

INS DETENTION STANDARD

HOLD ROOMS IN DETENTION FACILITIES

I. POLICY

Hold rooms will be used for the temporary detention of individuals awaiting removal, transfer, EOIR hearings, medical treatment, intra-facility movement, or other processing into or out of the facility.

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. Physical Conditions/Time Limit

The following hold-room specifications are based on the forthcoming INS Hold Room Design Guide. These standards emerged from the Hold Room Design Standards Workshop held in 1999 in Fort Worth, Texas. Effective immediately, hold rooms shall be designed and constructed to comply with the following criteria:

1. *Hold rooms will be situated in a location within the secure perimeter.*
2. *Single-occupant hold rooms shall contain a minimum of 37 square feet (seven unencumbered square feet for the detainee, five square feet for a combination lavatory/toilet fixture, and 25 square feet for wheelchair turnaround). Multiple-occupant hold rooms shall provide an additional seven square feet of unencumbered space for each additional detainee.*

Note: unencumbered space does not include space taken up by benches and tables.

3. *Hold rooms shall be well ventilated and well lit. All activating switches/controls shall be located outside the room, in places accessible to staff only.*
4. *Hold rooms will contain sufficient seating for the maximum room-capacity. The hold room will contain no moveable furniture. Benches may be bolted to the floor or attached to the wall if the wall is of suitable construction. The benches shall provide 18" of seat space per detainee.*
5. *Bunks/cots/beds and other makeshift sleeping apparatus are not permitted inside holdrooms.*
6. *All hold rooms shall be equipped with stainless steel, combination lavatory/toilet fixtures with modesty panels, in compliance with the Americans with Disabilities Act of 1990. Consistent with the International Plumbing Code, small hold rooms (up to 14 detainees) will have one combi-unit; large hold rooms (15 to 49 detainees), at least two. (The Hold Room Design Standards A-E, HDR Architecture, recommends a third combi-unit for hold rooms with 30 or more detainees, or one combi-unit for every 15 detainees).*
7. *Each hold room shall be provided with floor drain(s).*
8. *Hold-room walls shall be escape- and tamperproof, e.g., 8-inch, reinforced concrete masonry unit wall. Impact-resistant, steel-studded surfaces will also meet this standard, especially in existing buildings that cannot support reinforced concrete. The walls shall extend and be tied into the floor/room structure above. Ceilings shall also be escape- and tamperproof, preferably 10-16' high but no less than nine feet, except in currently existing facilities with lower floor-to-floor heights.*
9. *Each hold room shall have two-inch thick, detention-grade, 14-gauge steel doors that swing outward. The 14-gauge steel doorframes of shall also be grouted into the surrounding wall. Requirements include tamper-resistant bolt locks, door-mounted with paracentric keys; jamb-mounted, with mogul keys.*
10. *The solid doors shall be equipped with security-glass or barred windows, 12"x12", installed at eye level for convenient visual checks. Security bars or mesh doors will be of appropriately sturdy construction to prevent escape*
11. *Primary surveillance will be through observation windows to the side of the hold-room doors. Observation windows will start about three feet from the floor and extend no higher than the top of the door.*
12. *The glazing shall meet or exceed the impact-resistant standard of glass-clad polycarbonate laminate. Window jambs shall be 14-gauge steel.*

B. Unprocessed Detainees

The maximum aggregate time an individual may be held in a hold room is 12 hours. The following procedures shall be adhered to:

1. Unaccompanied minors (under 18 years), persons over the age of 70, females with children, and family groups will not be placed in hold rooms, unless they have shown or threatened violent behavior, have a history of criminal activity, or have given staff articulable grounds to expect an escape attempt.

Persons exempt from placement in hold-room shall be seated in an OIC-designated area outside the hold room, under direct supervision and control, barring an emergency. If the physical layout precludes holding these individuals outside the hold room, they may be held in separate rooms, if available.

2. Males shall be segregated from females at all times (even if married).
3. Minors (under 18) will be held apart from adults, unless the adult is an immediate relative or recognized guardian and no other adult detainees are present in the hold room. (For more information regarding juveniles, see *Flores v. Reno*.)
4. Detainees shall be provided with basic personal-hygiene items, e.g., water, disposable cups, soap, toilet paper, feminine-hygiene items, diapers, and sanitary wipes.

If the hold room is not equipped with restroom facilities, the shift supervisor shall position an officer within sight or earshot of the hold room, to provide detainees with regular access to toilet facilities. The facilities will be as close as possible, within the facility's security perimeter. Detainees using the restroom shall be closely monitored, under direct supervision.

C. Detainee Search

Officers shall inspect parcels, suitcases, bags, bundles, boxes, and other property before accepting any item of property.

Every detainee shall undergo a patdown search for weapons or contraband before being placed in a room. Sharp objects, including pens, pencils, knives, nail files, and other objects that could be used as weapons or to deface property shall be removed from the detainee's possession.

Where operationally feasible, an officer of the same sex as the detainee shall perform the patdown search. A patdown search shall be performed even if another section or agency claims to have completed one. If the patdown search indicates the need for a more thorough search is needed, an extended search (i.e., strip search) shall be conducted. This must be performed by an officer of the same sex as the detainee, in the presence of another officer of the same sex (see the "Search" standard).

C. Basic Operational Procedures

1. An officer will look at every individual before placing them in the hold room, checking for obvious mental or physical conditions. If any are apparent, common sense will prevail when dealing with the individual.
2. Each facility shall maintain a detention log (manually or electronically) for every detainee placed in a hold cell. The log records custodial information about new arrivals (e.g., a "voluntary return" waiting for a scheduled transportation run); detainees awaiting legal visitation; and detainees awaiting interviews with supervisory staff or other officials.

The designated hold-room officer will enter specified information into the log immediately upon the detainees' placement in a hold room. However, the log will not record information about detainees in the hold room pending release, in-house medical services, or awaiting court.

In SPCs/CDFs, the detention log shall record:

- a. *Detainee's name;*
- b. *Sex;*
- c. *Age;*
- d. *A-Number;*
- e. *Nationality;*
- f. *Reason for placement;*
- g. *Time in;*
- h. *Time out; and*
- i. *Final disposition.*

The log shall also provide space for meal times, visual checks, and comments.

3. Officers shall provide a meal to any adult in the hold room for more than six hours. Officers should question the individual to determine when the last time he/she has eaten and use common sense when offering a meal. Juveniles will receive meal service regardless of time in custody. Juveniles, babies, and pregnant women shall have regular access to snacks, milk, juice, etc.

Officers should be sensitive to the cultural/religious culinary restrictions and/or differences of all detainees whenever possible.

4. Officers shall closely supervise the detention hold rooms through direct supervision, which involves "irregular" visual monitoring every 15 minutes (each time recording the time and officer's star number in the detention log). When the hold room is not in the officer's direct line of sight, he/she shall maintain continuous auditory monitoring.

Any unusual behavior or complaints shall be noted under "comments." Officers shall keep under constant surveillance any detainee exhibiting signs of hostility, depression, or other symptomatic behavior. In such cases, they shall notify the shift supervisor. (See the "Suicide Prevention and Intervention" standard.)

5. Detainees are not permitted to smoke in the hold room.
6. No officer shall enter a hold room unless another officer is stationed outside the door, ready to respond as needed. Officers shall not carry firearms, OC spray, baton or other non-deadly force devices into the hold room.
7. When the last detainee has been removed from the hold room, it shall be given a thorough cleaning and inspection. Any evidence of tampering with doors, locks, windows, grills, plumbing or electrical fixtures must be reported to the shift supervisor for corrective action or repair.

E. Fire, Building Evacuations, and Medical Emergencies

1. The OIC shall develop and distribute a written evacuation plan and procedures applicable in medical emergencies.


In SPCs/CDFs, evacuation procedures shall include posting the evacuation map and advance designation of the officer responsible for removing detainees from the hold room(s) in case of fire and/or building evacuation.

2. Staff shall immediately call the emergency service immediately when a detainee is determined to need urgent medical treatment. Staff shall notify the supervisor immediately of all such emergencies.
3. If the detainee is removed from the hold room for treatment, an officer-detail shall accompany and remain with the detainee until doctors determine whether the condition will require hospitalization. If the detainee is not hospitalized, the officer detail shall remain with the detainee until treatment is complete and then escort the detainee back to the facility. If the detainee is hospitalized, the officer detail shall notify the supervisor and await further instructions.

IV. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS REFERENCED:

N/A


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: Hold rooms will be used only for temporary detention for detainees awaiting removal, transfer, EOIR hearings, medical treatment, intra-facility movement, or other processing into or out of the facility.

HOLD ROOMS IN DETENTION FACILITIES			
Components	Yes	No	Remarks
1. Is the hold room situated in a location within the secure perimeter?			
2. Do the single occupant hold rooms contain a minimum of 37 square feet (7 unencumbered square feet for the detainee, 5 square feet for a combination lavatory/toilet fixture, and 25 square feet for a wheelchair turn-around area)? b. If multiple-occupant hold rooms are used, is there an additional 7 unencumbered square feet for each additional detainee?			
3. Are the hold rooms well ventilated? a. Well lighted? b. All activating switches located outside the room?			
4. Do the hold rooms contain sufficient seating for the number of detainees held? a. Do the hold rooms contain moveable furniture? b. Are the benches bolted to the floor or attached to the wall? c. Do the benches shall provide 18 inches sitting room per detainee?			
5. Are bunks/cots/beds or other related make shift sleeping apparatuses permitted inside holdrooms?			
6. Are the hold rooms equipped with stainless steel combination lavatory/toilet fixtures with modesty panels? If so a. Are they compliant with the American Disabilities Act? b. Do small hold rooms (1 to 14			

HOLD ROOMS IN DETENTION FACILITIES

Components	Yes	No	Remarks
detainees) have one combi-unit? c. Large hold rooms (15 to 49 detainees) would be provided with two combi-units?			
7. Do the hold room have floor drain(s)?			
8. Are the walls of the hold rooms escape proof? a. Are the hold room ceilings escape and tamper resistant? b. Minimum height of 9 feet?			
9. Does the door to the hold room swing outward? a. Does the door comply with the specifications outlined in the standard?			
10. Are Individuals held in hold rooms for more than 12 hours?			
11. Are family units, persons of advanced age (over 70), females with children, and unaccompanied juvenile detainees (under the age of 18) placed in hold rooms?			
12. Are male and females segregated from each other at all times? a. If they claim to be married?			
13. Is every effort made to ensure that detained detainees under the age of 18 are not held with adult detainees? a. Under what circumstances are minors held with adults? b. If not immediately possible, is an unaccompanied minor detained with an unrelated adult for more than 24 hours?			
14. Are detainees provided with basic personal hygiene items such as water, soap, toilet paper, cups for water, feminine hygiene items, diapers and wipes?			
15. If necessary, are officers within visual or audible range to allow detainees access to toilet facilities on a regular basis? a. Are detainees using the restroom under direct supervision and monitored closely			

HOLD ROOMS IN DETENTION FACILITIES

Components	Yes	No	Remarks
16. Do officers inspect all property, including parcels, suitcases, bags, bundles, boxes, before accepting the property?			
17. Are all detainees given a patdown search for weapons or contraband before being placed in the room?			
18. Does each detention facility maintain a detention log (manually or by computer) for each detainee placed in a hold cell? a. Does the log include the required information specified in the standard?			
19. Do officers provide a meal to any detainee detained more than six hours? a. Do juveniles, babies and pregnant women have access to snacks, milk or juice? b. Are meal served to juveniles regardless of time in custody			
20. Do officers closely supervise the detention hold rooms using direct supervision (Irregular visual monitoring.)? a. Are the hold rooms irregularly monitored every 15 minutes? b. Are unusual behavior or complaints noted? c. If anyone exhibits unusual behavior, such as hostility or depression is constant direct supervision used?			
21. Are detainees permitted to smoke in the holdroom?			
22. Does policy prevent an officer to enter an occupied detention hold room unless another officer is stationed outside the door? a. Are officers permitted to enter the detention hold room with a weapon.			
23. When the last detainee has been removed from the hold room, is it given a thorough inspection. a. Cleaning? b. Is evidence of tampering with doors, locks, windows, grills, plumbing or			

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Components	Yes	No	Remarks
electrical fixtures reported to the shift supervisor for corrective action or repair?			
24. Is there a written evacuation plan? a. Is it posted? b. Is there a designated officer to remove detainees from the holdrooms in case of fire and/or building evacuation?			
25. Is an appropriate emergency service called immediately upon a determination that a medical emergency may exist?			

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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
A. Hold room logbook review			
B. Observation of hold rooms			
C. Review of facility policy and procedure for control and disposition of contraband			
D. Detainee and staff interviews			

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