

STANDARD 2.5

HOLD ROOMS IN DETENTION FACILITIES

I. POLICY

Hold rooms may be used for the temporary detention of individuals awaiting removal, transfer, Executive Office of Immigration Review (EOIR) immigration court hearings, medical treatment, intra-facility movement, or other processing into or out of the facility.

II. STANDARDS AND PROCEDURES

A. Physical Conditions

1. Hold rooms will be located within the secure perimeter.
2. Single-occupant hold rooms 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.
3. Hold rooms shall be well ventilated, well lit, and allow for convenient visual checks.
4. Hold rooms will contain sufficient seating for the maximum room capacity, which shall be posted outside the hold room.
5. Bunks, cots, beds, and other sleeping apparatus are not permitted inside hold rooms. Exceptions shall be made for detainees who are ill, and for minors and pregnant women.
6. All hold rooms shall be equipped to provide handwashing and potable water. Hold rooms with toilets shall allow for an appropriate amount of privacy. If the hold room is not equipped with a toilet, the shift supervisor shall at all times position an officer within sight or earshot of the hold room to provide detainees with regular access to toilet facilities. Detainees using the restroom shall be appropriately monitored.
7. Facilities will be in compliance with the applicable federal and state accessibility standards.

B. Time Limits and Restrictions

A detainee may not be held in a hold room for more than 12 hours. The following procedures shall be adhered to:

1. Unaccompanied minors (under 18 years), persons over the age of 70, females with children, and family groups will not be placed in hold rooms, unless they have shown or threatened violent behavior, have criminal convictions involving violence, or have given staff articulable grounds to expect an escape attempt.
2. As soon as it is determined that a minor in ICE custody is unaccompanied, facilities must coordinate immediately with ICE/ERO. ICE/ERO will arrange with its Juvenile Family and Residential Management Unit (JFRMU) to move the minor within 72 hours to an approved facility designated for the placement of unaccompanied minors by U.S. Department of Health and Human Services Office of Refugee Resettlement (ORR).
3. While in ICE custody, juveniles shall be detained in the least restrictive setting appropriate to the juvenile's age and special needs, provided such a setting is consistent with the need to protect the juvenile's well-being and that of others, as well as with any other laws, regulations, or legal requirements.
4. Persons exempt from placement in hold rooms due to obvious illness; special medical, physical, and or psychological needs; or other documented reasons shall be seated in a designated area outside the hold room, under direct supervision and control, barring an emergency. If the physical layout of the facility precludes holding these individuals outside the hold room, they may be held in separate rooms, if available.
5. Adult males shall be segregated from adult females at all times (even if married).
6. Minors (under 18) will be held apart from adults, minimizing sight, sound, and physical contact, unless the adult is an immediate relative or recognized guardian and no other adult detainees are present in the hold room and there are no safety or security concerns with the arrangement.
7. Detainees shall be provided with basic personal hygiene items, e.g., water, disposable cups, soap, toilet paper, feminine hygiene items, diapers, and sanitary wipes.

C. Detainee Search

Every detainee shall undergo a pat-down search for weapons or contraband before being placed in a hold room. Sharp objects, including pens, pencils, knives, nail files, and other objects that could be used as weapons, shall be removed from the detainee's possession.

Opposite gender pat-down searches of male detainees shall not be conducted unless, after reasonable diligence, male staff is not available at the time the pat-down search is required, or in exigent circumstances. Opposite gender pat-down searches of female detainees shall not be conducted unless in exigent circumstances. All opposite gender pat-down searches shall be documented. If the pat-down search indicates the need for a more thorough search, a strip search shall be conducted. This must be performed by an officer of the same gender as the detainee, or in the presence of another officer of the same gender (see Standard 2.7 "Searches of Detainees" for more detailed information).

D. Basic Operational Procedures

1. An officer will visually assess every individual before placing them in the hold room, checking for any open, obvious, or apparent disabilities, mental health concerns, or other special needs.
2. Each facility shall maintain a log which records custodial information about all detainees placed in and removed from hold rooms.
3. Officers shall provide a meal to any adult in the hold room for more than six hours. Juveniles will receive meal service regardless of time in custody. Juveniles, babies, pregnant women, and others for whom it is medically necessary shall have regular access to snacks, milk, juice, etc. Staff shall ensure that sanitation and temperatures in hold rooms are maintained at acceptable levels. Juveniles, pregnant women, and others with evident medical needs shall have access to temperature-appropriate clothing and blankets. The facility will record when food is provided.
4. Officers shall closely supervise the hold rooms through direct supervision, which involves irregular visual monitoring not to exceed 15 minutes between checks (each time recording the time and officer's name or identifier in the detention log). Staff shall conduct constant surveillance of any detainee exhibiting signs of hostility, depression, or similar behaviors. In such cases, the officer shall notify a supervisor.
5. Staff shall immediately notify the emergency medical provider or services when a detainee appears to be need of emergency medical treatment.
6. When the last detainee has been removed from the hold room, the room shall be given a thorough cleaning and safety inspection.