


U.S. Department of Homeland Security
801 I Street, NW
Washington, DC 20531



U.S. Immigration
and Customs
Enforcement

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MEMORANDUM FOR: Field Office Directors

FROM: John P. Torres
Director 

SUBJECT: Guidelines for the Use of Hold Rooms at all Field Office Locations

Purpose

This memorandum establishes guidelines for the use of hold rooms located within DRO field offices. For the purpose of this memorandum a hold room is defined as any room or location used for the temporary detention of individuals including interview rooms, visitation rooms, processing rooms and holding cells. Holding cells are defined as rooms or areas specifically designed and built for temporarily housing detainees in DRO offices.

Detention facilities designated and used for the sole purpose of housing detainees and properly staffed on a 24/7 basis are exempt from the scope of this memorandum. Detention facilities will abide by the Hold Room Standard within the ICE National Detention Standards.

Required Action

Field Office Directors are responsible for the dissemination, training and enforcement of the following procedures within their areas of responsibilities.

General

All DRO personnel are responsible and accountable for the monitoring of all detainees placed in cells or hold rooms. All personnel will ensure all detainees are accounted for and hold rooms are emptied upon the conclusion of daily operations.

Unaccompanied minors (under 18 years), persons over the age of 70, females with children, and family groups will not be placed in cells, unless they have shown or threatened violent behavior, have a history of criminal activity, or have given officers or staff reason to believe

there is an escape risk. Persons exempt from placement in cells shall be seated in a designated area outside the cells, under direct supervision and control. If the physical layout precludes holding these individuals outside the cells, they may be held in a separate cell or room.

Males shall be segregated from females at all times (even if married).

Minors (under 18) will be held apart from adults, unless the adult is an immediate relative or recognized guardian of the same sex, and no other adult detainees are present in the same room. (For more information regarding juveniles, see *Flores v. Reno*.)

Hold rooms and cells must be clear of objects that could possibly be used as weapons against officers, staff or detainees. When detainees are placed in rooms not originally designed for holding detainees (i.e. interview rooms, offices) they must remain under direct supervision at all times.

If the hold room or cell is not equipped with restroom facilities, the supervisor shall position an officer within sight or earshot of the cell or hold room, to provide detainees with regular access to toilet facilities. Detainees using the restroom shall be closely monitored, under direct supervision.

Detainee Search

Officers shall inspect parcels, suitcases, bags, bundles, boxes, and other property. Detainee property will be kept outside the hold room or cell and out of the reach of detainees.

Every detainee shall undergo a pat down search for weapons or contraband before being placed in a hold room or cell. Sharp objects, including pens, pencils, knives, nail files, and other objects that could be used as weapons or to deface property as well as any smoking materials, matches and lighters shall be removed from the detainee's possession.

Where operationally feasible, an officer of the same sex as the detainee shall perform the pat down search. A pat down search shall be performed even if another section or agency claims to have completed one. If the pat down search indicates the need for a more thorough search is needed, an extended search (i.e., strip search) shall be conducted in accordance to ICE policies and procedures.

Operational Procedures

A DRO officer will observe every individual before placing them in a hold room, checking for obvious mental or physical conditions. If any conditions are apparent the officer will immediately notify a supervisor.

Each office shall maintain a detention log for every detainee brought into DRO custody regardless of purpose (e.g. new arrivals; detainees awaiting legal visitation; detainees awaiting interviews, etc.) **At the conclusion of each day, a supervisor must review, date, and sign the detention log.**

The detention log shall record at a minimum:

- a. Detainee's name;
- b. Sex;
- c. Age;
- d. A-Number;
- e. Nationality;
- f. Reason for placement (e.g. court run, removal, interview with DO, etc.)
- g. Time in;
- h. Meal time;
- i. Time out; and
- j. Final disposition (e.g. deported, transported to ABC County Jail, etc.)
- k. Badge # of logging officer

Officers shall provide a meal to any adult detainee in custody for more than six hours. 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 and religious differences of all detainees. Religious requests shall be granted whenever possible.

Officers shall closely supervise the holding cells through direct supervision, which involves "irregular" visual monitoring at least every 15 minutes. 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 immediately be addressed and reported to a supervisor. Officers shall keep under constant surveillance any detainee exhibiting signs of hostility, depression, or other symptomatic behavior. In such cases, officers shall notify their immediate supervisor.

No officer shall enter a hold room or cell 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.

Hold Room Inspection Log

Each office will maintain a "Hold Room Inspection Log". At the conclusion of daily operations every hold room will be given a thorough visual inspection to ensure there are no detainees or contraband left in a hold room. Another visual inspection will be completed at the beginning of the next business day prior to placing detainees in hold rooms to ensure that the rooms are operational, and that no contraband has been introduced overnight.

These visual inspections will be recorded in the hold room inspection log at the beginning and end of each operational day. **The log will include the date, time, name and signature of the officer conducting each inspection.**

Any evidence of tampering with doors, locks, windows, grills, telephones, plumbing or electrical fixtures will be immediately reported to a supervisor for corrective action or repair and noted in the hold room inspection log. The hold room will not be utilized until the corrective action and/or repair is complete, and a supervisor has given authorization for use.

Fire, Building Evacuations, and Medical Emergencies

Field Office Directors shall develop and distribute a written evacuation plan and procedures applicable in medical emergencies. These plans shall be reviewed annually.

Staff shall immediately call the local emergency service when a detainee is determined to need urgent medical treatment. Staff shall immediately notify supervisory personnel of all emergencies.

If the detainee is removed from a hold room for treatment, an officer(s) shall accompany and remain with the detainee. If the detainee is hospitalized, the officer(s) shall notify supervisory personnel and await further instructions.

If there are any questions, please contact [REDACTED] Detention and Deportation Officer, Detention Standards Compliance Unit at (202) [REDACTED]