

## **Explainer: Impact of ICE "Post Pandemic" Guidelines on Detention Visitation**

May 2023

ICE's previous COVID-19 pandemic guidelines had three different detention facility statuses in the categories of red, yellow, and green (see our previous explainer [here](#)). The [new "Post Pandemic" guidelines](#) that ICE released on May 11, 2023 only have two facility statuses: **red** and **green**.

There are **NO restrictions on visitation** in facilities with **green** status.

If a facility has a **red** status, then:

- All visitors will be required to wear a well-fitting mask while indoors. The facility must provide a facial covering to any visitor who arrives at the facility without one.
- Virtual visitation will be used as an additional method of visitation, not in place of in-person visitation.
- If a facility limits in-person visitation, the facility will notify the local ICE field office director explaining why the limitation is necessary as a protective measure and the expected timeframe when full in-person visitation will be restored.
- The facility may limit the number of visits per individual in detention in order to ensure that all detained individuals can access visitation.

For a facility to have a **red** status, it must meet one of the following criteria:

- Two or more hospitalizations or deaths due to COVID-19 within the past week;
- More than 1 isolation unit (due to a case or exposure);
- A medical isolation rate of greater than 2%; or
- [Centers for Disease Control & Prevention \(CDC\) county hospital admission level](#) of medium or high

To find out whether a detention facility currently has **red** or **green** status, one must go to [www.ice.gov/coronavirus](http://www.ice.gov/coronavirus) and download the spreadsheet linked under "*Facility Status Dashboard*."

While ICE's new guidelines *should* result in detention visitation being fully reinstated at all detention facilities, the Campaign to Reinstate Visitation remains concerned that detention facilities may continue to attempt to deny visitation.

- This is based on years of experience observing how policies are often misinterpreted or ignored to restrict detained individuals' ability to visit with loved ones and community members who seek to expose the truth regarding abuse and torturous conditions.
- To proactively counter any attempted visitation denials, we suggest that family and community members who are planning to visit bring a copy of this explainer or a [formal letter](#) with them to inform facility staff regarding the new policies if needed.
- If families or community members do suffer visitation denials or visitation restrictions, please contact the campaign at [rmerton@freedomforimmigrants.org](mailto:rmerton@freedomforimmigrants.org) so that we can keep track of policy violations and potentially support in filing a [complaint](#) to oversight agencies.