

# 6.1 Detainee Handbook

## I. Purpose and Scope

This detention standard requires that, upon admission, every detainee be provided comprehensive written orientation materials that describe such matters as the facility’s rules and sanctions, disciplinary system, mail and visiting procedures, grievance system, services, programs and medical care, in English, Spanish and other languages and that detainees acknowledge receipt of those materials.

This detention standard applies to the following types of facilities housing ICE/ERO detainees:

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

*Procedures in italics are specifically required for SPCs, CDFs, and Dedicated IGSA facilities.* Non-dedicated IGSA facilities must conform to these procedures or adopt, adapt or establish alternatives, provided they meet or exceed the intent represented by these procedures.

For all types of facilities, procedures that appear in italics with a marked (\*\*) on the page indicate optimum levels of compliance for this standard.

Various terms used in this standard may be defined in standard “7.5 Definitions.”

## II. Expected Outcomes

The expected outcomes of this detention standard are as follows (specific requirements are defined in “V. Expected Practices”).

1. Upon admission to a facility, each detainee shall be provided the comprehensive written orientation materials, which shall consist of the

*ICE National Detainee Handbook* (ICE Handbook) and a local detainee handbook supplement. The facility shall develop the local detainee handbook supplement, which shall describe such matters as:

- a. the grievance system;
  - b. services and programs;
  - c. medical care;
  - d. access to legal counsel;
  - e. law libraries and legal material;
  - f. correspondence and other material;
  - g. staff-detainee communication;
  - h. the classification system;
  - i. visitation; and
  - j. the disciplinary system.
2. Each detainee shall verify, by signature and date, receipt of those orientation materials, and that acknowledgement shall be maintained in the detainee’s detention file.
  3. The ICE Handbook will be provided to the facility in English, Spanish and other languages made available by ICE. The facility administrator shall ensure that the facility has sufficient quantities of the English and all translated versions of the ICE Handbook, and shall request additional copies of the ICE Handbook from the Field Office Director as needed.
  4. The local handbook supplement provided to detainees shall generally be translated into Spanish. Where practicable, provisions for written translation shall be made for other significant segments of the population with limited English proficiency.

Oral interpretation or assistance shall be provided to any detainee who speaks another language in which written material has not been translated or who is illiterate. Materials may be provided via audio or video recordings.

The facility shall provide communication assistance to detainees with disabilities and detainees who are limited in their English proficiency (LEP). The facility will provide detainees with disabilities with effective communication, which may include the provision of auxiliary aids, such as readers, materials in Braille, audio recordings, telephone handset amplifiers, telephones compatible with hearing aids, telecommunications devices for deaf persons (TTYs), interpreters, and note-takers, as needed. The facility will also provide detainees who are LEP with language assistance, including bilingual staff or professional interpretation and translation services, to provide them with meaningful access to its programs and activities.

### III. Standards Affected

This detention standard replaces “Detainee Handbook” dated 12/2/2008.

### IV. References

American Correctional Association, *Performance-based Standards for Adult Local Detention Facilities*, 4th Edition: 4-ALDF-2A-27, 2A-28, 2A-29.

ICE/ERO *Performance-based National Detention Standards 2011*:

- “2.2 Custody Classification System”;
- “2.13 Staff-Detainee Communication”;
- “3.1 Disciplinary System”;
- “4.3 Medical Care”;
- “5.1 Correspondence and Other Mail”;
- “5.7 Visitation”;
- “6.2 Grievance System”; and
- “6.3 Law Libraries and Legal Material.”

### V. Expected Practices

#### A. Distribution

The facility administrator shall distribute the ICE Handbook, and shall develop and distribute a local written supplement to the handbook.

For consistency among detention facilities, the ICE Handbook shall be used as a comprehensive orientation resource. In each facility, the local supplement contents shall be customized and adapted for that specific facility.

#### B. Contents of Local Supplement

Upon admission to a facility, prior to placement in general population, each detainee shall be provided a copy of the handbook and that facility’s local supplement to the handbook.

Staff shall require each detainee to verify, by signature, receipt of the handbook, and shall maintain that signed acknowledgement in the detainee’s detention file.

While all applicable topics from the handbook must be addressed, it is especially important that each local supplement notify each detainee of:

1. the rules, regulations, policies and procedures with which every detainee must comply;
2. detainee rights and responsibilities;
3. procedures for requesting interpretive services for effective communication;
4. Procedures for requesting reasonable accommodations
5. the facility’s zero tolerance policy for all forms of sexual abuse and assault;
6. the facility’s rules of conduct and prohibited acts, the disciplinary severity scale, the sanctions imposed for violations of the rules, the disciplinary process, the procedure for appealing disciplinary findings, and detainees’ rights in the disciplinary system, as required by standard “3.1 Disciplinary System,” at Section B of Expected Practices;

7. information about the facility’s grievance system including medical grievances, as required by standard “6.2 Grievance System,” at Section B of Expected Practices;
8. the facility’s policies on telephone access and on the monitoring of telephone calls, if telephone calls are monitored;
9. the facility’s visitation rules and hours;
10. rules and procedures governing access to the law library as required by standard “6.3 Law Libraries and Legal Material,” at Sections E(2) and N of Expected Practices;
11. content and procedures of the facility’s rules on legal rights group presentations, and the availability of legal orientation programs;
12. the facility’s rules on correspondence and other mail, including information on correspondence procedures as required by standard “5.1 Correspondence and Other Mail,” at Section C of Expected Practices;
13. the facility’s policies and procedures related to personal property, as required by standard “2.5 Funds and Personal Property,” at Section C of Expected Practices;
14. the facility’s marriage request procedures;
15. contact information for the ICE/ERO Field Office and the scheduled hours and days that ICE/ERO staff is available to be contacted by detainees at the facility; and
16. procedures to submit written questions, requests, or concerns to ICE/ERO staff, as well as the availability of assistance to prepare such requests.

### **C. Translations and Access for Limited English Proficient Detainees**

The ICE Handbook shall be provided in English, Spanish and other predominant languages as determined necessary by the Field Office Director.

The facility administrator shall ensure that the facility has sufficient quantities of the English and all translated versions of the ICE Handbook and shall request additional copies of the ICE Handbook from the Field Office Director as needed. The local handbook supplement provided to detainees shall generally be translated into Spanish. Where practicable, provisions for written translation shall be made for other significant segments of the population with limited English proficiency.

If a detainee cannot read or does not understand the language of the handbook, the facility administrator shall provide the material using audio or video tapes in a language the detainee does understand, arrange for the orientation materials to be read to the detainee, or provide a translator or interpreter within a reasonable amount of time.

### **D. Detention Support Staff**

The facility administrator shall provide a copy of the ICE Handbook and the local supplement to every staff member who has contact with detainees, and shall address their contents in initial and annual staff training.

### **E. Updates**

The ICE Handbook will be updated as necessary by ICE/ERO. The facility administrator shall appoint a committee to review the local supplement annually and recommend changes. While the handbook does not have to be immediately revised and reprinted to incorporate every change, the facility administrator shall establish procedures for immediately communicating such changes to staff and detainees through methods including but not limited to the following:

1. posting changes on bulletin boards in housing units and other prominent areas;
2. notifying staff by memos and other means; and
3. informing new arrivals during orientation.

On occasion, ICE/ERO may require a specific and

immediate change to the handbook.

## **F. Reporting Allegations**

The ICE Handbook will explicitly address how

detainees shall report allegations of abuse and civil rights violations, along with violations of officer misconduct, directly to ICE/ERO headquarters or the DHS Office of Inspector General.