VIA ECF

Honorable Michael E. Farbiarz United States District Judge District of New Jersey Martin Luther King Building & U.S. Courthouse 50 Walnut Street, Newark, New Jersey 07101

Re: Khalil v. Trump, et al., No. 2:25-cv-1963 (MEF) (MAH)

Dear Judge Farbiarz:

Petitioner respectfully writes with an urgent request for this Court's intervention regarding his ongoing detention. Specifically, and for the reasons set forth below and to aid in his habeas and proceedings, Petitioner requests that this Court issue an order: (1) requiring the LaSalle Detention Facility to permit Mr. Khalil to have a private contact visit with his wife, Dr. Abdalla, and newborn child today, May 21, 2025, for two hours and/or (2) at a minimum, permit Dr. Abdalla to join a contact visit currently scheduled with immigration counsel at LaSalle so the legal team can discuss legal strategy and facts known collectively between Dr. Abdalla and Mr. Khalil and which is relevant to his pending habeas case and for pending motions in his immigration proceedings. One of the first orders issued in this case was to direct the U.S. Attorney's office to ensure that DHS would provide regular access to counsel, *Khalil v. Joyce*, 1:25-cv-01935, ECF 29 (S.D.N.Y.), which is an equitable power this Court retains and authorizes the relief requested—modest as it is as compared to the painful costs of denial.

As the Court is aware, the Khalil family welcomed their first child one month ago, on April 21, 2025. In order to provide the most indispensable human connection and to help Mr. Khalil prepare for his ongoing habeas proceeding and for the upcoming immigration hearing, Petitioner's wife and his newborn baby have traveled over 6 hours and 1500 miles to visit Mr. Khalil in detention, which will be the first time he will be able to see or hold his family since his arrest and transfer to Louisiana, over 10 weeks ago. As this Court well knows, Mr. Khalil is purportedly in civil immigration detention, where he cannot be subject to punishment or retaliation; yet currently, routine legal or family visits only occur in a confined space permitting muffled communication through a full plexiglass window that permits no human touch.

Petitioner's counsel have made repeated requests for a contact visit to occur between Mr. Khalil and his wife and baby to the relevant ICE and GeoGroup administrators at the LaSalle Detention Facility in Jena. Such a visit is necessary for the most elementary human reasons and given the ongoing strain of his pending habeas petition, this visit is critical to ensure Mr. Khalil, who is an active participant his legal case, can continue to meaningfully contribute to the proceedings before this Court.

¹ Currently, Dr. Abdalla and Mr. Khalil have a visit approved for 6PM CT, however that visit would be a no-contact visit.

The relevant administrators have responded that they are unable to accommodate this request, including a confirmation of this refusal this morning. (Email correspondence attached as Exhibit A). ICE policy authorizes contact visits between detained individuals and family members, subject to the reasonable discretion of DHS officials.² The refusal to permit a contact visit is not reasonable and is further evidence of the retaliatory motive behind Mr. Khalil's arrest and faraway detention as well as the ongoing punitive nature of his detention. Petitioner, his wife and infant son are, as all the evidence in this case demonstrates, the farthest thing from a security risk. It is the government who chose to detain Mr. Khalil and send him 1500 miles from his family rather than detain him, as they could have (and as we have requested in seeking a transfer there), in Elizabeth, New Jersey, where counsel confirmed with an EDC official that family contact visits are ordinarily provided on a daily basis and where a parent is permitted to hold their child.³

In addition, a legal contact visit has been authorized for today between Mr. Khalil and his counsel, from 11-3pm CT. It thus appears the facility can accommodate contact visits absent a plexiglass barrier. Thus, the facility should make accommodations during or after this time for a private in-person visit where the family can be alone together for the first time. In addition, and at a minimum, counsel needs to meet with Petitioner and his wife together to discuss the factual circumstances surrounding his arrest on March 8, 2025. This discussion is relevant both to his habeas proceedings and his immigration proceedings. For the former, this conversation is relevant to his claims of retaliatory arrest and detention and the unusual circumstances surrounding both events that reflect the government's retaliatory motive. For the latter, Petitioner has an outstanding motion to terminate his removal proceedings on the grounds of his warrantless arrest and to rebut DHS's misrepresentation to the immigration court that Mr. Khalil attempted to evade his arrest.

Undersigned counsel emailed the government to seek assistance with this request and their position on this motion, and agreed to give the government until 12:30 PM ET to communicate a response. The government finally responded that they would not facilitate a contact visit as "doing so would pose security concerns, such as requiring the visit to occur in an unsecure part of the facility or requiring Mr. Khalil's wife and newborn inside a secured part of the facility." Petitioner has responded asking for clarification regarding these responses in the hope of reaching an accommodation, but is filing this motion nevertheless in the interest of expediency.

See ICE Directive 11064.3 (Interests of Noncitizen Parents and Legal Guardians of Minor Children or Incapacitated Adults), which states that: "It is the policy of ICE to ensure that the agency's civil immigration enforcement activities do not unnecessarily disrupt or infringe upon the parental or guardianship rights of noncitizen parents or legal guardians of minor children or incapacitated adults, consistent with all legal obligations and applicable court orders." ICE Directive 11064.3 Section 2.

See also Core Civic FAQ (attached as Exhibit B) (Q: "Who can visit?" A: "Detainees are allowed to receive visits from their families, associates, legal representatives, consular officials, and others in the community. All visitors must provide proper government issued photo identification.") (Q: "How do I get approval for a visit?" A: "No approval needed.") (A: "detainees may hold their small children").

Respectfully submitted,

/s/ Baher Azmy

AMERICAN CIVIL LIBERTIES UNION OF NEW

JERSEY FOUNDATION
Jeanne LoCicero
Farrin R. Anello
Molly K.C. Linhorst

570 Broad Street, 11th Floor Newark, New Jersey 07102

973-854-1715

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125 Broad Street, 19th Floor New York, N.Y. 10004 Tel: (212) 607-3300

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Baher Azmy Samah Sisay* Diala Shamas*

666 Broadway, 7th Floor New York, NY 10012 Tel: (212) 614-6464

CLEAR PROJECT

MAIN STREET LEGAL SERVICES, INC.

Ramzi Kassem* Naz Ahmad

Shezza Abboushi Dallal* CUNY School of Law 2 Court Square

Long Island City, NY 11101

Tel: (718) 340-4558

WASHINGTON SQUARE LEGAL SERVICES, INC.

Alina Das*

Immigrant Rights Clinic 245 Sullivan Street, 5th Floor New York, New York 10012

Tel: (212) 998-6430

DRATEL & LEWIS

Amy E. Greer

29 Broadway, Suite 1412 New York, NY 10006 Tel: (212) 732-8805 Fax: (212) 571-3792

VAN DER HOUT LLP

Marc Van Der Hout (CA Bar #80778)* Johnny Sinodis (CA Bar #290402)* Oona Cahill (CA Bar #354525)*

360 Post St., Suite 800 San Francisco, CA 94108 Tel: (415) 981-3000 Fax: (415) 981-3003

* Appearing Pro hac vice

Counsel for Petitioner

EXHIBIT A



Diala Shamas dshamas@ccrjustice.org

Fw: [EXTERNAL] Request for Social Contact Visit with U.S. citizen wife and newborn child traveling from New York // Mahmoud KHALIL (readnow - for Marc's filter) Nora Ahmed < Wed, May 21, 2025 at 10:46 AM To: "Khalil v. Trump (All-Counsel)" < Nora Ahmed | Legal Director Pronouns: she, her, hers American Civil Liberties Union of Louisiana P.O. Box 56157, New Orleans, LA 70156 *Admitted to the New York Bar, not admitted to the Louisiana Bar From: Sent: Wednesday, May 21, 2025 9:30:07 AM To: Nora Ahmed < Cc: Marc Van Der Hout < ; Marc Van Der Hout < ; Johnny Sinodis >; Oona Cahil < Subject: Re: [EXTERNAL] Request for Social Contact Visit with U.S. citizen wife and newborn child traveling from New (readnow - for Marc's filter) York // Mahmoud KHALIL

Good Morning,

The visit will remain as non-contact as previously arranged. Thank you.

FACILITY ADMINISTRATOR, GEO SECURE SERVICES

The GEO Group, Inc.®

Central Louisiana ICE Processing Center

Alexandria Staging Facility

830 Pinehill Road

Jena, Louisiana 71342



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From: Nora Ahmed <		
Sent: Wednesday, May 21, 2025 9:08 AM		
To: < >;	<	>
Cc: Marc Van Der Hout <	>; Marc Van Der Hout <	>; Johnny Sinodis
< Oona Cahil <	>	
Subject: Re: [EXTERNAL] Request for Social Contact Vis	sit with U.S. citizen wife and nev	vborn child traveling from New
York // Mahmoud KHALIL (readnow - fo	r Marc's filter)	
Good morning Facility Administrator	nd DFOD ,	

As time is of the essence and mom and child are here after traveling 1500 miles, I am checking in on the below request.

Best, Nora Ahmed | Legal Director Pronouns: she, her, hers American Civil Liberties Union of Louisiana P.O. Box 56157, New Orleans, LA 70156

*Admitted to the New York Bar, not admitted to the Louisiana Bar



Thank you, Facility Administrator , for keeping the previously scheduled visits on the calendar.

I am writing again to ask you both—Facility Administrator and DFOD ——for an exception to CLIPC's standing no-contact social visitation policy. We come to you requesting your assistance in uniting a new father with his less than one-month old first-born child, who, as you know, was born while his father was detained.

We understand that provision 5.7.V.B. in the PBNDS provides that facility administrators determine whether to permit social contact visits. We also understand that it authorizes exceptions to be made to the visitation standards on a "case-by-case basis when warranted by compelling circumstances." Those same standards indicate that a facility should "try to facilitate contact visitation when possible" between an individual detainee and his minor child.

So, while we understand the facility's standing policy for no-contact social visitation, we believe that the circumstances here are beyond compelling. Therefore, we are appealing to both of you to work with us to

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find a way for CLIPC to make an exception for Mr. Khalit—so that he can hold his newborn child for the first time.

We are simply trying to unite father and child. Please let us know if it is at all possible to facilitate at least one contact visitation between the two.

Nora Ahmed | Legal Director

Pronouns: she, her, hers

American Civil Liberties Union of Louisiana

P.O. Box 56157, New Orleans, LA 70156

*Admitted to the New York Bar, not admitted to the Louisiana Bar

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Good Afternoon Ms. Nora,

I understand your request for contact visitation; however, our facility procedures are for non-contact visitation only. The visit will remain on the schedule for non-contact as previously approved. Thank you.

The GEO Group, Inc.®

Central Louisiana ICE Processing Center

Alexandria Staging Facility

830 Pinehill Road Jena, Louisiana 71342



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From: Nora Ahmed <	>			
Sent: Tuesday, May 20, 2025	2:05 PM			
To:		>;	>	
Cc: Marc Van Der Hout <		>; Marc Van Der Hout <		>; Johnny Sinodis
<- >; Oona 0	ahil <	>		
Subject: Re: [EXTERNAL] Req	uest for Social Contact	Visit with U.S. citizen wife ar	nd newborn ch	ild traveling from New
York // Mahmoud KHALIL A	(readnow	- for Marc's filter)		
Good afternoon DFOD	and Facility Administ	trator ,		

I understand per below that CLIPC has denied a contact visit—between Mr. Khalil, his wife, and his newborn child—because the facility does not provide for social contact visits. While I understand the information set forth in the email below, I am trying to square that with what I read as a policy directive that "[c]ontact visits may be facilitated at all ICE detention facilities." See https://www.ice.gov/doclib/detention-reform/pdf/facilitatingVisitationParents. pdf (accessed May 20, 2025) (emphasis added).

Taking into consideration CLIPC's standing policy denying all social contact visits, I am writing to ask that an exception be made pursuant to the above-mentioned policy, and/or to understand how a limited contact family visit can be provided for considering the age of Mr. Khalil's son—he is 29 days old today. ICE Directive 11064.3 (Interests of Noncitizen Parents and Legal Guardians of Minor Children or Incapacitated Adults) states that: "It is the policy of ICE to ensure that the agency's civil immigration enforcement activities do not unnecessarily

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disrupt or infringe upon the parental or guardianship fights of noncitizen parents or legal guardians of minor children or incapacitated adults, consistent with all legal obligations and applicable court orders." ICE Directive 11064 3 Section 2.

We fully understand that the PBNDS states that facilities should make decisions and policies for visits within the "constraints of the safety, security and good order of the facility." (5.7.1, Purpose and Scope). But we also understand that facilities are encouraged to provide opportunities for both contact and non-contact visitation with approved visitors during both day and evening hours. (5.7.II. Expected Outcomes) (emphasis added). Moreover, the PBNDS clearly encourage consideration of the particular circumstances at issue for the person detained. 5.7.II.6 ("Generally visits should be for the maximum period practicable but not less than one hour with special consideration given to family circumstances and individuals who have traveled long distances.").

Here, contact visitation for Mr. Khalil with his wife and newborn son poses no risk of violating the facilities' conditions on safety, security, and good order. Indeed, based on public-facing CLIPC policy, it is only family or "social" visits that are non-contact; thus, contact visits are feasible broadly and can be reasonably accommodated. A simple contact visit for Mr. Khalil's wife and newborn child poses no risk of violating the orderly operation of the facility; indeed, as you are aware, the facility is highly secure, with multiple security checkpoints prior to entry. Existing policies already protect against such disruptions, and the minor exception to allow a contact family visit here would leave those in place. Further, such a meeting can be facilitated with minimal staffing requirements, greatly mitigating the impact to the operations of the facility.

Thank you both for considering this request. We are happy to continue working with ICE and CLIPC to identify any limited exception that may provide Mr. Khalil with the opportunity to see his wife, and his newborn son for the first time.

Best,

Nora Ahmed | Legal Director

Pronouns: she, her, hers

American Civil Liberties Union of Louisiana

P.O. Box 56157, New Orleans, LA 70156

*Admitted to the New York Bar, not admitted to the Louisiana Bar

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From: Sent: Tuesday, May 20, 2025 7:33 AM

To: Oona Cahill Solution Solutio

The dates and times below are good for visitation. Please note that CLIPC does not offer contact visitation. The visitation extension is approved but it will be non-contact. Thank you.

Wednesday, May 21 (6pm-8pm)

Thursday May 22 (6pm-8pm)

Friday May 23 (9am-11am, and 6pm-8pm).

FACILITY ADMINISTRATOR, GEO SECURE SERVICES

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From: Oona Cahill < Sent: Monday, May 19, 2025 9:14 PM Cc: Marc @ Home < Marc Van Der Hout < >; Johnny Sinodis Subject: [EXTERNAL] Request for Extended Contact Visits with U.S. citizen wife traveling from New York // Mahmoud (readnow - for Marc's filter)

Hi Warden,

Thanks again for your assistance coordinating the legal visit for this week. We also wanted to reach out to request that your facility provide extended contact visitation during family visiting hours with Mr. Khalil's U.S. citizen wife, Noor Abdalla, who will be traveling from New York to Louisiana this week to attend Mr. Khalil's hearing and visit her husband. Mr. Khalil's wife would like to visit her husband for as long as possible during the visitation periods on Wednesday, May 21 (6pm-8pm), Thursday May 22 (6pm-8pm), and Friday May 23 (9am-11am, and 6pm-8pm).

Because Ms. Abdalla is traveling from such a great distance after having just given birth to the couple's first child to visit her husband for the first time since he was detained ten weeks ago, we hope and assume that under the circumstances, the facility would be willing to arrange extended contact visitation. This request is in line with ICE's Performance-Based National Detention Standards (PBNDS), which encourage facilitating contact visits and allowing generous visitation policies for family members traveling far distances. See, e.g., PBNDS 5.7, V.I.1 ("ICE/ERO encourages more generous limits when possible, especially for family members traveling significant distances."); PBNDS 5.7, II.4 ("Facilities are encouraged to provide opportunities for both contact and non-contact visitation with approved visitors during both day and evening hours"); II.6 ("Generally visits should be for the maximum period practicable but not less than one hour with special consideration given to family circumstances and individuals who have traveled long distances.").

Please let us know if there is any additional information that would be helpful in processing this request. We would be happy to discuss further on the phone to work out any logistics. Thank you very much for your assistance.

Best,

Oona

Oona Cahill

Litigation & Research Fellow

Van Der Hout LLP

360 Post Street, Suite 800

San Francisco, CA 94108

Main Line: 415-981-3000

Fax: 415-981-3003 | www.vblaw.com



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EXHIBIT B



Elizabeth Detention Center Elizabeth, New Jersey

Inmate Mail Information

Addressing correspondence properly

- All incoming and outgoing mail must be properly addressed and include the detainee's full name, Immigration A# and dorm/bed number. If all information is not included, mail will be returned. Example:
 - John Doe
 - A# 123456789
 - 625 Evans Street
 - Elizabeth, NJ 07201

General Correspondence

Detainees may send or receive general mail from anyone they know. All general correspondence must be received in a standard legal or letter-size envelope.

Special Correspondence

Detainees may also send or receive special correspondence from private attorneys and other legal representatives, government attorneys, judges, courts, embassies and consulates, ICE and the Office of the Inspector General, IHSC, and grievance officers.

NOTE: When the sender is an approved special correspondent, as outlined above, the envelope should also be marked "Confidential" or "Legal".

Packages

- Detainees are not allowed to receive or send packages without advance arrangements and prior approval from facility officials.
- Inspection and Rejection of Correspondence
- All incoming and outgoing correspondence and packages will be opened in the detainee's presence (unless otherwise authorized by the Warden) and inspected for contraband.
- Contraband includes, but is not limited to the following: materials that depict, describe or encourage activities that could lead to physical violence such as materials dealing with the subjects of self-defense or survival, weaponry, armaments, explosives, or incendiary devices; information regarding escape plots, plans to commit illegal activities or to violate ICE rules or facility guidelines; information regarding the production of drugs or alcohol; sexually explicit

material; threats, extortion, obscenity, or gratuitous profanity; a code; stamps, envelopes and blank paper; phone cards; photos larger than 5x7; books and magazines. (If magazines are approved, they must be received directly from the publisher). A package received without prior approval is considered contraband.

Correspondence and packages containing contraband will be rejected.

Procedures for Sending Money

- > Detainees will be allowed to have funds sent to them while in detention. Funds may be sent to detainees through one of the following methods:
 - To the company's bank lockbox at

CORECIVIC

Inmate Last Name, First Name, Commissary Number

Facility: **EDC** P. O. Box 16545 Atlanta, GA 30321-0545

- Western Union transfer services
- ConnectNetwork App (google play, app store)

Bank Lockbox

- Funds received must be in the form of a money order or cashier check made payable to the inmate/resident. There is no limit to the amount of funds that the inmate/resident may receive on any given day, unless contractual requirements mandate otherwise.
 - Cash will not be accepted.
 - * Personal checks will not be accepted.
 - Checks made out to multiple parties will not be accepted. *
 - Foreign currency will not be accepted.
- With the exception of personal checks received at the company's lockbox, unaccepted funds received will be sent back to the sender with a 16-1B Unaccepted Funds Notification. Personal checks received at the company's lockbox will be destroyed.
 - In the event cash is received, it will be deposited and a check will be written to the sender for the amount of cash received with a 16-1B Unaccepted Funds Notification.
- Incoming Funds

All incoming funds must clearly indicate the inmate/resident's name and identification number.

* Funds received at the company's bank lockbox may not have any other documents included in the envelope. Other documents or personal items received at the company's lockbox will be destroyed.

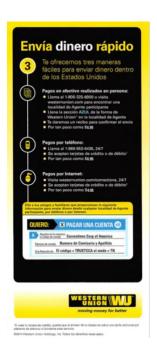
Western Union

You can send money via Western Union by using the Internet, by phone or by a Walk-in Cash

Payment. The website for internet is www.westernunion.com/corrections. The phone number for phone quick collect is 1-800-634-3422.

To send money via a Western Union Walk-In Cash Payment Location the following is a sample of a quick collect form.





Emergency Notifications

Emergency notifications may be made to the Shift Supervisor 24 hours a day.

Visitation Frequently Asked Questions

Who can visit?

- ➤ Detainees are allowed to receive visits from their families, associates, legal representatives, consular officials, and others in the community. All visitors must provide proper government issued photo identification.
- > Safety, security and good order are always primary considerations in a detention facility, and visitors must be properly identified and attired.

How do I get approved for visitation?

No approval needed.

How do minors get approved to visit?

> No approval needed. Minors who are visiting the facility must be accompanied by an adult guardian

(18 years or older). Minors must not be left unaccompanied in the waiting room, visiting room or any other area.

How long does the application process take?

> There is no application process.

How will I know if I've been approved?

No approval needed.

What are the days and times of visitation?

Visitation Schedule

Males Monday, Wednesday and Friday Tuesday and Thursday Saturday Sunday	(1700Hrs - 2045Hrs) (1830Hrs - 2200Hrs) (0900Hrs - 1745Hrs) (0900Hrs - 1745Hrs)	5:00PM - 8:45PM 6:30PM - 10:00PM 9:00AM - 5:45PM 9:00AM - 5:45PM
Females		
Monday, Wednesday and Friday	(2100Hrs - 2200Hrs)	9:00PM - 10:00PM
Tuesday and Thursday	(1700Hrs - 1800Hrs)	5:00PM - 6:00PM
Saturday	(1800Hrs - 1900Hrs)	6:00PM - 7:00PM
Sunday	(1800Hrs - 1900Hrs)	6:00PM - 7:00PM
Holiday Schedule		
Males	(0900Hrs - 1745Hrs)	9:00AM - 5:45PM
Females	(1800Hrs - 1900Hrs)	6:00PM - 7:00PM
Attorney Visits		
Sunday to Saturday	(0600Hrs - 2200Hrs)	6:00AM - 10:00PM

How long can I visit?

Elizabeth Detention Center provides an opportunity for you to have up to one (1) hour of visitation with family and friends according to the Visitation Schedule. If there are more visitors than the visitation room can accommodate, it may be necessary to limit visits or its duration.

Where do I park when I arrive at the facility?

➤ Parking Lot across the street from facility is for Staff and Visitors

Will I be searched?

- Yes.
 - All visitors are subject to a personal search. This may include a pat-down search as well as a visual search of purses, briefcases, packages, and other documents. Any visitor refusing to be searched shall not be permitted to visit.

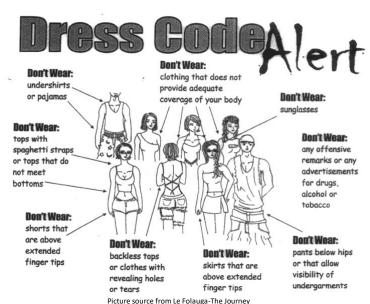
Document 258-2

What is the dress code for visitation?

Visitor Dress Code

All visitors must be properly dressed and adhere to the following dress code:

- > Shorts shall cover customarily covered areas of the anatomy, including the buttocks and crotch area, both when standing and sitting. Shorts no higher than mid-thigh are acceptable. Short-shorts, jogging shorts, cut-offs, and other obviously inappropriate short garments are prohibited.
- Shirts and dresses shall extend to mid-thigh, seated.
- > Slits in skirts and dresses shall rise no higher than mid-thigh, seated.
- Sheer (see-through) or extremely tight clothing is prohibited.
- > Tops that expose the shoulders and midriffs are not permitted. Examples of prohibited clothing items include, but are not limited to; bare midriffs, tube tops, strapless tops, and swimsuits.
- > Coats, jackets, hooded sweatshirts, zip up/button sweatshirts and hats are not permitted. Space will be provided for coats and hats as they are NOT permitted in the visitation area.
- > Shirts shall be worn at all times. Muscle shirts, bare mid-riff shirts and sleeveless shirts are prohibited.
- Shoes shall be worn at all times.
- Gang "colors" and other gang displays are prohibited.



What type of identification do I need to be allowed into the facility?

➤ Valid government issued photo ID such as driver's license or passport.

What items am I allowed to bring to visitation?

None

Can my visitation be shortened, suspended, or terminated?

CoreCivic has the right to shorten, suspend, or terminate visitation. Some examples which can affect your visit are listed below, but are not limited to:

- > Visitors are expected to conduct visits in a quiet and orderly manner at all times. Disruptive conduct by minors, accompanying adults, or detainees may cause termination of visit.
- > Under no circumstances shall visitors pass any item directly to a detainee, nor a detainee pass any item to a visitor.
- Visitors are NOT allowed to bring money to visitation.
- > Cases of contraband introduction or criminal violations may lead to criminal prosecution of the visitor, detainee, or both.
- Visitors shall remain seated at their assigned table during the duration of the visit
- > Detainees may briefly embrace and kiss each visitor once at the beginning and end of each visit
- > Detainees may hold their small children or the children of their visitor.
- > Detainees and their visitors may hold hands only if it can be observed by visitation staff. The holding of hands placed on one's lap is strictly prohibited.
- > No other forms of affection or physical contact between detainees and visitors are permitted nor shall they be tolerated.
- No firearms or weapons of any kind are permitted in the facility.
- If visitors are or appear to be intoxicated, visitation will not be allowed.
- All visitors are subject to search while in the facility.
- Visitors are not allowed to carry any items into the visitation area.
- Please refer to Dress Code for further information.

Note:

Minors must remain under the direct supervision of an adult visitor, so not to disturb other visitors. Disruptive conduct by minors, accompanying adults, or detainees may cause termination of visit.