

ICE/DRO DETENTION STANDARD

DEFINITIONS

A-FILE, ALIEN FILE - The legal file maintained by DHS for each detainee. Contents include but are not limited to the detainee's identification documents (passport, driver's license, other identification cards, etc.), photographs, immigration history, prior criminal record if any, and all documents and transactions relating to the detainee's immigration case.

ACA – American Correctional Association.

ADMINISTRATIVE HEALTH AUTHORITY - The administrative authority is responsible for all access to care, personnel, equipment, and fiscal resources to support the delivery of health care services.

ADMINISTRATIVE SEGREGATION - A form of separation from the general population used when the continued presence of the detainee in the general population would pose a threat to life, property, self, other detainees or staff, or to the security or orderly running of the facility. This housing status also includes detainees who require protective custody, those who cannot be placed in the local population because they are en route to another facility (holdovers), those who are awaiting a hearing before a disciplinary panel and those requiring separation for medical reasons.

ADMISSION/ADMISSIONS PROCESS - In-processing of newly arrived detainees, which includes an orientation to the policies, programs, rules, and procedures of the facility. Classification, assignment of living quarters, various inspections, medical screening and safeguarding of funds, valuables and other personal property is completed during this process.

AMBULATORY RESTRAINTS - "Soft" or "hard" equipment used to restrict a detainee's movement but leaving him or her able to eat, drink or attend to basic bodily functions without staff intervention.

AMMUNITION CONTROL OFFICER (ACO) – An individual who has been designated in writing as the officer responsible for the physical and administrative control of ammunition in the authorizing official's area of accountability.

ATTORNEY - Any person who is a member in good standing of the bar of the highest court of any state, possession, territory, commonwealth or the District of Columbia, and is not under an order of any court suspending, enjoining, restraining, disbaring or otherwise restricting him or her in the practice of law. (See 8 CFR § 1.1(f)).

BODY-CAVITY SEARCH - The visual inspection or physical probing of body openings (anus, vagina, ears, nose, mouth, etc) where weapons, drugs, or other contraband could be secreted. This is the most intrusive means of searching an individual, reserved for instances where other search techniques have been considered but rejected as ineffective under the particular circumstances of the case. Body-cavity search procedures govern physical probes, but not visual inspections.

For example, the procedures would not be appropriate for a *visual* inspection of the inside of the mouth, nose, or ears, unless contraband is found during the course of that inspection. Body-search procedures apply whenever contraband is found, because retrieving/seizing the item will involve physical entry into or probing within the cavity (in this example, the mouth, nose, or ear).

CAUSTIC - Capable of burning, corroding, eroding or destroying by chemical action.

CENSUS CHECK- See **INFORMAL COUNT**.

CHAIN OF COMMAND - Order of authority (rank): executive, senior management, senior staff, etc. The position titles may vary according to the type of facility (SPC, CDF, or IGSA) and local facility

titles. The on-site order of authority at a detention facility descends from the facility administrator to assistant or associate facility administrators to department heads to shift supervisors and other supervisors. Similarly, the ICE/DRO chain-of-command at a detention facility descends from the Officer-In-Charge (OIC) to the Associate OIC to the Chief Detention Enforcement Officer/Chief of Security, Detention Operations Supervisor, etc.

CHEMICAL - A substance with a distinct molecular composition produced by or used in a chemical process.

CHIEF OF SECURITY – A generic term for the department head in charge of a detention facility's security employees and operations. The position titles may vary according to the type of facility (SPC, CDF, or IGSA) and local facility titles. Ordinarily, a chief of security (Chief Detention Enforcement Agent, captain, etc.) is organizationally directly under an assistant or associate facility administrator.

CLASS R (RESTRICTED) TOOLS - Devices to which detainees are forbidden access except in the presence and constant supervision of staff for reasons of safety or security. Class R includes devices that can be used to manufacture or serve as weapons capable of doing serious bodily harm or structural damage to the facility. All portable power tools and accessories are in this category. Class R also includes ladders and other such items that are not inherently dangerous but could prove useful in unauthorized activities, such as escape attempts.

CLASSIFICATION - A process used to make housing and program assignments by assessing detainees on the basis of objective information about past behavior, criminal records, special needs, etc.

CLINICAL DIRECTOR (CD) –An official with overall responsibility for the delivery of health care services to ICE detainees.

CLINICAL MEDICAL AUTHORITY - The medical authority is responsible for the delivery of all health care services to the detainee population. These services include, but are not limited to, medical, nursing, dental, mental health and nutritional services.

COMBUSTIBLE LIQUID—A substance with a flash point at or above 100° Fahrenheit.

COMMISSARY—An area or system where detainees may purchase approved items.

CONSULTATION VISITATION - A discussion, either in person or by telephone, between a detainee subject to Expedited Removal and a person of the detainee's choosing.

CONTACT VISIT—A meeting between detainee and another person authorized to take place in an area free of obstacles or barriers that prevent physical contact.

CONTAINER—Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or other vessel holding a hazardous chemical; does not include pipes or piping systems.

CONTRABAND—Any unauthorized item in the facility: illegal, prohibited by facility rules, or otherwise posing a threat to the security or orderly operation of the facility. This includes unauthorized funds.

CONTRACT DETENTION FACILITY (CDF) – A facility that provides detention services under a competitively bid contract awarded by the ICE.

CONTROL OFFICER—An officer who directs security activities from the Control Center.

COUNT SLIP - Documentation of the number of detainees confirmed present during a population count in a specific area, signed by the officers involved in the count.

CORRESPONDENCE—Letters, postcards and other forms of written material not classified as packages or publications. Large envelopes containing papers qualify as correspondence, but boxes, sacks, and other shipping cartons do not. Books, magazines, newspapers and other

incoming printed matter are not “correspondence.”

CRIMINAL ALIEN—A foreign national convicted of one or more crimes.

DETAINEE HANDBOOK—The policies and procedures governing detainee life in the facility: daily operations, rules of conduct, sanctions for rule violations, recreation and other programs, services, etc.; defined in writing and provided to each detainee upon admission to the facility.

DETENTION FILE – Contents include receipts for funds, valuables, and other personal property; documentation of disciplinary action; reports on detainee behavior; detainee's written requests, complaints, and other communications; official responses to detainee communications; records from Special Management Unit, etc.

DIETICIAN - Individual registered or eligible for registration with the American Dietetic Association or who has the documented equivalent in education, training, or experience, with evidence of relevant continuing education.

DISCIPLINARY HEARING—Non-judicial administrative procedure to determine whether substantial evidence supports finding a detainee guilty of a rule violation.

DISCIPLINARY COMMITTEE - One or more impartial staff members who conduct and/or oversee a disciplinary hearing. A lower-level committee (Unit Disciplinary Committee) investigates a formal Incident Report and may impose minor sanctions or refer the matter to a higher-level disciplinary committee. A higher-level committee (Institution Disciplinary Panel) conducts formal hearings on Incident Reports referred from the lower level committee and may impose higher level sanctions for higher level prohibited acts. Also see “INSTITUTION DISCIPLINARY PANEL.”

DISCIPLINARY SEGREGATION—Confinement in a cell removed from the general population after a serious violation of facility rules in accordance with written procedures.

DIHS – Division of Immigration Health Services.

DRY CELL – A cell or room without running water where a detainee can be closely observed by staff until the detainee has voided or passed contraband or until sufficient time has elapsed to preclude the possibility that the detainee is concealing contraband. Dry cells may be used when there is reasonable suspicion that a detainee has ingested contraband or concealed contraband in a body cavity.

EMERGENCY CHANGES - Measures immediately necessary to maintain security or to protect the health and safety of staff and detainees.

EXPOSURE/EXPOSED—Subjected or potentially subjected to a hazardous substance by any means (inhalation, ingestion, skin contact, absorption, etc.).

FACE-TO-PHOTO COUNT—A process that verifies identity of each detainee by comparing every person present with the photographic likeness on his/her housing card.

FACILITY ADMINISTRATOR – A generic term for the chief executive officer of a detention facility. The formal title may vary (warden, officer in charge, sheriff, jail administrator, etc.).

FIELD OFFICE DIRECTOR (FOD) - Individual with chief responsibility for facilities in his assigned geographic area.

FIREARMS CONTROL OFFICER (FCO) - Individual designated responsible for the physical and administrative control of all firearms under the jurisdiction of the authorizing official.

FLAMMABILITY HAZARD—Has a flash point below 200 degrees Fahrenheit, closed cup, or is subject to spontaneous heating.

FLAMMABLE LIQUID—A substance with a flash point below 100 degrees Fahrenheit (37.8 Centigrade).

FLASH POINT—The minimum temperature at which the vapor of a combustible liquid can form an ignitable mixture with air.

FOOD SERVICE ADMINISTRATOR (FSA)—The official responsible for planning, controlling, directing, and evaluating Food Service Department operations.

FORMAL COUNT—Detainee population assembled at specific times for attendance check, conducted in accordance with written procedures.

FOUR/FIVE-POINT RESTRAINT—A restraint system that confines an individual to a bed or bunk in either a supine or prone position. Ordered by the facility administrator when a detainee's unacceptable behavior appears likely to continue risking injury to self or others.

FULL-TIME WORK ASSIGNMENT—Employed from beginning to end of a shift.

FUNDS—Cash, checks, money orders, and other negotiable instruments.

GENERAL CORRESPONDENCE—All correspondence other than "Special Correspondence."

GENERAL POPULATION – Detainees whose housing and activities are not specially restricted. The term is ordinarily used to differentiate detainees in the "general population" from those in Special Housing Units.

GRIEVANCE—A complaint based on a circumstance or incident perceived as unjust.

HARD CONTRABAND—Any item that poses a serious threat to the life, safety or security of the facility detainees or staff.

HEALTH AUTHORITY—The Health Administrator or Agency responsible for the provision of health care services at a facility or system of facilities. The responsible physician may be the Health Authority. Health Authority may also be referred to as the Medical Department.

HEALTH CARE PRACTITIONER - Defined as an individual who is licensed, certified, or credentialed by a state, territory, or other appropriate body to provide health care services within the scope and skills of the respective health care profession.

HEALTH HAZARD—Includes carcinogens, toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, and other agents that act on the hemopoietic system or damage the lungs, skin, eyes, or mucous membranes.

HEALTH SCREENING-A system for preliminary assessment of the physical and mental condition of individual detainees upon arrival at the facility; conducted by health care personnel or by a health trained officer. The combination of structured inquiry and observation is designed to prevent new arrivals, who appear to pose a health or safety threat to themselves or others, from moving into the general population.

HEALTH SERVICES ADMINISTRATOR (HSA)-Executive responsible for the facility's health care program; may also serve as Clinical Director.

HOLD ROOM-A secure area used for temporary confinement of detainees before in-processing, institutional appointments (court, medical), release, transfer to another facility, or deportation-related transportation.

HOLY DAY-A day specified for religious observance.

HUNGER STRIKE - A voluntary fast undertaken as a means of protest or manipulation. Whether or not a detainee actually declares that he or she is on a hunger strike, staff are required to refer any detainee who is observed to not have eaten for 72 hours for medical evaluation and monitoring.

ILLEGAL CONTRABAND—Any item prohibited by law, the possession of which constitutes grounds for felony or misdemeanor charges.

INDIGENT - Without funds, or with only nominal funds. Ordinarily, a detainee is considered "indigent" if he or she has less than \$15.00 in his or her account.

INDOOR RECREATION AREA-A covered and enclosed exercise space 1,000 square feet or larger, encompassing 15 square feet per detainee for the planned capacity (number using the space at one time).

INFORMAL COUNT-Population count conducted according to no fixed schedule, when detainees are working, engaged in other programs, or involved in recreational activities. Unless a detainee is missing, these counts are not reported; also called "census check" or "irregular count."

INFORMAL RESOLUTION - Brings closure to a complaint or issue of concern to a detainee, satisfactory to the detainee and staff member involved; does not require filing of a written grievance.

INFORMED CONSENT - A patient's knowing choice about a medical treatment or procedure, made after a physician or other healthcare provider discloses whatever information a reasonably prudent provider in the medical community would give to a patient regarding the diagnosis, risks and benefits involved in the proposed treatment or procedure, and prognosis.

IN-PROCESSING – Administrative processing of a detainee arriving at a detention facility (See "Admissions").

INSTITUTION DISCIPLINARY PANEL (IDP)-Review board responsible for conducting disciplinary hearings and imposing sanctions for cases of detainee misconduct referred for disposition following the hearing. The IDP usually comprises a Hearing Officer and representatives of different departments in the facility.

INTERGOVERNMENTAL SERVICE AGREEMENT (IGSA)-A cooperative agreement between ICE and any State, territory or political subdivision for the construction, renovation or acquisition of equipment, supplies or materials required to establish acceptable conditions of confinement and detention services. ICE may enter into an IGSA with any such unit of government guaranteeing to provide bed space for ICE detainees, and to provide the clothing, medical care, food and drink, security and other services specified in the ICE/DRO Detention Standards; facilities providing such services are referred to as "IGSA facilities."

INVESTIGATING OFFICER - An individual of supervisory or higher rank who conducts an investigation of alleged misconduct and was not involved in the incident; usually a Supervisory Detention Enforcement Officer or shift supervisor.

IRREGULAR COUNT-See **INFORMAL COUNT**.

LEGAL ASSISTANT - An individual (other than an interpreter) who, working under the direction and supervision of an attorney or other legal representative, assists with group presentations and in representing individual detainees. Legal assistants may interview detainees, assist detainees in completing forms and deliver papers to detainees without the supervisory attorney being present.

LEGAL CORRESPONDENCE – See "**SPECIAL CORRESPONDENCE**"

LEGAL FILE- See **A-FILE**.

LEGAL REPRESENTATIVE – An attorney or other person representing another in a matter of law, including law students, law graduates not yet admitted to the bar; "reputable individuals"; accredited representatives; accredited officials and attorneys outside the United States (see 8 CFR § 292.1, "Representation and Appearances").

LEGAL RIGHTS GROUP PRESENTATION - Informational session held in a detention facility by an attorney or other legal representative to inform detainees about U.S. immigration law and procedures; not a forum for providing confidential or case-specific legal advice.

LIFE-SUSTAINING PROCEDURE (LIFE SUPPORT) – A medical intervention or procedure that

uses artificial means to sustain a vital function.

MAIL INSPECTION-Examination of incoming and outgoing letters, packages, etc., for contraband, including cash, checks and money orders.

MASTER COUNT-Total number of detainees housed at a facility.

MATERIAL SAFETY DATA SHEET (MSDS)-Basic information about a hazardous chemical, prepared and issued by the manufacturer, in accordance with Occupational Safety and Health Administration regulations (see 29 CFR 1910.1200; see also OSHA Form 174); among other things, specifies precautions for normal use, handling, storage, disposal, and spill cleanup.

MEDICAL PERSONNEL -Those individuals authorized by a "scope of practice" or "scope of privileges" to perform health care delivery consistent with their licensure, certification or training.

MENTAL HEALTH PROVIDER - psychiatrist, clinical or counseling psychologist, physician, licensed clinical social worker or any other mental health professional licensed to practice and provide mental health services at the independent level.

MESSENGER-A person (neither a legal representative nor a legal assistant) whose purpose is to deliver or convey documents, forms, etc., to and from the detainee; not afforded the visitation privileges of legal representatives and legal assistants.

MINOR-A juvenile; a person under the age of 18.

NATIONAL COMMISSION ON CORRECTIONAL HEALTH CARE-Establishes the standards for health service in correctional facilities on which accreditation is based.

NATIONAL FIRE PROTECTION ASSOCIATION-Principal source of fire protection standards and codes.

NCCHC – National Commission on Correctional Healthcare.

NON-CONTACT VISIT-Visitation with a barrier preventing physical contact between the detainee and his or her visitors.

NON-MEDICAL EMERGENCY ESCORTED TRIP-Authorized detainee visit to a critically ill member of his/her immediate family, or to attend the funeral of a member of his/her immediate family. "Immediate family" member refers to a parent (including stepparent and foster parent), child, spouse, sister, or brother of the detainee.

NON-MERIT FACTOR - Any characteristic or factor immaterial to a detainee's mental or physical ability to perform a given assignment.

NON-SECURITY KEY – A key which if duplicated by unauthorized persons and/or lost, would not constitute an emergency requiring urgent action; not critical to facility safety and security.

OUT COUNTS-Detainees temporarily away from the facility, but included in the master count.

OUTDOOR RECREATION AREA-Open-air space for exercise or other leisure activities, large enough to allow 15 square feet per detainee for the largest group expected to use the area at any one time; but not less than 1,500 square feet.

PAT-DOWN SEARCH-Relies on the sensitivity of the officer's hands as they tap or run over the detainee's clothed body; may require the detainee to reveal pocket contents. The least intrusive body search.

PHYSICAL EXAMINATION—A thorough evaluation of an individual's physical condition and medical history conducted by or under the supervision of a trained medical professional.

PLAN OF ACTION-Describes steps the facility will take to convert a condition that has caused a

determination of noncompliance with a standard.

POSSESSION - Control over an item on one's person, or in one's assigned or personal space.

POST ORDERS—Written orders that specify the duties of each position, hour-by-hour, and the procedures the post officer will follow in carrying out those duties.

PROGRESSIVE RESTRAINTS-Control the detainee in the least restrictive manner required, until and unless the detainee's behavior warrants stronger and more secure means of inhibiting movement.

PROTECTIVE CUSTODY (PC)—Administrative segregation for the detainee's own safety.

REASONABLE SUSPICION—Not intuition, but articulable facts that lead staff to suspect a particular person is concealing a weapon, contraband, or evidence of a crime.

RELIGIOUS PRACTICES-Worship, observances, services, meetings, ceremonies, etc., associated with a particular faith; access to religious publications, religious symbolic items, religious counseling and religious study classes; and adherence to dietary rules and restrictions.

REPRESENTATIVE OF THE NEWS MEDIA-Persons whose principle employment is to gather, document or report news for:

- A newspaper that circulates among the general public and publishes news of a general interest such as political, religious, commercial, or social affairs. A key criterion is whether the paper qualifies to publish legal notices in the community in which it is located.
- A news magazine with a national circulation sold to the general public by newsstands and mail subscription.
- A national or international news service.
- A radio or television news program of a station licensed by the Federal Communications Commission.

SALLY PORT-An enclosure situated in the perimeter wall or fence surrounding the facility, containing double gates or doors, of which one cannot open until the other has closed, to prevent a breach in the perimeter security; handles pedestrian and/or vehicular traffic.

SANITATION-The creation and maintenance of hygienic conditions; in the context of food, involves handling, preparing, and storing items in a clean environment, eliminating sources of contamination.

SATELLITE FEEDING-Food served and consumed in a location other than where prepared.

SECURITY KEY— A key which if duplicated by unauthorized persons and/or lost, would jeopardize life, safety, property or security; or would facilitate escape.

SEGREGATION—Confinement in an individual cell isolated from the general population; for administrative, disciplinary, or protective reasons.

SERVICE PROCESSING CENTER (SPC) - A detention facility the primary operator and controlling party of which is ICE.

SEXUAL ACT -- Contact between the penis and the vulva or the penis and the anus, where contact involving the penis occurs upon penetration, however slight; contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; or the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, arouse or gratify the sexual desire of any person.

SHIFT – The time period of an employee work shift or watch -- for example, the morning shift, day shift, or evening shift.

SHIFT SUPERVISOR -- A generic term for the detention security supervisor in charge of operations

during a shift. The position titles may vary according to the type of facility (SPC, CDF, or IGSA) and local facility titles. Ordinarily, a shift supervisor (Detention Operations Supervisor, lieutenant, etc.) is, organizationally, directly under the chief of security (Chief Detention Enforcement Agent, captain, etc.).

SOFT CONTRABAND-Any unauthorized item that does not constitute hard contraband, i.e., does not pose a serious threat to human safety or facility security; includes that quantity of an item possessed in an amount exceeding the established limit.

SPECIAL CORRESPONDENCE - “Special Correspondence” is the term for detainees’ written communications 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 Department of Justice (including the DOJ Office of the Inspector General), the Department of Homeland Security Office for Civil Rights and Civil Liberties, the Department of Homeland Security (including U.S. Immigration and Customs Enforcement, the Office of Detention and Removal Operations, and the DHS Office of the Inspector General); the U.S. Public Health Service (including the Division of Immigration Health Services); administrators of grievance systems; and representatives of the news media.

SPECIAL MANAGEMENT UNIT (SMU) - A housing unit for detainees in administrative or disciplinary segregation.

SPECIAL-NEED DETAINEE - A detainee whose mental and/or physical condition requires special handling and treatment by staff. Special needs detainees include but are not limited to those who are emotionally disturbed, mentally challenged or mentally ill, physically disabled, infirm and drug or alcohol addicts/abusers.

TERMINALLY ILL/INJURED - In critical condition, beyond medical intervention, with death imminent or expected during the course of detention or hospitalization according to the attending physician.

TJC - The Joint Commission [formerly the Joint Commission on Accreditation of Healthcare Organizations (JCAHO)], an independent, not-for-profit organization that evaluates and accredits more than 15,000 health care organizations and programs in the United States. TJC is the Nation’s predominant standards-setting and accrediting body in health care.

TOXIC - Poisonous; capable of causing injury or death.

TRAINING - An organized, planned, and evaluated activity designed to achieve specific learning objectives and enhance personnel performance. Training may occur on site, at an academy or training center, an institution of higher learning, professional meetings, or through contract service or closely supervised on-the-job training. Training programs usually include requirements for completion, attendance records, and certification of completion. Meetings of professional associations are considered training where there is clear evidence of the direct bearing on job performance. In all cases, the activity must be part of an overall training program.

UNENCUMBERED SPACE - Open, usable space measuring at least seven feet in at least one dimension, free of plumbing fixtures, desk, locker, bed, and other furniture and fixtures (measured in operational position).

UNAUTHORIZED FUNDS - Negotiable instruments (checks, money orders, etc.) or cash in a detainee's possession exceeding the facility-established limit.

UNAUTHORIZED PROPERTY- Not inherently illegal, but against the facility's written rules.

UNIT DISCIPLINARY COMMITTEE - See **DISCIPLINARY COMMITTEE**.

VOLUNTEER GROUP - Individuals who collectively donate time and effort to enhance the activities and programs offered to detainees; selected on basis of personal qualities and skills (recreation,

counseling, education, religion, etc.).

WORK ASSIGNMENT - Carpentry, plumbing, food service and other operational activities included in the facility's Voluntary Work Program, for which a detainee may volunteer.

Standard Approved:

James T. Hayes, Jr. /s/

12/5/2008

James T. Hayes, Jr.
Director
Office of Detention and Removal Operations

Date