

ICE/DRO DETENTION STANDARD

HOLD ROOMS IN DETENTION FACILITIES

I. PURPOSE AND SCOPE. This Detention Standard ensures the safety, security, and comfort of detainees temporarily held in Hold Rooms waiting further processing. The maximum aggregate time an individual may be confined in a facility's Hold Room is 12 hours.

Hold Rooms are used for detention of individuals awaiting removal, transfer, EOIR hearings, medical treatment, intra-facility movement, or other processing into or out of a facility.

This Detention Standard applies to the following types of facilities housing ICE/DRO detainees:

- Service Processing Centers (SPCs);
- Contract Detention Facilities (CDFs); and
- State or local government facilities used by DRO through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours.

Procedures in italics are specifically required for SPCs and CDFs; however, IGSA facilities may also find them useful as guidelines. IGSAs may adopt, adapt, or establish alternatives to the italicized procedures, provided they meet or exceed the intent represented by those procedures.

Some terms used in this document may be defined in the separate **Definitions** Standard.

II. EXPECTED OUTCOMES. The expected outcomes of this Detention Standard are:

1. The safety, security, and comfort of detainees temporarily confined in Hold Rooms will be ensured.
2. No detainee will be confined in a Hold Room for more than twelve hours.
3. Males and females will be confined separately.
4. Minors (under 18) will be held apart from adults, except for related adults or legal guardians, provided there are no safety or security concerns with this arrangement.
5. Any detainee with disabilities, including temporary disabilities, will be housed in a manner that provides for his or her safety, comfort and security.
6. Detainees awaiting a medical visit will be seen as promptly as possible.

III. DIRECTIVES AFFECTED. This Detention Standard replaces **Hold Rooms in Detention Facilities** dated 9/20/2000.

IV. REFERENCES

American Correctional Association 4th Edition Standards for Adult Local Detention Facilities: 1A-04, 1A-09, 1A-10, 1A-11, 1A-14, 1A-19, 1A-20, 1A-21, 6B-04.

ICE/DRO Detention Standard on **Searches of Detainees**.

ICE/DRO Detention Standard on **Suicide Prevention and Intervention**.

ICE/DRO Detention Standard on **Use of Force and Restraints**.

ICE/DRO **Hold Room Design Guide**.

ICE/DRO Family Residential Standards Searches of Residents

ICE/DRO Family Residential Standards Use of Physical Force

V. EXPECTED PRACTICES

A. Physical Conditions

Based on the ICE/DRO Hold Room Design Guide, Hold Rooms shall be designed and constructed to comply with the following criteria:

1. *Each Hold Room shall be situated within the facility's secure perimeter.*
2. *Each Single-occupant Hold Room 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. "Unencumbered space" does not include space taken up by benches and tables.*
3. *Each Hold Room shall be well ventilated and well lit. All activating switches and controls shall be located outside the room, in places accessible to staff only.*
4. *Each Hold Room shall contain sufficient seating for the maximum room-capacity but shall contain no moveable furniture. Benches shall provide 18" of seat space per detainee and may be bolted to the floor or attached to the wall if the wall is of suitable construction.*
5. *Bunks, cots, beds and other sleeping apparatuses are not permitted inside Hold Rooms. Exceptions may be made for minors and pregnant women.*
6. *Each Hold Room 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:*
 - *Each small Hold Room (up to 14 detainees) shall have one combi-unit;*
 - *Each large Hold Rooms (15 to 49 detainees), at least two combination units. (The Hold Room Design Standards A-E, HDR Architecture, recommends a third combination unit for a Hold Room with 30 or more detainees, or one combination unit for every 15 detainees.).*

7. *Each Hold Room shall have floor drain(s).*
8. *Hold-room walls shall be escape- and tamper-proof, for example, 8-inch, reinforced concrete masonry unit wall. Impact-resistant, steel-studded surfaces shall also meet this standard, especially in existing buildings that cannot support reinforced concrete. The walls shall extend and be built into the floor/room structure above. Ceilings shall also be escape- and tamper-proof, preferably 10 to 16 feet high but no less than 9 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, and the 14-gauge steel doorframes shall be grouted into the surrounding wall. Also required are 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 shall be of appropriately sturdy construction to prevent escape.*
11. *Primary surveillance shall be through observation windows to the side of the hold-room doors. Observation windows shall 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.*
13. *Detainees shall access to water in hold rooms.*

B. Unprocessed Detainees

The maximum aggregate time an individual may be held in a Hold Room is 12 hours.

1. Unaccompanied minors (under 18) and parent(s) or legal guardians accompanied by minor children shall not be placed in Hold Rooms, unless they have shown or threatened violent behavior, have a history of criminal activity, or have given staff reasonable grounds to expect an escape attempt. As soon as it is determined that an unaccompanied minor is being detained, immediate efforts will be made to remove the detainee to an approved juvenile facility.
2. Persons exempt from placement in a Hold Room due to obvious illness, special medical, physical and or psychological needs, or other documented reasons shall be seated in an appropriate area designated by the facility administrator outside the Hold Room, under direct supervision and control, barring an emergency. If the physical layout precludes holding such individuals outside the Hold Room, they may be held in separate rooms, if available.
3. Males shall be segregated from females at all times (even if married).
4. Any minor (under 18) shall be held apart from adults, unless the adult is a relative or legal guardian and no other adult detainees are in the Hold Room, and provided there are no safety or security concerns with this arrangement. (For more information regarding juveniles, see *Flores v. Reno.*)

5. To the extent practicable in a hold room situation, detainees with known or readily apparent disabilities, including temporary disabilities, shall be housed in manner that accommodates their mental and/or physical condition(s) and provides for their safety, comfort and security.
6. Detainees shall be provided with basic personal hygiene items, for example, water, disposable cups, soap, toilet paper, feminine-hygiene items, diapers, and sanitary wipes.
7. 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, which shall be as close as possible within the facility's security perimeter. Detainees using the restroom shall be closely monitored, under direct supervision. Detainees with physical disabilities will be provided appropriate assistance.

C. Detainee Search

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

Before placing a detainee in a room, staff shall do a pat down search for weapons or contraband:

- The pat down search shall be done by a staff member of the same gender as the detainee, unless one is not available.
- A pat down search is required, even if another section or agency claims to have completed one.

If the pat down search indicates the need for a more thorough search (e.g., reasonable suspicion of contraband or weapon possession), a strip search shall be conducted, in accordance with the Detention Standard on **Searches of Detainees and/or Family Residential Standard on Resident Searches**.

Staff shall remove from a detainee's possession any sharp objects, including pens, pencils, knives, nail files, and other objects that could be used as weapons or to deface property.

D. Basic Operational Procedures

1. Before placing a detainee in a room, an officer shall observe and evaluate whether any individual presents any obvious mental or physical problems. If any are apparent, the officer shall notify appropriate staff.
2. Each facility shall maintain a detention log (manual or electronic) into which the Hold Room officer shall immediately enter specific information on an ICE/DRO detainee's placement in a Hold Room for such reasons as:
 - New arrivals (for example, a "voluntary return" waiting for a scheduled transportation run);
 - Awaiting legal visitation; and/or

- Awaiting interviews with supervisory staff or other officials.

In SPCs/CDFs, the detention log shall record:

- *Detainee's name*
- *Sex*
- *Age*
- *A-Number*
- *Nationality*
- *Reason for placement*
- *Time in*
- *Time out, and*
- *Final disposition of his or her immigration case*
- *Date and Time of new age determination.*

The log shall also provide space to record meal times, visual checks, security concerns (which may also necessitate an incident report) and comments.

3. Meals

- Officers shall offer a meal to any adult in a Hold Room for more than six hours. (Officers should question the individual to determine when he or she last ate, and, if appropriate, provide a meal.)
- Each minor shall receive meal service regardless of the time in custody or time of arrival.
- Minors, pregnant women, and others with evident medical needs shall have access to snacks, milk, and juice.
- To the extent practicable, officers shall be sensitive to detainees' cultural, religious and medical culinary restrictions and differences.

4. Staff shall ensure that sanitation, temperatures and humidity in Hold Rooms are maintained at acceptable and comfortable levels. Minors, pregnant women, and others with evident medical needs will have temporary access to temperature appropriate clothing and blankets.

5. Officers shall closely supervise Hold Rooms through direct supervision that includes:

- Continuous auditory monitoring, even when the Hold Room is not in the officer's direct line of sight;
- Visual monitoring at irregular intervals at least every 15 minutes, each time recording in the detention log, the time and officer's **printed** name and any unusual behavior or complaints under "Comments; and
- Constant surveillance of any detainee exhibiting signs of hostility, depression, or similar behaviors. In such cases, the officer shall notify the

shift supervisor. (See the Detention Standard on **Suicide Prevention and Intervention**.)

6. Staff shall not permit detainees to use tobacco products in a Hold Room.
7. The occupant load/detainee capacity will be posted outside of each holding cell.
8. *At SPCs and CDFs, no officer may enter a Hold Room unless another officer is stationed outside the door, ready to respond as needed. Officers may not routinely carry firearms, pepper spray, a baton, or any other non-deadly force devices into a Hold Room, and any required physical force to control a situation shall be in accordance with the Detention Standard on **Use of Force and Restraints and/or Family Residential Standard on Use of Physical Force**.*
9. When the last detainee has been removed, officers shall ensure the Hold Room is thoroughly cleaned and inspected for any evidence of tampering with doors, locks, windows, grills, plumbing or electrical fixtures and report any such problems to the shift supervisor for corrective action or repair.

E. Fire, Building Evacuations, and Medical Emergencies

1. The facility administrator shall develop and distribute a written plan to be followed in the event of a fire, building evacuation, or medical emergency.
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:
 - Contact the medical emergency service when a detainee appears to be in need of urgent medical treatment, and.
 - Notify the supervisor of any such emergencies.
3. If a detainee is removed from a Hold Room for medical treatment, an officer detail shall accompany and remain with that detainee until medical personnel determine whether the condition requires 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.

Standard Approved:

James T. Hayes, Jr. /s/

12/5/2008

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Date