

INS DETENTION STANDARD

POST ORDERS

I. POLICY

Each officer will have written post orders that specifically apply to his/her current duties. The post orders will specify the duties of the post officer, along with instructions on how to perform those duties. The step-by-step procedures will include enough detail to guide a novice assigned to the post. The OIC will also develop post orders for non-permanent assignments (details, temporary housing units, emergency changes, etc.). If events preclude advance planning, the OIC will issue a post order as soon as possible after the need arises.

II. APPLICABILITY

The standards provided in this Detention Standard shall apply to the following facilities housing INS detainees:

1. Service Processing Centers (SPCs);
2. Contract Detention Facilities (CDFs); and
3. State or local government facilities used by INS through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours; referred to as "IGSA facilities."

Within the document additional implementing procedures are identified for SPCs and CDFs. Those procedures appear in italics. IGSA facilities may find such procedures useful as guidelines. IGSAs may adopt, adapt or establish alternatives to, the procedures specified for SPCs/CDFs, provided they meet or exceed the objective represented by each standard.

See the separate "Definitions" Standard for the meaning of certain terms used in this document.

III. STANDARDS AND PROCEDURES

A. Post Orders

Written orders shall specify the duties of each post in the facility, along with the procedures to be followed in carrying out those duties. Copies of the post orders shall be available to all employees.

Post orders shall be based on INS detention standards, INS policies, and facility practices, and shall specifically state the duty hours for each post.

The Chief Detention Enforcement Officer (CDEO) or CDF equivalent shall supervise the preparation of all post orders.

The CDEO will forward the post orders to the OIC for approval. The OIC will sign and date the last page of each section, initial and date all other pages, and initial and date any subsequent page changes.

The SPC positions of Chief Detention Enforcement Officer (CDEO), Supervisory Detention Enforcement Officer (SDEO), and Detention Enforcement Officer (DEO) are generally equivalent to the Chief of Security, Contract Shift Supervisor and Contract Detention Officer positions in CDFs.

B. Reading and Understanding of Post Orders

Each facility shall implement a written policy providing official time for personnel to read the applicable post orders upon assuming a new post. All facilities shall have written procedures to ensure that all officers read applicable post orders.

All officers and supervisors shall use the post orders to familiarize themselves with the duties for which they are responsible, and to stay abreast of changes that occur in the operation and duties of the post. Supervisors shall ensure that officers understand the post orders of each post they are assigned, regardless of whether the assignment is temporary, permanent, or due to an emergency.

In SPCs/CDFs, each time an officer receives a new post assignment, he/she will be required to read and understand the applicable post order. The officer will sign and date the post order to indicate having read and understood its provisions.

C. Format of Post Orders

Post orders shall contain separate sections, organized as follows:

- Section 1: Specific post orders, listing activities chronologically, with responsibilities clearly defined;*
- Section 2: Special instructions, if any, relating to the specific post;*
- Section 3: General post orders-applicable to all posts;*
- Section 4: Memoranda changing or updating the post orders;*
- Section 5: INS detention standards and policies and facility practices relevant to the post;*
- Section 6: Review and Signature Form, with the officer's name both printed and signed.*

Every post order will be issued in this six-part format, with the six-divider classification folder (stock number #7530-00-990-8884) separating each section. When a page becomes difficult to read, it will be removed and replaced by a clean copy.

D. Maintenance of Post Orders

Post orders will be kept current at all times. Post orders will be reviewed and updated yearly or sooner when deemed necessary.

In SPCs/CDFs:

1. *The CDEO or CDF equivalent will determine whether post orders need updating during the period between annual reviews.*
2. *Two weeks before the annual review, the supervisory staff will solicit written suggestions for changes or additions to post orders from INS staff, contract staff and other affected staff. The Detention Operations Supervisor (DOS) or equivalent will review and comment on all suggested changes prior to submitting them to the CDEO for review and possible inclusion in the post orders. All submissions shall remain in a historical file for two years. The CDEO will forward the updated post orders to the OIC for approval.*
3. *Post orders and logbooks are confidential. Therefore they shall be kept secure (under lock and key) at all times, and shall never be left in an area accessible to detainees.*
4. *Emergency changes will be made by memorandum, and placed in the post orders immediately, with notification to the union as soon as possible. During each review the post orders will be revised to incorporate or delete emergency changes, and all emergency memoranda will be removed.*
5. *A post orders master file will be maintained in the CDEO's office and available to all staff. Copies of the applicable post orders will remain at each post only if secure from detainee access.*
6. *The CDEO will ensure that all post orders are transcribed on a computer, and that all back-up disks are properly accounted for and maintained in a secure location.*

E. Housing Unit Post Orders

The CDEO and CDF equivalent, if applicable, shall review and the OIC shall sign all post orders and subsequent changes for housing units.

In IGSA facilities, personnel in comparable positions shall review and sign housing-unit orders.

In SPCs/CDFs, housing unit post orders will follow the event schedule format, e.g., "0515-Lights on." Among other things, these post orders will direct the assigned officer to maintain a unit log of pertinent information regarding detainee activity. The SDEO or CDF shift supervisor will visit all housing areas and initial the log each shift.

F. Armed and Perimeter-access Post Assignments

Post orders for armed and perimeter-access posts assignment will, among other things, describe and explain:

- a. The proper care and safe handling of firearms; and
- b. Circumstances and conditions when use of firearms is authorized.

In SPCs/CDFs, any officer assigned to an armed post must be qualified with the firearms assigned to that post. INS officers must be qualified in accordance with the current INS Firearms Policy (AM 20.012). Other officers must be qualified in accordance with INS Policy. With the exception of emergencies, armed employees shall be assigned only to transportation details, mobile patrols, or other posts inaccessible to detainees.

Post orders for armed posts, and for posts that control access to the institution perimeter, shall clearly state that any staff member who is taken hostage is considered to be under duress. Any order/directive issued by such a person, regardless of his or her position of authority, is to be disregarded.


Specific instructions for escape attempts will be included in the post orders for armed posts.

The post orders will be based on, and consistent with, three INS policy documents-the Firearms Policy (AM 20.012), the Deadly Force Policy, and the Non-Deadly Force Policy.

IV. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS REFERENCED

American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities. 3-ALDF-3A-05, 3A-06


Approval of Standard



Michael D. Cronin
Acting Executive Associate Commissioner
Office of Programs

SEP 20 2000

Date



Michael A. Pearson
Executive Associate Commissioner
Office of Field Operations

SEP 20 2000

Date

**U.S. Immigration and Naturalization Service
NATIONAL DETENTION STANDARDS
MONITORING INSTRUMENT**

Policy: INS provides officers all necessary guidance for carrying out their duties. This guidance includes the post orders established for every post, which are reviewed at least annually, and given to each officer upon assignment to that post.

POST ORDERS			
Components	Yes	No	Remarks
1. Does every post have a set of post orders?			
2. Does each set contain the latest inserts (emergency memoranda, etc.) and revisions?			
3. Is one individual responsible for keeping all post-orders current with revisions that take place between reviews?			
4. Does the CDEO's office or contract equivalent maintain a complete set (central file) of post orders?			
5. Is the central file accessible to all staff?			
6. Does the OIC initiate/authorize all post-order changes?			
7. Has the OIC signed and dated the last page of every section?			
8. Do the post orders contain the required six sections?			
9. Does a review/updating/reissuing of post orders occur regularly? a. Annually? b. At the same time each year? c. Does the facility follow written post-order review procedures?			
10. Does the OIC initiate the annual review by soliciting suggestions from affected staff? a. If yes, does staff have sufficient notice to prepare and submit written suggestions by the due date? b. Can staff respond anonymously?			

POST ORDERS			
Components	Yes	No	Remarks
11. Does the DOS (or contract equivalent) consider all suggestions? a. Does the OIC (or DOS) ever discuss suggestions with originating and/or affected staff?			
12. Does the OIC retain all written suggestions, whether accepted or rejected, in a historical file? a. Are the records retained for two years? b. Does the historical file include comments, if any, from the reviewing official(s)?			
13. Do procedures keep post orders and logbooks secure at all times? a. Do certain posts have frequent security problems with post orders?			
14. Are emergency changes to post orders made by memorandum?			
15. Do the post orders for armed posts provide instructions for: a. Recognizing conditions when use of weapons is authorized? b. The care and safe handling of firearms?			
16. Has every armed-post officer qualified with the post weapon(s) before assuming post duty? a. Does the facility provide on-the-job weapons training?			
17. Do the armed-post post orders clearly state that if an official is taken hostage, he/she loses all authority normally associated with his/her position, regardless of rank or seniority?			
18. Do the armed-post post orders provide instructions for escape attempts?			
19. Do the post orders for housing units track the event schedule? a. If yes, in the same format?			

POST ORDERS

Components	Yes	No	Remarks
20. Do the housing-unit post officers record all detainee activity in a log? a. If yes, does the post order include instructions on maintaining the logbook?			
21. Does the SDEO/contract supervisor visit each housing area and review the logbooks at least once per shift?			

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POST ORDERS

Verification Sources:

The following may serve as sources of information for auditors verifying the facility's compliance with this detention standard:

SOURCE	TIME	DATE	LOCATION
1. Post orders in use at posts			
2. Master copy of post orders			
3. Documentation of firearms qualifications			
4. Housing unit logbooks			
5. Facility policy & procedures for post orders			
6. History file for each set of post orders			
7. Staff Interview(s)			

Facilities must complete the attached Plan of Action for bringing operations into compliance. For each element found out of compliance, the plan of action will specify remedial action and the estimated timetable for compliance.

Remarks: *(Record significant facts, observations, other sources used, etc.)*

Auditor's Signature

Date