



Office of Detention and Removal Operations

National Detainee Handbook

Detention Management Division, Release 1



U.S. Immigration
and Customs
Enforcement



U.S. Immigration and Customs Enforcement

Office of Detention and Removal Operations (DRO)
Service Processing Center/ICE/DRO Contract Detention Facility

Detainee Handbook

TABLE OF CONTENTS

Table with 4 columns: Topic, Page No., Topic, Page No. listing various handbook sections and their corresponding page numbers.

1. Introduction

You are currently being detained by the U.S Immigration and Customs Enforcement (ICE) Office of Detention and Removal Operations (DRO) pending the outcome of your immigration removal case. It is our responsibility to ensure that you are housed in an environment that is safe and clean and that your daily needs are met while you are in ICE custody.

This handbook will provide you with an overview of the general rules, regulations, policies and procedures that you are required to follow while in ICE custody. The handbook will also provide you with an overview of the programs and services available to you while residing in this ICE-approved facility. Please note that this handbook will be revised once the ICE Performance-Based National Detention Standards are released and implemented.

The facility where you are being detained will also provide you with a local detainee handbook (referred to as a “local supplement”), which addresses day-to-day concerns. We request that you become familiar with both the National Detainee Handbook and the local supplement, as you will be expected to comply with these rules while you are in custody.

If you lose your copy of this handbook, you may request a replacement copy from the facility staff.

2. Your Rights and Responsibilities

It is ICE’s policy to treat detainees with dignity and respect, while maintaining a safe, secure, sanitary detention facility. To assist us in this goal, please cooperate with our staff in the following respects:



- Comply with directions given by staff members and contract security personnel.
- Respect facility staff and other detainees.
- Respect government property, facility property and the property of other detainees.



- Maintain yourself, your clothing and your living area in a clean condition.
- Address our staff by referring to their title and last name (i.e., Doctor Jones, Officer Smith, Nurse Clark), or by Mr., Mrs., or Ms. followed by their last name.

While you are in custody, you have the following rights and responsibilities:

- You have the right to be informed of the rules, procedures and schedules concerning the operation of the facility where you are detained.

You have the responsibility to know them and abide by them.

- You have the right to freedom of religious affiliation and to voluntary religious worship that does not detrimentally affect others or the order and security of the facility.

You have the responsibility to recognize and respect the rights of other religious groups and/or beliefs.

- You have the right to reasonable care. You have the right to be held in acceptable conditions of confinement, which includes nutritious meals, proper bedding and clothing, a regular laundry schedule, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical treatment.



It is your responsibility not to waste food, to follow the laundry and shower schedules, maintain neat and clean living quarters, and to seek medical care as needed.

- You have the right to receive visits from family members and friends, according to the facility's rules and schedules.

It is your responsibility to conduct yourself properly during visits and to not accept or pass contraband.

- You have the right to legal counsel from an attorney of your choice by means of interviews and correspondence, at no cost to the U.S. government.

It is your responsibility to obtain the services of an attorney.

- You have the right to unrestricted and confidential access to your attorney and the courts by correspondence.

Presentation of your case is your responsibility, in consultation with your attorney.

- You have the right to use law library reference materials to assist you in resolving legal problems. You also have the right to receive help, when it is available, through a legal assistance program.

It is your responsibility to use those resources according to the prescribed procedures and schedule, and to respect the rights of other detainees to use of the materials.

- You have the right to a wide range of reading material for educational purposes and for your own enjoyment.

It is your responsibility to use these materials for personal benefit, without depriving others of their equal rights to the use of this material.

- You may have the right to participate in a work program, depending on your detention location.

You have a responsibility to take advantage of work opportunities and activities that may help you live more successfully within the facility and the community. You are expected to abide by the regulations governing the use of such activities.

- You have the right to an administrative hearing before an immigration judge, depending on the particular facts and circumstances of your case. Alternative removal proceedings (as authorized by statute) may be used to determine your status in the United States. Should you have any questions in these areas, you should discuss them with your deportation officer.

Presentation of your case is your responsibility, in consultation with your attorney.

- You may be authorized for release on bond until your scheduled administrative hearing.

It is your responsibility to arrange methods of payment for your bond.

- You have the right to apply for political asylum if you believe that you could be persecuted in your native country because of your race, religion, or nationality, your membership in a particular social group, or your political opinions.

It is your responsibility to prepare and submit the proper forms requesting consideration for political asylum in the United States.

- You have the right to request voluntary departure, if statutorily eligible, prior to a hearing. If voluntary departure is granted, you waive your right to have your case presented at a hearing.

It is your responsibility to inform an ICE officer that you request voluntary departure.

- Each facility must provide you with a list of rules regarding the operation of the facility where you are detained. The facility must also provide you



with reasonable information regarding all of the subjects covered in this handbook relating to non-security related operations of that facility.

It is your responsibility to act responsibly and follow the rules of the facility and lawful instructions of the staff. The failure to follow these rules and instructions may result in disciplinary action being taken against you, as necessary, to ensure the order and security of the facility. ICE officers will visit all housing units weekly. You should discuss any issues of concern with those officers. You should have a reasonable expectation that they will respond appropriately to your request for information or assistance.

3. Initial Admission

Upon your arrival at an ICE detention facility, you will undergo intake processing by a facility officer. In general, you can expect the intake processing procedures to occur as follows:

1. The processing officer will retain your clothes, personal property, valuables and money for safe-keeping. The facility is required to provide you with itemized receipts for all of your clothing, personal property, valuables and money. It is important that you retain these receipts to claim your property, money and valuables when you are released.
2. Identity documents, such as passports, birth certificates, etc., will be inventoried and then given to an ICE official for placement in your official immigration file. Upon the conclusion of your removal case, we will make every effort to return your documents. In the interim, you may request that your deportation officer provide you with a copy of any of your identity documents. Please see page 4 for more information regarding your immigration files.
3. Each individual facility will identify the type of items that you will be permitted to retain when you arrive for intake processing. For example, you will be allowed to retain legal documentation necessary for your immigration case or, at a minimum, be allowed access to your case material as needed. You will be allowed to keep some personal items with you. Typical permissible personal belongings include: religious medallions, simple wedding bands, photographs, personal reading

material, and any other small items that you are approved to keep with you according to the security needs of that facility. Also see the local supplement.

4. You will be provided a secure locker box for storage of your personal items. All of your personal items must be stored in your locker box. ICE is not responsible for the loss of your personal items that you do not store in your locker box. No personal items can be attached to the bunk, wall, or windows. No personal items can be left on windowsills.



5. You will be provided with clothing that is appropriate for the climate where you are detained. You will be provided with sufficient clothing to exchange your dirty garments for clean garments two times each week. You will be issued bedding and a blanket, which you will be allowed to exchange for clean linen weekly.
6. You will be provided with personal hygiene items (e.g., toothbrush, comb) that have been approved by your facility. If you need to replace any of your personal hygiene items at a later time, you must request replacements from your housing officer.
7. You will be able to request writing material, pencils and envelopes for your personal use from your housing officer. Ink pens are not allowed.
8. You will undergo a thorough medical examination conducted by approved medical examiners within 14 days after your arrival. Medical staff or trained officers will also conduct a pre-screening interview to assess your physical and mental health as part of the intake process. If you have any health conditions that require immediate attention from a medical

provider, please inform our staff during your intake processing. If you prefer, you may request to speak directly with medical staff about your health concerns. Any information you provide to our medical staff cannot be shared with non-medical staff and will be treated with strict confidentiality.



- Facility disciplinary actions;
- Behavior reports;
- Receipts for funds, valuables and property;
- Detainee’s written requests, complaints and issues;
- U.S. government responses; and
- Special housing unit records.

6. Classification

Upon your arrival, ICE personnel will conduct an assessment of your records to ensure that you are placed in an appropriate setting within the detention facility. This assessment will provide you with a specific “classification level” based on criminal behavior, criminal convictions, immigration history, disciplinary record, current custody status and any other information considered relevant to determining the most appropriate custody level. Your designated classification level will ensure that you are placed in the appropriate housing unit with other detainees of comparable classification characteristics. For more information on specific classification levels in your facility, consult your local supplement.

6.1 Appeal of Classification

If you feel you have been improperly classified, you have the right to appeal your classification level and resulting housing assignment. You must follow the established facility procedures for filing an appeal of your custody classification level. For more information, consult your local supplement.

6.2 Classification Review

If you have been in custody 90 days or more, you may request a review and re-assessment of your custody classification level. If you are detained at an ICE Service Processing Center (SPC) or Contract Detention Facility (CDF), your classification will automatically be reviewed every 90 to 120 days.

4. Legal File or A-File

ICE maintains an immigration legal record, commonly called an A-file, for each individual detainee. The A-file contains a summary of all legal transactions and documentation pertaining to your case, including, but not limited to: identification cards, photos, passports and immigration history. If you require access to the documents maintained in your A-file, you will need to submit a Privacy Act Request Form from your deportation officer.

5. Detention File

A detention record is maintained by the detention facility and/or ICE for each individual in custody. The detention record includes such documents as:

6.3 Reclassification

Failure to follow rules and regulations within a facility may result in changes to your custody classification level. If staff determines that you were engaged in misconduct while in ICE custody, ICE will initiate an immediate review of your current classification. This could result in your housing assignment being changed. If at any time you are placed into a segregation unit, your classification assignment will be reviewed prior to your release back into the general population.

7. Inspections of Persons and Property

Upon admission, you will be subject to a search of your body and your property. Facility personnel will conduct this search. Searches are also routine requirements when entering the housing units or when leaving the visiting area after a visit. Routine unannounced searches of the facility, detainees and property will be conducted as necessary. Strip searches may be conducted as deemed necessary when the facility has reasonable suspicion to believe that the detainee may be concealing a weapon or other contraband.

All searches are used as a means of interdicting contraband and ensuring safe and sanitary conditions in the facility. Searches are not intended to be punitive in nature.

You may not refuse to be searched. It is your responsibility to follow the instructions given to you by the staff. Failure to follow lawful, legal direction may result in disciplinary or



criminal action being taken against you. Refusal to be searched may also result in your segregation from the general population and placement into an isolation cell to ensure your safety and the safety of others.

8. Contraband

Items considered to be detrimental to the safe and orderly operation of the facility are prohibited and considered to be “contraband.” Contraband items include, but are not limited to:

- Any illegal drugs, alcoholic beverages, deadly weapons, dangerous instruments, explosives or any other article that could be used to endanger other persons or the preservation of order in the facility.



- Any item which could be construed as an aid to escape.
- Any item which could be used to disguise or alter the appearance of a detainee.
- Any article of clothing or item for personal use or consumption which has not been cleared first through the Officer in Charge (OIC) or purchased from the commissary or vending machines by a detainee.
- Cameras, video, audio or related equipment that can be used to make unauthorized photographs or audio or audio-video recordings of detainees, staff or government property.

You are responsible for ensuring that you are not in possession of any item that can be considered contraband. You are responsible for knowing the rules regarding contraband items in the facility where you are detained. Possession of contraband may result in disciplinary action being taken against you. For more information, consult your local supplement.

9. Unauthorized Property

Any item can be considered to be contraband when possessed by a detainee or visitor within the facility without authorization from the staff. You must obtain permission in advance to possess any item, even if the type of item is generally allowable in your facility. Staff may limit the quantity of any items, even if the type of item is approved. Any item that is generally permissible for detainees to possess can become unauthorized if it is altered without permission or used in an inappropriate manner. Excess items, altered items or misused items may be discarded in accordance with facility policy and procedure. For more information, consult your local supplement.

10. Segregation

ICE detention facilities employ the following types of segregation to house detainees who require more intensive supervision:

Administrative segregation is special housing for certain detainees who:

- Are pending investigation and/or hearings for disciplinary violations;
- Need medical observation;



- Are pending a transfer or release within 24 hours;
- Are a security risk; and/or,
- Need protective custody.

All detainees located in administrative segregation shall have their cases reviewed within three working days of being placed in administrative segregation, to determine the propriety of continued placement in the Special Housing Unit. If you remain in administrative segregation for seven days, a supervisor will conduct another review of your case to determine whether continued segregation is warranted. You may appeal the administrative segregation order or the review decision, in writing, to the facility administrator.

Disciplinary segregation is a special housing unit for certain detainees who:

- Are a serious disruption in general population;
- Require secure physical confinement; and/or,
- Have received a disciplinary sanction from the Institutional Disciplinary Panel.

A case review will be conducted on each detainee placed in disciplinary segregation every seven days to ensure that the detainee is abiding by all rules and regulations and is offered showers, meals, recreation, etc. You may appeal the disciplinary segregation order or the review decision, in writing, to the facility administrator.



11. Disciplinary Process

Many individuals have to share limited space inside the detention facility. It is extremely important that order and discipline be maintained. Order and discipline are not only for the benefit of the staff, but also

for the safety and welfare of you and other detainees. While many problems can be resolved informally through counseling, disciplinary measures must occasionally be imposed.

If you are facing possible disciplinary action involving a violation of an administrative rule, you have the right to due process, including the right to have any disciplinary matter resolved promptly.

Every ICE facility will adhere to the following procedures to resolve your disciplinary matter fairly and quickly:

11.1 Administrative Violations

If you are accused of committing a prohibited act, you must be given a copy of the incident report during the formal investigative process and not less than 24 hours before your appearance before the Institutional Disciplinary Panel. If the allegations are serious, you may be placed in a segregation unit for a temporary period. An official investigation will be started within 24 hours of the responsible supervisor being notified of the incident or allegations.

After reviewing the report from the investigating officer, a supervisor may resolve the incident informally or forward it to the disciplinary panel, depending on the severity of the prohibited act and the information provided from the investigation. If the case is referred to a disciplinary panel hearing officer, the hearing will take place as soon as practical, but no later than seven days after the alleged violation, excluding weekends and holidays.

The Institutional Disciplinary Panel is comprised of three staff members appointed by the facility administrator. One of the three staff members serves as the panel chairperson. The panel should not include the reporting officer, the investigating officer, and any member of the referring unit, or anyone who witnessed or was directly involved in the incident.

The disciplinary panel uses an established system of charges and sanctions for rule violations. The panel may render a verdict in your case using these charges and sanctions. The panel can reduce the charges if deemed appropriate. If you do not accept the panel's verdict, you may use your right to appeal as listed below.

Prior to referring the incident report to the disciplinary panel, you will be informed of your rights at the

panel, both verbally and in writing. Your rights prior to appearing before the disciplinary panel include:

1. The right to a written copy of the charges against you, at least 24 hours prior to appearing before the panel.
2. The right to a full-time staff member of your choice who may represent you before the panel.
3. The right to present documentary evidence and to call witnesses on your behalf provided that the use of witnesses before the panel does not compromise institutional safety.



4. The right to remain silent. Your silence alone may not be used to support a finding that you committed a prohibited act.
5. The right to be present throughout the disciplinary hearing, except during panel deliberations and when institutional safety would be jeopardized or compromised by your presence.
6. The right to appear before the panel when they advise you of their decision, except when institutional safety would be jeopardized. Regardless if you are able to appear before the panel to receive their decision, you will be provided with a written notice of the panel's decision that explains the basis of their findings.
7. The right to appeal the decision of the panel to the facility administrator. You must file an Appeal Form within five days from the date when you are notified of the panel's decision.

At any time during the hearing, the disciplinary panel may find the need to order a further investigation into the alleged prohibited act and may continue the hearing to a future time. The panel may recommend that you be placed into disciplinary segregation for a specified period of time that may not exceed 60 days for all violations arising out of one incident. However, the facility administrator or his or her designee must approve the panel's recommendation before any detainee is placed into disciplinary segregation.

11.2 Criminal Violations

All detainees are subject to all laws of the United States and of the state in which they are detained. Any detainee violating these laws may be charged criminally and tried for that violation in the appropriate local, state, or federal court. You will be formally notified if you are charged with a criminal violation while you are in ICE custody. Once you are notified that you are being charged with a criminal violation of law, you will be advised that you have the right to have legal representation for any interviews or court appearances related to the criminal charges pending against you. If you are indigent, an attorney will be appointed to represent you for the course of the criminal case.



The filing or disposition of charges in a judicial court of record for the violation of local, state, or federal law does not, in any way, prevent or affect the administrative handling of the same act as an institutional disciplinary matter, nor of taking disciplinary action against the detainee in question. However, information obtained during the administrative pro-



cessing of the institutional disciplinary matter cannot be used to incriminate the detainee/defendant in a criminal case.

12. Use of Force

Officers may use physical force only after all reasonable efforts to resolve a detainee situation have failed. Officers shall use as little force as necessary to:

- Gain control of the detainee;
- Protect and ensure the safety of detainees, staff and others;
- Prevent serious property damage; and
- Ensure the security and orderly operation of the facility.

Physical restraints shall be used only under specified conditions to gain control of a detainee who is endangering himself, herself, or others.

13. Communication with Staff

You are encouraged to speak informally with staff about everyday concerns and for information about facility policies and procedures. Once each week, ICE/DRO staff will visit the facility and talk with detainees.

You may submit written questions, requests or concerns to facility or ICE/DRO staff using a Detainee Request Form. In addition you may file a written request or complaint with ICE regarding your treatment at a facility using the Detainee Request Form. You may request this form from your housing officer. These forms are collected a minimum of twice a week and are forwarded or faxed to the ICE office with responsibility for your

care and well-being. ICE is required to respond within three business days to your request or to notify you if your request cannot be responded to within three business days. In the absence of forms you may use a sheet of paper.

To prepare your request, you may obtain assistance from another detainee, your housing officer, or other facility staff. If you choose, you may seal the request in an envelope that is clearly addressed with the name, title and/or office to which the request is to be forwarded. Your request will be promptly routed and delivered to the appropriate officials by staff (not by detainees) without reading, alteration, or delay.

Informal written requests are not intended as a substitute for the more formal process addressed in the next section, Grievance Procedures.

14. Grievance Procedures

You have the right to pursue a formal complaint or grievance in accordance with the following procedures:

1. Before writing up a formal complaint or grievance, we request that you first attempt to resolve your complaint or grievance informally with the housing unit officer or appropriate staff member. You should present your oral complaint or informal grievance no later than five days from the date the underlying event, incident, or condition became a concern.
2. If you express your concerns orally to an officer or other staff member, he or she will make every effort to resolve the situation informally to your satisfaction. If your concerns are not resolved informally, you may then request a Grievance Form from your housing officer. You then have five days to return your completed Grievance Form back to your housing officer.
3. Your housing officer will then submit your completed form to the grievance supervisor/officer for resolution. If the grievance officer or supervisor cannot resolve a written grievance, then it will be forwarded to the Chief of Security or the appropriate department head.
4. If the department head cannot provide resolution, then a Detainee Grievance Committee (DGC) will be convened to review the grievance. In an ICE

SPC, the DGC will be comprised of an Assistant Officer In Charge and two department heads or their representatives. In an ICE CDF, at least one member of the grievance committee must be an ICE employee (see local supplement). No one named in the complaint, involved with earlier resolution attempts, or involved with helping prepare the written grievance may participate in the grievance committee.



5. The DGC may call witnesses, inspect evidence or otherwise gather facts essential to an impartial decision. The committee will offer you the opportunity to appear before it to present your case, answer questions and respond to conflicting evidence or testimony. The committee may also provide you with an opportunity to discuss your case telephonically.
6. The DGC shall have fifteen days to reach a decision. Within five working days of reaching a decision, the DGC will provide the detainee with its response to the grievance, in writing. The written response will state the decision and the reasons for it. DGC decisions can be appealed to the facility administrator within five business days of receipt.
The facility administrator's decision is final.
7. You **may not** submit a grievance on behalf of another detainee. **You may**, however, seek assistance from another detainee or staff member in preparing your grievance. Your need to obtain assistance will not normally justify an extension of the five day time limit for submission of your written grievance.
8. No harassment, punishment or disciplinary action will result simply because you are seeking resolution of a complaint.
9. A copy of your detainee grievance will be maintained in your detention file for a period of three years.

You may file a complaint about staff misconduct, abuse or civil rights violations directly with the U.S. Department of Homeland Security, Office of the Inspector General (OIG):

- E-mail at DHSOIGHOTLINE@DHS.GOV
- Telephone at 1-800-323-8603
- Mail from your housing unit at no cost to you:

DHS OIG HOTLINE
245 Murray Drive, SE
Building 410
Washington, DC 20538



15. Evacuation Drills

To ensure your safety in the event of an emergency, all facilities approved to house ICE detainees perform periodic evacuation drills. Facilities may not be able to inform you in advance of any drill. These drills are not designed to frighten or inconvenience you, but rather to ensure that you know what safety measures are essential for your safety.

For example, it is important that you know where the emergency exits are located and the proper procedures for exiting the building, to ensure your safety during an actual emergency, such as a fire, gas leak, civil disaster or other dangerous situation.

In your housing unit, you will find a diagram showing the location of all fire exits. Study this diagram carefully. You are required to follow directions regarding any emergency or non-emergency event and your failure to do so may result in disciplinary action.

16. Official Counts

In order to maintain proper accountability of detainees at this facility, we conduct official counts a minimum of three times each day. You are required

to participate and be counted in accordance with the rules and policy in place at the facility where you are detained. For more information, consult your local supplement.

During all official counts, no movement or talking is permitted. Any disruptions during counts may result in a lockdown of the units involved and disciplinary action may be taken against any detainees contributing to any disruption.

Please remember that it is your responsibility to be present and counted during any population count and to follow the instructions of staff conducting the count. Failure to stand for the count so that you can be counted is grounds for disciplinary action against you.

17. Medical Care

During your period of detention, you have the right to timely and adequate medical care if you are sick, injured or otherwise in need of treatment. The United States Public Health Service or contract medical staff provides medical care to all detainees staying in ICE-approved facilities. You have the opportunity to request medical care at any time. In ICE facilities, a detainee medical appointment request is called a “sick call.”





If you are ill or in need of medical attention, you must first sign up for a sick call using the appropriate form. If it is after sick call hours, you must notify your housing unit officer, who will contact the on-call medical staff member. For more information, consult your local supplement.

Unless you feel that you require emergency medical assistance, you must submit a written request for a sick call appointment at designated drop boxes in your housing unit. Sick call requests will be picked up daily and forwarded to the facility's medical department. All detainees signing up for a sick call will be seen in accordance with the schedule provided by the medical authority where they are detained. For more information, consult your local supplement. Sick call slips are expeditiously reviewed and those assigned the highest priority are seen first, generally on the next business day, as appropriate. Detainees signing up for sick call on the weekend will generally be seen on Monday, if the request is deemed non-urgent by medical staff after review of the slip.

Emergency care is always available to you should you feel it necessary. If you feel you are experiencing a medical emergency, tell your housing unit officer or the nearest staff member immediately. If you cannot get to a facility officer or staff member, tell anyone who can get the assistance you need.

18. Suicide Prevention

If you are feeling depressed, think you may harm yourself, or need someone to talk to, you should immediately advise your housing unit officer. You will be referred to the appropriate medical professional. All potentially suicidal or severely depressed individuals are treated with sensitivity and receive the proper referrals for assistance.

19. Sexual Abuse and Assault Prevention and Intervention Program

ICE operates the Sexual Abuse and Assault Prevention and Intervention Program for all detention facilities. If you feel unsafe because of threats of sexual abuse or assault, or if you are sexually abused or assaulted, you should immediately advise the housing officer, another staff member or the sexual abuse prevention program coordinator. (See local supplement for contact information for the program coordinator.) Information concerning the identity of a detainee victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have a need to know in order to make decisions concerning the detainee-victim's welfare, and for law enforcement/investigative purposes.

There are several ways that you can report abuse and protect yourself from becoming a victim. See your local supplement for contact information for the program coordinator. If you feel you are at risk of being abused, you may do one or all of the following:

- Contact your housing unit officer or the unit supervisor.
- File an emergency grievance stating the nature of your problems and your immediate needs. Your housing unit officer or the unit supervisor will tell you how to file an emergency grievance.
- Contact ICE, using the Staff/Detainee Request form.
- File a complaint directly to the U.S. Department of Homeland Security, Office of the Inspector General (OIG):
 - E-mail at DHSOIGHOTLINE@DHS.GOV
 - Telephone at 1-800-323-8603
 - Mail from your housing unit at no cost to you:

DHS OIG HOTLINE

245 Murray Drive, SE

Building 410

Washington, DC 20538

- Notify a relative or friend and they may contact ICE or the OIG directly on your behalf.

If you are sexually abused or assaulted, the appropriate staff at your facility will arrange for medical treatment and victim counseling.

20. Telephone Access

20.1 General Telephone Access

You will be provided with access to a telephone during the admission process and within your respective housing area during your detention. In facilities where demand for telephone use is high, the facility may regulate the amount of time you have to make and complete your call. However, it may not be less than 15 minutes per call. For more information, consult your local supplement.



In case of an emergency, such as illness or death in your family, you should request assistance from your housing unit officer or a supervisor, or directly from ICE personnel, to make telephone calls at times that telephones are not normally available. Routine telephone calls to attorneys are not generally considered to be emergencies.

Your telephone access may be restricted if you are found to be violating the rules of the facility or are found to be abusing the equipment. Your access may also be severely restricted if you are found using the telephone to further illegal activities.

It is your responsibility to follow the rules of the facility regarding access to telephones and to take proper care of the equipment when you are using it. For more information, consult your local supplement.

20.2 Telephone Access to Attorney

Calls made from detainee phone systems are subject to monitoring, with the exception of calls to an attorney. Facilities may not monitor any call to an attorney.

You are responsible for listing attorney numbers on your Authorized Phone Numbers Form to ensure that the calls between you and your attorney are not monitored.

The ICE field office in the area where you are detained will provide a list of pro bono legal organizations and their phone numbers to you. Often, telephone numbers of pro bono providers are posted in the housing units. Dialing instructions will be posted.

It is your right to request a copy of free legal service providers if one was not provided to you or when you are transferred from one detention facility to another.

20.3 Free Calls

You are entitled to access of free and toll-free telephone calls to the following entities:

- Consulates;
- Courts;
- Immigration Courts;
- Pro bono attorneys or free legal aid groups recognized by the Executive Office for Immigration Review;
- The U.S. Department of Homeland Security, Office of the Inspector General.



If you experience any problems with the ICE pro bono telephone system, please report the problem to your housing officer so that we can take immediate steps to ensure that the system is functioning properly. If your housing unit's phone system does not allow for toll-free calls to the entities listed in the above paragraph, you may request toll-free calls to be arranged by your housing officer. There will also be instructions posted in your facility for alternative means to complete calls in the event that the ICE pro bono telephone system is not functioning properly.

It is your right to request access to the ICE pro bono telephone system. If your request to call is refused, you should notify any

ICE officer that you wish to submit a written request for access so that your call will be facilitated. Please refer to “Communication with Staff” on page 8 of this handbook for detailed instructions.

21. Consular Notifications

As a non-U.S. citizen who has been arrested or detained, you are entitled to have ICE notify your country’s consular representatives here in the United States. A consular official from your country may be able to provide assistance, such as helping you obtain legal counsel, contacting your family or visiting you in detention. If you want ICE to notify your country’s consular officials, you can request that your deportation officer make a notification at any time. After ICE notifies your consular officials, they are permitted to call or visit you directly. At any detention center, you are also entitled to contact your consulate, free of charge, using any telephone system at the center.

22. General Visitation

You are entitled to have visitors come to see you at all facilities housing ICE detainees. In order to enter the facility, visitors must be dressed in appropriate and socially acceptable attire. If your visitor brings children (seventeen years of age or under), the adult visitor is expected to supervise these children to ensure that they will not disturb others. Any disruptive conduct by either a detainee or his or her visitors may result in the termination of the visit. Such disruptive conduct could have an adverse effect on future visitation privileges.

You are not allowed to accept any item from a visitor unless it is first presented by the visitor to the appropriate supervisory personnel for approval. Any

unapproved item that you accept from a visitor can be seized as contraband, and you could be subject to administrative and criminal penalties for having contraband.

You should discourage your visitors from bringing large quantities of hand-carried parcels or other items. Visitors may be required to leave such items in a locker or their vehicles. All of your visitors and any of their hand-held items are subject to search.

It is your responsibility to understand the rules and to ensure that potential visitors understand the rules regarding visitation. Consult your local supplement for more information.



23. Attorney Visits

Legal representatives or paralegals may visit detainees during the hours established by the facility administrator, seven days a week. You may request to meet with your legal representative during meal hours. If you request this option, you will be provided a meal tray or sack meal to eat during your meeting.

You should receive a list of pro bono legal organizations operating in your area from the facility staff. Your facility should also post this list in all detainee-housing areas and other appropriate areas. This list is updated quarterly.

If you wish to see a representative or paralegal from an organization on the pro bono list, it is your responsibility to contact that individual for an appointment. You can use the free access telephones to contact these legal organizations.

If you have made an appointment to meet with an attorney, legal representative or paralegal from an organization, legal firm or other association or company, it is your responsibility to cancel the appointment if you do not intend to keep it. Appointment cancellations may not be accomplished on your behalf by or through an officer or another detainee. Consult your local supplement for more information.



24. Legal Mail

Legal or special correspondence is defined in the ICE National Detention Standards as a detainee's written communication to or from private attorneys and other legal representatives, government attorneys, judges, courts, embassies and consulates, the President and Vice-President of the United States, members of Congress, the U.S. Department of Justice (including the Office of the Inspector General), the U.S. Department of Homeland Security (including ICE), the U.S. Public Health Service, administrators of grievance systems and representatives of the news media.

Legal correspondence may be held for a reasonable period (not to exceed twenty-four hours) to allow verification of the privileged status of the addressee or sender. Incoming legal correspondence will be opened in the presence of the detainee. It will be inspected for contraband, but will not be read unless reasonable suspicion exists of abuse of legal correspondence and not unless authorized by the facility administrator.

The detainee, in the presence of staff, will seal outgoing legal correspondence. Incoming legal correspondence will be treated as privileged only if the name and official status of the sender appear on the envelope. Outgoing legal correspondence similarly requires that not only the name, but also the official status of the recipient appears on the envelope. It will be your responsibility to advise the senders of legal correspondence of the labeling requirements. **Both incoming and outgoing legal mail shall be labeled "Legal Mail" on the envelope.**

Indigent detainees will be permitted to mail, at government expense, a reasonable amount of correspondence related to a legal matter, including correspondence to a legal representative, potential legal representative, consular official and any court. Consult your local supplement for more information.

25. Outgoing and Incoming Mail

You have the right to correspond with persons or organizations consistent with the safety, security and orderly operation of the facility where you are detained. All incoming and outgoing letters are subject to inspection, for content and contraband. You are responsible for the contents of your outgoing mail.



If you choose to correspond with others, you must follow the following established procedures:

- You may send or receive mail to or from anyone you know personally.
- You may seal your outgoing letters and place them in the detainee mailbox, or use any other method designated by the facility administrator.
- You are required to write your name, your Alien or ID number, and the facility address on the upper left-hand corner of the envelope of all outgoing mail.

- Your incoming mail must also include your Alien or ID number as part of the envelope address and also listed on the first page of any written letter.

Any incoming mail lacking your Alien or ID number will be returned to sender, including any legal correspondence or packages.

Incoming mail that does not list your Alien or ID number will be rejected and returned to the sender. If the staff has reason to believe that you are violating or circumventing mail policies, your mailing privileges could be restricted. Mail restriction usually means that you may only write to people that have been approved by the facility administrator. It also means that all your incoming and outgoing mail could be censored or read by the staff.



Incoming mail that does not meet facility standards will be considered contraband and withheld. Correspondence that may be rejected includes, but is not limited to, items with the following content:

- Material that depicts, describes or encourages activities that could lead to physical violence or group disruptions;
- Information regarding the manufacture of explosives or weapons; 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 profanity;
- Coded messages;
- Anything that affects the safety and security of the facility; or any other contraband.

All incoming mail is normally delivered to you within 24 hours of receipt by facility staff, and your outgoing mail will be routed to the proper postal office no later than the day after receipt by facility staff



(excluding weekends and holidays). The sole exception is mail requiring special handling for security purposes. Mail may be delivered to the housing units already opened and inspected.

Any identity documents that are received in the mail shall be forwarded to your deportation officer. You will receive notification that the identity document has been forwarded. You may make a written request to your deportation officer to receive a certified copy of the identity document.

When you depart the facility, your incoming mail will be marked “Return to Sender” and returned to the post office.

You may not write to other penal, correctional or detention facilities without the express permission of the facility administrator and the ICE Field Officer Director. You must request permission by completing a Detainee Request Form. If you attempt to send mail to another penal, correctional or detention facility without an approved request, the correspondence is considered contraband and you could be subject to disciplinary action. You may not write to another detainee detained within your own facility without permission from the Officer in Charge.

Pencils, paper and envelopes may be obtained from the Housing Unit Officer. They may also be purchased from the commissary. Indigent detainees will get at least three stamped envelopes per week for personal mail.

Subscriptions to publications, magazines and catalogs are not allowed.

You are responsible for knowing the individual rules and regulations regarding correspondence in the facility where you are detained. You are responsible for the contents of your outgoing mail. Consult your local supplement for more information.

26. Finances

Occasionally, you may wish to send money to your family or to others outside of the facility. We advise you not to send cash through the mail. To send money in a more secure manner, you may contact the shift supervisor, who will make arrangements for you to purchase a money order. If you receive money in the mail, the officer, in your presence, will issue you a receipt for the money before placing it in your account.

Each facility shall have established rules and procedures specifically regarding the handling of cash, checks, money orders or other funds of its detainees. The facility must provide you with a written copy of their policies and procedures and assist you with understanding these rules. **Consult your local supplement for more information.**

27. Meals

All meals served by our facilities are nutritionally balanced, dietician-approved and properly prepared. We only serve our meals in wholesome, clean, safe surroundings. We do not use food as either a disciplinary measure or reward. All detainees will be provided with meals from a standard menu unless a special diet request is approved. In some detention facilities, meal times and menus are posted on the bulletin board in the housing units.

While most facilities do not serve pork products, it is not a prohibited item. You may check the menu and request a common fare diet (religious/diet menu) when appropriate. Other special diet requests for religious reasons should be referred to the chaplain for evaluation.



Special diet requests for medical reasons are referred to medical personnel for evaluation.

At each meal, you will be issued appropriate eating utensils and a napkin. The utensils must be returned at the end of each meal.

Meals are served either in a central dining area or, where appropriate, in the dining area of each housing unit. Each detainee is allowed one meal to be consumed during mealtime, for a total of three meals a day. Detainees in the Special Housing Unit (SHU) and detainees on lockdown status will be served in their individual cells.

If you have a special dietary need due to religious or medical reasons, it is your responsibility to request a special diet that meets your needs. Your request will be evaluated to ensure that you will be provided with an appropriate meal. Consult your local supplement for more information.



28. Vending Machines or Commissary

Your facility may or may not participate in a program that provides you with an opportunity to purchase commissary items. If your facility has a commissary program or vending machines, then your facility will also have specific local procedures about access. You do not have a right to have access to commissary items, but the facility is required to provide you with supplies to meet your basic personal hygiene needs. If your facility has a commissary program, your participation is completely voluntary. You are not required to purchase any items from a facility.

If you order commissary items and you are subsequently transferred or removed prior to receiving your items, you are not entitled to a refund or to have your items forwarded. However, the facility where you ordered the commissary items may at its own discretion provide you with a refund prior to your departure from their facility. Consult your local supplement for more information.

29. Dress Code and Grooming Standards

Detainees are required to keep themselves clean and to wear appropriate clothing and footwear during all activities. Any deviations from maintaining good personal hygiene and from wearing appropriate clothing could cause potential conflicts with your peers and others. Poor personal hygiene or unsanitary habits can also have a negative impact on the health and safety of yourself and others. Failure to comply with the dress code and grooming standards could ultimately become an issue that requires staff intervention, including appropriate disciplinary action.

A. Ordinarily, detainees may wear any reasonably safe and hygienic hairstyle with the following exceptions:

1. For safety and hygiene reasons, kitchen workers and detainee workers operating machinery shall keep their hair in a neat, clean and commonly accepted style.
2. All kitchen workers shall wear a hairnet when working in the kitchen.

B. Ordinarily, facial hair may be grown without restriction. However, there is one exception:

1. For safety reasons, detainee workers operating machinery (including kitchen workers) are not authorized to wear facial hair and are expected to be clean-shaven while performing their duties. This restriction from wearing facial hair is a requirement for employment in the above described work assignments (i.e. kitchen worker and machine operator). Acceptance of the job denotes acceptance of the grooming standards. There will be no exceptions to this requirement, including requests based on medical reasons.

You are responsible for learning and following the facility dress code for the location where you are detained. Consult your local supplement for more information.

30. Clothing

The basic uniform for detainees shall be distinctive in appearance as to identify the detainee according to his or her security level. **In ICE/DRO and contract facilities (SPC's and CDF's)**, the basic uniform is blue, red or orange.

1. Blue uniforms and wristbands—Level 1 detainees.
2. Orange uniforms and wristbands—Level 2 detainees.
3. Red uniforms and wristbands—Level 3 detainees.

White uniforms will be the work uniform for kitchen workers only. While in the housing units, the detainee kitchen workers will wear the appropriate color uniform.



All issued clothing shall be worn as specified in the following instructions and in no other manner. These requirements are essential to ensure compliance with appropriate security, hygiene and conduct.

- Clothing must be clean and in good repair. Torn clothing is not authorized apparel.
- Only kitchen workers will be authorized to wear white uniforms.
- The wearing of mixed colors is not authorized for outer garments.

In addition:

- Undergarments may be worn without outer garments only while inside the sleeping quarters or the restrooms. **NO EXCEPTIONS!**
- Shower shoes may be worn only inside the housing unit.
- Shoes must be worn at all times when outside the housing units.

- Hats or other head covers will not be authorized for the general population unless approved as religious items by the facility Chaplain. Workers will be issued the proper head cover when required, which shall be worn only while performing work-related duties.
- Detainees must wear a complete uniform (shirt, pants and shoes) at all times while in the dining hall, medical visits, court appointments, and during religious services and visitations.



- Pants must be worn at a point about the waist that prevents the crease of the buttocks or undergarments from showing, regardless of the length of the shirt.
- Detainees may not walk about the facility with their hands inside the waistband of their pants, regardless of weather conditions.
- No article of clothing may be worn in a manner not normally intended for that item (using a shirt as a head band or head cover, rolling up pants legs, etc.).
- No alteration or modification of facility issued clothing will be allowed.

31. Clothing Exchange

Clothing exchanges, for male and female detainees, will be made on a “one dirty garment for one clean garment” basis according to the following schedule:

- Outer garments shall be exchanged twice a week.
- Socks, underwear and towels shall be exchanged daily.
- Sheets and pillowcases shall be exchanged weekly.
- All Food Service detainee volunteer workers shall be required to exchange outer garments (whites) daily.

- All other volunteer workers may exchange outer garments according to facility policy. Consult your local supplement for more information.

In order to ensure an adequate supply of clean clothing for all detainees, the hoarding of clothing is prohibited. Generally, detainees are not permitted to wash clothing, bedding, tennis shoes or other items in their housing unit, unless washing machines and clothes dryers are available according to facility policy.

32. Personal Hygiene

You will be living in a dormitory or secure housing unit with other individuals, so personal hygiene is essential for promoting a healthy and harmonious living environment.

You are expected to bathe regularly and to keep your hair clean. Your housing unit will post a shower schedule to designate specific times that your section or unit can use the shower during each day.

Personal hygiene items for male and female detainees, such as soap, toothpaste, toothbrushes, combs, hairbrushes and other items, will be issued to you upon admission. If you run out of any issued item, you can ask your housing officer for a replacement. Female detainees can request feminine hygiene products from the housing officer as needed.



Disposable razors are provided on a daily basis and may not be shared. Razors will be checked out on an as-needed basis and must be returned when you have finished shaving. For health and safety reasons, more than one detainee shall not use a single disposable razor. We prohibit the sharing of razors in order to prevent the spread of communicable diseases, such as HIV and hepatitis.

If you will be attending a court hearing, you will be afforded the opportunity to shave before appearing.

You must check with the facility where you are detained for its respective rules and policies regarding the use of disposable razors. Consult your local supplement for more information.

33. Barbering Services

Barbering services vary by facility and location. Each facility is required to provide information regarding how to request and obtain hair care. It is your responsibility to familiarize yourself with facility rules and policies regarding hair care and barbering services.

It is your responsibility to request hair care in accordance with the rules of the facility where you are detained. Consult your local supplement for more information.

34. Sanitary Living Conditions

Clean facilities help to ensure safety and detainee personal health. It is in your best interest to maintain a clean living area and to avoid health and safety problems associated with unsanitary living conditions.

When your bed is not in use, it must be made up to facility standards. We require that you keep your bed and immediate area clean and neat. You are also required to make your bed daily before reporting for your work assignment or when you begin your daily routine. Hanging of sheets, towels, blankets or clothing from wires, lights, beds, bars or other objects is not permitted. Special accommodations will be provided for wet towels.

Storage of personal effects, including hygiene items, must be done in accordance with the policies and procedures that you will be shown. Do not place items at any unauthorized location, such as on windowsills, windows, bunks, lockers, under a mattress, etc. Items in violation of storage rules may be confiscated and removed from the unauthorized area. If your items are confiscated for being placed in an unauthorized area, it is your responsibility to identify and reclaim your items from the appropriate supervisor.

35. Smoking Policy

Generally, most facilities do not allow smoking. All federal facilities, and those contracted directly by the federal government, are required to be smoke-free. Consult your local supplement for more information.

36. Voluntary Work Program

We will make every effort under our purview to ensure that you have an opportunity to participate in a voluntary work program. However, many local and state owned facilities used by ICE do not allow ICE detainees to participate in their work programs. If you are detained in a local or state owned jail that is used by special agreement with ICE, you will not necessarily receive monetary compensation for your work. Consult your local supplement for more information.



If you are housed in an ICE Service Processing Center or Contract Detention Facility, you will be paid \$1.00 per day worked (not per work assignment). Ordinarily, you will not be permitted to work in excess of eight hours daily or forty hours weekly unless a request is made to and approved by the facility administrator or designee.

In order to participate in this program, you will be required to sign a voluntary work program statement and to complete any work-related training. You will be required to adhere to all dress, grooming and hairstyle restrictions related to your work assignment. If you are accepted into a volunteer work program, you will be expected to work according to an assigned work schedule and to perform assigned duties at a satisfactory level. Deficiencies such



as unexcused absences or unsatisfactory work performance may result in removal from the voluntary work program.

You are not entitled to compensation for tasks that involve maintaining your personal area or cleaning up after yourself in general use areas. You are required to perform basic cleaning tasks within your living unit, regardless of where you are held. For example, you could be disciplined if you refuse to make your bed or otherwise refuse to clean up after yourself.

You are responsible for becoming familiar with the policies and procedures regarding voluntary work at the facility where you are detained. Consult your local supplement for more information.

37. Recreation Facilities

37.1 Housing Unit Recreation

If your period of detention is expected to last longer than 72 hours, you will be provided with the opportunity to participate in leisure activities. Leisure activities may include access to television,



movies or games and game boards. The type of leisure activities available are determined by each facility and are dependent upon your level of classification and housing assignment in the facility. Consult your local supplement for more information.



37.2 Outside Recreation

If your period of detention is expected to last longer than 72 hours, you will have an opportunity for one hour of outdoor recreation per day, five days per week. Outdoor recreational opportunities can be limited by inclement weather or physical security concerns. Indoor recreation may not be substituted for outdoor recreation.



If you are housed in a facility in which only indoor recreation is allowed, you will have the opportunity after an interim period of six months to accept an offer to be transferred to a facility where outdoor recreation is available.

38. Library

Most detention facilities contain standard library materials similar to those found in a school or community library. The needs, interests and abilities of the majority of detainees are carefully considered and the library collection developed accordingly. In facilities where a library is available, you are permit-



ted to check out books during designated hours. It is important that you take care of the books and materials that you use and return them in a timely manner, so other detainees have the opportunity to read and enjoy them as well. Consult your local supplement for more information.

39. Law Library

As a detainee in the custody of ICE, you are entitled to access to a designated law library and to office equipment to copy and prepare legal documents. The law library access hours will be posted in all housing units. (See local supplement for law library access hours.) Your facility shall provide you with access to approved legal materials, facilities, equipment and document copying privileges. You are entitled to a minimum access of five hours each week to the law library so that you can work on your legal case. You may request additional time by using a written request form that provides a justification for your need for additional access to the law library.



Many facilities provide detainees with access to law materials using Lexis-Nexis, a Web-based research database that provides up-to-date access to legal materials in an electronic format. Where this system is available, it replaces legal books and publications.

Self-help material is provided and made available to all detainees for their use for research or preparation of legal documents. The facility shall permit detainees to assist other detainees in researching and preparing legal documents upon written request to the facility administrator. The facility administrator may refuse to allow such assistance if there is any security risk or any other concerns. Detainees may provide legal assistance to others on a voluntary basis only. No detainee shall be allowed to charge a fee or accept anything of value for providing such assistance. The facility will not pay any detainee to provide legal assistance to another detainee.

You are responsible for following the rules regarding access to the law library and use of any equipment. Any deliberate violation or willful failure to follow the rules may result in disciplinary action being taken against you and a loss of your privilege to use the law library. Consult your local supplement for more information.



40. Typewriters and Computers

Typewriters and/or computers are available in the law library for preparation of legal documents ONLY. These typewriters are not to be used for personal correspondence. You may request paper and pencils from your housing officer for writing personal correspondence.



41. Religious Services

You are entitled to have access to religious resources, services, instruction and counseling on a voluntary basis. It is ICE policy to provide all detainees with the freedom and opportunity to pursue any religious belief or practice, within the constraints of security and safety considerations. Every detention facility is required to provide you with reasonable access to religious services and providers of your faith.

It is your responsibility to review information at each facility regarding the times and types of programs that are available at the facility where you are detained.



42. Marriages

You or your legal representative may request permission to marry from the facility administrator, ICE Field Office Director, or his or her designee. Your request to marry must be submitted in writing to the facility administrator. Your written request must specifically address the following three issues:

- Whether you are legally eligible to be married;
- Whether you are mentally competent to enter into a marriage; and
- Whether the intended spouse will certify that they will marry you.

Your request must be accompanied by a written affirmation by your future spouse that certifies that he or she intends to marry you.

The facility administrator will refer your request to the DRO Field Office Director once it is complete. Final approval must be obtained from the Field Office Director in the area where you are detained. Failure to obtain this approval could result in a delay or cancellation of any ceremonies or approved visits for the purpose of marriage.

43. Group Legal Rights Presentations

At some facilities, volunteer groups within the local community will hold group legal rights presentations to provide information and assistance to ICE detainees. The facility will post notification in common areas so that you will be aware of these scheduled presentations in advance. A sign-up sheet will be available in each housing unit, and you will be given the opportunity to attend. Presentations are open to all detainees, regardless of the presenter's intended audience. Exceptions may be made when a detainee's attendance could pose a security risk.

Detainees in segregation will be allowed to attend group presentations in accord with security requirements. If necessary, presentations may be made to individuals in segregation, provided that the presenter agrees to such arrangements and that security can be maintained. If a detainee in segregation cannot attend any type of presentation due to security reasons, and both the detainee and the presenters so request, alternative arrangements may be made.

Some facilities may not have group legal rights presentations because there are not any volunteers in the community offering them. If there are no volunteers available and willing to provide presentations, then we regret that none will be given.



U.S. Immigration
and Customs
Enforcement

Report Suspicious Activity:

1-866-DHS-2-ICE

1-866-347-2423

www.ice.gov

05/2008