

STANDARD 2.2

CUSTODY CLASSIFICATION SYSTEM

I. POLICY

In accordance with the requirements and guidelines of this standard, each facility is required to have in place a formal detainee classification system that begins at admission and is based on interviews and verifiable and documented information. This process will assist in the management and separation of detainees to ensure safety and security.

II. STANDARDS AND PROCEDURES

A. Standards

The facility shall develop and implement a system for classifying detainees in accordance with the guidelines set forth in this Standard.

The classification system shall ensure:

1. All detainees are classified upon arrival, before being admitted into the general population.
2. All officers assigned to classification duties shall be trained in the facility's classification process. The initial classification process and initial housing assignment should be completed within 12 hours of admission to the facility.
3. If a detainee cannot be classified without certain information that is missing at the time of processing (e.g., results of criminal-record check), the detainee will be kept apart from the general population pending arrival of that information.
4. A supervisor will review each detainee's classification.
5. A detainee's classification level will determine his or her housing assignment, voluntary work assignment, and how his or her recreational activities, meals, and religious services are managed.
6. Each facility shall establish a system that readily identifies a detainee's classification level, for example, color-coded uniforms.
7. Detainees with special vulnerabilities will be identified and the appropriate accommodations provided.

B. Classification Review

A supervisor will review the intake/processing officer's classification file for each detainee for accuracy and completeness. Among other things, the reviewing officer shall ensure each detainee has been assigned to the appropriate housing unit.

C. Classification Information

Staff shall use the most reliable, objective information available during the classification process. "Objective" information refers to documented or discernible facts, such as gender identification, most recent and/or prior criminal offense(s), escapes, institutional disciplinary history, violent episodes/incidents, victimization, mental health and/or medical status, and age. ICE/ERO offices will provide the facility with any information available to ICE to assist the facility in classifying detainees.

D. Classification Levels and Housing Assignments

All facilities shall ensure detainees are housed according to their classification level.

The classification system shall assign detainees to the least restrictive housing consistent with facility safety and security.

E. Special Vulnerabilities

Special consideration shall be given to any factor that would raise a detainee's vulnerability, or risk of vulnerability, victimization, or assault in detention. Detainees with special vulnerabilities include those who are elderly, pregnant, or nursing; those with serious physical or mental illness, or other disability; those who would be susceptible to harm in general population due in part to their sexual orientation or gender identity; and those who have been victims of sexual assault, torture, trafficking, or abuse. This process should incorporate the requirements in Standard 2.11, "Sexual Abuse and Assault Prevention and Intervention," regarding assessment of risk for victimization or perpetration of sexual abuse or assault.

Consistent with Standard 4.7, "Disability Identification, Assessment, and Accommodation," the facility shall use any information about identified disabilities in making classification and housing decisions. Detainees with disabilities shall be housed in the least restrictive and most integrated setting possible consistent with facility safety and security and provided an equal opportunity to participate in or benefit from the facility's programs and activities.

When making classification and housing decisions for a transgender or intersex detainee, staff shall consider the detainee's gender self-identification and assess the effects of placement on the detainee's health and safety. A medical or mental health professional shall be consulted as soon as practicable on this assessment. Placement decisions of transgender or intersex detainees should not be based solely on the identity documents or

physical anatomy of the detainee, and a detainee's self-identification of his or her gender and self-assessment of his or her safety needs shall always be taken into consideration as well. The placement shall be consistent with the safety and security considerations of the facility, and placement and programming assignments for each transgender or intersex detainee shall be reassessed at least twice each year to review any threats to safety experienced by the detainee.

F. Reclassification

All facility classification systems shall ensure that a detainee is reassessed and/or reclassified at regular intervals and upon the occurrence of relevant events. Reclassification assessments shall consider, among other factors, the detainee's risk of victimization or abusiveness. Subsequent reclassification assessments shall be completed any other time when warranted based upon the receipt of additional, relevant information, or following an incident of abuse or victimization. A detainee may request reclassification at any time.

If it is documented, suspected, or reported that a detainee has been physically or sexually abused or assaulted, the victim's perception of his or her own safety and well-being shall be among the factors considered.

G. Classification Appeal

All facility classification systems shall include procedures by which new arrivals can appeal their classification levels. The facility shall respond to all appeals in a timely manner.

H. Notice to Detainees

The facility shall include a classification section in its detainee handbook which will include the following:

1. An explanation of the classification levels, with the conditions and restrictions applicable to each.
2. The procedures by which a detainee may appeal his or her classification.