department of Homeland Security (DHS) Office of the Immigration Detention Ombudsman (OIDO) conducted 11 inspections between September 2022 and January 2023, which included special focus on evaluation of the administration, oversight, and detainee use of electronic tablets.

OIDO's inspection led to several findings. Foremost, U.S. Immigration and Customs Enforcement (ICE) does not have a national electronic tablet policy.

Related to specific facilities, OIDO found that most of the inspected facilities did not have sufficient policies and procedures in place to facilitate the administration, accountability, and oversight of the electronic tablets and to ensure that detainee tablet access is fair and equitable. Further, OIDO found that some facility staff did not receive adequate training on electronic tablet use, and some facility staff lacked access to systems to monitor the tablets. Finally, OIDO found that detainees were not provided with adequate instructions on how to use electronic tablets or information about what their privileges and responsibilities were for tablet use.

OIDO made four recommendations designed to improve the use of electronic tablet use at the facilities and comply with existing ICE detention standards. Specifically, OIDO recommends the implementation of national ICE guidance for tablet administration that would require facilities to implement local policies and procedures consistent with existing detention standards.

Table of Contents

Executive Summary	1
Introduction.....	3
Background.....	3
Objective, Scope, and Methodology.....	6
Common Findings Across All Facility Inspections	7
Findings For Each Specific Facility.....	10
Critical Issues.....	28
Conclusion	33
Recommendations.....	33
Response from Inspected Component and OIDO Analysis.....	34

Appendices

Appendix A: Talton Tablet Instructions	36
Appendix B: Component Response	38

Introduction

Pursuant to its statutory responsibilities, the Department of Homeland Security (DHS) Office of the Immigration Detention Ombudsman (OIDO) Detention Oversight (DO) Division conducts independent, objective, and credible inspections of Immigration and Customs Enforcement (ICE) owned and operated facilities throughout the United States. During its inspections, OIDO often completes follow-up assessments to determine whether a facility has taken corrective action to resolve violations or concerns identified during a prior inspection. OIDO also reviews, examines, and makes recommendations to address concerns with or violations of contract terms regarding immigration detention facilities and services.

Between September 2022 and January 2023, OIDO conducted 11 announced inspections, which included a focus on evaluating the administration, oversight, and detainee use of electronic tablets. Guidelines for electronic tablet use and access are essential for the effective administration of tablet programs in immigration detention facilities to maintain a safe and secure detention environment. OIDO assessed the administration, oversight, and distribution of electronic tablets to detainees as well as detainee tablet use.

Based on these facility inspections and other related investigative activity, OIDO determined that there are several ongoing and systemic issues related to the lack of staff oversight, training, access, and monitoring of electronic tablets at immigration detention facilities. OIDO found that most of the inspected facilities did not have comprehensive policies and procedures in place to facilitate accountability and oversight of the electronic tablets and to ensure detainee tablet access is fair and equitable. Furthermore, detainees have not been provided with adequate local guidance on how to use electronic tablets or what their privileges and responsibilities are for using the tablets.

Background

Electronic Tablets

ICE began offering electronic tablets for detainee use in certain ICE immigration detention facilities as early as April 2017. On April 26, 2017, the ICE Enforcement and Removal Operations (ERO) Assistant Director for Custody Management sent an initial broadcast message to the ICE ERO Field Managers concerning the ICE Detainee Telephone System (DTS) Tablets.¹ That broadcast served as notice of the availability of tablets for detainee use. However, the message did not provide any guidance on how the electronic tablets should be administered.

In addition to the April 2017 ICE ERO Custody Management memorandum noted above, OIDO located a March 2022 training presentation that contained a slide, “Communicating over Tablets,” that referenced telephone or video communication over tablets;² and an email dated October 1, 2021,³ that Custody Management sent to all ERO Field Office Directors with an attached

¹ See ICE Detainee Telephone System (DTS) Tablets.

² See [Legal Access Overview \(sharepoint.com\)](#), Training Sessions for Designated Legal Access POCs, ICE.gov Detention Facility Pages and the Facility Resource Guide (Mar. 2022), [Nationwide Examples & Recommendations for Posting Legal Access-Related Information on ICE.gov Facility Pages](#), slide 14.

³ See [2021 Updated Guidance: ERO Support of the U.S. Department of Justice Executive Office for Immigration Review Legal Orientation Program for Detained Noncitizens in ICE Detention Facilities](#).

memorandum entitled “Updated Guidance: ERO Support of the U.S. Department of Justice Executive Office for Immigration Review Legal Orientation Program for Detained Noncitizens in ICE Detention Facilities.” The email noted that the “memorandum details requirements and best practices in the areas of accommodations, information sharing, attendance, legal documentation, and availability of [local operating procedure (LOP)] materials and technology.” The memorandum included a technology section that provided new guidance for accommodating remote LOP programming (including phone and video conferencing, where available).

This is the only national guidance that ICE ERO has provided related to electronic tablet administration. The internal ICE ERO website page concerning electronic tablets does not contain any information except to state that this page is being revised.⁴ The external ICE website provides general information about attorney resources, legal representation, and detainee use of electronic tablets, but the information is limited.⁵

Tablets at ICE Facilities

Electronic tablets (tablets) with communication capabilities are available in 39 ICE detention facilities. ICE has a contract with Talton Communications, Inc. (hereinafter “Talton”) (Contract No. 70CDDR22C00000002) to provide these services.⁶ The tablets support detainee communication needs and enhance quality of life within the detention facilities by allowing detainees to access the facility handbook in different languages, file grievances or requests for medical care electronically, send communications/requests to ICE ERO and facility staff, communicate with a legal representative, report abuse and misconduct to the Office of Inspector General (OIG), and order commissary items. ICE has established a process for attorneys and other legal service providers to request that legal phone calls and video calls from detainees be both unmonitored and unrecorded.⁷ By filling out a form (“Adding Attorney Numbers to the Talton System”) and emailing the form to ICESupport@talton.com, legal service providers can register a phone number at a specific facility location that provides Talton services.

The tablets also provide a variety of music and movie options as well as education and self-improvement content. Many detainees use the tablets to communicate with family and friends through electronic messages, calls, and video-call visits (*See Exhibit 1*). Since April 2020, ICE has provided 520 free phone minutes per month⁸ at 39 Talton DTS facilities.⁹

⁴ See [Detainee Tablets](#).

⁵ See, e.g., [Attorney Information and Resources | ICE](#) “Tablets are currently available at certain dedicated facilities nationwide. The ICE-funded Talton tablets are available at 39 facilities. Talton tablets can be used to exchange non-confidential (monitored and recorded) messages with legal representatives and to conduct phone or video visits. Instructions for how to schedule or pay for a video visit can be found [online](#) and [Communicating with your Client or Prospective Client](#) Requesting Unmonitored Legal Calls (Talton Phone Provider Locations).

⁶ See, [Tablets at ICE Facilities | ICE](#); “ICE contracted tablet program Talton.”

⁷ See [Attorney Information and Resources | ICE](#), “Requesting Unmonitored Legal Calls (Talton Phone Provider Locations).”

⁸ See [Noncitizen Communication Services | ICE](#).

⁹ Talton DTS facilities are the ICE detention facilities where ICE-funded Talton tablets are available. See [Tablets at ICE Facilities | ICE](#). See also, ICE Webpage for [Attorney Information and Resources | ICE](#) (“[Communicating with Your Client or Prospective Client](#)”).



Exhibit 1. Talton tablets (left); applications on Talton tablet (middle); Talton request screen (right), as OIDO observed on January 24-26, 2023.

Source: OIDO

At each facility that has Talton Tablets, the tablets are stored in a mounted wall unit and must be placed onto the docking station to hold a video call (See Exhibit 2).



Exhibit 2. Talton wall unit and docking station, as OIDO observed on January 24-26, 2023.

Source: OIDO

OIDO has had an ongoing interest in the use and administration of the electronic tablets and views tablets as being a significant resource in aiding detainees with their communication efforts. As noted in OIDO’s Annual Reports from 2020, 2021, and 2022,¹⁰ OIDO staff have traveled extensively within the United States to gain a field perspective of tablet practices in current ICE custody operations and conditions. OIDO leverages electronic tablets at 42 locations to facilitate access between detainees and OIDO Immigration Detention Case Managers. In 37 of those locations, the facilities use Talton tablets. The other five locations use services from Jail ATM, Citi Telecoin or Viapath. On the tablets, detainees can navigate to the “OIDO CMD” section and submit a request form to meet with an Immigration Detention Case Manager.

¹⁰ See OIDO Annual Reports: [2020 Annual Report to Congress](#), [2021 Annual Report to Congress](#), and [2022 Annual Report to Congress](#).

Related Prior OIDO Inspection

OIDO conducted an inspection at the Moshannon Valley Processing Center (MVPC) in Philipsburg, Pennsylvania on February 23-24, 2022. Among other things, OIDO recommended that MVPC establish written policies and standardize enforcement mechanisms to ensure fair and equitable distribution of tablets among detainees as well as set clear guidelines regarding proper care and approved use of the tablets. In response, MVPC updated its local policy to inform staff and detainees about proper tablet use and began distributing tablet instructions to all detainees.¹¹

As a result of these tablet findings, OIDO further evaluated tablet practices in other immigration detention facilities. OIDO focused its review on what policies and/or local handbooks providing guidance on tablet use existed at 10 additional facilities. The purpose of these inspections was to determine the extent to which facilities had complied with local policies and procedures. Additionally, OIDO looked at the impact the local policies and procedures, or the lack of any local guidance, had on the administration of electronic tablet use. For comparison and consistency, OIDO returned to MVPC on January 10–12, 2023, to assess the facility after it had implemented its new local policy.

Current OIDO Inspections

OIDO traveled to 10 additional detention facilities to obtain a field perspective of current policies and standards concerning tablet oversight, administration, and detainee use. OIDO also returned to MVPC to review how the facility implemented its new policy and any effects of the implementation.

From August 2022 to January 2023, OIDO conducted inspections at the following 11 facilities to evaluate electronic tablet usage:

- | | |
|---|--|
| 1. Pine Prairie ICE Processing Center; Pine Prairie, LA | Aug. 30–Sept. 1 and Oct. 25–
27, 2022 |
| 2. Torrance County Detention Facility; Estancia, NM | Sept. 20–22, 2022 |
| 3. South Louisiana ICE Processing Center; Basile, LA | Oct. 25–27, 2022 |
| 4. Folkston ICE Processing Center; Folkston, GA | Nov. 15–17, 2022 |
| 5. Broward Transitional Center; Pompano Beach, FL | Dec. 5–9, 2022 |
| 6. South Texas ICE Processing Center; Pearsall, TX | Jan. 10–12, 2023 |
| 7. Port Isabel Detention Center; Los Fresnos, TX | Jan. 10–12, 2023 |
| 8. Moshannon Valley Processing Center; Philipsburg, PA | Jan. 10–12, 2023 |
| 9. Buffalo (Batavia) Service Processing Center; Batavia, NY | Jan. 24–26, 2023 |
| 10. Otero County Processing Center; Chaparral, NM | Jan. 24–26, 2023 |
| 11. Prairieland Detention Facility; Alvarado, TX | Jan. 24–26, 2023 |

Objective, Scope, and Methodology

OIDO conducted inspections of 11 ICE facilities between September 2022 and January 2023. OIDO requested additional documentation and video files to further evaluate contractual compliance, administration, and oversight of the electronic tablets. Our data analysis was completed in October 2023. OIDO’s objective was to assess the facilities’ overall compliance with the 2011 PBNDS and to focus on determining what policies and standards existed at the facilities concerning tablet oversight, administration, and detainee use. The inspection teams conducted

¹¹ See [OIDO Final Inspection Report - Moshannon Valley Processing Center](#) (Oct. 17, 2022).

interviews with ICE ERO employees, facility staff, and detainees, made direct observations of each of the facility's conditions and operations, and reviewed documentary evidence, including but not limited to, facility policies and procedures, reports and records, logbooks, and video surveillance.

Common Findings Across All Facility Inspections

During its inspections, OIDO interviewed numerous ICE staff, facility staff, and detainees, in addition to performing other investigative activities, including review of documents, policies, procedures and video footage. Based on these inspections, OIDO determined there are several ongoing, systemic concerns. These concerns include the lack of the following: staff training; staff access to systems to monitor detainee use of tablets; processes outlining tablet distribution to detainees; consistent national and local policies and procedures about information provided to detainees for the proper use of electronic tablets, and a standard process that advises ICE ERO and facility staff what the consequences are for detainee misuse and/or exploitation of electronic tablets in ICE immigration detention centers.

As outlined in detail below, OIDO found that most of the inspected facilities did not have sufficient policies and procedures in place to facilitate the administration, accountability, and oversight of the electronic tablets and to ensure that detainee tablet access is fair and equitable. Further, OIDO found that some facility staff did not receive adequate training on electronic tablet use, and some facility staff lacked access to systems to monitor the tablets. Finally, OIDO found that detainees were not provided with adequate instructions on how to use electronic tablets or information about what their privileges and responsibilities were for tablet use. All the findings discussed below are based on the conditions that existed at the time of the inspections.

No National Policy or ICE Requirement for Local Facility Tablet Guidance

ICE ERO does not have a national electronic tablet policy or even guidance requiring the implementation of local facility policies and procedures. The creation and implementation of a national policy or guidance that requires local facilities to have policies and procedures for the administration of electronic tablets would provide measurable standards and quantifiable criteria for the purposes of enabling meaningful oversight activity.

Tablet Information in the National Detainee Handbook and Local Supplements and Policies

The ICE National Detainee Handbook is the main method of communication that ICE ERO has to provide detainees with information about their rights, responsibilities, and rules to follow.¹² The handbook contains two paragraphs concerning electronic tablet communication, including language advising that the “use of tablets is a privilege, not a right,” “tablet usage may be monitored and there is no expectation of privacy,” and “any misuse of the tablet or other detainee actions resulting in disciplinary sanctions may include loss of tablet privileges.”¹³ On its public website, ICE advises: “In addition to this handbook, the detention facility **will provide a local supplement to the detainee handbook** that should address facility-specific items such as meal schedules, staff-detainee communication, visiting procedures, etc.” (emphasis added).¹⁴

¹² See [National Detainee Handbook | ICE](#), at 7. The handbook is currently available in 14 languages.

¹³ *Id.* at 10.

¹⁴ See [National Detainee Handbook | ICE](#).

During its inspections, OIDO reviewed whether these facilities had local handbook supplements and/or policies related to electronic tablet oversight, administration, and use. OIDO found that only four of the 11 facilities had a local policy for electronic tablet use.¹⁵ Additionally, some of the facilities did provide electronic tablet policy information and guidance in local supplements. Whether or not a facility had a local policy or supplement did not depend on which contractor operated it. Further, even where a local policy existed, enforcement of that policy was inconsistent at some locations.

Gaps in Adherence to Detention Standards

ICE ERO has national detention standards that set out a facility's immigration detention responsibilities, explain what services a facility provides to detainees, and identify the steps a facility takes to ensure the safety and security of the staff and detainees.¹⁶ OIDO assessed compliance with the 2011 PBNDS as all of the facilities covered in this report fall under that detention standard. During the inspections, OIDO noted that several facilities had gaps in adherence to the following standards: admission and release, facility security and control, post orders, disciplinary system, and staff training.

Admission and Release

The 2011 PBNDS section 2.1 on admission and release states in part that each facility is required to provide detainees with information about facility policies, rules, and procedures. Facilities shall have a method to provide detainees an orientation as soon as practicable, in a language or manner that detainees can understand. Such orientation shall include the procedures for a detainee to contact the deportation officer handling his/her docket, disciplinary procedures, schedule of services, programs, and daily activities, and how the detainee can file complaints with the DHS OIG. OIDO found that few of the facilities provided orientation training to detainees on tablet use.

Facility Security and Control

The 2011 PBNDS section 2.4 on facility security and control provides that each facility shall ensure that it maintains sufficient supervision of detainees through appropriate staffing levels and, where applicable, video monitoring. This will enable the facility to protect detainees against sexual abuse assault, other forms of violence or harassment, and to prevent significant self-harm and suicide. Furthermore, the section states that security staffing shall be sufficient to maintain facility security and prevent or minimize events that pose a risk of harm to persons and property. OIDO found there were several facilities that provided inadequate or no detainee supervision over tablet distribution or use. OIDO also found that staff had either no access to the Talton system to electronically monitor the calls, or there were too few staff to monitor tablet use in several facilities. ICE does have a process for attorneys and other legal service providers to request that legal phone calls and video calls from detainees will be both unmonitored and unrecorded (legal service providers can register a phone number at a specific facility by filling out and emailing a form).¹⁷

¹⁵ The facilities with local policies for tablets included Moshannon Valley Processing Center, South Louisiana ICE Processing Center, South Texas ICE Processing Center, and Torrance County Detention Facility.

¹⁶ See [ICE Detention Standards | ICE](#).

¹⁷ See [Attorney Information and Resources | ICE](#); Requesting Unmonitored Legal Calls (Talton Phone Provider Locations) — Legal service providers may request that legal phone calls and video calls from a detained noncitizen

Post Orders

The 2011 PBNDS section 2.9 on post orders states that its purpose is to protect detainees and enhance facility security by ensuring that each officer assigned to a security post possesses the required knowledge on the procedures, duties, and responsibilities of that post. It further states the following: (1) each officer shall have current written post orders that specifically apply to the assigned post; (2) signed and dated records shall be maintained to show that assigned officers acknowledge that they have read and understood the post orders; and (3) post orders shall be formally reviewed annually and updated as needed. The facility administrator shall ensure post orders are written for each security post and all employees have access to copies of the post orders. Post orders shall be kept current at all times and shall be formally reviewed annually, at a minimum, and updated as needed. OIDO found that several of the facilities had no Post Orders concerning tablet distribution, use, or misuse.

Disciplinary System

The 2011 PBNDS section 3.1 on disciplinary system provides that the purpose and scope of this detention standard is to promote a safe and orderly living environment for detainees by establishing a fair and equitable disciplinary system; requiring detainees to comply with facility rules and regulations; and imposing disciplinary sanctions to those who do not comply. OIDO found that several of the facilities had either no policies or procedures or had inconsistent practices for distributing tablets to detainees, which resulted in detainees hoarding tablets and/or engaging in threatening behavior to gain access to a tablet. Additionally, several facilities had either no policies or procedures or inconsistent practices for addressing detainees who engaged in inappropriate or indecent behavior while using the tablets.

Staff Training

The 2011 PBNDS section 7.3 on staff training ensures that facility staff, contractors, and volunteers are competent in their assigned duties by requiring that they receive initial and ongoing training. OIDO found that staff at many of the facilities did not receive adequate training for staff and detainee tablet use. OIDO also found that in facilities where staff did have access to systems to monitor detainee use of the tablet, some did not provide any or enough training for staff on how to monitor detainee tablet use.

be unmonitored and unrecorded. Note: This form is also available to noncitizens in multiple languages at ICE detention facility locations.

Findings For Each Specific Facility

1. Pine Prairie ICE Processing Center

OIDO inspected PPIPC on August 30–September 1, 2022, and October 25–27, 2022.

The Facility Lacked Policies, Procedures, and Training for Monitoring Electronic Tablets

During its inspection, OIDO interviewed the PPIPC Classification Manager (CM)¹⁸, Chief of Security (CS), Central Control Detention Officer (CCDO), and ICE ERO staff including the Assistant Field Office Director (AFOD) and Supervisory Detention & Deportation Officer (SDDO). Through these interviews, OIDO found that the facility had not developed or implemented any written policies, procedures, standard operating procedures (SOPs), directives, post orders, or specialized training regarding the monitoring of detainee use of the electronic tablets.

OIDO reviewed facility records to gather information about the facility's monitoring of tablet calls. OIDO reviewed the terminated video call logbook,¹⁹ facility grievance records, and facility disciplinary records. The CCDO monitored electronic tablet video calls from the facility's Central Control Desk. OIDO interviewed the night shift CCDO and observed operations on October 25, 2022, between 6:30 p.m. and 7:30 p.m. The CCDO reported that the officer stationed in Central Control must perform his assigned duties in accordance with the existing post orders²⁰ while also monitoring the live video calls for inappropriate conduct. At times, there were at least 10 video calls occurring simultaneously.

Exhibit 3 depicts the sole on-duty CCDO, who is responsible for observing and monitoring live tablet videos from the Central Control Room while also performing all other job-related tasks. The monitor in the center of the screen shows the electronic tablet live video calls being conducted during OIDO's observation on October 25, 2022. The photo also shows a total of 29 other video surveillance camera feeds that the CCDO is responsible for monitoring. The Classification Manager reported that the CCDO was responsible for monitoring live tablet video calls from the facility's Center Control Desk, maintaining tablet monitoring logs to document incidents of misconduct, and reporting incidents to the Classification Manager via email for review and determination of any tablet suspension.

¹⁸ PPIPC is a shared-services facility with South Louisiana ICE Processing Center (SLIPC). The PPIPC Classification Manager also performs those same duties at SLIPC.

¹⁹ Central Control Desk Officer staff advised OIDO that they may terminate (disconnect) video calls when staff identifies either the detainee and/or visitor engaging in inappropriate activity. The logbook does not contain instructions but does contain the following information: detainee A-number, time, date, and nature of the offense, supervisor notified, and signature of officer monitoring.

²⁰ During its inspection, OIDO did not obtain a copy of the Control Room Post Order to determine whether or not the monitoring of live video calls was in the written Post Order or separately assigned. However, OIDO notes that at another inspected facility, while the Control Room Post Order did not contain any mention of monitoring live video calls, those duties would be covered under the catch-all language "and other duties as assigned."

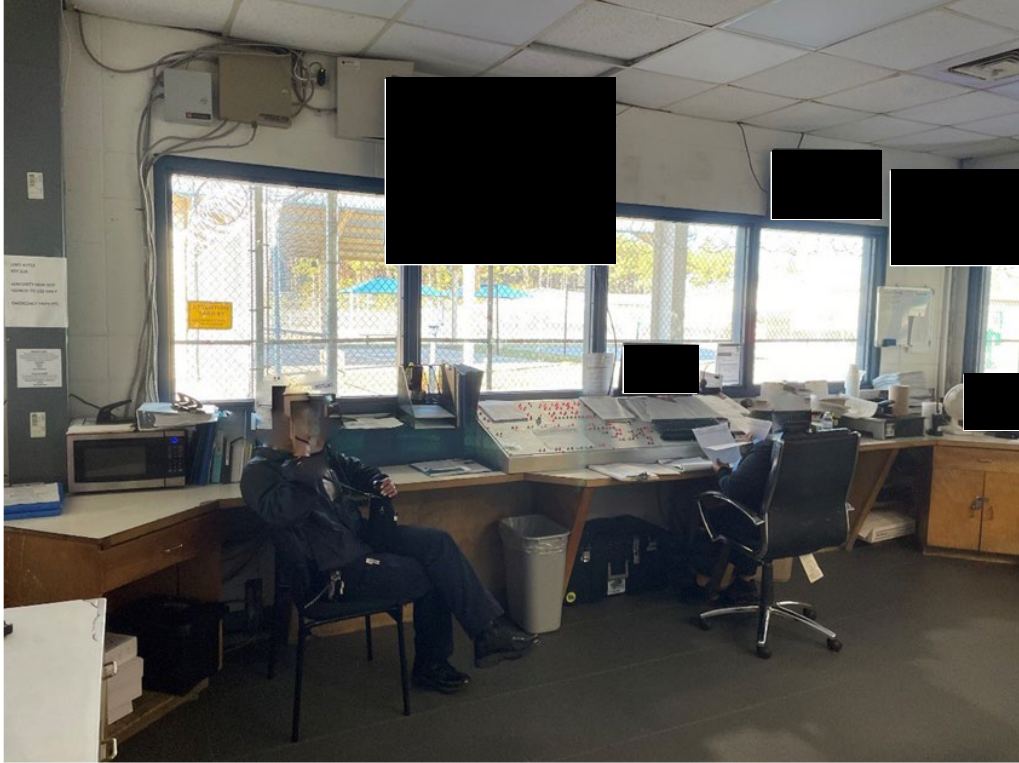


Exhibit 3. Electronic tablet monitoring screen located in Central Control Office at PPIPC, as OIDO observed on October 25, 2022.

Source: OIDO

The Classification Manager also reported that the staff was self-taught regarding both the live video monitoring and use of the electronic tablets and that they had not received any formal training from either Talton or ICE ERO.

The Facility Lacked Policies, Procedures, and Guidance Regarding Detainee Electronic Tablet Misuse

The 2011 PBNDS section 2.4 on facility security and control provides that this standard protects the community, staff, contractors, volunteers, and detainees from harm by ensuring that facility security is maintained, and events that pose risk of harm are prevented. Furthermore, this section lists as its expected outcomes that facility safety, security, and good order, including the safety, health, and well-being of staff and detainees, will be enhanced through ongoing observation, supervision, and personal contact and interaction between staff and detainees.

The 2011 PBNDS section 3.1 on disciplinary system provides that the purpose of this standard is to promote a safe and orderly living environment for detainees by establishing a fair and equitable disciplinary system, requiring detainees to comply with facility rules and regulations, and imposing disciplinary sanctions on those who do not comply. In addition, the ICE National Detainee Handbook states that ICE will keep the detention facilities safe and secure and that detainees have a right to be safe from unwanted sexual abuse and sexual assault.²¹ The handbook also states that “[a]ny misuse of the tablet or other detainee actions resulting in disciplinary sanctions may include loss of tablet privileges.”²²

²¹ See [National Detainee Handbook | ICE](#), at 7, 9, 25, 28, 31-36.

²² *Id.* at 10.

Finally, the GEO Group, Inc. (GEO) 2022 PPIPC Supplement to the National Detainee Handbook describes disciplinary procedures and provides a list of “Detainee Prohibited Acts of Conduct and Sanctions.”

On October 25, 2022, between 6:30 p.m. and 7:30 p.m., OIDO observed live electronic video calls with the CCDO at the PPIPC Central Control Desk. OIDO also reviewed two stored video files (discussed further below). In the course of that review, OIDO observed behavior that could fall within offenses outlined as follows in the PPIPC Supplement:

- Greatest Offenses: Conduct which disrupts or interferes with the security and orderly running of the facility (Code 199);
- High Offenses: Engaging in sexual acts (Code 206);
- High Moderate Offenses: Indecent exposure (Code 300); and
- Low Moderate Offenses: Conduct with a visitor in violation of rules and regulations (Code 407).

The PPIPC Supplement lists progressive sanctions associated with each offense. For example, for the Greatest Offense category, sanctions include loss of privileges and making monetary restitution (if funds available); for the High, High Moderate, and Low Moderate Offenses categories, sanctions start with a verbal warning.

The Classification Manager (CM) advised OIDO that the CCDO documents misconduct during a live video call and enters the information by hand into the Detainee Video Monitor Logbook. Once the information is logged, the CCDO terminates the call and sends an email documenting the incident to the CM to review and determine whether to suspend tablet access. OIDO reviewed the electronic tablet monitoring log sheets the facility’s Central Control Desk maintained and found that the CCDO had documented 81 incidents involving sexual acts (including indecent exposure and lewd conduct) between December 11, 2020, and October 3, 2022. Of the 81 incidents that CCDOs documented on the electronic tablet monitoring log sheets, OIDO found that the CM had only imposed disciplinary sanctions of seven-day electronic tablet suspensions in 10 instances. Relating to those incidents, OIDO reviewed several email messages from the CM notifying CCDOs about detainees who received seven-day tablet account suspensions on the basis of either the detainee or the detainee’s visitor engaging in prohibited activity. In those cases, the CM had determined the appropriate sanction. However, the PBNDS, section 3.1, Disciplinary System, requires review by the ICE Field Office Director in the event that staff imposes a sanction, to include deprivation of correspondence privileges. The CM advised OIDO that the facility did not notify ICE of these sanctions.

OIDO also reviewed the other 71 documented incidents where sanctions were not imposed and found that, based on the description of the incident on the log sheets, these incidents appear to rise to the same level of misconduct as that in the 10 incidents where disciplinary sanctions had been imposed; however, in the 71 incidents, the CM had not taken any action. The CM stated that competing priorities and existing workload had caused the inaction in these cases.

On October 25, 2022, between 6:30 p.m. and 7:30 p.m., OIDO also observed live electronic video calls with the CCDO at the PPIPC Central Control Desk. During live video calls, tablet use was limited to certain docking stations in the common area of the housing unit. OIDO observed that other detainees who were in the housing unit could directly observe detainee activities while they were on video calls. While screening video evidence for possible misconduct, OIDO noted that

other detainees were present in the background of the live video calls when other detainees and/or visitors engaged in lewd or sexual behavior.

Additionally, OIDO reviewed video footage of two incidents documented on the electronic tablet monitoring log sheets. The incidents involved detainees who were at PPIPC at the time of OIDO's inspection. Both videos showed detainees and/or visitors engaging in sexual acts, including nudity and exposure of genitals and/or breasts, in the presence of other detainees.

Both the CM and the CCDO reported that the CCDO was able to terminate live electronic tablet calls if detainees and/or visitors were observed engaging in inappropriate behavior or sexual acts. However, the facility did not have written guidance or a standardized reporting process for staff to use when these incidents occurred. The lack of written guidance, lack of staff training, and the many competing priorities of staff responsibilities resulted in insufficient staff monitoring of video calls.

OIDO interviewed the ICE ERO SDDO, who stated that he "did not have knowledge of PPIPC imposing discipline to detainees engaging in inappropriate or sexual acts while using the electronic tablets, or that any incidents involving such acts had occurred at the facility." The facility's Chief of Security reported that she did not know that detainees were prohibited from engaging in sexual acts, indecent exposure, and/or other lewd sexual misconduct while using the tablets, that such conduct was against facility rules, or that sanctions could be issued for such conduct.

OIDO also obtained copies of the terminated call logs from December 2020 to October 2022, which contained minimal descriptive information concerning the prohibited activity that the detainee and/or detainee's visitor was engaged in, and as OIDO determined after reviewing the corresponding videos, inaccurate and incomplete descriptions of the reason the calls were terminated. The logs indicated that calls were terminated when either the caller and/or the detainee were primarily engaging in sexual behavior. In November 2022, OIDO requested access to the videos and notified the ICE Contracting Officer's Representative of OIDO's concerns regarding detainee/caller misuse of the tablets. OIDO included a copy of the terminated call log and a spreadsheet outlining the calls and reasons for the call terminations. However, it remains unclear what action ICE has taken to review the terminated call log or the terminated videos. OIDO has requested that ICE immediately review the content of the videos to determine the appropriate action to take to address the misuse of tablets.

OIDO staff received access to the requested videos in August 2023. OIDO staff viewed a sample of the videos. Due to the graphic and pornographic nature of the phone calls, OIDO management decided OIDO staff should not continue to view all the calls. Based on the approximately 20 calls reviewed, OIDO staff determined that the call log did not accurately reflect the serious nature of the detainee/caller misconduct.

Lack of Policies, Procedures, and Guidance Regarding Detainee Accountability for Tablet Use Led to Fear, Threats, Retaliation, and Physical Violence Among Detainees

OIDO found that PPIPC did not have policies, procedures, or oversight in place to maintain accountability of electronic tablet use to ensure fair and equitable access for all detainees.

During its inspection, OIDO interviewed Detainee A and reviewed associated facility records, including a PIPIC Incident Report, ICE Investigation Report, Notice of Disciplinary Hearing, Disciplinary Hearing Report, Notice of Prohibited Acts, and Notice of Charges for an incident involving tablet use at the facility. Detainee A stated that he asked a detention officer to provide a tablet from another housing unit since there were no tablets available in Detainee A's unit. Detainee A stated that he was verbally harassed by detainees in the other housing unit for taking a tablet from them. Detainee A also alleged that he did not have access to a tablet in his own housing unit due to other detainees "of status," i.e., detainees who engage in the controlling of tablets by violence, intimidation, and/or fear, keeping them for excessive periods of time. Detainee A alleged to OIDO during his interview that detainees do not inform facility staff about tablet hoarding activities out of fear of retaliation from other detainees.²³

OIDO reviewed the Notice of Prohibited Acts and Notice of Charges related to Detainee A, which indicated that on September 5, 2022, Detainee A responded to the other detainees' name-calling and harassing statements in an aggressive manner and hit another detainee in the face. OIDO reviewed video footage of the incident showing the facility detention officers searching a housing unit, recovering a tablet, and handing it to the requesting Detainee A. The video showed several detainees approach Detainee A, who had received the tablet, and a physical altercation ensued. After the altercation, Detainee A walked away without the tablet.

A Disciplinary Hearing for the incident was held on September 7, 2022. OIDO reviewed the Disciplinary Hearing Report, which reflected that Detainee A was found guilty of Fighting, "which causes or could cause injury to another person" (Code 201) and was placed in the Special Housing Unit for seven days as sanction. No reference to the tablet was made in the incident notice.

Detainees Did Not Receive Training on Tablet Translation Features When ICE ERO Officers Did Not Respond to Electronic Requests in a Language Detainees Could Understand

The 2011 PBNDS section 2.13 on staff-detainee communication provides as an expected practice that a facility administrator shall ensure that the SOPs include provisions to translate detainee written requests and staff responses. Additionally, ICE's Language Access Plan requires accurate, timely, and effective communication for limited English proficient (LEP) persons.²⁴

OIDO reviewed a detainee request to ICE ERO submitted in Spanish through an electronic tablet. The request received a response in English. OIDO interviewed the detainee, who stated he could not read or understand English and had not received training on the use of the tablet's translation function. OIDO interviewed a GEO Captain who stated that the facility staff did not provide training to detainees on the operation of the tablets. The Captain indicated that the detainees "just figure it out." OIDO found the facility did not have a policy or SOP related to the training and use of the tablet, including its translation function. OIDO confirmed that a translation function worked and was available on the tablet. The tablet had a translation feature built into the program; however, the messages did not automatically translate. To have the translation provided, the user had to know about and then use the translation function on the tablet.

²³ OIDO collected this information through a detainee interview and a review of the reports associated with the incident.

²⁴ See [ICE National Detainee Handbook](#), at 4, 5, 7; see also [Language Access Information and Resources | ICE](#).

2. Torrance County Detention Facility

OIDO inspected TCDF on September 20–22, 2022.

The Facility Did Not Provide Detainees with Training on Tablet Use

OIDO interviewed the TCDF Chief of Security regarding staff-training and post orders related to electronic tablet use. The Chief of Security stated that he was the point of contact for electronic tablets and that he had not received any training concerning their use.²⁵

OIDO reviewed the ICE National Detainee Handbook,²⁶ which instructs detainees with questions about tablets to: “Refer to the facility’s local handbook or ask a staff member for details.” The facility’s policy on use of the electronic tablets, Core Civic Policy 16–108, Detainee Tablet Program (Dec. 27, 2021), states that the purpose of the policy: “is to provide detainees the use of tablets within the facility for communication, accessible programs, and limited open-source information provided by the vender.” The policy included information about the detainee handbook, accessibility, instructions for use, privacy, profiles, equipment damage, and equipment accountability. The policy did not address how tablets are issued to detainees or the amount of time detainees may use the tablets.

OIDO reviewed the local detainee handbook and found that it only provided information about turning the tablets on, charging, facial recognition, selecting languages, entering a telephone pin number, and creating a second pin number. The handbook did not provide any instructions on how to use the tablet applications and functions. Regarding language access, the only instruction concerning the tablet’s translation function was: “Select English, Spanish, or French from the dropdown box on the top right of the screen.”

OIDO interviewed a TCDF Detention Officer assigned to the Receiving & Discharge Unit, who stated that the unit was responsible for providing detainees with electronic tablet training during orientation. The DO stated that orientation consisted of detainees being provided a pin number on a card for telephone use. It did not include training about how to use the tablet. The Chief of Security stated that facility staff did not train detainees how to use the tablets but that detainees train each other.

The Facility Did Not Track Tablet Usage or Have the Ability to Electronically Monitor Tablets

During OIDO’s inspection of the detainee housing unit, OIDO found there were no electronic tablet sign-out sheets available to ensure accountability and monitoring of the electronic tablets. The Chief of Security, who was responsible for monitoring the electronic tablets, advised that at the time of the OIDO interview, he did not have access to monitor the Talton system.²⁷ He advised that TCDF CoreCivic²⁸ employees did not have access to the Talton system that would allow them to monitor electronic tablet use. The Chief of Security stated that, historically, the facility had an investigator responsible for monitoring the tablets, but the investigator was now assigned to another facility.

²⁵ OIDO attempted to interview the facility investigator who was responsible for monitoring the tablets at the facility but was informed that the investigator was unavailable at the time of the inspection. When OIDO followed up on the interview request, OIDO was informed that the investigator had resigned and was no longer employed at the facility.

²⁶ The current version of the ICE Detainee Handbook is dated June 27, 2023.

²⁷ While Talton had the ability to monitor the system, it is unknown whether or how often Talton did so.

²⁸ Core Civic manages the Torrance County Detention Facility.

The Facility Did Not Maintain Adequate Facility Security and Control Due to Lack of Guidelines Relating to Tablet Use

In evaluating compliance with the 2011 PBNDS section 2.4 on facility security and control, OIDO conducted numerous interviews with detainees, who expressed concerns about their ability to gain access to the tablets. Several detainees reported that certain detainees kept and used the tablets for excessive amounts of time, unsupervised, to include overnight. Several detainees reported that they did not complain to TCDF staff about tablet hoarding due to fear of retaliation by other detainees in the housing unit. Detainees stated that they preferred to use the regular phone system, thus forgoing tablet services such as email, video chat, detainee request forms, detainee grievance forms, and educational and other programs, instead of the electronic tablets to avoid being subjected to intimidation and threats by detainees who controlled the tablets. One detainee stated he observed three detainees fight over the use of the electronic tablets but that it was not reported due to fear of retaliation from the other detainees.

During interviews with detainees, several provided information about a detainee (hereinafter referred to as Detainee X) who had recently committed suicide within hours after an incident involving the tablets. OIDO interviewed detainees, who stated that Detainee X wanted to use an electronic tablet to communicate with ICE ERO about his removal date, but a tablet was not available. Detainees informed OIDO that Detainee X went to a facility officer and requested access to a tablet but that the officer responded by removing all the tablets from the housing unit. OIDO was able to review the footage of the incident and confirmed this timeline. Detainee X attempted to commit suicide at the facility shortly after and subsequently died at a local hospital.

3. South Louisiana ICE Processing Center

OIDO inspected SLIPC on October 25–27, 2022.

Facility Staff Did Not Receive Training on the Tablets

OIDO interviewed SLIPC staff members, who stated that ICE ERO did not provide any formal training on the capabilities and use of the electronic tablets. OIDO interviewed the Classification Manager (CM), who also serves in that position at the Pine Prairie ICE Processing Center, and the CCDO regarding facility training on tablet use. The CM stated that Talton provided training to the facility in 2019 when tablets were first introduced to SLIPC, but currently, the facility did not provide any staff training on the electronic tablets.

OIDO interviewed the SLIPC detention officer assigned to Central Control, who was familiar with the Talton Command monitoring system. The detention officer stated he had access to the monitoring system but was not familiar with policies regarding the tablet and had received limited training.

During the inspection, OIDO interviewed key ICE ERO staff and determined that the facility provided no training to ICE ERO staff for the use of the tablets. OIDO interviewed an SDDO, who stated he did not know who had access to the Talton Tablet web-based application at the facility and had never received training on the electronic tablets. Additionally, the SDDO did not know if DHS ICE Headquarters or the contract provider gave any tablet training to local ICE ERO.

Detainees Received Limited Information for How to Use the Tablets

The ICE National Detainee Handbook 2023, at page 10, instructs detainees with questions about tablets to: “Refer to the facility’s local handbook or ask a staff member for details.” SLIPC did have a local policy 8.2.2, “Detainee Access to Telephones/Tablets,” which contained information about tablet access, services, and inappropriate activity on pages 6–7 but did not provide any information on detainee training on the tablet.

OIDO interviewed an ICE ERO SDDO, who stated he did not know who was responsible for training detainees on the use of the electronic tablets. Through key staff interviews, OIDO determined that the only training provided to new detainees was an instructional pamphlet about the tablet. Intake staff at the facility provided this pamphlet during the detainees’ orientation.

One detainee reported that he received the basic instructions that are provided in the pamphlet. The detainee also stated that he had not received training to use the tablet from staff, but he had received training from other detainees.

Facilities Policies Did Not Address Detainee Conduct While Using Tablets

The ICE National Detainee Handbook states that “any misuse of the tablets or other detainee actions resulting in disciplinary sanctions may result in loss of tablet privileges.”²⁹ The handbook also states that ICE will keep the detention facilities safe and secure and that detainees have a right to be safe from unwanted sexual abuse and sexual assault.³⁰

The SLIPC CM stated that the local policy 8.2.2 provides that detainees will have access to electronic tablets daily from 9 a.m. to 3 p.m. and from 6 p.m. to 9 p.m.; however, this policy

²⁹ See [National Detainee Handbook | ICE](#) at 10.

³⁰ See *id.* at 7, 9, 25, 28, 31–36.

contradicted the posted 24-hour building schedule, which provided that tablets must be turned off at 12:00 midnight. One detainee reported that detainees kept tablets overnight without objection from the Unit Officer. Another detainee stated detainees hid the tablets under their beds and did not allow other detainees to use them. The CM stated that the facility did not have any accountability procedures or methods to record how long or when a detainee used a tablet. The CM also stated that the facility did not have an established formal process to report detainee misuse of the electronic tablets.

Additionally, SLIPC had no policies or procedures to address misconduct during live video calls. At the time of OIDO's inspection, the CM reported that since the tablets had been introduced, there had only been two incidents when a detainee's tablet access was suspended for inappropriate or lewd behavior. These incidents occurred between March and September 2021. According to the CM, there is also no formal process to report detainee abuse of the tablets in the facility.

Detainees Fought Over Tablets and Limited Others' Access

SLIPC did not have policies or procedures at SLIPC to address or account for detainee use and possession of the tablets. During three interviews that OIDO conducted with detainees, the detainees stated that they were hesitant to ask for a tablet out of fear of being harassed by other detainees. Detainees reported that they had witnessed verbal and physical confrontations over tablets. Detainees reported that they had noted racial tensions between groups of detainees over tablet hoarding and use. Detainees also reported that those with status, i.e., detainees who controlled tablets by violence, intimidation, and/or fear, often claimed ownership of tablets and kept them for themselves; as a result, other detainees did not have equitable access to the tablets. Detainees stated that the Unit Officer was aware of these issues, but detainees had not observed the Unit Officer take any steps to address or deescalate the issues. OIDO was not able to confirm this with local SLIPC staff.

The Central Control Officer Was Expected to Monitor Live Tablet Videos While Simultaneously Conducting Several Other Central Control Tasks

OIDO interviewed the Central Control Officer (CCO) to discuss the CCO's responsibilities at the facility. The CCO's duties are outlined in SLIPC Post Orders, Operations, Central Control Officer, Post Order Number 013 (effective 11/02/2021). The Post Order does not list as a responsibility that the CCO is to monitor the electronic tablet video monitor in the control room but does provide that the "officer shall be responsible for any other duties as assigned by a Supervisor." The CCO reported that her supervisor had assigned her to monitor electronic tablet activity. During the inspection, OIDO observed the CCO working on several tasks at the same time. However, the CCO was not monitoring the electronic tablet live video call monitor. OIDO observed the CCO executing the following tasks simultaneously: answering/monitoring the telephone; gate/access control; door access control for the entire facility; monitoring of the security camera/closed circuit television for the entire facility; running population counts (*See Exhibit 4*).



Exhibit 4. SLIPC Central Control Room Detention Officer Multi-Tasking, as OIDO observed on October 25, 2022.

Source: OIDO

4. Folkston ICE Processing Center

OIDO inspected FIPC on November 15-17, 2022.

The Facility Did Not Have Tablet Policies, Staff Training, or Monitoring Access

OIDO interviewed the FIPC Facility Manager, Compliance Manager, and Business Manager. The Business Manager (BM) was the primary point-of-contact for electronic tablets at the facility. The BM and his staff were responsible for repairs and maintenance of the tablets. They revealed that the facility had no policy or procedure relating to the issuance, use, and monitoring of, or training on, the electronic tablets. The only training the staff received was in 2017 when electronic tablets were first introduced into the facility and for a week in either 2020 or 2021.

There were approximately 161 tablets for the three housing units that held ICE detainees. The Talton contract provides that the ratio of tablets to beds one to eight. Tablets are specific to each housing unit. Therefore, detainees only have access to tablets within their assigned housing units.

The facility had previously had access to monitor calls and video calls via the electronic tablet dashboard located in the Business Office and accessible by the Classification Manager's and Prison Rape Elimination Act Coordinator's office. However, the facility did not have guidance on the number of calls and/or videos that FIPC staff was required to monitor. Additionally, FIPC staff advised OIDO that access to monitoring had recently been disabled and that only staff who were provided ICE email addresses and corresponding personnel identity verification (PIV) cards had access. At the time of the OIDO interview, the facility Classification Manager and PREA Coordinator were in the process of receiving ICE email addresses and PIV cards.

Detainees Received Basic Electronic Tablet Training

The ICE National Detainee Handbook 2023, at page 10, instructs detainees with questions about tablets to: "Refer to the facility's local handbook or ask a staff member for details."

Detainees received some information on tablet use during orientation to the facility. Tablet instructions were also posted within the pod. The posted instructions included a brief overview for tablet use, including login and password instructions, a list of free and pay services to detainees, and the corresponding service fee per minute. Detainees received a GEO-issued local supplement to the National Detainee Handbook, but the tablet information was limited to providing information for detainees to submit requests or concerns to ICE or facility staff and instructions concerning tablet access, available apps and services, and video visitation. There is a warning advising that any "inappropriate activity on the tablets will result in the detainee's account" being suspended, listing length of suspension for first and second offenses and that criminal charges may be filed for inappropriate activities. However, there was no information regarding training so that detainees know the rules for proper use of the tablets nor was there any language defining what "inappropriate activity on the tablet" is. Detainees do not currently have guidance that specifically addresses and defines inappropriate or prohibited conduct.

Few Detainees Engaging in Inappropriate Behavior on the Tablets Were Subject to Disciplinary Action

OIDO interviewed staff and collected documentation of four instances of inappropriate detainee behavior on electronic tablets that resulted in disciplinary proceedings. The disciplinary report included photographs captured from electronic video files showing detainees and video guests engaging in graphic sexual activity and a detainee using abusive and obscene language. OIDO

noted that the records documented the date, time, and inappropriate behavior in each instance. The facility held disciplinary proceedings for the violations involving unauthorized use of tablet. Each disciplinary proceeding resulted in a sanction of subsequent loss of tablet access for a period of time. Sanctions varied from 7-21 days based on the nature of the violation and whether the incident was a first or repeat offense.

However, OIDO reviewed a log containing video termination calls dating from January 2021 through November 2022. The log lists 73 terminated video visits but there was no record of whether these terminated video visits led to disciplinary action. At the time of the OIDO inspection, the Business Manager advised OIDO that the Business Office detainee account clerks had the primary responsibility to monitor live detainee video calls and would spot check at intervals. The staff would terminate calls when they observed inappropriate sexual activity; the detainee would receive a warning message on the tablet screen and a warning that the detainee may lose tablet privileges. However, the staff were unable to advise whether all calls resulted in disciplinary action.

5. Broward Transitional Center

OIDO inspected BTC on December 5-9, 2022.

The Facility Did Not Have Policies or Training for Tablet Misconduct and Discipline

BTC had a local supplement, revised in November 2022, which did not contain information about detainee tablet use. However, Broward did have a handout that provided instructions on how to use the tablets.

During OIDO's inspection, BTC staff reported that Talton provided formal training in 2022 to the ICE ERO Officers and facility staff on the technical use of the tablet's functions and capabilities. However, there was no ICE training regarding which disciplinary standards to apply when ICE ERO or facility staff discovered detainees engaged in misconduct.

Facility Staff Were Unable to Monitor Calls, but Talton Employees Conducted Off-Site Monitoring of Detainee Tablet Use

During the inspection, the AFOD reported that Talton provided monitoring services for the tablets used within the facility. These services included monitoring videos for inappropriate conduct, photographs, and key and flagged words and sending a notification within minutes of the incident to ICE ERO leadership assigned to BTC concerning the violations.³¹ OIDO was advised that access to the Talton system, including video monitoring and video/audio file review, had been recently revoked/suspended for BTC, ICE ERO, and facility staff due to a restriction from ICE Homeland Security Investigations (HSI). Talton employees conducted the monitoring service in near real-time at an unknown, off-site location. OIDO reviewed emails and text messages that had been restricted/blocked by Talton employees for the use of prohibited words (red-flag words), questionable/lewd content within a photograph, restricted or prohibited areas of the facility shown on a photograph, and/or other questionable material.

The Talton monitoring support appeared to create an environment that appropriately denied or restricted the sharing of lewd photographs, questionable material in the body of an email, and improper communications involving detainees. However, the lack of access to the Talton system for both ICE ERO and facility staff hamstrings their ability to ensure that facility security is maintained and that events that may pose a risk of harm are prevented and/or appropriately addressed. Additionally, Talton is a third-party vendor and therefore not bound by the PBNDS. Since ICE ERO and facility staff are responsible for protecting the detainees and facility staff from harm, ICE ERO and facility staff need access to monitor live video events so they are aware of what is occurring on the Talton system and can take any appropriate disciplinary action.

³¹ The contract in effect at the time of the inspections did not require the contractor to provide electronic monitoring services for electronic tablets pursuant to Contract HSCEDM-16-C-HS002 – Modification P00014 DHS Tablet Policy.

6. South Texas ICE Processing Center

OIDO inspected STIPC on January 10–12, 2023.

Facility Staff Did Not Receive Regular Training on Electronic Tablets

During the OIDO inspection, the STIPC facility staff reported that they received a one or two-week training session in 2017 when the electronic tablets were first issued within the facility. Other than this initial training session, neither the facility nor ICE ERO provided any other electronic tablet training.

Talton Employees Conducted Tablet Monitoring as Facility Staff Were Unable to Monitor Calls

Facility staff reported that they were not able to monitor phone calls and/or video calls on the tablets. The Assistant Facility Administrator and Security Supervisors were the only facility staff able to access the detainee tablets. Talton employees conducted all tablet monitoring at STIPC. The Assistant Facility Administrator advised OIDO that the Talton system has built-in safeguards regarding key words or certain images (e.g., nudity, gang symbols) that trigger call termination and automatically generate a log entry. The Assistant Facility Administrator also advised OIDO that both she and the Security Supervisors can access log entries and generate reports from the Talton system. Again, as noted above in the BTC section, the ICE ERO and facility staff lack of access to the Talton system hampers their ability to ensure that facility security is maintained and that events that may pose a risk of harm are prevented and/or appropriately addressed. Additionally, Talton is a third-party vendor; not bound by the PBNDS. Since ICE ERO and facility staff are responsible for protecting the detainees and facility staff from harm, ICE ERO and facility staff need access to monitor live video events, so they are aware of what is occurring on the Talton system and can take any appropriate disciplinary action.³²

The Facility Provided Detainees with Instructions on Tablet Access and Use

OIDO found that STIPC had a local policy, 5.3.2 Detainee Access to Telephones, and several supplemental documents, including a local supplement to the Detainee Handbook and Post Orders. The STIPC local policy, 5.3.2 Detainee Access to Telephones, included a section entitled “Talton Electronic Tablets,” which provides information about tablet core features, tablet issuance, and accountability. The general policy does address detainee telephone access, including that the facility will also provide language assistance through bilingual staff or translation services to detainees who are limited in their English proficiency. Likewise, the STIPC Detainee Handbook includes a paragraph addressing language access and a separate section entitled “Tablet Use” that includes four paragraphs about detainee access to and use of the tablet. The Post Order, “Tablets in Dorms,” discusses tablet use, issuance, and check-out policy. OIDO viewed the English and Spanish instructions for tablet use and account creation posted centrally in the housing unit. The posted instructions stated the following: “Select English, Spanish or French from the dropdown box at the top right of the screen.” OIDO found that these documents in combination provided detainees with instructions and rules on tablet access and use.

³² *Id.*

7. Port Isabel Detention Center

OIDO inspected PIDC on January 10–12, 2023.

The Facility Was Not Able to Monitor Detainee Tablet Usage

Prior to OIDO’s announced inspection, tablet/system access was suspended/revoked for ICE ERO staff at PIDC. The ICE ERO SDDO reported he lost access to monitor electronic tablet live video calls a week before OIDO’s inspection. The SDDO tried to access the system during the inspection but could not connect. The SDDO did not receive notification as to why access was restricted. Local ICE ERO staff were not informed about the revocation or told why it had been restricted. Contractors at the facility did not have access to the electronic tablet system and were unable to monitor video calls.

Facility Staff Did Not Enforce Their Procedures for Checking Out Tablets

PIDC had local procedures for a detainee to access a tablet. The detainee is to provide his identification card to the housing officer in exchange for a tablet to use. The housing officer takes the detainee’s identification card and holds it until the detainee is finished using the tablet. The detainee’s identification card is returned once the detainee physically returns the tablet to the housing officer in the pod. However, although there are local procedures to account for detainee use of the electronic tablet by exchanging his identification card for the tablet; detainee interviews suggested that this procedure was not enforced consistently across the housing units. In addition, this procedure was also not covered in the post orders for the Housing Unit Officers.

8. Moshannon Valley Processing Center

OIDO inspected MVPC on January 10–12, 2023.

The Facility Implemented a Local Policy and Supplement for Detainee Tablet Use

OIDO had conducted a prior inspection at MVPC on February 23–24, 2022. During that inspection, OIDO reviewed — among other areas — electronic tablet communication technology capabilities, policies, usage, and monitoring. That inspection led to a [final report](#) with six recommendations. Specific to OIDO’s observations concerning how MVPC could benefit from a policy related to electronic tablet usage, OIDO made two recommendations:

- 1) As to electronic tablet usage, the facility should establish written policies and standardized enforcement mechanisms to ensure that devices are shared fairly and equitably among detainees. Policies should set terms such that both detainees and staff have clear expectations regarding proper care and approved usage of the tablets.
- 2) For electronic tablets, the facility should develop and implement robust training and orientation sessions for detainees on their approved usage and capabilities.

ICE concurred with both recommendations and provided the following responses:

- 1) Regarding electronic tablet usage: ICE indicated that the facility's local policy, 6.1.7, Electronic Tablets, has been updated to include clearly set “terms of use” so detainees and staff have a clear understanding of what is proper care and use of the tablets. Facility staff believe this revised policy will ensure equitable use among detained noncitizens. Additionally, GEO has submitted a modernization plan to increase the tablet/detainee ratio.

ICE is reviewing the proposal and supports expanded tablet access when funding is available to make necessary improvements.³³

- 2) Regarding training on electronic tablets: Effective June 6, 2022, MVPC began distributing Detainee Tablet Instructions, in English and Spanish, to all detainees arriving at the facility. An orientation video, specific to usage of the Talton tablets, has been provided by Talton in both English and Spanish. This video plays on the televisions in the detainee living areas throughout the day. The Talton orientation has incorporated into the MVPC's new hire staff training.³⁴

After that inspection, the facility implemented several measures to assist detainees in using the electronic tablets, including updating its local policy to inform staff and detainees regarding proper tablet use and beginning to distribute tablet instructions to all detainees.

During its second inspection in January 2023, OIDO found MVPC had indeed established policies, directives, procedures, and controls to ensure detainees have access to the electronic tablets. For example, MVPC issued local policy 6.1.7, Electronic Tablets, an MVPC handbook supplement, and MVPC Detainee Tablet Instructions. The purpose of local policy 6.1.7, Electronic Tablets, is to “establish conditions and rules which will regulate the operation of the use of detainee electronic tablets, privileges of the tablet, time frames of use, and disciplinary sanctions for misuse of property.” The policy outlines terms of use, so detainees and staff have a clear understanding of what constitutes proper care and use of the tablets, and it ensures equitable use among detainees. Additionally, as a result of OIDO’s recommendations, the Moshannon 2023 Local Detainee Handbook provides instructions to access the tablet, a list of available services, and a list of inappropriate activities. OIDO observed the detainees use a sign in/sign out sheet when using the tablets.

The facility had a designated unit (Housing Unit C) with staff and managers to assist detainees with instructions for tablet use. Once detainees are released from Intake, they are transferred to Housing Unit C to receive instructions. Facility staff also prepared an educational and training video tablet presentation that is shown on a dedicated television in all housing units and provides the detainees with instructional tablet information on a continuous loop, 24 hours a day. Furthermore, OIDO observed the facility play an orientation video on electronic tablet use in detainee housing areas in both the English and Spanish languages.

Although the facility had local policies and procedures, including the MVPC 6.1.7, Electronic Tablets policy, it did not have a training policy for the administration and oversight of the electronic tablets. The MVPC Resident Advisor stated that the facility provides some local staff training pursuant to the local 6.1.7 policy, but he finds referring to the Talton user manual the most helpful practice to resolve tablet issues. The Resident Advisor stated that a Talton user manual was in the control room of his assigned housing unit and was always available for reference.

During both its 2022 and 2023 inspection, OIDO found that the facility did not have written policies or procedures for monitoring the electronic phone and video system. Moreover, MVPC staff did not have the capability to monitor the electronic tablet system. OIDO reviewed emails sent to the business manager from Talton advising that ICE HSI had instructed them to remove the MVPC contractor’s ability to listen to calls. The facility’s access was deactivated in August 2022.

³³ [OIDO Moshannon Valley Processing Center Inspection Report](#) (Oct. 17, 2022), p. 12.

³⁴ *Id.* at 13.

ICE ERO advised the facility that they would need to have their investigators complete an access form to obtain an ICE email address and PIV card to regain access. At the time of OIDO's inspection, Talton employees did not monitor the Talton system.

9. Buffalo (Batavia) Service Processing Center

OIDO inspected BSPC on January 24–26, 2023.

The Facility Did Not Have Any Tablet Policies or Procedures

OIDO interviewed several key ICE ERO local staff, including the AFOD and SDDO, and BSPC staff members, including the Warden and Detention Officers, about post orders and/or electronic tablet policies. The facility staff did not have any post orders or policies and procedures regarding detainee use of electronic tablets. The facility staff did not record the issuance and return of tablets into a logbook. The facility did not have a process to maintain accountability of detainee use of tablets. At the time of the OIDO inspection, BSPC contract staff (Akima Global Services) reported that they did not have access to monitor the Talton system. Local ICE ERO reported that ICEERO Intelligence staff do have the capability to access the Talton system, and Talton staff do not monitor the system.

10. Prairieland Detention Facility

OIDO inspected PDC on January 24–26, 2023.

The Facility Had a Local Supplement That Minimally Addressed Tablets

The PDF, managed by LaSalle Corrections, has a local supplement to the Detainee Handbook. That supplement contains one paragraph with the following information concerning tablets: detainee tablet use will be limited to one-hour; additional time may be requested from the dorm officer; any tablet destruction will be subject to disciplinary action; detainees can request tablet assistance from a dorm officer; and from 11:30 a.m. to 1 p.m., tablets will be charged. Other than the information provided in that one paragraph, the facility did not have tablet instructions.

The Facility Tracked Tablet Issuance but Did Not Have Training or Procedures for Monitoring Use

OIDO conducted interviews of PDF staff, reviewed relevant documents, in addition to the local supplement, such as post orders, unit postings, detainee requests, and observed how the facility administered the use and oversight of tablets. PDF did have a sign-out process for detainee use of the tablets. OIDO observed that the facility housing unit officers used sign-out and inventory sheets to keep track of tablets as they were issued to detainees. Staff secured unused tablets in a locked charging station. Detainees exchanged their identification cards for the tablets when they signed the tablets out. The detainees' identification cards were then kept secured in the officer's duty station. The Housing Unit Officer made logbook entries for all sign-in and sign-out actions. The Housing Unit Officer logbook tracked all detainee possession/use of the electronic tablets.

PDF did not have any guidance or local policy regarding facility staff monitoring of electronic tablets. The Chief of Security did not actively monitor detainee tablet calls or visits on a regular basis. Instead, after calls were completed, the Chief of Security randomly monitored detainee use of the tablets. Other than occasional spot-checking, this tablet monitoring supported specific official investigations. Facility departmental heads had minimal access to the electronic tablets. Such access only included ability to review detainee requests, not to monitor the live video call feature, messaging, or telephone calls.

OIDO found that the facility did not have comprehensive policies or procedures for tablet training, specifically regarding live video call monitoring or file review. Two key staff members reported that they had not received formal training as to the tablet functions.

11. Otero County Processing Center

OIDO inspected OCPC on January 24–26, 2023.

The Facility Provided Information to Detainees on Tablet Use, But Did Not Have Training or Procedures for Staff to Monitor Use

OCPC is owned and operated by Management and Training Corporation (MTC). At the time of the inspection, OIDO found that the OCPC local supplement provided information about making and receiving calls on the tablet and telephone. The local supplement also advised that tablet use “with the exception of legal calls” was subject to monitoring. In addition, OCPC had a tablet instruction sheet, a Dorm Officer Post Order that included information regarding officer responsibility for examining, assessing, and logging tablet issues and staff-detainee communications using the tablet, including detainee requests and grievances. The Dorm Officers assigned to the housing unit were required to account for tablets located in their assigned units; however, there were no logs used to account for this process. During OIDO’s inspection, on January 25, 2023, OCPC implemented a two-page tablet SOP.

OIDO interviewed the Facility Training Officer, who advised that he was responsible for electronic tablet training for the facility staff. The Facility Training Officer stated that trained staff would show the detainees how to use the tablets as needed. While OIDO was able to review a copy of a PowerPoint training presentation, the Facility Training Officer was unable to produce additional records for this training, such as training documents or staff training records.

OIDO found that OCPC had no local policies, procedures, or training regarding tablet monitoring. During its inspection, OIDO interviewed the OCPC Quality Assurance Manager (QAM). The QAM advised that she tries to monitor the tablets for approximately five hours each week. At times, monitoring was related to a specific target. The facility did not have a monitoring log to track issuance of electronic tablets. Only the QAM, Warden, and Assistant Warden had access to monitor the tablets.

Critical Issues

The lack of written policies, procedures, directives, or any specialized training for facility staff on the monitoring of tablet calls limits the facility's ability to provide adequate oversight of the detainees' use of tablets. As further detailed below, OIDO recommends that ICE institute national and local guidance regarding tablets.

Initially, ICE should address OIDO's critical concerns by issuing guidance under the existing PBNDS framework to increase the effectiveness of the administration of tablet programs and reduce the disparate information being disseminated to detainees. Specifically, OIDO notes that:

- 1) National level guidance is necessary to establish expected outcomes for tablet administration:
 - a. The PBNDS is applicable to tablets but is not being applied consistently for tablet administration.
 - b. Staff must have appropriate access to tablet system functions to ensure detainee safety and security and to safeguard confidential detainee communication. The lack of staff access results in the inability of staff to oversee or monitor detainee use or abuse of the electronic tablets.
 - c. Staff are not properly informed of the rules and procedures that exist regarding detainee tablet use, possession, misuse, and abuse.

It is worth noting that facilities with tablet policies appear to be lax in enforcement, resulting in detainees having the same unequal access to the tablets as those facilities that lack tablet policies.

- 2) Facilities should establish local policies that provide sufficient information for detainees on tablet use. In particular:
 - a. Facility policies and supplemental handbooks do not contain sufficient information about proper tablet use. This has resulted in inappropriate detainee use of tablets, prohibited conduct occurring during video calls, and monopolization, as well as intimidation, by detainees who may threaten other detainees who seek access to a tablet.
 - b. Facility policies and supplemental handbooks do not contain guidelines that ensure equity and fairness in tablet distribution and use.
 - c. The National Detainee Handbook does not provide sufficient information to detainees on the privileges afforded by use of the tablet and a detainee's responsibilities for its use.
 - d. Facility policies and supplemental handbooks do not provide detainees with adequate instructions on how to use the tablets properly and to access needed services, such as translation features.

Support for addressing these critical issues is expanded upon below.

I. An ICE Policy or Guidance for Tablet Monitoring and Use Will Increase the Effective Administration of Tablet Programs

In addition to the facilities where ICE has a contracted tablet program with Talton, other ICE facilities have separate tablet programs.³⁵ ICE ERO currently has no specific nationwide policy, procedures, or guidance related to the administration or use of electronic tablets in ICE immigration detention facilities. One result of this policy and guidance void is a lack of access for staff to monitor its use. Additionally, there is no consensus on local policies or guidance, and detainees do not have access to basic instructions on using the electronic tablet and its applications.

A. Performance-Based National Detention Standards Apply to Electronic Tablet Administration and Use

OIDO has determined that the existing PBNDS can be used in the short-term to address tablet administration, use, and oversight. ICE has national detention standards that set out a facility's immigration detention responsibilities, explain what services a facility must provide to detainees, and identify the steps a facility takes to ensure the safety and security of the staff and detainees.³⁶ While there is currently no specific national ICE policy regarding the oversight and administration of electronic tablets, the existing 2011 PBNDS provides the structure to regulate and oversee electronic tablet use as the facilities are already bound by these current national standards.

OIDO identified the following key components of the PBNDS that are directly related to tablet oversight, administration, and guidance, including but not limited to, the following:

- 2.1 Security, Admission and Release, Section V. Expected Practices (A. Overview of Admission, Orientation and Release; F. Orientation; G. Detainee Handbook)
- 2.4 Facility Security and Control, Section V. Expected Practices (A. Detainee Supervision and Monitoring)
- 2.9 Post Orders, Section V. Expected Practices, (A. Post Orders Required; G. Maintenance of Post Orders)
- 2.11 Sexual Abuse and Assault Prevention and Intervention, Section I. Purpose and Scope
- 2.13 Staff-Detainee Communication, Section V. Expected Practices (A. Staff and Detainee Contact)
- 3.1 Disciplinary System, Section V. Expected Practices (B. Notice to Detainees; D. Incident Report)
- 4.3 Medical Care, Section V. Expected Practices (A. General; S. Sick Call)
- 4.6 Significant Self-harm and Suicide Prevention and Intervention, Section I. Purpose and Scope
- 5.1 Correspondence and Other Mail, Section V. Expected Practices (A. General; C. Detainee Notification)
- 5.6 Telephone Access, Section I. Purpose and Scope; Section II. Expected Outcomes (paragraph 9 provides: Facilities shall strive to reduce telephone costs, *including through the use of emerging telecommunications, voiceover and Internet protocol technologies.* (emphasis added)); Section V. Expected Practices (E. Direct or Free Calls)

³⁵ See [Tablets at ICE Facilities | ICE](#); The section “ICE Facilities with Separate Tablet Programming” includes a list of ICE detention contractors who provide various tablet offerings, such as messaging and video visitation.

³⁶ [ICE Detention Standards | ICE](#).

- 5.7 Visitation, Section I. Purpose and Scope; V. Expected Practices (K. Consultation Visits (see paragraph 3. Persons Allowed to Visit for Consultation Purposes, which discusses consultations by electronic means.)
- 6.1 Detainee Handbook, Section I. Purpose and Scope; Section V. Expected Practices (A. Distribution; B. Contents of Local Supplement)
- 6.2 Grievance System, Section I. Purpose and Scope
- 6.3 Access to Law Libraries and Legal Materials, Section I. Purpose and Scope

While existing PBNDS standards are sufficient in the short-term to measure compliance of the use of the electronic tablets, national guidance is needed to provide tablet-specific expected outcomes and require facility implementation of local policies and procedures. As such, ICE ERO should review the above-referenced PBNDS standards for tablet application and disseminate an ICE policy or guidance on how ICE detention facilities can implement and/or update their existing local policies and procedures for administration of the tablet.

Additionally, while this report's recommendations do not require a new standard in place for short-term compliance and improvement of conditions, OIDO is, under separate cover, offering a suggested draft standard on Advanced Communications Services (ACS) to address long-term improvements. The projects are intended to be complementary as data and inspection information from this report were considered in writing the draft standard.

Notably, whether a facility had a local policy or supplement did not depend on which contractor operated it. As noted above, ICE's response to OIDO's MVPC February 2022 inspection recommendation was to have the facility create a local policy and handbook supplement so that the facility would follow existing standards. Similarly, all detention facilities with electronic tablets should update their local policies and procedures to address the administration and use of these tablets.

B. Staff Must Have Appropriate Training and Access to Tablet System Functions to Ensure Detainee Safety and Security and to Safeguard Confidential Detainee Communication

The application of an ICE policy or guidance is also needed to ensure that staff are afforded access to the tablet system, to protect detainee safety and security and to safeguard confidential detainee communication.

Given that no standards exist, there is also no requirement for written local policies, procedures, SOPs, or directives to establish and implement consistent monitoring and oversight of the electronic tablets within facilities. Facility staff must be properly informed regarding detainee tablet use, possession, misuse, and abuse. At more than one site, OIDO interviews with facility staff indicated that staff were not properly informed about proper detainee tablet use, possession, misuse, and abuse.

Additionally, in many instances, local facility staff could not ensure proper monitoring of detainee use of the tablets, which the PBNDS requires, as they did not have access to the system, lacked training, lacked post orders, and lacked staff resources. The PBNDS Section 2.4, Facility Security and Control, requires that facility security and safety be monitored by a secure, well-equipped, and continuously staffed control center; the section also requires that facility safety, security and good order, including the safety, health and well-being of staff and detainees, will be enhanced through ongoing observation, supervision, and personal contact and interaction between staff and

detainees.³⁷ OIDO found that at all 11 facilities, the staff had either limited or no access to the electronic tablet system. This lack of facility staff access to electronic tablets and lack of complete oversight of table administration results in detainee misuse, abuse, monopolization, and weaponization of the electronic tablets. In addition, OIDO found that at various contractor-managed facilities, facility staff did not have access to conduct video monitoring and video/audio file review due to a restriction from ICE HSI. Without access, staff are unable to monitor or supervise any detainee abuse or misuse. This lack of training related to the implementation of detention standards and lack of physical access to monitor tablet video calls significantly limits the facility's ability to provide effective or even adequate oversight of the detainee use of electronic tablets.

Further, even where a local policy existed at some locations, enforcement of that policy was inconsistent. Several facilities with monitoring access did not have an appropriate number of staff to effectively monitor live video sessions simultaneously while also completing other important assigned Central Control duties.

II. Local Guidance is Necessary Because Immigration Facilities Have Varied Detainee Policies and Supplemental Handbooks with Insufficient Information

During the inspections, OIDO reviewed whether the 11 facilities had local detainee handbooks and/or policies related to electronic tablet oversight, administration, and use at the time of the inspection. As noted above, OIDO found that only four of the 11 facilities had a local policy concerning the use of the electronic tablets, and six of the immigration facilities provided only some electronic tablet policy information and guidance in local handbooks.³⁸ Additionally, OIDO found that even where a contractor managed a facility that had issued a local supplement or policy related to tablets, that did not mean that the contractor had issued that policy to other facilities it operated. Of further note, OIDO found that even where a local policy existed, enforcement of that policy was inconsistent or even non-existent.

A. Detainees Receive Limited Information About Tablet Use as the ICE National Detainee Handbook Does Not Provide Sufficient Information to Detainees on the Privileges the Tablet Affords and a Detainee's Responsibilities for Use

Most detainees do not have access to basic instructions on using the electronic tablet and its applications. Detainees must also be made aware of the general rules related to local tablet use and the consequences of misusing the tablet. At the tablet-designated facilities, the electronic tablets are a desirable form of communication, which allows detainees to file grievances, to make requests for medical care electronically, and to send communications/requests to ICE ERO, facility staff, and OIDO staff.

The ICE National Detainee Handbook is currently the main method of communication that ICE ERO has to provide detainees with information about their rights, responsibilities, and rules to follow.³⁹ The National Detainee Handbook is available in 14 languages and provides an overview of the general rules, regulations, policies, and procedures that detainees are required to follow while in ICE custody. Yet, the handbook contains only two paragraphs concerning electronic tablet

³⁷ See, PBNDS Section 2.4, Facility Security and Control, II, Expected Outcomes, at paragraphs 3 and 6 (p. 81).

³⁸ The facilities with local policies for tablets included Moshannon Valley Processing Center, South Louisiana ICE Processing Center, South Texas ICE Processing Center, and Torrance County Detention Facility.

³⁹ See [National Detainee Handbook | ICE, at 7](#).

communication, including language advising that the “use of tablets is a privilege, not a right,” “tablet usage may be monitored and there is no expectation of privacy,” and “any misuse of the tablet or other detainee actions resulting in disciplinary sanctions may include loss of tablet privileges.”⁴⁰

While the handbook gives a summary of programs and services available to detainees while in ICE immigration detention, on its public website, ICE advises: “In addition to this handbook, the detention facility **will provide a local supplement to the detainee handbook** that should address facility-specific items such as meal schedules, staff-detainee communication, visiting procedures, etc.” (emphasis added).⁴¹ Yet, most facilities lack a local supplement with detailed tablet instructions.

The lack of information and rules has resulted in inappropriate detainee use of tablets, prohibited conduct occurring during video calls, and monopolization of the tablets as well as intimidation by detainees who may threaten other detainees who seek access to a tablet. The lack of local policies in facilities has resulted in situations where detainees were able to use/possess an electronic tablet for as many hours as they wanted and often hide them from other detainees when they were not using them. Of great concern, OIDO found evidence of detainees engaging in threatening behavior toward other detainees over access to the tablets. OIDO also conducted observations of live video monitoring and found detainees engaged in exhibitionism, voyeurism, observable/public masturbation, indecent exposure, and other inappropriate lewd sexual conduct. At one facility, OIDO found that facility staff was not consistently following their local policy concerning the length of time detainees kept the tablets, and the lack of record keeping concerning detainee use of tablets resulted in inequitable detainee access to tablets.

B. Detainees Need Instructions and Rules on How to Use the Tablets Properly

At present, there is no information in the National Detainee Handbook that specifies guidelines on how and to what extent facilities should orient detainees on how to use the electronic tablet and what the general rules are related to its use or misuse. That information needs to be provided to the detainee. In addition to advising detainees of their rights and responsibilities, the ICE National Handbook when combined with the local supplement to the detainee handbook can provide instructions for the tablets and advise detainees in ICE custody what acts are permitted and what actions are prohibited.

During its inspections, OIDO reviewed whether the 11 facilities had local handbook supplements and/or policies related to electronic tablet oversight, administration, and use. Only two of the facilities inspected provided any form of instruction on how to use the tablets, and only four of the 11 facilities had a local policy for electronic tablet use.

⁴⁰ *Id.* at 10.

⁴¹ <https://www.ice.gov/detain/detention-management/national-detainee-handbook>.

Conclusion

While the electronic tablets are an important communication tool for immigration detainees, there needs to be greater administrative oversight and management of electronic tablet use. Without policies, procedures, or staff access to monitor and provide oversight and guidance that advises detainees as to proper use of the electronic tablets, detainee misuse and abuse of the electronic tablets will continue.

An ICE ERO policy or guidance is needed to address tablet administration consistently across facilities. As a starting point, ICE can use the existing PBNDS to provide that oversight. In addition, all facilities with tablets must have local policies and procedures related to tablet administration and usage that are in compliance with existing national detention standards.

Further, detainee orientation and recurring training on how to use the tablet is essential. The tablets are a valuable communication device for detainees to interact with ERO, local staff, medical staff, and OIDO Case Managers. The ICE National Detainee Handbook provides limited guidance on electronic tablet availability and use. “How To Use” instructions along with “Rules for Use” should be distributed to detainees as part of their orientation in the facility. The local facility detainee handbooks should provide guidance on how and when the tablets should be used and any consequences for the misuse of the tablets that will then be monitored and enforced.

Recommendations

To address OIDO’s concerns, an ICE policy or guidance is needed to require the creation and implementation of consistent local policy, procedures, and/or guidance on tablets that reflects ICE's administrative processes and maintains a safe and secure detention environment for staff and detainees. Specifically, OIDO has four recommendations to improve oversight and management of tablets and related conditions in ICE detention facilities.

Recommendation 1: ICE should issue a policy or guidance related to the administration of electronic tablets that establishes expected outcomes.

Recommendation 2: Every ICE detention facility with a tablet program should have local policies and procedures related to tablet administration, use and training. This should include ICE ERO and facility staff monitoring guidelines and post-order directions to comply with existing national detention standards.

Recommendation 3: Every ICE detention facility with a tablet program should establish administrative rules that provide for fairness and equity in the distribution and detainee use of tablets, along with establishment and enforcement of disciplinary consequence for misuse of tablets.

Recommendation 4: Every detainee at a facility with a tablet program should receive instructions, training, and guidance on tablet procedures and the proper use of the tablet. To implement these recommendations consistent with existing PBNDS, ICE should evaluate whether detention facilities need to update local detainee handbooks to adequately inform detainees of their rights and responsibilities related to electronic tablet use. ICE should also evaluate whether facility staff have adequate access to monitor and oversee the detainee use of electronic tablets and to assess whether facility safety, security, and good order been compromised in any way through a detainee’s misuse.

Response from Inspected Component and OIDO Analysis

ICE Officials concurred with all four recommendations and identified corrective actions to address the issues identified during OIDO's inspections. Based on the information provided in the response to the draft report, OIDO considers three recommendations addressed and open and one recommendation addressed and closed. Below is a summary of ICE's response and OIDO's analysis thereof.

Component Response to Recommendation 1: Regarding policy or guidance related to the administration of electronic tablets, ICE concurred with OIDO's recommendation. ICE indicated they are developing tablet-related program guidelines for the Noncitizen Communication Services (NCS) contract. Guideline topics will include access, maintenance, security, facility management, and unauthorized activities. ERO plans to use these guidelines as a best practices reference guide for non-NCS facilities and update the PBNDS and 2019 National Detention Standards (NDS) throughout FY 2024 to develop and incorporate a new standard pertaining to tablets therein.

OIDO Analysis: OIDO finds these actions to be responsive and considers the recommendation addressed and open pending issuance of the tablet-related program guidelines for the NCS contract. ICE has agreed to provide regular updates related to the drafting and issuance of these guidelines.

Component Response to Recommendation 2: Regarding local policies and procedures related to tablet administration, use and training, ICE concurred with OIDO's recommendation. ICE indicated they will develop and incorporate a new standard regarding tablet policies, procedures, use, and training in the next version of its PBNDS and NDS. As noted in recommendation one, ICE also developed tablet guidelines that will be provided to NCS facilities and those outside the NCS network.

OIDO Analysis: OIDO finds these actions to be responsive and considers the recommendation addressed and open pending issuance of the tablet-related program guidelines for the NCS contract.

Component Response to Recommendation 3: Regarding administrative rules that provide for fairness and equity in the distribution and detainee use of tablets, along with establishment and enforcement of disciplinary consequence for misuse of tablets, ICE concurred with OIDO's recommendation. ICE indicated that guidance concerning misuse of facility property and disciplinary consequences are already addressed in ICE detention standards. However, ICE will include recommendations for establishing administrative rules and disciplinary consequences for misuse of tablets in NCS facilities in the guidelines. ICE will also consider expanding on existing language regarding detainee discipline specific to NCS tablets when drafting new PBNDS and NDS tablet standards.

OIDO Analysis: OIDO finds these actions to be responsive and considers the recommendation addressed and open pending issuance of the tablet-related program guidelines for the NCS contract.

Component Response to Recommendation 4: Regarding instructions, training, and guidance on tablet procedures and the proper use of the tablet, ICE concurred with OIDO's recommendation. ICE indicated in NCS facilities, detainees are already provided "How to Documents" and a presentation upon first login to the tablet. Additionally, a help video with an instructional function displays the basics for using NCS tablets upon first login. The NCS vendor conducts extensive

training for detainees, facility, and ERO staff when needs are identified. Facility and ERO staff can request additional training at any time by contacting the NCS point of contact via email or telephone. ICE has a system in place for facility staff and ERO to request monitoring capabilities of detainee usage. Staff granted monitoring capabilities are trained, provided with a manual, and may request additional training at any time.

OIDO Analysis: OIDO finds these actions to be responsive and considers the recommendation closed.

Appendix A: Talton Tablet Instructions



Talton Tablet Instructions

- Leave tablets on charging station when not in use
- Use the top right button on the side of the case to turn on tablet
- Select English, Spanish, or French from the dropdown box on the top right of the screen
- Use your Telephone PIN and put your face in the box on the screen to log in
- You will be asked to set up a 2nd PIN, please choose a number **different** from your phone PIN
- The Tablet will log you out after 5 minutes of inactivity. You will continue being charged as long as you are logged into the Tablet.

FEATURE TYPES:

FREE PROFILE CONTENT - Free content is provided at no charge to detainees and includes:

○ Help videos – English and Spanish	○ Contacts
○ Pro Bono numbers	○ Religious sites, legal research site
○ Prepaid account balance and activity	○ ICE legal documents

STANDARD – Standard content cost is \$0.05 cents per minute and includes:

○ Games, Music, Books	○ Contacts:
○ News, Sports, Religious websites	– You must send an email invitation through the 'Contacts' button before you can send messages or receive photos
○ Photos:	– Your friend or family must agree and set up an account
– You can receive photos	– An email can be sent, and an account set up from anywhere in the world
– You <i>cannot</i> send photos	– Your friend or family pays \$0.25 cents for each photo or message sent to you

PROMOTIONAL – Promotional content cost is \$0.03 cents per minute and includes:

○ Movies (English and Spanish)	○ Messaging - you can receive and send messages
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TRANSFERS from Trust Account to Prepaid Account are FREE

- Select the app "Account Info"
- You will have pre-selected amounts to transfer OR you may select the amount to transfer
- You can transfer as low as \$1.00
- Select "Transfer" and confirm amount to be transferred

December 2019

VIDEO VISITS – Video Visitation cost is \$0.21 cents per minute and includes *only* the time spent in visit.

Before You Begin: Using the Contacts App in the free profile, setup the person you wish to visit with as one of your contacts.

How to Schedule a Tablet Visit:

- Choose the Free Profile
- Select 'Video Visit Scheduling'
- Select the name of the person you want to visit with from your list of contacts
- Select 'Online Video Visit'
- Select the day, time of day (Morning/Afternoon/Evening) and the time that you would like to start the visit
- Visits can be scheduled in increments of 15 or 30 minutes.
- Select 'Confirm Video Visit'
- Once the visit request is sent to your contact via email, your contact must accept the visit before it will scheduled and confirmed
- The standard visitation policies will be enforced. A visit can be terminated and future visitation privilege revoked if inappropriate behaviors are observed.
- All visits are subject to monitoring and recording.

TABLET SUPPORT: Please use the Tablet Feedback form located in the Free Profile under the Requests button. A response will be provided within 30 days. *Tablets are a PRIVILEGE not a RIGHT. They can and will be restricted if misused or broken.*

All Charges made from your PIN are your responsibility. **KEEP YOUR PIN PRIVATE.** Your facility nor Talton Communications are responsible for stolen PINs. [Your PIN will not be changed due to misuse on the Tablet](#)

December 2019

Appendix B: Component Response

Enforcement and Removal Operations

U.S. Department of Homeland Security
500 12th Street, SW
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: David D. Gersten
Acting Ombudsman
Office of the Immigration Detention Ombudsman

FROM: Daniel A. Bible
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement

DANIEL A BIBLE
Digitally signed by
DANIEL A BIBLE
Date: 2024.04.10
12:49:31 -04'00'

SUBJECT: Response to the OIDO Draft Report, *OIDO Inspection of
Electronic Tablet Administration, Oversight, and Use in ICE
Detention Facilities* (Case Nos. 22-1090 & 1091)

Purpose

This memorandum is in response to the Department of Homeland Security's Office of the Immigration Detention Ombudsman's (OIDO) draft inspection report, *OIDO Inspection of Electronic Tablet Administration, Oversight, and Use in ICE Detention Facilities*. The report is based on 11 inspections conducted between September 2022 and January 2023 at multiple U.S. Immigration and Customs Enforcement (ICE) detention facilities.

Background

ICE is a federal agency charged with enforcing the nation's immigration laws in a fair and effective manner. ICE identifies, apprehends, detains, and removes noncitizens who are amenable to removal from the United States. ICE Enforcement and Removal Operations (ERO) uses its immigration detention authority to effectuate this mission by detaining some noncitizens while they await the outcome of their immigration proceedings and/or removal from the United States.

ICE has important obligations under the U.S. Constitution and other federal and state laws when it determines a noncitizen is subject to detention. ICE national detention standards ensure detained noncitizens are treated humanely, protected from harm, provided appropriate medical and mental health care, and receive the rights and protections to which they are entitled.

ICE ensures detention facilities used to house detained noncitizens do so in accordance with ICE national detention standards. These standards were developed in cooperation with ICE stakeholders, the American Correctional Association, and nongovernmental organizations to ensure all noncitizens in ICE custody are treated with dignity and respect and provided with

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Response to the OIDO Draft Report, *OIDO Inspection of Electronic Tablet Administration, Oversight, and Use in ICE Detention Facilities* (Case Nos. 22-1090 & 1091)
Page 2

appropriate care. Each detention center must meet a set of specified standards.

ICE Response to OIDO Recommendations

Recommendation 1: ICE should issue a policy or guidance related to the administration of electronic tablets that establishes expected outcomes.

Response: ICE concurs with this recommendation. As of March 2024, the Noncitizen Communication Services (NCS) contract is active at 39 facilities, which covers approximately 90 percent of ICE's detained population. The most recent ICE Intergovernmental Service Agreement (IGSA) template for dedicated facilities includes provisions for new facilities to use the NCS umbrella, so expansion is possible if/when new IGSA's are awarded. Should any new ICE Federal Acquisition Regulation-based contract(s) be awarded, ICE will also require these facilities to fall under the NCS umbrella.

ICE is developing tablet-related program guidelines for the NCS contract, which will be available to all facilities using tablets pursuant to the NCS contract. Guideline topics will include access, maintenance, security, facility management, and unauthorized activities. While the guidelines will not apply to facilities using tablets outside of the NCS contract, ERO plans to use the guidelines as a best practices reference guide for these non-NCS facilities.

Additionally, ERO plans to update the 2011 Performance-Based National Detention Standards (PBNDS) (revised 2016) and the 2019 National Detention Standards (NDS) throughout Fiscal Year 2024 and will develop and incorporate a new standard pertaining to tablets therein. ICE anticipates issuing the updated PBNDS and NDS by the 4th quarter in FY 2025. As is regular course of business, ICE will include a variety of stakeholders in the development of and review process related to updating the detention standards. ICE will provide OIDO with regular updates regarding ICE's progress.

ICE recommends closing this recommendation.

Recommendation 2: Every ICE detention facility with a tablet program should have local policies and procedures related to tablet administration, use and training. This should include ICE ERO and facility staff monitoring guidelines and post-order directions to comply with existing national detention standards.

Response: ICE concurs with this recommendation. ICE will develop and incorporate a new standard regarding tablet policies, procedures, use, and training in the next version of its PBNDS and NDS. After ICE's detention standards are updated, facilities will be bound by the updated standards. Note, however, that U.S. Marshals Service IGAs and Bureau of Prison facilities do not operate under ICE standards and therefore cannot be bound by any ICE tablet requirements. As indicated above; these facilities house a small percentage of detained noncitizens compared to NCS facilities.

Additionally, as noted above in the response to Recommendation 1, ICE-developed tablet

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Response to the OIDO Draft Report, *OIDO Inspection of Electronic Tablet Administration, Oversight, and Use in ICE Detention Facilities* (Case Nos. 22-1090 & 1091)

Page 3

guidelines will be provided to NCS facilities and those outside the NCS network.

ICE recommends closing this recommendation.

Recommendation 3: Every ICE detention facility with a tablet program should establish administrative rules that provide for fairness and equity in the distribution and detainee use of tablets, along with establishment and enforcement of disciplinary consequence for misuse of tablets.

Response: ICE concurs with this recommendation. Guidance concerning misuse of facility property and disciplinary consequences are already addressed in ICE detention standards. However, ICE will include recommendations for establishing administrative rules and disciplinary consequences for misuse of tablets for NCS facilities in the guidelines. ICE will also consider expanding on existing language regarding detained noncitizen discipline specific to NCS tablets when drafting new PBNDS and NDS tablet standards.

ICE recommends closing this recommendation.

Recommendation 4: Every detainee at a facility with a tablet program should receive instructions, training, and guidance on tablet procedures and the proper use of the tablet.

To implement these recommendations consistent with existing PBNDS, ICE should evaluate whether detention facilities need to update local detainee handbooks to adequately inform detainees of their rights and responsibilities related to electronic tablet use. ICE should also evaluate whether facility staff have adequate access to monitor and oversee the detainee use of electronic tablets and to assess whether facility safety, security, and good order been compromised in any way through a detainee's misuse.

Response: ICE concurs with this recommendation. For NCS facilities, detained noncitizens are already provided "How to Documents" and a presentation upon first login to the tablet. There is also a help video at first login with an instructional function displaying the basics for using NCS tablets.

The NCS vendor also conducts extensive training for detained noncitizens, facility, and ERO staff when needs are identified. In calendar year 2023, the NCS vendor conducted 13 different types of training for 866 facility and ERO staff. At all 39 NCS facilities, facility and ERO staff can request additional training at any time by contacting the NCS point of contact via email or telephone. At most facilities, staff are also able to provide training to detained noncitizens. The NCS vendor maintains a user manual and a pre-established training schedule that is provided and available to all NCS facility staff and ERO. Instructions for detained noncitizens are available in English and 19 other languages, which covers most of the detained population. Usage data indicates the detained population effectively uses the tablets.

ICE has a system in place for facility staff and ERO to request monitoring capabilities of detained noncitizen usage. Staff granted monitoring capabilities are trained, provided with a

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Response to the OIDO Draft Report, *OIDO Inspection of Electronic Tablet Administration, Oversight, and Use in ICE Detention Facilities* (Case Nos. 22-1090 & 1091)
Page 4

manual, and may request additional training at any time.

Please note, ICE can only mandate compliance with ICE standards and policies specifically referenced in a detention facility's contract. In addition to distributing NCS tablet guidance to NCS facilities, ICE will share this guidance with non-NCS contracts as a best practice.

ICE recommends closing this recommendation.

Additional Information and Copies

To view any of our other reports,
please visit:
www.dhs.gov/OIDO.

For further information or questions, please contact the Office
of the Immigration Detention Ombudsman at:
detentionombudsman@hq.dhs.gov.

