



AMERICAN IMMIGRATION LAWYERS ASSOCIATION  
OHIO CHAPTER

March 30, 2020

Lt. Nick Fisher, Warden  
Butler County Jail  
705 Hanover Street  
Hamilton, OH 45011

**RE: Attorney-Client Communication with ICE Detainees during COVID-19 Pandemic**

Dear Lt. Fisher:

Chief Counsel Catherine Pincheck has informed Ohio AILA that, with respect to ICE detainees at Butler County Jail, the following is now the policy for attorney visits:

1. Attorneys have access to their clients in the non-secure area using the Butler internal VTC system. PPE is not needed, but additional screening may be made.
2. Attorneys will not have face-to-face in-person contact with detainees in the secure area of the jail, meaning they will not be able to appear by VTC with EOIR Cleveland with their client.

Additionally, it is our understanding that the following is the current policy of Butler County Jail regarding attorney-client communication:

1. Attorneys cannot call the jail to speak to their clients or even have messages given to their clients to call them.
2. Clients must pay to call their attorneys using their own calling cards.
3. The open telephone hours for ICE detainees (at which time they can call their attorneys) has been changing often, making it extremely difficult for attorneys to arrange to speak with their clients in advance.

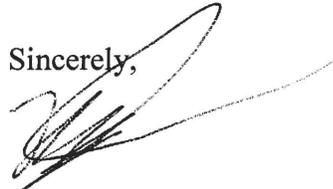
Due to COVID-19 and the interests of both the jail and its personnel, ICE personnel, and AILA attorneys in limiting personal contact, and in order to ensure due process and right to counsel to our clients, we are respectfully requesting that Butler County Jail immediately institute the following policies with respect to attorney-client communication with ICE detainees:

1. Create a dedicated telephone line which attorneys may call in order to reach their clients free of charge, as other jails that house ICE detainees already provide.
2. If that is not possible, at least create a dedicated number where attorneys may call in order to leave a message for their client to call them.
3. Institute a free attorney call system, where attorneys can be added to a list of numbers that detainees can call free of charge, and which is not monitored (due to attorney-client privilege).
4. Institute certain telephone hours every day, during the business day, when detainees may call their attorneys.

5. Notify us regarding the procedures for calling and/or leaving messages for clients, how to add our office and mobile numbers to the free attorney call list, and what the telephone hours are that detainees may call their attorneys.

We note that many detention facilities that house ICE detainees already have these types of systems in place, and thus we believe that these are reasonable requests, particularly in light of the COVID-19 pandemic and the importance of social distancing in order to slow the spread of the virus. We want to keep your staff, our clients, and our attorneys as safe as possible, and we believe these modifications to the current telephone communication system would help do this.

Sincerely,



Neil Fleischer, President  
Ohio Chapter – American Immigration Lawyers Association

*Maria Otero*

Maria Otero  
Ohio Chapter ICE Southern Chair liaison

cc: Rebecca Adducci, Field Director  
Catherine Pincheck, Chief Counsel