

Enforcement and Removal Operations

# National Detainee Handbook

Custody Management

April 2016



U.S. Immigration  
and Customs  
Enforcement

**A**

**Amharic**  
አኒ የምናገረው አማርኛ ነው።  
**Arabic**  
انا اتكلم العربية  
**Armenian**  
Ես խոսում եմ հայերեն

**B**

**Bengali**  
আমি বাংলা বলতে পারি  
**Bosnian**  
Ja govorim bosanski  
**Bulgarian**  
Аз говоря български  
**Burmese**  
ကျွန်တော်/ကျွန်မ မြန်မာ ငို ဝိုင်တတ် ပါတယ်

**C**

**Cambodian**  
ខ្ញុំនិយាយភាសាខ្មែរ  
**Cantonese**  
我講廣東話 (Traditional)  
我讲广东话 (Simplified)  
**Catalan**  
I parlo català  
**Croatian**  
Govorim hrvatski  
**Czech**  
Mluvím česky

**D**

**Danish**  
Jeg taler dansk  
**Dari**  
من دری حرف می زنم  
**Dutch**  
Ik spreek het Nederlands

**E**

**Estonian**  
Ma räägin eesti keelt

**F**

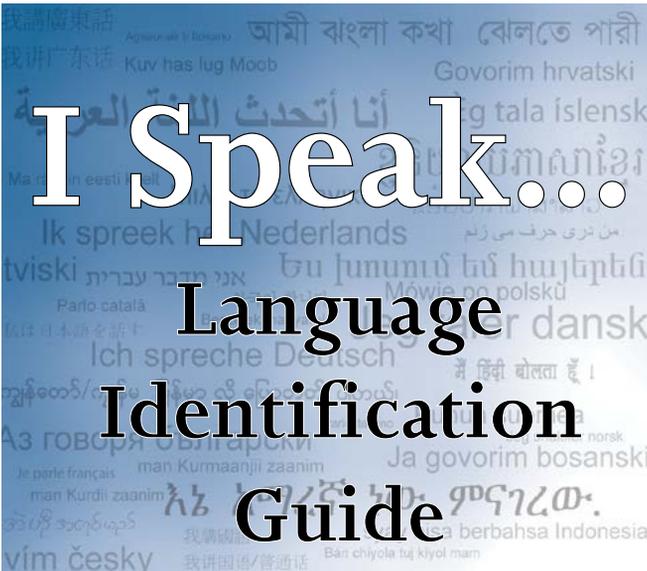
**Finnish**  
Puhun suomea  
**French**  
Je parle français

**G**

**German**  
Ich spreche Deutsch  
**Greek**  
Μιλώ τα ελληνικά  
**Gujarati**  
હું ગુજરાતી બોલું છું

**H**

**Haitian Creole**  
M pale kreyòl ayisyen  
**Hebrew**  
אני מדבר עברית  
**Hindi**  
मैं हिंदी बोलता हूँ ।  
**Hmong**  
Kuv hais lus Hmoob  
**Hungarian**  
Beszélék magyarul



**I**

**Icelandic**  
Ég tala íslensku  
**Indonesian**  
Saya berbicara bahasa Indonesia  
**Ilocano**  
Agsaonak ti Ilocano  
**Italian**  
Parlo italiano

**J**

**Japanese**  
私は日本語を話す

**K**

**Korean**  
한국어 합니다  
**Kurdish**  
min azanim Ba Kurdi Qsa bkam  
**Kurmanji**  
as zanim eb kurmanji baxvim

**L**

**Laotian**  
ຂອບປາກພາສາລາວ  
**Latvian**  
Es runāju latviski  
**Lithuanian**  
Aš kalbu lietuviškai

**M**

**Mandarin**  
我講國語 (Traditional)  
我讲国语/普通话 (Simplified)  
**Mongolian**  
би монгол хэл ярьдаг

**N**

**Norwegian**  
Jeg snakker norsk

**P**

**Persian**  
من فارسی صحبت می کنم.  
**Polish**  
Mówię po polsku  
**Portuguese**  
Eu falo português do Brasil (for Brazil)  
Eu falo português de Portugal (for Portugal)  
**Punjabi**  
ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ ਹਾਂ।

**R**

**Romanian**  
Vorbesc românește  
**Russian**  
Я говорю по-русски

**S**

**Serbian**  
Ja govorim српски  
**Sign Language (American)**

**Slovak**  
Hovorim slovenská  
**Slovenian**  
Govorim slovensko  
**Somali**  
Waxaan ku hadlaa af-Soomaalii  
**Spanish**  
Yo hablo español  
**Swahili**  
Ninaongea Kiswahili  
**Swedish**  
Jag talar svenska

**T**

**Tagalog**  
Marunong akong mag-Tagalog  
**Tamil**  
நான் தமிழ் பேசுகிறேன்

**Thai**  
พูดภาษาไทย  
**Turkish**  
Türkçe konuşurum

**U**

**Ukrainian**  
Я розмовляю українською мовою  
**Urdu**  
میں اردو بولتا ہوں

**V**

**Vietnamese**  
Tôi nói tiếng Việt

**W**

**Welsh**  
Dwi'n siarad Cymraeg

**X**

**Xhosa**  
Nditheha isiXhosa

**Y**

**Yiddish**  
איך רעד יידיש  
**Yoruba**  
Mo ńsọ Yorùbá

**Z**

**Zulu**  
Ngiyasikhuluma isiZulu

Human trafficking is a form of modern-day slavery and involves the use of force, fraud, or coercion to exploit men, women or children and subject them into some type of labor or commercial sex act. Any minor exploited for commercial sex is a victim of human trafficking, even if not induced by force, fraud, or coercion.

Trafficking victims can be any age, race, gender, or nationality. Victims can find themselves in a foreign country and may not speak the language.

Report human trafficking to the U.S. Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Tip line at 1-866-347-2423 or online at [www.ice.gov/tips](http://www.ice.gov/tips). The HSI Tip line is available 24/7 with language capability in over 300 languages and dialects. If calling from outside the United States, please call the non-toll free worldwide number of 802-872-6199."

To get help from the National Human Trafficking Resource Center (NHTRC) call 1-888-373-7888 or text HELP or INFO to BeFree (233733). The NHTRC is a national, toll-free hotline available to answer calls from anywhere in the country, 24 hours a day, 7 days a week, every day of the year with language capability in over 170 languages. The NHTRC is not a law enforcement or immigration authority and is operated by a nongovernmental organization funded by the federal government.

To get digital copies of this poster or "I Speak" booklet, visit [www.dhs.gov/blue-campaign](http://www.dhs.gov/blue-campaign) or contact the DHS Blue Campaign at [BlueCampaign@hq.dhs.gov](mailto:BlueCampaign@hq.dhs.gov).



[www.dhs.gov/blue-campaign](http://www.dhs.gov/blue-campaign)  
Email: [BlueCampaign@hq.dhs.gov](mailto:BlueCampaign@hq.dhs.gov)  
Report suspicious activity to  
1-866-347-2423

I Speak is provided by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). Other resources are available at [www.lep.gov](http://www.lep.gov). Special thanks to the Department of Justice Bureau of Justice Assistance and the Ohio Office of Criminal Justice Services for inspiration and permission to use their I Speak guide. Permission may be required for the use of Ohio Office of Criminal Justice Services information other than as included in this booklet.



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## INTRODUCTION

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You are being housed in a detention facility operated or contracted by the U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations (ERO).

### You will probably stay at the facility until:

- Your immigration case is decided;
- You are ordered to be removed from the country; or,
- You are transferred to another facility.

### It is your responsibility to read this handbook to learn about:

- Your responsibilities and rights as a detainee;
- Programs and services available to you;
- Rules you must follow;
- Procedures for common situations; and
- How to report problems and file complaints.

This handbook provides only a summary of important information and does not cover all rights and requirements related to your stay at the facility.

You will also receive a handbook from your facility that explains its local rules. It is important that you understand and follow the rules in both handbooks. If you lose this handbook, you are entitled to one replacement. Copies will be available for reference at the law library and in the housing units, or may be requested from facility staff.

If you need help understanding this handbook, tell a staff member at your facility or an ICE officer.

If you do not read or understand English, you have the right to receive important information in a language or format you understand or to have someone explain it to you in simpler terms. Tell an officer if you need assistance.

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## YOUR RESPONSIBILITIES AND RIGHTS

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While ICE's policy is to treat all detainees with dignity and respect and to keep the facility safe, secure, and clean, you also have responsibilities and rights.

### YOUR RESPONSIBILITIES

One of your main responsibilities is to learn and follow all the facility's rules, regulations, and instructions. If you do not follow the facility's rules, you may be subject to discipline. You also must respect the staff, other detainees, and all property and to keep yourself and your surroundings clean.

#### You are also responsible for:

- Cooperating with the staff;
- Using staff members' titles, as in, mister, miss, doctor, officer, and their last name;
- Being polite to other detainees; and
- Following laundry and shower schedules.

### YOUR RIGHTS

You have certain rights, and they are observed as long as they do not harm others or disrupt the order and security at the facility.



### You have the right to maintain your personal well-being, hygiene, and health care.

While being detained at the facility, you have the right to nutritious balanced meals, clean clothes, regular opportunities to bathe and do laundry, and be given the supplies to do so. You have the right to take regular showers, live in areas with proper air circulation and heating, and have access to medical and mental health care if needed.

### You have rights if you are disabled.

If you have a disability, such as limited ability to move, speak, breathe, see, hear, or care for yourself, you have the right to reasonable access to all programs, activities, and services available to other detainees. You also have the right to be provided aids or services to help you communicate, see, or hear.

### You also have the right to the following:

- Practice your religious faith;
- File a complaint about the living conditions with the facility or the Department of Homeland Security (DHS);
- Be free from being discriminated against for any reason, including your race, religion, national origin, sex, sexual orientation, gender identity, physical ability, mental ability or political beliefs;
- To be protected from mistreatment;
- To report any assault, including an incident of sexual abuse or assault, to facility staff or DHS; and
- To access law library resources and legal assistance. See your local facility handbook for information about legal aid programs and their presentations, rules, procedures, and hours.

### YOUR IMMIGRATION CASE

- You have the right to obtain a lawyer or approved legal representative of your choice, at no cost to the U.S. government. It is your responsibility to obtain the services of the attorney. That person must sign Form G-28 to notify the facility they will represent you.
- Depending on your case, you may have the right to a hearing before an immigration judge. You or your lawyer or legal representative are responsible for presenting your case to the immigration judge.
- The government may decide your immigration status using alternative proceedings which may not involve an immigration judge, if the law allows it. You may be authorized for release on bond until your scheduled hearing, but it is your responsibility to pay the bond.

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### **You have the right to ask for relief from removal based on various legal grounds if you believe you qualify.**

These might include cancellation of removal, adjustment of status, asylum, withholding of removal, or relief under the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

For example, you have the right to ask for asylum to stay in the U.S. if you were (or are afraid that you will be) persecuted in your native country or a country where you last lived because of your race, religion, nationality, political opinion, or membership in a particular social group.

### **You have the right to leave the United States voluntarily before your hearing, if statutorily eligible.**

This is called voluntary departure. If your request is approved, you may lose the right to present your case at a hearing. If you want to leave voluntarily, you must tell an ICE officer or the immigration judge.

If you have questions about the removal process, talk to your ICE officer. You may also call any of the lawyers on the list of free legal services providers given to you by ICE. In addition, your facility's law library may have materials explaining this information.

If you believe that you qualify for a form of immigration relief, you should try to talk to a lawyer. There may be time restrictions for applying for such relief, so make sure you fill out and turn in the necessary applications in a timely manner or you may miss your opportunity to have your claim reviewed. It is your responsibility to prepare and submit the proper forms requesting consideration for relief.

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## **YOUR ARRIVAL AT THE FACILITY**

Most facilities follow the same basic steps when a detainee arrives at the facility. See Table 1 on pg. 6 for the steps and procedures of processing.

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## **CLASSIFICATION AND HOUSING**

### **CLASSIFICATION LEVEL**

When you arrive at the facility, an officer will decide your classification level and assign you to a housing unit with other detainees in your classification level. The officer will decide your classification by considering the information in your records, including:

- Criminal charges and convictions;
- Immigration history;
- Discipline record;
- Current classification level; and
- Other related information.

### **What if I think my classification level is not right?**

You have the right to appeal your classification level and housing placement. To do that, you must file an appeal. Follow the appeal procedures in your facility's local handbook.

### **How often does the facility review the classification levels of detainees?**

Classification levels are reviewed no later than 90 days after the first classification. After that, they are reviewed approximately every 90 to 120 days after the most recent review. See your facility's local rules for a detailed schedule of when classification levels will be reviewed. If you are placed in segregation, your classification will be reviewed before you return to the general population.

### **Can the facility change my classification level at other times?**

Yes, the facility can change your classification level and housing placement at any time for safety reasons or if you have not followed the rules.

### **SEPARATE HOUSING**

Sometimes detainees are placed in separate housing. This is called segregation. In segregation, you live in an individual cell alone and away from other detainees. This happens if stricter supervision is needed. If you are placed in segregation, your classification will be reviewed before you return to the general population.

### **There are two kinds of segregation:**

#### **Administrative**

You may be placed in administrative segregation for any one of three conditions:

- You are being investigated or have a hearing for disciplinary violations;
- You are scheduled to be transferred or released within 24 hours; or
- You need protection and cannot be safely housed in a less restrictive environment.

#### **Disciplinary**

You may be placed in disciplinary segregation for any one of these three conditions:

- You cause serious disruption at the facility;
- You need stricter supervision; or
- The Institutional Disciplinary Panel (IDP) has disciplined you. See Discipline and Your Rights on pg. 15.

### **Can I still get services if I am in administrative segregation?**

Yes. You will have access to the same types of services as before. However, you may receive a lesser degree of each, depending on available resources and security concerns.

Your access to the following services may in some cases be more limited:

- Showers;
- Recreation;
- Law library;
- Presentations by legal rights groups;
- General telephone calls;
- General visitation;
- Religious guidance; and
- Personal property and materials (including legal, religious, and personal reading materials).

However, you will still receive access to:

- Mail;
- Legal telephone calls;
- Legal visitation; and
- Healthcare services.

**TABLE 1. STEPS TO PROCESS A DETAINEE**

STEP	INDIVIDUAL	PROCEDURE
1	Intake Officer	Takes your clothes, money, and property for safekeeping and gives you an itemized receipt for all items.
2	Detainee	It is important for you to keep the itemized receipt to get all of your possessions back when released.
3	Intake Officer	Makes a list of all of your legal and identity documents (e.g. passport, birth certificate) then gives them to an ICE officer, who will put them in your official immigration file, called an A-File.
4	Detainee	Documents will be returned to you when your case is resolved. <sup>a</sup>
5	Detainee	Receives an A-Number, used to identify you during your stay at the facility. Your A-Number should be shared with your family and attorney to find you in the Online Detainee Locator System.
6	Intake Officer	Tells you what things can and cannot be kept with you at the facility. The officer's decisions are based on security concerns.
7	Detainee	Depending on the specific facility's policies, you may be able to keep religious items, such as religious headscarves and medallions, simple wedding bands, photos, soft-cover religious and personal reading materials (an officer may approve hardcover religious texts), legal documents and papers (including property receipts), and other small items (shown in the facility's local rules).
8	Intake Officer	Provides you with sheets, a pillowcase, and a blanket.
9	Detainee	You may exchange bedding once a week for clean bedding.
10	Intake Officer	Gives you approved personal care items, such as soap, a toothbrush, comb, etc.
10	Detainee	May shower and get clean clothes as appropriate for the climate at the facility. You may ask a housing officer for more personal care items when needed.
11	Intake Officer	Decides your classification level and assigns you to a housing unit with other detainees in your classification level. <sup>b</sup>
12	Health Professional	Asks about your physical and mental health.
13	Detainee	Tell your health care professional of any health problems or concerns needing immediate attention, or any medications you are taking or need.
14	Health Professional	An approved health professional will give you a thorough medical exam within 14 days after your arrival. <sup>c</sup>

<sup>a</sup> If copies of these documents are needed for your hearing, you should ask an ICE officer in advance.

<sup>b</sup> For more information on this topic, see your facility's local handbook, and the classification levels on pg. 5.

<sup>c</sup> Medical information is safeguarded and kept confidential.

### How long could administrative segregation last?

It depends on your case. The security supervisor reviews all administrative segregation cases to decide if you should stay in that placement.

The review schedule is as follows:

- Review of your placement within 72 hours of placement by a security supervisor;
- Review of your placement after seven days of placement by a security supervisor; and
- Weekly reviews of your placement for the first 30-60 days after your second review, and regular but less frequent reviews after the first 30-60 days of placement.

### What if I do not agree with the decision to leave me in administrative segregation?

You have the right to appeal the decision.

### How do I appeal?

After seven consecutive days of administrative segregation, you may appeal the decisions of any review conducted by writing to the facility administrator. Ask for a staff member or an interpreter if you need help writing your appeal. Once you have appealed, the facility administrator will review your case every 30 days.

### Can I still get services if I am placed in disciplinary segregation?

Yes, you will still receive the same extent of access to mail, legal telephone calls, legal visitation, and health care services. However, depending on your violation, security concerns, and available resources at the facility, you may receive a lesser degree of some of the following services:

- Showers;
- Recreation;
- Law library;
- Presentations by legal rights groups;
- General telephone calls;
- General visitation;
- Religious guidance; and
- Personal property and materials (including legal, religious, and personal reading materials).

### Will the facility review my placement in disciplinary segregation?

Your case will be reviewed every seven days to ensure you are obeying all of the rules, receiving proper services, and to consider placing you back in the general population.

When a security supervisor reviews your placement, they will interview you and create a written record of that interview. Once there has been a decision made on your placement after a review, the security supervisor sends a written decision to the facility administrator for approval or denial. A copy of the final written decision will be given to you unless there is a security issue that prevents the facility from giving you this copy. See your facility's local rules for a more detailed review schedule.



## COMMUNICATING WITH FAMILY, FRIENDS, AND LEGAL REPRESENTATIVES

This part of the handbook explains how to communicate outside the facility, including phone calls, visitors, and mail.

**IMPORTANT!** While you are being detained, your family members, legal representatives, and others from the general public may be trying to locate you. They can find you by accessing the Online Detainee Locator System, at [www.ice.gov/locator](http://www.ice.gov/locator). The best way to search for individuals in the Online Detainee Locator System is to use the detainee's A-Number and country of birth.

### PHONE CALLS, VISITS, AND MAIL

#### Phone calls

When you first arrive at the facility, you will be given access to a telephone. Later, you may make phone calls from your housing unit. All calls may be monitored, except those to your lawyer or a court. Keep in mind, you could lose or have your phone privileges limited if you do not follow facility rules, abuse the phone equipment, or make calls for illegal activities.

It is up to you to learn the facility's rules for phone use. You have the right to ask to use the ICE free phone system. If your request to use the phone is denied, tell any ICE officer that you want to make a written request to use the phone system. See Table 2 on pg. 8 for more information on phone use while at the facility.

#### Visits

You can have visitors. Visitors must follow facility visitation policy and procedures. It is your responsibility to ensure your visitors know the visitation rules. You will find the policy and procedures in the facility's local rules.

All visitors must wear appropriate clothing and behave in an orderly way. If you or your visitors are disruptive, they will have to leave, and the facility may limit your visits in the future. Visitors and anything they bring to the facility may be searched. They may be asked to put their property in a locker or in their car.

**TABLE 2. INFORMATION REGARDING PHONE CALLS**

PHONE CALLS TO: <sup>a</sup>	ALLOWED?	FREE OF CHARGE?	NOTES
General population (friends, family, businesses)	yes	depends	See the facility's local rules
Find a lawyer <sup>b</sup>	yes	yes	No time limit, unless another detainee needs to use the phone or there are security reasons
Lawyer <sup>c</sup>	yes	yes	20 minutes per call
Emergency situations, e.g., death in family or illness <sup>d</sup>	yes	yes	To make emergency calls, ask for help from a housing unit officer, supervisor, or ICE personnel
Your country's consulate office in the U.S.	yes	yes	The consulate may help you find a lawyer, contact your family, or visit you at the facility
DHS Office of the Inspector General	yes	yes	
ICE Detention Reporting and Information Line (DRIL)	yes	yes	
ICE Office of Professional Responsibility	yes	yes	
Joint Intake Center (JIC)	yes	yes	
Courts	yes	yes	
Immigration courts and Board of Immigration Appeals	yes	yes	
Pro bono attorneys or free legal aid groups	yes	yes	As recognized by the Executive Office of Immigration Review <sup>b</sup>
United Nations High Commissioner for Refugees	yes	yes	
Government offices	yes	yes	Calls made to get papers for your immigration case

<sup>a</sup> If you have trouble making phone calls, the system is not working properly, or it won't allow free calls to those listed, ask the ICE housing unit officer for help.

<sup>b</sup> To find lawyers and organizations in your area that offer free services, look in your housing unit's pro bono legal services contact list. An ICE officer can get you this list, which is updated four times per year.

<sup>c</sup> You must list your lawyer's phone number on the Authorized Phone Numbers Form to ensure the calls are not monitored.

<sup>d</sup> Routine calls to your lawyer are not usually considered emergency calls.

**TABLE 3. INFORMATION REGARDING VISITORS<sup>a</sup>**

FAMILY AND FRIENDS		
VISITING DAYS PERMITTED	TIME ALLOTTED	NOTES:
Saturday, Sunday, and holidays	30 minutes or additional time, if requested, for visitors who have traveled a great distance	Children under age 18 may visit if they are accompanied by an adult visitor who watches them.
MEETING WITH LAWYERS AND PARALEGALS		
Monday through Friday	8 hrs. per day (minimum)	You may ask to meet with your lawyer during meal hours. The facility staff will provide a meal tray or sack meal to eat during the meeting.
Saturday, Sunday, and holidays	4 hrs. per day (minimum)	If you want to cancel a meeting, you must do so. You may not ask an officer or another detainee to cancel it for you.

<sup>a</sup> Check your facility's local rules for visiting hours and other specific information.

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Tell your visitors not to bring a lot of packages or other items with them. Your visitors may bring you items, but an officer must first check and approve them.

Anything you accept from a visitor that was not approved by an officer can be taken from you and seized as contraband. You also may be subject to administrative and criminal penalties for possession of contraband. For information regarding visitors, see Table 3 on pg. 8.

### Mail

You may send and receive mail, unless it threatens the safety, security, or order of the facility. Read the rules about mail in this handbook and in your facility's local rules. It is up to you to know and follow the rules about mail, and to explain these rules to anyone who writes to you. If there is reason to believe you are not following mail rules, your mail privileges may be limited. For further information regarding mail, see Table 4 on pg. 10.

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## CHILD CUSTODY QUESTIONS

### What if I learn that the person I left my children with can no longer care for them?

Tell an ICE official or contact the Detention Reporting and Information Line (DRIL) at 1-888-351-4024. ICE can give you the opportunity to make care arrangements for your child or can review the decision to detain you.

### What if I learn that my child will enter state custody while I am in detention?

Tell an ICE official or contact the DRIL. ICE can give you the opportunity to contact the state child welfare agency and make care arrangements for your child. ICE may also review the decision to detain you, especially if you present new information related to your child.

### What if I am involved in a legal proceeding involving the custody of my child?

If you are involved in a legal matter involving the custody of your child and need to attend a court hearing, talk to your caseworker or attorney, participate in services, or visit with your child, tell an ICE official or contact the DRIL. ICE can work with you to arrange for your participation in court hearings and visitation with your child. You can have phone calls and visits with your caseworker and lawyer.

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## LEGAL RESOURCES

### GROUP LEGAL RIGHTS PRESENTATIONS

At some facilities, legal rights groups from the local community give group presentations, which are available to all ICE detainees in the facility. Your facility will post announcements about the presentations in common use areas. You may sign up on a sheet available in each housing unit. If you cannot read or understand an announcement, ask for information in a language or format you can understand. Note that not all facilities have legal rights presentations because not all communities offer them.

If you are in administrative or disciplinary segregation and want to go to the presentation, the facility will make arrangements for you to go, if:

- Security arrangements can be made;
- Your presence would not pose a security risk; and
- The presenter agrees to the security arrangements.

### LAW LIBRARY

All ICE detainees have the right to use the facility's law library to access approved legal materials and office equipment (such as copy machines, typewriters, and computers) to copy and prepare legal documents only. This material and equipment is not for personal communication. If you need to write personal letters, ask your housing unit officer for paper, pencils, and envelopes.

You can get photocopies of your legal communications. In some facilities, you may also be able to get photocopies of your complaints, grievances, and letters about the conditions at the facility, legal mail, sick call requests, disciplinary decisions, special needs forms, photographs, newspaper articles, or other documents that are relevant to presenting your immigration case.

### What are the law library hours?

The law library hours are posted in all housing units. You are allowed at least five hours each week to work on your case.

### What if I need more time at the law library?

You should complete a detainee request form and submit it to the facility. Explain why you need more time. The facility may give you more time if you have an urgent need or special circumstance.

### How do I find the legal materials I need?

The law library may have books and publications, or it may use LexisNexis. This software lets you find legal materials on a computer. The law library has self-help materials that show you how to:

- Do legal research;
- Prepare legal documents; and
- Use legal materials on the computer.

### What if I need help using the law library?

Ask the staff member at your facility if you:

- Need help finding materials;
- Need help accessing programs;
- Need help with equipment;
- Do not speak English well; or,
- Have a disability.

You may also ask another detainee to help you with your legal research and document preparation. Another detainee may be allowed to help you if there are no security risks or other concerns, and you do not pay or give the detainee anything of value. Submit a written request to your facility's administrator.

**NOTE:** The facility will not pay a detainee to help you use the law library.

*It is up to you to know the rules for the law library. You should also review your facility's local rules. If you disobey these rules, you may be disciplined and lose your law library privileges.*

TABLE 4. INFORMATION REGARDING MAIL

### LEGAL MAIL IS FROM

- Private lawyers, legal representatives, and government lawyers
- Judges and courts; embassies and consulates
- U.S. president, vice president or member of Congress
- U.S. Department of Justice, DHS (including ICE, DHS OIG, DHS Office for Civil Rights and Civil Liberties, and ICE Health Services Corps)
- Grievance systems administrators
- Reporters and other new media representatives

### LEGAL MAIL PREPARATION

In the top left corner of the envelope, write:

- Your name
- Your Alien or ID number; the Alien number must include only the last four digits (A-XXX-XX0-000)
- The facility's address

In the middle of the envelope, write:

- Recipient's name and address
- Title or organization, such as lawyer, law office, or legal services

Write "Legal Mail" or "Special Correspondence" on the envelope (tell your lawyer that all incoming legal mail must be labeled like this)

### MAIL PRIVACY

- All incoming and outgoing letters may be inspected for contraband and content.
- If you receive legal mail, the facility staff will open it in front of you and may check for contraband, but not read it
- If you do not want your outgoing legal or special mail opened, allow facility staff to inspect the mail, but not read it, seal it in front of a staff member and clearly label it as legal mail.
- You may seal your other mail on your own and drop it in a detainee mailbox.

### MAIL SENT TO YOU

All mail sent to you must have your Alien or ID number on:

- The envelope, as part of your address
- The first page of written letters must include the last four digits of your A-number (A-XXX-XX0-000). If your incoming mail does not have your Alien or ID number, it will be returned to sender. This includes legal mail and packages.

Your incoming legal mail must also have this information on the envelope:

- Sender's name and title
- The words "Legal Mail" or "Special Mail"
- If legal mail is not marked as required, the facility will not treat it as legal mail

**IMPORTANT!** It is your responsibility to explain these rules to anyone who sends you mail.

The facility may refuse to deliver your mail if:

- It is considered contraband
- Shows, describes, or might cause violence or disorder
- Explains how to escape, make weapons or explosives, break the law, disobey ICE rules, or make drugs or alcohol
- Has explicit pictures or descriptions of sex
- Contains threats, bribes, or obscene material
- Contains anything illegal or not allowed, messages in code, or anything that threatens the safety and security of the facility

### IDENTITY DOCUMENTS AND MAGAZINE SUBSCRIPTIONS

- The facility will forward identity documents you receive in the mail to your ICE officer and notify you of this action. You can get a certified copy of the identity document by requesting it in writing from your ICE officer.
- You may not subscribe to magazines, catalogs, or other publications, but you may have a relative or friend send them to you.

### MAIL DELIVERY

- The facility usually delivers mail within 24 hours of the time it is received, but may take longer if it needs special handling for security reasons (for example, facility staff may hold legal mail for up to 48 hours to check that it is legal mail).
- If your mail arrives after you leave the facility, it will be returned to sender.

Continued on next page

TABLE 4. INFORMATION REGARDING MAIL

### RULES ABOUT MONEY IN THE MAIL

- If you receive money in the mail, the officer will issue you a receipt for the money before placing it in your account.
- You can send money to someone outside the facility. Sending cash is not recommended. Contact the shift supervisor if you want to buy a money order.
- Each facility has written rules about cash, checks and other funds. See the facility's local rules. If they are not clear, your facility can help you understand them.

### PAYING FOR POSTAGE

- If the facility determines you cannot afford to pay for postage or mailing materials, you can send some kinds of mail for free, including legal mail, mail to your consulate, and to any court.
- You will get three or more stamped envelopes per week for your personal mail. You can get paper, pencils, and envelopes from your housing unit officer.
- If the facility determines you can afford to buy mailing materials, you will not receive them for free. You may buy supplies from the commissary. See your facility's local rules about mail.



## MEALS, ACTIVITIES, AND SERVICES

### MEALS

The facility serves meals three times every day. You are allowed one meal at each meal time. The meals are nutritionally balanced, approved by a dietitian, served in a clean, safe place, and served with napkins and utensils, which must be returned at the end of each meal. Meals are served in a central dining room, a dining room in your housing unit, or a special housing unit.

#### What is on the menu?

The facility offers a standard menu. Menus and meal times may be posted on the housing bulletin board. See your facility's local rules.

#### Is there pork in the food?

Most facilities do not serve pork, but check the day's menu to be sure.

#### What if I have a special diet?

If you need a special diet for religious reasons, ask the chaplain for a "common fare diet." If you need a special diet for medical reasons, ask the medical staff to evaluate your request. Your request must be approved before you can get special meals.

**IMPORTANT!** It is up to you to ask for a special diet if you need it.

#### Will I get different food if I am being disciplined?

No. Food is not used to punish or reward.

### RECREATION

You will be allowed to have indoor or outdoor recreation at least one hour each day. If your facility has an outdoor recreation area, you will be permitted to access it for at least one hour a day, five days a week, if weather permits. In some facilities you may be permitted more outdoor recreation. Check your facility's local rules for more information.

#### What recreation activities may be available?

Your facility may have television, movies, games, and exercise equipment.

#### If outdoor recreation is canceled or not available, will I get more indoor recreation time?

No.

#### What if my facility does not have outdoor recreation?

If your facility has no outdoor recreation, you may be eligible to request voluntary transfer to another facility with outdoor recreation after a certain number of months (ask your ICE officer).

### RELIGION

You will have opportunities to practice your religious faith. These opportunities will only be limited if you present a specific documented threat to the safety of the individuals involved in the religious activities, or if you disrupt order in the facility. All facilities must give you reasonable access to religious services and providers of your faith.

Your facility will explain how to contact the chaplain or religious services coordinator for your facility and give you information about:

- Special religious diets;
- Visits from a religious representative;
- Religious headwear and other religious property allowed at the facility; and
- Access to religious resources, services, instruction, and counseling.

ICE detainees may usually:

- Take part in their religious practices;
- Wear approved religious headwear and garments; and
- Have other approved religious property.

*The facility cannot limit these unless there is a specific documented threat to persons involved in these practices or activities.*

**IMPORTANT!** You must ask the facility for approval of any hard-covered religious book. Unless you get approval, all religious books must be soft-covered.

## COMMISSARY OR VENDING MACHINES

Your facility may have a store, called a commissary, or vending machines. If your facility has this service, you do not have to buy anything if you do not want to. If you want to use the store, check your local rules first. Detainees do not have a right to use the store.

### Do I have to buy basic toiletries from the commissary?

No. Your facility must give you basic toiletries and hygiene products, such as soap, shampoo, sanitary pads, and toothpaste.

### What if I bought some items, but I got transferred or removed before they were delivered?

The facility does not have to send you the items or give you a refund if you are transferred or deported. But the facility may give you a refund before you leave. See your facility's local rules.

## VOLUNTARY WORK PROGRAM

If your facility has a volunteer work program, you may be able to volunteer to work. However, many facilities do not allow ICE detainees to participate in their work programs.

### Will I get paid for my work?

If you participate in the voluntary work program at your facility, you will get at least \$1 for each day you work, not for each assignment. You will get paid at the end of every day you work, unless your facility has a different way of paying detainees. For example, some facilities will pay everything that you are owed before you are transferred or released. Check your facility's local rules.

### How often will I get paid?

Most facilities pay detainees every day. Your facility may use another system where you get paid before you are transferred or released.

### How many hours can I work?

You cannot work more than eight hours per day or 40 hours a week.

### What are the requirements for the work program?

To take part in this program, you must:

- Sign a voluntary work program statement;
- Complete any work-related training;
- Follow all dress, grooming, and hairstyle requirements for your work assignment;
- Work the schedule assigned to you; and
- Do your assigned work satisfactorily.



### Can I be fired from the Voluntary Work Program?

Yes, you can be taken out of this program if you miss work without permission, or you do not do your work satisfactorily.

### Will I get paid for keeping my living area clean?

No. You must keep areas that you use clean, including your living area and any general-use areas that you use. If you do not keep your areas clean, you may be disciplined. It is up to you to know the rules for the work program. Also see your facility's local rules.

## LIBRARY

Most facilities have library materials similar to what you would find at a school or community library. The facility considers the detainees' needs, interests and abilities when deciding on its materials.

### Can I go to the library at any time?

No. See your facility's local rules for library use. Each facility's library has a schedule for using and checking out materials. Please give other detainees a chance to read library materials. Make sure that you take care of the materials you check out and return them on time.

## ATTENDING OTHER COURT HEARINGS (NON-IMMIGRATION)

### Can I attend a court hearing that has been scheduled for me in another case (i.e., not related to my immigration case)?

If you have a court hearing scheduled for you in another case (for example, if you are currently involved in a criminal proceeding or child custody case), ask your ICE officer about how you might be able to take part in your hearing. In some cases, ICE may be able to escort you to the court hearing or arrange for your participation through a video conferencing system.

## REQUESTS TO MARRY

If you want to get married while you are at the facility, you (or your lawyer) must send a written request to the housing area officer or ICE officer, who will give it to the facility administrator or the ICE field office director.

Your written request must confirm that:

- You meet the legal requirements to marry;
- You are mentally competent to marry; and
- Your future spouse will certify they will marry you.

Attach a separate document (signed by your future spouse) that says they plan to marry you. The facility's administrator may need to send your request to the ICE field office director for approval. If you do not get approval in time, you may have to delay or cancel any wedding plans. If your request is denied, you and your legal representative will be provided with the decision and the reasons for the decision in writing.

## DRESS AND GROOMING

### UNIFORMS

You will get a uniform (shirt, pants, and shoes) and a wristband. In ICE ERO and contract facilities, but not in most jails, the color depends on your security level:

- **Blue** for low custody;
- **Orange** for medium custody; and
- **Red** for high custody.

**If you are in a jail, the uniform colors and rules about uniforms may be different.**

You must always wear the color uniform for your security level.

**EXCEPTION:** Kitchen workers must wear a white uniform, but only when on duty.

### Are there other rules about clothes?

Yes. You must also follow these rules:

- No torn or dirty clothing;
- Do not change or re-purpose your uniform if issued (for example, do not wear your shirt as a headband or roll up long pants to make them short);
- No hats or head coverings, unless it is part of your work uniform or has been approved by the chaplain for religious reasons; and
- No shower shoes outside the housing unit.

### Other rules

You must always wear your complete uniform (shirt, pants and shoes) when:

- Outside of your housing unit;
- In the dining room;
- Medical appointments (unless told otherwise);
- Going to court;
- During religious services; and
- Seeing visitors.

### Also in regard to dress

- Do not place the waistband of your pants so your underclothes or buttocks show;
- Do not keep your hands under the waistband of your pants, even in cold weather; and
- Do not strip down to your underclothes unless you are in your cell or the bathroom.

### Proper shoes and clothes

- Wear your shoes at all times;
- If you are wearing closed shoes, wear socks if you have them;
- Wear your shower shoes in the shower; and
- Wear proper clothing for the weather.

## PERSONAL CARE

You will be living in a dormitory or a locked housing unit with other people. Good personal hygiene helps keep everyone healthy.

### When can I shower?

Check the shower schedule posted in your housing unit. It will tell you when you can use the shower each day. You must bathe regularly and keep your hair clean.

### What if I need shampoo or other personal items?

You will get some personal care items when you arrive, including shampoo and soap, toothpaste and toothbrush, comb or brush, and other items for personal care.

If you run out of these items, ask your housing officer for more. Women can ask the housing officer for feminine hygiene products when needed.



## GROOMING

Poor hygiene and unsanitary habits can harm health and safety at the facility. If you do not obey the dress and grooming rules, it could cause conflicts with others at the facility and the staff may counsel and discipline you. The facility will accommodate your religious preferences about your grooming to the extent possible. You must keep yourself neat and clean and always wear appropriate clothes and shoes.

### Can I wear my hair any way I want?

Yes. You may have any hairstyle you want if it is safe and clean.

**EXCEPTION:** If you work in the kitchen or operate a machine, your hair must be clean and in a hairnet.

### Can I have a beard or mustache?

Yes, unless you work in the kitchen or operate a machine. For safety reasons, kitchen workers and detainees operating machines must be clean-shaven while on duty. By accepting a job in the kitchen or operating machinery, you agree to follow this rule. There are no exceptions to this rule.

### Can I shave?

Yes, you can check out a disposable razor every day. You must return it after you shave. If you have a court hearing, the facility will give you the opportunity to shave before you go.

You may not share your razor with anyone else. This is for your health and safety. Shared razors can spread diseases, such as HIV and hepatitis. See your facility's local rules about razors.

### Can I get a haircut?

Yes, if you want a haircut, you must ask for it. See your facility's local rules about how to ask for a haircut.

**IMPORTANT!** It is up to you to learn the grooming rules for your facility. See your facility's local rules.

### LAUNDRY

To get clean clothes, you must turn in one dirty item of clothing to get a clean one. At a minimum, you will be able to exchange your items according to the following schedule:

- Socks and underwear – every day;
- Your colored uniform – twice every week;
- Sheets, pillowcases, and towels – once every week; and,
- White kitchen uniforms – every day.

**NOTE:** At some facilities, you may be able to exchange your laundry more often. To make sure there are enough clean clothes for everyone, you may not keep extra clothes. Do not wash clothes, sheets, shoes, or other items in your housing unit unless there are washing machines and dryers that you are allowed to use. See your facility's local rules for the laundry, clothing exchange, and volunteer work uniform schedule.



### A CLEAN FACILITY

It is important to keep the facility clean for your health and safety.

#### Do I have to make my bed?

Yes, you must make your bed every day before you start your daily activities or work. You must also keep your area neat and clean. Do not hang sheets, blankets, towels, or anything else from wires, lights, beds, bars, or other objects. Follow your facility's rules for hanging wet towels.

#### General cleanliness

- If you brush your hair over the sink, remove any fallen hairs from the sink;
- Throw trash into the garbage cans, not onto the floor;
- Throw all used hygiene products into the trash. Do not throw them on the floors or into the toilets; and
- Do not leave crumbs from food in your housing area. It will attract ants and other insects.

### Where can I keep my personal belongings?

You must follow the facility's rules about storing your personal items. Someone from the facility will show you what to do. Improperly stored items may be taken away. If this happens, it is your responsibility to ask the supervisor to return them to you. Do not put anything where it is not allowed to be, such as windows, windowsills, bunks, lockers, or under a mattress.

## RULES AND PROCEDURES

### HEAD COUNTS

Detainees will be counted at least three times per day at hours that do not interfere with daily activities. You must participate in the counts and follow procedures for head counts. See your facility's local rules.

During the head counts, do not move, talk or do anything to interfere with the head count.

You may be disciplined (and everyone in your housing unit may be locked in their rooms) if you do not get counted, do not follow instructions, or disrupt the head count.

### AUTHORIZED PROPERTY AND CONTRABAND

All property must be authorized, meaning visitors and detainees must get permission to have any item, even if that item is usually allowed at your facility.

**NOTE:** The facility may throw away any of your items, even if the type of item has been approved, you have too many, have misused them, or changed the item without permission.

Any item that has not been specifically approved by the facility may count as contraband. See your facility's local rules about unauthorized property and contraband.

#### What is contraband?

Contraband is anything not allowed at the facility. You are not allowed to have anything unsafe or that interferes with the orderly operations of the facility. It is your responsibility to know the rules for what is and is not allowed at the facility. If you have anything listed below, or anything else not allowed by the facility, you may be disciplined.

Contraband items include, but are not limited to:

- Tobacco and tobacco products;
- Alcohol or illegal drugs;
- Dangerous objects, deadly weapons, and explosives;
- Anything that could disguise or change a detainee's appearance or be used to help someone escape; or,
- Any camera, video, recorder, cell phones, or other device that could be used to make photos, audio or video recordings of detainees, staff, or government property.

Personal property, including clothing and other personal items, may also be contraband unless the facility administrator has approved them or you bought the items from the facility's commissary or vending machines.

### SEARCHES AND VIEWING

ICE searches detainees to keep everyone safe, control contraband, and keep the facility clean and sanitary. These searches are not meant to punish anyone. The staff will not search or physically examine you for the sole purpose of determining your genital characteristics.

### When will I be searched?

Your body and your property will be searched at these times:

- When you arrive at the facility;
- Whenever there is reasonable suspicion that you are concealing contraband or a weapon;
- When you go into a housing unit;
- When you leave the visiting area after a visit; and
- From time to time, there are unscheduled routine searches.

### Can I refuse to be searched?

No. You must allow the officer or officers to search you. You must also follow their directions and do everything they tell you.

**If you do not follow directions, you may be disciplined.**

### What if I refuse to be searched?

You may be moved away from the other detainees and put in isolation. This is to keep you and others safe.

### Will I have to take off my clothes when I am searched?

If there is a justified reason to suspect you may be hiding a weapon or other contraband, a strip search will be conducted.

### Will I be searched by someone of the same gender?

For strip searches (when you take your clothes off), there will be an officer of the same gender assigned. If no officer of the same gender is available, the facility will ensure either that the search is conducted in private with two staff members present, or that someone of your gender is with you to observe.

### Can staff view me?

Staff of the opposite gender shall not view you while in the shower, performing bodily functions or changing clothing, except in critical circumstances or when such viewing is incidental to routine cell checks or is otherwise appropriate in connection with official duties, a medical examination, or monitored bowel movement. Staff of the opposite gender shall announce their presence when entering an area where you are likely to be showering, performing bodily functions, or changing clothing.



## DISCIPLINE AND YOUR RIGHTS

Order and discipline are important for the safety and well-being of detainees and staff. Some problems can be taken care of informally with counseling, but other problems may require discipline.

All facilities follow established procedures to ensure your legal rights are respected, including your right to:

- Due process, including getting your disciplinary case processed quickly;
- Translation and interpreter services so you can understand and communicate;
- Aids or services that ensure effective communication between you and facility staff if you have a hard time hearing, seeing, or have other communication needs. The facility will choose the aid or service for you, but the aid or service should be given to you in a format that you can understand and protects your privacy; and
- Communicate with other people and/or organizations, unless that communication threatens safety, security, or order at the facility.

While in ICE custody, you also have the right to:

- Protection from personal abuse, physical punishment, unnecessary or excessive use of force, personal injury, disease, property damage, and harassment; and
- Freedom from discrimination based on your race, religion, national origin, sex, sexual orientation, gender identity, physical ability, mental ability, or political beliefs.

You also have the right to file a grievance if you feel your rights have been violated. No one can punish you for filing a grievance.

### How will I know the rules?

Your facility must give you written information about its rules, procedures, schedules, and all topics covered in this handbook. The facility will give you this handbook and a local handbook.

### What happens if I break the rules?

Each facility has a list of rules that you and other detainees must follow. If you are accused of breaking the rules, the following will happen:

- The supervisor in charge will be told what happened;
- The officer will try to resolve the incident informally;
- If informal resolution is not possible, the officer will write an incident report;
- An investigation will start within 24 hours;
- The investigating officer will refer you to the Institutional Disciplinary Plan (IDP); and
- You will get a copy of the incident report at least 24 hours before meeting with the IDP.

If your case is sent to the IDP, you will get a hearing on the first business day after the IDP receives the referral. If the charges are serious, you may be placed temporarily in administrative segregation before your hearing. If the IDP determines that you did something that is not allowed, you may be placed in disciplinary segregation or punished in other ways depending on the seriousness of your offense. For example, you may be removed from activities, commissary, or other privileges.

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## What is the Institutional Disciplinary Plan (IDP)?

The IDP is made up of either a one-person disciplinary hearing officer or a three-person panel who decide what to do about your violation. One of them will be in charge of the panel. Certain staff members are not allowed to be on the IDP, including:

- The officer who reported the violation;
- The officer who investigated the violation; and
- Any officer or staff member who witnessed, was directly involved with, or was part of the unit that reported the violation.

## What does the IDP do?

The IDP must decide how to resolve your case. They follow detention facility standards that say what kinds of punishments are appropriate for different kinds of violations. They may reduce or dismiss the charges if you are found not to have broken the rules. If you do not agree with the IDP's decision, you may file an appeal. See your facility's local rules on filing appeals.

## What are my rights at the IDP hearing?

Before the incident report is sent to the IDP, the facility must notify you in writing about your rights at the IDP hearing, including your right to:

- Receive a copy of the Notice of Charges against you at least 24 hours before the IDP hearing;
- Have a full-time staff member of your choice speak for you at the IDP hearing;
- Call witnesses and present evidence before the IDP;
- Remain silent. You do not have to speak if you do not want to. Your silence may not be used against you;
- Be at all phases of the hearing;

**EXCEPTION:** You may or may not be present when the IDP meets to make a decision on your case. Also, you will not be allowed to be present if your presence threatens order or safety at the facility.

- Receive translation and interpreter services so you can understand and communicate;
- Receive aids or services that the facility can provide to ensure effective communication because of your limited hearing, sight, or other disability;
- Receive the IDP decision and an explanation of how they made their decision in writing; and
- Appeal the IDP decision if you disagree.

**IMPORTANT!** Appeals must be submitted through the formal detainee grievance process.

## Can the IDP postpone the hearing?

Yes, if you have a good reason for postponing your hearing, or if the IDP wants to investigate your case further, they may postpone your hearing. However, if you are being held in administrative segregation pending your hearing, the delay may not exceed 72 hours, barring an emergency.

## USE OF FORCE AND RESTRAINTS

Officers shall use only as much force as needed to gain control of the detainee, protect the safety of detainees, staff and others, prevent serious property damage, and ensure the security and orderly operation of the facility. Officers may use force after all reasonable efforts to otherwise resolve a situation have failed. Physical force or restraining devices will not be used as punishment.

## CRIMINAL CHARGES

While you are at the facility, you must follow applicable laws. If you disobey any local, state, or federal law, you may be notified and charged by the local, state or federal law enforcement authorities and tried in local, state, or federal court. Local, state, or federal charges may also be processed at the facility as disciplinary matters.

## What happens if criminal charges are filed against me?

You will receive notice about your right to a lawyer. If you do not have enough money to hire your own lawyer, the court will appoint a lawyer to represent you for the criminal case. You have the right to speak to your lawyer about your criminal case and have the lawyer with you at your criminal court appearances.

## What happens if I already have a local or state criminal case pending that I wish to fight or pursue having the charges dropped?

If you are in ICE custody and want to appear before a local or state court to contest criminal charges pending against you, the local or state court will need to issue a writ to ICE to have you turned over to their custody so that you may be present while the local charges are adjudicated.

**NOTE:** Simply requesting the writ will not necessarily stop or delay ICE's removal efforts. The writ must be issued to ICE or, at a minimum, the responsible local or state authority will need to notify ICE of its intent to issue the writ before ICE will consider delaying or suspending removal efforts.

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## QUESTIONS, REQUESTS, AND GRIEVANCES

This section of the handbook explains what to do if you have a question, request or problem, how to file a grievance, and what happens when you file a grievance.

## QUESTIONS, REQUESTS, AND INFORMAL COMPLAINTS

If you have a question, request, concern, complaint, or want more information about the facility's rules, you may ask a staff member at the facility, talk to an ICE officer, or send a written request to the facility or directly to ICE.

## How do I make a request in writing?

You may write your request on a blank piece of paper or ask your housing officer for a detainee request form. See how to file a grievance below.

**IMPORTANT!** The detainee request form is an informal request. It is not the same as a grievance. If you would like to pursue a formal complaint, you may file a grievance.

## What is a detainee request form?

It is a form you can fill out to make a request or informal complaint to the facility or ICE staff. If you need help filling out the detainee request form, you may ask another detainee, your housing officer, or other staff member at the facility.

## Will my request be private?

Yes, you may put your request in an envelope and seal it. The staff – not other detainees – will deliver it promptly. The staff will not read or change it unless there are security concerns.

### Who will read my request?

You decide where you want your request to go. Write the name, title, or office where you want it delivered on the envelope.

### How do I send my request?

Put your request in the locked drop-box at your facility. The facility faxes or forwards these forms to the ICE officer in charge of your case at least twice a week.

### When will ICE answer my request?

ICE will answer you within three business days, or you will get a letter from ICE saying it will be more than three days to answer.

## HOW TO FILE A GRIEVANCE (FORMAL COMPLAINT)

If you have a problem, try talking to an officer or other staff member. He or she will try to solve the problem informally. If you do not feel comfortable talking to an officer or other staff member, or if talking has not helped solve the problem, you may file a formal grievance. At some facilities, you may also pursue a formal grievance at the same time as you try to resolve the problem informally. Check your facility's local rules about when you can file a grievance.

Follow these steps:

1. Ask your housing officer for a grievance form.
2. Fill out the grievance form and then give it to your housing officer.
3. You may keep your grievance private by sealing it in an envelope available from the housing officer.
4. Your grievance form will be sent to the grievance officer (GO).

**EXCEPTION:** At some facilities, if your complaint is about a medical problem, your grievance form will be sent directly to the medical staff, and kept confidential. Check your local supplement.

5. The GO will give you a written or oral response within five days of receiving your grievance.

### If I disagree, can I appeal the GO's decision?

- You can file a written appeal with a grievance appeals committee, usually called a Grievance Appeal Board (GAB) or Detainee Grievance Committee (DGC). The GAB or DGC will meet to review your complaint. None of the committee members can be an officer or staff member who are named in the complaint, already reviewed your complaint, or helped you write your complaint.
- When the GAB or DGC meet, they may call witnesses, look at evidence, and gather facts needed to decide your case fairly.
- The GAB or DGC will ask you to go to the meeting so you can tell your story; answer questions and respond to any evidence or testimony that conflicts with yours. The GAB or DGC may let you meet with them over the phone. You will receive a decision in writing within five days after receiving your appeal. The decision will explain the reasons why the decision was made.

### If I disagree, can I appeal the GAB or DGC decision?

If you lose your appeal with the GAB or DGC, you may be able to appeal the decision to the facility administrator. Check your facility's local rules about this.



### Can I file a complaint for someone else?

No, but another detainee or someone on the staff can help you prepare and file your complaint.

**IMPORTANT!** Even if you need someone to help you, you must adhere to all of the deadlines.

### Will I be treated differently if I file a complaint?

No, you cannot be harassed, punished, or disciplined because you made a complaint. If you believe that you have been retaliated against because you filed a complaint, contact the GO or the facility administrator immediately.

### Will my complaint stay in my file?

Yes, a copy of your complaint stays in your detention file for three years.

### What if I have an emergency grievance?

Your facility will have its own procedures to handle emergency grievances which impact your life, health, and safety. Contact the GO or the facility administrator immediately if you have a complaint that involves an immediate threat to your health or safety.

### Where else can I send a complaint?

**You can communicate your problems to the ICE Detention Reporting and Information Line (DRIL).** The DRIL is toll-free and is available at **1-888-351-4024**, or **via the pro-bono network at 9116#**. Trained operators are available for individuals in the public and for those currently in ICE detention. DRIL information posters (English and Spanish) are posted in detention facility housing pods. Language assistance is also available.

You may call to:

- Obtain basic immigration case information;
- Report an incident of sexual or physical assault or abuse;
- Report serious or unresolved problems at your facility;
- Report that you are a victim of human trafficking;
- Report that you have a serious mental disorder or condition. If you believe the disorder or condition impacts your ability to represent yourself or participate in an immigration court case, you should also notify the immigration judge; or
- Let ICE know that your immigration detention separated you from your minor child who is dependent on you.

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## Where can I report staff misconduct?

If you think the staff mistreated or abused you, or violated your civil rights, you can file a complaint with DHS for free by email, phone or mail.

### Contact the DHS Office of Inspector General (OIG)

- Call: 1-800-323-8603
- Fax: 1-202-254-4297
- Mail: DHS Office of Inspector General  
Attn: Office of Investigations Hotline  
245 Murray Drive, SW  
Building 410/Mail Stop 2600  
Washington, D.C. 20528

### You can also contact the DHS Joint Intake Center (JIC) with allegations of staff misconduct or with allegations of sexual assault by a staff member or by another detainee.

- Call: 1-877-2INTAKE
- Fax: 1-202-344-3390
- Email: Joint.Intake@dhs.gov
- Mail: P.O. Box 14475  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20044

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## RECORDS

This part of the handbook explains what records and files ICE keeps about you.

### What files are there about me?

ICE keeps your A-File, detention file, and medical records.

### What is in my A-File?

Your A-File has a summary of all legal actions in your case, and may include your:

- ID cards;
- Photos;
- Passports;
- Criminal history; and
- Immigration history and related documents.

### What is in my Detention File?

Your Detention File has your:

- Booking record;
- Classification worksheet;
- Discipline records from the facility;
- Behavior reports;
- Receipts for your money and other property;
- Written requests, complaints, and other issues;
- U.S. government documents; and
- Special housing unit records.

If you would like a copy of a document or documents from your A-File, detention files, or medical record, ask your ICE officer or facility staff. If you want another person to get a copy of those documents, you will need to provide written consent.

### Who keeps my records?

ICE keeps your A-File. The facility or ICE has your detention and medical files.

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## WHAT TO EXPECT IF YOU ARE RELEASED FROM THE FACILITY

If you are released from ICE custody, you should expect the following before you leave:

### Legal obligations

You should review all your legal paperwork, and understand the conditions of your release and the date and location of your next court appearance, if you have one. You can call the Executive Office for Immigration Review (EOIR) at **1-800-898-7180** if you are unsure of your next court date.

### Phone calls

You may make one free phone call to help you make travel arrangements.

### Release time and travel arrangements

You should be released from the facility at a reasonable time of day, which could include the early evening hours. If a friend or family member cannot pick you up at the facility, ask staff at the facility or an ICE officer to arrange for your transportation to a public transportation location, such as a bus station, airport, or train.

### Property and clothing

You will be given back your property, including the clothes you wore when you arrived. These will be listed on the receipt you received when you arrived. Make sure to check your receipt. If you did not receive all of your property, ask a facility staff member for a missing property form. If your clothing is not appropriate for the weather outside, ask a facility staff member or ICE officer for weather appropriate clothing.

### Medical

If you received medical care while in detention, you will be given medical paperwork. This may include your medical record, a summary of the healthcare you received during your stay at the facility, or instructions or referrals for follow-up care for medical conditions. If you received medication while in detention, you may also be given a supply of the medications you have been taking.

### Local community service organizations list

Ask a staff member or an ICE officer if your facility has a list of local community service organizations that may help you with legal, medical, housing, or other social services upon your release. Not every facility has a list of local organizations.

**IMPORTANT!** If you do not receive the information and items listed above, please tell a facility staff member or an ICE officer as soon as possible, and before you leave the detention facility.



## HEALTH AND SAFETY

### EVACUATION DRILLS

Periodically, evacuation drills will be conducted at the facility. Drills can help you get out safely in a real emergency, such as a fire, gas leak, civil disaster, or other danger. In most cases, you will not know about a drill ahead of time. The drills are not done to scare or inconvenience you. For your safety, you should learn the proper procedures to exit the building in an emergency and the location of your housing unit's emergency exits (there should be a map in your unit).

**IMPORTANT!** You must follow instructions during a drill or a real emergency. If you do not follow instructions, you may be disciplined.

### SMOKING

Smoking is not allowed anywhere at the facility (inside or outside).

#### Toilet use

- Do not stand on the toilet. Sit on the toilet seat and flush the toilet after using it;
- Put all used toilet paper into the toilet then flush;
- Do not use toilet water for washing; and
- Ladies, put used feminine pads or tampons in garbage cans and not into the toilet.

#### Hand washing

Germs can make you sick, and can be passed through hand contact. Thoroughly wash your hands to help keep from getting sick by:

- Making sure you run the water in the sink and use soap to wash your hands.
- Washing each finger and rubbing your hands together, washing both sides of your hands with soap and water, and cleaning under your fingernails.
- Washing hands before eating, after going to the bathroom, after playing or working outside, or after being near a sick person.

### Showering and personal care

- You should take a shower regularly using soap and water;
- Bathe only in the shower, **NOT** the sinks. Do not urinate (pee) or defecate (poop) in the shower or in the sinks;
- Use the sinks only to wash your hands or face, shave your face, or brush your teeth;
- Do not shave your head or private areas;
- Do not share your razor with others;
- Do not share hair brushes, combs, or other personal care items with others;
- Do not pierce any part of your body;
- Use a deodorant every day; and
- Do not leave any clothes in the bathroom.

Tattooing is not allowed in the facility

### Bed safety

- Do not jump down from the top bunk or up to the top bunk;
- Take your time when getting into and out of bed. Make sure you step on a solid area of the floor with the large portion of your foot;
- Lower your head when getting out of bed if you sleep on a lower bunk; and
- If you fall out of bed at any time, notify the officer in the barracks so you can be examined in the medical clinic.

### For overall good health

- In hot weather, stay in the shade during the hottest part of the day and drink lots of water throughout the day. If your urine is very dark, you probably aren't drinking enough water;
- Eat three good meals a day. Be sure to eat fruits and vegetables. Do not eat too much candy;
- Try to exercise at least 30 minutes every day. Play sports, walk around, run in place, or do pushups. If you haven't exercised in a long time, do some light stretching or slow jogging to warm up and prevent injuries;
- Try to sleep at least 8 to 10 hours a night;
- Cover your mouth with your elbow when you cough or sneeze and do not spit on the ground or floor. This spreads germs that can make other people sick; and
- Smoking is not allowed. Think of this as your chance to quit smoking forever. It is one of the best things you can do for your health.

### How do I stay healthy in hot weather?

Your body needs lots of water to stay healthy. In hot weather, you sweat and lose water from your body. This can:

- Make you feel dizzy;
- Make your mouth and tongue dry and sticky;
- Make your urine darker and occur less often.

If you feel thirsty, this means you need more water in your body. Drink water in hot weather even when you do not feel thirsty.

### To avoid getting sick in hot weather:

- Drink plenty of water during the day;
- If you are playing sports, drink extra water;
- Stay in the shade during the hottest part of the day;
- Wear loose clothing;
- If you start to feel dizzy, sit down in the shade or indoors; and
- Don't stay in the sun for too long.

### You should let medical staff know if:

You feel weak or dizzy every time you stand up or you urinate very little.

#### Dental care

- Brush your teeth after every meal, if possible, and before going to bed;
- Place the toothbrush at a 45-degree angle between your teeth and gums;
- Move the brush up and down on each tooth, not back and forth. Spend ten seconds on each tooth before you go to the next tooth;
- Always brush your back teeth and gently brush your tongue;
- Clean all outside surfaces of your top and bottom teeth;
- For the surfaces where you bite down, move the toothbrush back and forth; and
- If possible, floss your teeth and gums every day.

#### Nonviolence

The facility will not permit any type of physical or sexual abuse. If someone physically or sexually assaults you, tell an officer or medical staff immediately. Disciplinary measures will be taken against anyone who physically or sexually assaults someone else in the facility.

#### Getting along with others

You will share living space with many people. It is important to be considerate and recognize others' differences. Do not be so loud that others can't enjoy their activities. Be quiet at night so others can sleep. Avoid people who cause problems or fight.

## HEALTHCARE

You have a right to receive necessary and appropriate healthcare free of charge while you are detained. You can ask for healthcare at any time, including when you are sick or injured, have a chronic health problem, need medical treatment, or take or need to start taking medications to keep you well.

Healthcare services are available to all detainees at the facility for free.

#### There are two ways to get a non-emergency medical appointment:

1.) You may be required to fill out a form to sign up for a sick call. You will put the form in the medical drop box in your housing unit.

Forms are picked up every day and checked carefully to decide who needs to be seen first. In many cases, you can see the medical staff by the next business day. If you sign up during the weekend and your medical need is not urgent, you will usually be seen the following Monday. If you sign up after hours and cannot wait until the next business day and are experiencing a medical emergency, tell your housing officer. They will contact the on-call medical staff.

2.) Instead of filling out a form for sick call, other facilities may tell you to go to a special area of the facility at a specific time every day to see medical staff for an appointment. The medical staff will evaluate you and will determine if you need to be seen that day or scheduled for an appointment on another day.

Your facility will tell you which process you will use to receive medical services.

**In a health emergency, you can get care right away.**

Tell your housing officer, a staff member, or anyone who can get help. If you need help communicating with the health professional, ask for an interpreter or someone who can explain things in a way you can understand.

## SECOND OPINIONS

You may have the right to get a second or outside medical opinion, but you must pay for it. Check your facility's local rules. If your facility permits this, you or your lawyer must send your written request to the field office director. The facility will consider security issues when it makes its decision whether to permit you to get a second opinion. Your facility may have other information about how to get care, appeal, or communicate emergency concerns about healthcare at the facility.



## MEDICAL RECORDS

You have a right to a copy of your medical records upon request. Check your local rules to understand how you can receive a copy of your medical records while you are in custody.

If you need to release your medical record to someone else, a written request from you to the facility will allow the facility to release your private health information to another person or organization, as long as your written request includes the following information, and meets any other requirements of your local health services administrator:

- Address of the facility that will release your medical record;
- Name of the individual or institution that will receive your information;
- Your full name, A-Number (or other facility identification number), date of birth, and nationality;
- Specific information to be released, along with dates of treatment; and
- Your signature and date.

After the release of health information, the written authorization will be retained in the health record. To request a copy of your medical records after you are released from ICE custody, you must file a Freedom of Information Act (FOIA) request with ICE. For instructions on filing a FOIA request, go to [www.ice.gov/foia](http://www.ice.gov/foia) or call the ICE FOIA office at 1-866-633-1182.

## SUICIDE AND MENTAL HEALTH CARE

Detainees with mental illness or depression, or who may be at risk for suicide, will be treated with sensitivity and referred to an appropriate mental health professional. Tell your housing officer right away if you are depressed, think you may hurt yourself, someone else has threatened to hurt themselves, or you want to talk to someone. You can also communicate with ICE via the Detention Reporting and Information Line (DRIL) at 1-888-351-4024 or 9116#. You will be referred to an appropriate health professional.

## SEXUAL ABUSE AND ASSAULT AWARENESS

ICE has a zero tolerance policy against sexual abuse or assault of anyone in ICE custody. While detained by ICE you have a right to be safe and free from sexual abuse and sexual assault. ICE requires all facilities to have a sexual abuse and assault prevention and intervention (SAAPI) program, which includes facility procedures for reporting and investigating all incidents of sexual abuse or assault, and ensuring you are provided medical care and other services if you are victimized.

## DETENTION AS A SAFE ENVIRONMENT

While you are detained, no one has the right to pressure you to engage in sexual acts or unwanted sexual behavior. Regardless of your age, size, race, ethnicity, sexual orientation or gender identity, you have the right to be safe from unwanted sexual advances and acts. If any staff member or service provider tells you they can help you stay in the United States in exchange for sexual contact or gratification or hurt your chances of staying the United States if you do not allow sexual contact or gratification, they are lying.

## DEFINITIONS

### Detainee-on-detainee sexual abuse and assault

All forms of sexual abuse and assault by a detainee against another detainee(s) are prohibited. If another detainee forces you to engage in a sex act, touches the sexual parts of your body, forces you to touch the sexual parts of his/her body, or uses threats or intimidations to pressure you to engage in sex, it is sexual abuse.

### Staff-on-detainee sexual abuse and assault

All forms of sexual abuse and assault against a detainee by a staff member (including contract guards, medical professionals, and volunteers) are prohibited and against the law. If a staff member has sex with you, intentionally touches you in a sexual manner, makes sexual advances or repeated sexual comments, displays his or her genitals, or engages in voyeurism, it is sexual abuse.

## Examples of sexual abuse and assault:

- While speaking to you, a staff member or another detainee caresses your buttocks;
- A staff member or detainee walks into the walk-in fridge and grabs your breasts;
- Someone threatens to rape you while you are sleeping;
- Someone forces you to have sex with them or another person to repay a debt;
- Someone offers you protection in exchange for sex; or
- A staff member or detainee offers you a privilege or a favor in exchange for sex.



## PROHIBITED ACTS

A detainee or staff member who commits sexual abuse or assault shall be punished administratively and may be subject to criminal prosecution. A detainee who engages in such behavior can be charged with the following Prohibited Acts under the Detainee Disciplinary Policy (DDP):

- Code 101: Sexual Assault
- Code 207: Making a Sexual Proposal or Threat
- Code 404: Using Abusive or Obscene Language
- Code 206: Engaging in a Sex Act
- Code 300: Indecent Exposure

No one can retaliate against you for reporting sexual abuse or assault, participating in an investigation about sexual abuse or assault, or participating in sexual activity as a result of force, coercion, threats, or fear of force.

This means you cannot be subject to disciplinary action, housing changes, removal from facility programs, or other negative actions for reporting.

### Reporting sexual abuse or assault will not negatively impact your immigration proceedings

There are many emotional and physical challenges in the aftermath of sexual abuse or assault, but reporting the crime is an important step for you to take in regaining control and seeking justice. If you experience retaliation for reporting sexual abuse or assault, participating in an investigation about sexual abuse or assault, or for engaging in sexual activity as a result of force or coercion, you can report it in the same way that you report an incident of sexual abuse or assault.

**IMPORTANT!** Consensual sexual conduct between detainees is also prohibited. While consenting sex between detainees is not sexual abuse or assault, it is a violation of facility rules and subject to administrative and disciplinary action.

## AVOIDING SEXUAL ABUSE AND ASSAULT

Sexual abuse and assault is never the victim's fault. However, you are better protected if you carry yourself in a confident manner. Many abusers choose victims who look like they would not fight back or who they think are emotionally weak. Do not accept gifts or favors from others. Most gifts or favors come with special demands or limits the giver expects you to accept.

You should also:

- Report staff members of the opposite sex who do not announce themselves before entering a bathroom or other area;
- Report any staff member who escorts you ALONE to certain remote areas;
- Do not accept an offer from another detainee to be your protector;
- Find a staff member with whom you feel comfortable discussing your fears and concerns;
- Do not use drugs or alcohol. These weaken your ability to stay alert and make good judgments;
- Be clear, direct, and firm. Do not be afraid to say "no" or "stop it now;"
- Choose your associates wisely. Look for people who are involved in positive activities like educational programs, work opportunities, or counseling groups. Get yourself involved in these activities if they are available at your facility; and
- Trust your instincts. Be aware of situations that make you feel uncomfortable. If it does not feel right or safe, leave the situation or seek assistance. If you fear for your safety, report your concerns to a staff member.

## REPORT ALL SEXUAL ABUSE AND ASSAULTS

If you are afraid of being abused or assaulted, or if you become a victim of a sexual abuse or assault, talk to someone immediately. Only if the abuse is reported can perpetrators be held accountable and subject to discipline or potentially prosecuted.

**NOTE:** You can report a sexual abuse or assault incident to facility staff, ICE/ERO personnel, DHS or ICE headquarters, or a consular official.

You can also report anonymously or through a third party (such as a relative or friend).

### Below are some ways you can make a report:

#### Report to the facility

Tell any trusted staff member at the facility (for example, your housing unit officer, chaplain, supervisor, officer in charge, health care provider, the designated Sexual Abuse and Assault Prevention and Intervention (SAAPI) Compliance Manager, etc.). Your local handbook may have more information about who to contact.

#### File an informal or formal grievance with the facility (including an emergency grievance)

This handbook contains information on filing grievances on pg. 16. Your housing officer or unit supervisor can also explain how this process works.

#### File a written informal or formal request or grievance to ICE/ERO

There should be locked boxes at your facility for ICE requests. Ask your housing unit officer where this box is located if you need help finding it. Only ICE can access this information.

## REPORT TO DHS OR ICE HEADQUARTERS

#### Contact the ICE Detention Reporting and Information Line (DRIL)

Call the toll-free hotline at 1-888-351-4024 or 9116#

#### Contact the DHS Office of Inspector General (OIG)

Call the toll-free hotline at 1-800-323-8603 or 518#, or write a letter to:

DHS Office of Inspector General  
Attn: Office of Investigations Hotline  
245 Murray Dr., SW  
Building 410/Mail Stop 0305  
Washington, D.C. 20528



#### Report to your consular official

Call or write to your consular official. Your facility can give you the contact information for your consulate.

#### Anonymous reporting

You do not have to give your name to report sexual abuse or assault, but the more information you can provide, the easier it will be to investigate what happened. Staff members are required to keep the reported information confidential and only discuss it with the appropriate officials on a need-to-know basis.

#### Confidentiality

Information about a victim of sexual assault, and the facts of the report itself, will be limited to those who need to know to make decisions concerning the victim's welfare and for law enforcement investigative purposes. People who may need to know include but may not be limited to:

- Staff members who make decisions about your care;
- Law enforcement;
- Facility investigators.
- Sexual Assault Nurse Examiner (SANE) or Sexual Assault Forensic Examiner (SAFE); and
- Local victim service provider.

## If you are abused or assaulted, the facility will help you get medical care, counseling, and victim services

If you feel that confidentiality has been breached by facility staff, you can report it the same way you report sexual abuse, assault, or retaliation.

## After reporting sexual abuse or assault or attempted sexual abuse or assault

You will be offered immediate protection from the perpetrator and referred for medical examination and clinical assessment. You do not have to name the detainee(s) or staff member who assaulted you in order for you to receive assistance, but specific information may make it easier for staff to help you. You will continue to receive protection from the perpetrator, whether or not you have identified your attacker or agree to testify against them.

## Save anything that may contain the perpetrator's DNA

If you are a victim of sexual abuse or assault, you should make every effort to save anything that might contain the perpetrator's DNA.

You should not bathe or shower, use the restroom, change clothes, comb your hair, clean up the scene where the incident occurred, or move anything the perpetrator may have touched.

It is important to bring with you to the medical exam, the clothes and undergarments that you had on at the time of the assault.

## Receiving medical attention

Immediately after a sexual abuse or assault incident, it is important that you receive medical attention, regardless of your decision to participate in a criminal investigation. For your health and self-protection, it is important to be checked and treated for possible injuries, even if none are visible. This includes testing for HIV and other sexually transmitted infections (STIs), as well as receiving preventative treatments, such as medications to prevent STIs, pregnancy (if applicable), and to protect against HIV transmission. You are also entitled to ongoing medical care as needed.

## Sexual assault forensic exams

In addition to receiving medical attention, some victims will also be encouraged to receive a sexual assault forensic medical exam. This exam is important because preserving evidence can be key to criminally prosecuting the perpetrator. **You have a right to accept or decline any or all parts of the exam.**

It is important to remember, however, that critical evidence may be missed if not collected or analyzed. It is also important to bring with you to the medical exam the clothes and underwear that you had on at the time of the assault. If the facility staff has these items, let the examiner know.

## Sexual assault forensic medical exam

A sexual assault forensic medical exam will be performed at a hospital or other healthcare facility, by a SANE, SAFE or another medical professional. This exam is complex and on average, takes three to four hours.

To start, the medical professional will write down your detailed health history. Next the examiner will conduct a head-to-toe, detailed examination and assessment of the

entire body (including an internal examination). This may include collection of blood, urine, hair, and other body secretion samples, photo documentation of injuries, and collection of clothing. Finally the medical examiner will speak about treatment for sexually transmitted infections to which victims may have been exposed during the assault and for female victims, pregnancy risk evaluation and care. The facility or center will follow up to ensure that any additional treatments, counseling, medical care, or victims' services are provided.

## Mental health and victim services

You are entitled to mental health services and ongoing care, as appropriate, including counseling and access to outside victim services. At your request, the facility staff will put you in touch with a local community victim advocate.

If not available, the facility will contact ICE. The agency will provide you with a trained, experienced professional to provide crisis intervention. Victim advocates and crisis intervention services are available to help you cope and prepare you for any long-term processes. These might include criminal investigation, sexual assault forensic medical exam, emotional and physical reactions after an assault, etc., and your presence during the forensic medical exam or investigative interviews. A professional will also help you build on your strengths and identify your support network, problem solve, communicate to the facility any additional referrals you may need (psychological, medical, legal) for additional support and information, help with any immigration relief support specific to the incident, and help you if you are released from ICE custody.

## UNDERSTANDING THE CRIMINAL JUSTICE PROCESS

When you report a sexual abuse or assault incident the facility and/or an appropriate law enforcement agency will conduct an investigation. Reporting sexual abuse or assault is an important step. It can help you with evidence collection (as discussed above) and recovery. Just by reporting the incident, you may have a good start to recovering and feeling more in control of your life. While there is no way to change what happened, you can seek justice and prevent the perpetrator from committing another sexual abuse or assault. Your report of sexual abuse or assault does not affect your immigration case.

## The purpose of investigation

The purpose of the facility and/or the criminal investigation is to determine the nature and extent of the sexual abuse or assault incident. The law enforcement officer or facility investigator will document a written report and assign a tracking number to the allegation.

## Report the incident as soon as possible

Reporting the incident as soon as possible may help you in relaying details that are still readily available. Even if the report takes place days or months later, it's important to report the most accurate and comprehensive details, such as:

- Sequence of events, timeframe/length of events;
- What was said during the physical assault or injury;
- Any weapons used;
- Bodily fluids seen or felt; and
- Other details.

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## The interview(s)

The interview(s) may take several hours, depending on the circumstances of the case. Some questions may feel intrusive, and the officer or investigator may interview you more than once. The extensive questioning isn't because the officer or investigator does not believe you; it is their job to get an accurate, detailed account of what happened. If you request, you can have your victim advocate present during the interview.

## Reporting the incident/choosing to press charges

You may choose not to immediately press charges following the facility's report to law enforcement. While there is no barrier to reporting the incident, even months afterwards, informing the facility and triggering the investigation as soon as possible will allow for the strongest evidence to be brought to light. Also this will help the facility protect other detainees who may be in danger of abuse. If criminal charges are filed, it will be presented for prosecution. Not all cases will be accepted for prosecution based on evidence available and resources.

Additionally, there are certain circumstances in which the prosecutor will move forward with charges based solely on the evidence presented. For example, cases involving incidents of sexual abuse or assault may be pursued by the prosecutor regardless of your decision to be involved in the investigation. If the case does in fact go to trial, you will be generally asked to testify. It is important for you to discuss any concerns you have with the prosecutor (or your attorney) or a victim advocate.

## Investigation completion

When an investigation has been completed, it will be closed as substantiated, unsubstantiated, or unfounded. You will receive a written notification from ICE with results of the investigation and responsive actions taken.

- Substantiated means that the facts and evidence prove that the incident occurred;
- Unsubstantiated means that the facts and evidence did not support that the incident occurred; and
- Unfounded means that the facts and evidence prove that the incident did not occur.

## Understanding your reactions

Being victimized can violate your sense of safety and trust. You may feel shock, anger, and anxiety and it is normal to experience feelings of embarrassment, anger, guilt, panic, depression, and fear for several months or even years after the victimization. It is also normal to experience a variety of physical reactions from changes in eating and sleeping patterns to nightmares or flashbacks. These reactions can cause you to become withdrawn. It is also common to feel powerless or depressed. Whatever your reactions or fears, it is important to understand that you are not to blame and that these reactions are normal.

## Help is available

The facility and ICE will help you get support and offer resources specific to your needs. Emotional support is available from the facility's mental health and medical staff and from the chaplains.

Also, at your request, facility staff will put you in touch with a local community service provider or victim advocate (see "Mental Health and Victim Services" on pg. 23).

Sexual abuse and assault can happen to anyone. Sexual abuse and assault is not about sex; it is about power and control. All reports are taken seriously. Your safety and the safety of others is the most important concern. For everyone's safety, you are encouraged to report all incidents, threats, or assaults.

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## MEDICAL ORIENTATION AND HEALTH INFORMATION

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The facility's medical clinic will provide you with care if you have a medical problem. Except for rare situations, medical staff will NOT give you comfort items or items such as special shoes, extra blankets, extra pillows, jackets, soap, or deodorant. Medical staff also cannot answer any questions about your case, your court date, or your legal situation. Ask your deportation officer these questions.

## GENERAL OVERVIEW OF SERVICES PROVIDED

### Medical questions

Soon after you arrive, you will be asked medical questions and given a chest x-ray or test for tuberculosis infection. This is important for the health and safety of everyone.

### Physical exam

Within the first 14 days of your stay, you will receive a physical exam. Male or female and age-specific medical care will be offered.

### Female health care

You may request pregnancy testing, a breast examination, Pap test, sexually transmitted disease (STD) screening, mammograms, birth control advice, and consultation about family planning as medically appropriate. If you are confirmed to be pregnant or have recently given birth, you will be provided with access to prenatal and specialized care.

### Sick Call

If you are sick, you can request to be seen in the medical clinic. To receive this care, you will either fill out a sick call form or the medical staff will visit you in the housing areas or other designated areas. If you are not sure how sick call works, ask any staff member.

If you are having dental pain or swelling, use the sick call process to get help. Routine care such as dental cleanings will not be done unless you are here for more than 12 months.

If you are feeling overwhelmed, have thoughts of hurting yourself or feel like you might hurt someone else, let an officer or a medical staff member know immediately and you will be seen.

## ADDITIONAL SERVICES

If needed, other services may include medications, lab or other diagnostic tests, x-rays, education and counseling, and regular appointments for serious medical conditions.

### Medical complaints and grievances

If you have a question or concern with the care you receive, talk to the medical provider. Remember that some types of care or services are not available. If you are still unsatisfied, you can complete a grievance form. If you can't find the form in the clinic, ask any security or medical staff for the form.

### Emotional difficulties

It is normal to feel emotions like sadness, depression, anxiety, nervousness, anger, and fear in this environment. It is also normal to have problems sleeping. Try to remember that you will not be in detention forever. Think about ways to keep busy, stay calm, and stay healthy. Read, talk to people, play a game, exercise, go to religious activities, or practice relaxation techniques. A medical provider can give you information on stress management.

## MEDICATIONS

Do not share medications with others. Violation of this rule may result in disciplinary action. If your medicine is causing problems such as a rash, itching, breathing problems, or diarrhea, let an officer or the medical staff know immediately, and keep your medicine with you at all times. Do not lose your medication.

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## PRIVACY NOTICE REGARDING THE COLLECTION OF YOUR INFORMATION FOR YOUR MEDICAL CARE

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### What is ICE's legal authority for collecting this information?

ICE is authorized to collect medical care information pursuant to 8 U.S.C. § 1222 and 1232; and 42 U.S.C. § 249. Information regarding your medical, mental health, and dental records is maintained by ICE in the Department of Homeland Security/U.S. Immigration and Customs Enforcement – 013 *Alien Health Records System of Records*. See 80 Fed. Reg. 239 (January 5, 2015), in accordance with the Privacy Act of 1974, as amended (5 U.S.C. § 552a).

### Why is this information being collected?

ICE is committed to protecting your health while you are in ICE custody. To effectively do so, ICE medical personnel will collect information about you and your medical history including health conditions you have, medications you take and special needs you have as a result of a medical condition to provide you with any necessary and appropriate medical care. The information may be collected in various ways, including through forms you complete or discussions you have with medical personnel.

### How will information be used and with whom will it be shared?

ICE uses medical information to care for you while you are in ICE custody, and to provide you with any necessary and appropriate medical care you may need. Medical health information may be used or disclosed by ICE in accordance



with the routine uses listed in the *DHS/ICE Alien Health Records System of Records*, 80 Fed. Reg. 239 (January 5, 2015). For example, if you need medical treatment that ICE is unable to provide, ICE may send you to an outside medical provider and share relevant medical information about you with that provider so that the provider may properly treat you. Another example may occur if you are transferred to another facility, or to the custody of another domestic or foreign government agency, or are removed to another country, medical information may be shared with that facility, agency or country for your continued care.

Your information may also be shared with federal and state reporting agencies for disease surveillance and control and with agencies that accredit ICE facilities. Your health care in this country comes at a cost to the U.S. taxpayers. The financial service center needs your medical information to make payments for your medical care and the medical providers who treat you. Finally, your medical information may be shared with the Department of Justice or with courts in the course of immigration, civil, or criminal proceedings. For more information concerning other possible disclosures or handling of your medical care information, please consult the *DHS/ICE Alien Health Records System of Records*, 80 Fed. Reg. 239 (January 5, 2015).

### Am I required to provide this information?

Furnishing this information is voluntary. However, if you choose not to provide the requested information, it could have a negative impact on your care or health because ICE may not have the information it needs to properly care for you.

**NOTE:** This privacy notice is required by the Privacy Act of 1974, as amended (5 U.S.C. § 552a) and only applies to information about you collected by ICE medical personnel and placed into your ICE medical records. In instances where you receive care from non-ICE medical personnel, or at a non-ICE facility, the Privacy Act of 1974 may not apply and your medical information may be covered by other privacy and healthcare regulations.

# Break the Silence ICE Has Zero Tolerance for Sexual Abuse & Assault

Keep Detention Safe  
Report Confidentially  
Be Safe and Get Help

**Report an incident involving a detainee or a staff person by:**

Notifying a staff person ♦ Telling an ICE official  
Calling a toll free number

**1-888-351-4024 or 9116#**

ICE's Community and Detainee Hotline

**1-877-246-8253 or 5663#**

ICE's Joint Intake Center



**ICE**

At this facility, contact:

**Report Sexual Assault Now**

بلغ عن الاعتداء الجنسي الآن  
即刻举报性侵犯事件

Rapportez les agressions  
sexuelles

Denonse agresyon seksyèl  
touswit

Denuncie crimes sexuais agora

Báo cáo cưỡng hiếp tình  
dục ngay lập tức

**Reporte la agresión sexual  
ahora**



**Report your concerns**

يرجى الإبلاغ عن مخاوفك

报告您的顾虑

Signalez vos préoccupations

Rapòte enkyetid ou

Apresente suas denúncias

Báo cáo quan ngại của quý vị

**Expresse sus inquietudes**

# ICE Detainee Helpline

Dial: 9116# or   
or 1-888-351-4024

**Call to:**

- Obtain **basic immigration case information**  
(For information on your next court date please call 1-800-898-7180)
- Report an incident of **sexual or physical assault or abuse**
- Report **serious or unresolved problems**
- Report that you are a **victim of human trafficking**
- Let ICE know that your immigration detention separated you from your **minor child who is dependent on you**

**If you need urgent assistance, including a medical emergency, please contact facility staff immediately!**



ICE Enforcement and Removal Operations  
Committed to transparency, collaboration, and resolving concerns



U.S. Immigration  
and Customs  
Enforcement

Report Suspicious Activity:  
1-866-347-2423  
[www.ice.gov](http://www.ice.gov)