

INS DETENTION STANDARD

ADMISSION AND RELEASE

I. POLICY

The procedures a facility follows in admitting and releasing detainees protect the health, safety, and welfare of each person. During the admissions process, detainees undergo screening for medical purposes; have their files reviewed for classification purposes; submit to a standard body search; and personally observe and certify the examination, categorization, inventorying, and safeguarding of all personal belongings.

During the release process, detainees return clothing, bedding, and other facility-issued items; participate in identity-verification procedures; and complete documents in accordance with facility procedures, including certifying receipt of all inventoried personal property, including funds and valuables.

II. APPLICABILITY

The standards provided in this Detention Standard shall apply to the following facilities housing INS detainees:

1. Service Processing Centers (SPCs);
2. Contract Detention Facilities (CDFs); and
3. State or local government facilities used by INS through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours; referred to as "IGSA facilities."

Within the document there are additional implementing procedures that are identified for SPCs and CDFs. IGSA facilities may find such procedures useful as guidelines. IGSAs may adopt, adapt or establish alternatives to, the procedures specified for SPCs/CDFs, provided they meet or exceed the objective represented by each standard.

See the separate "Definitions" Standard for the meaning of certain terms used in this document.

III. STANDARDS AND SPC/CDF PROCEDURES

A. New Arrivals

Every new arrival shall undergo screening interviews, complete questionnaires and other forms, attend the facility's site-specific orientation program, and comply with other admission procedures (issuance of clothing, towels, bedclothes, etc.).

1. The orientation process, supported by a video and handbook, shall inform new arrivals about facility operations, programs, and services. Subjects covered will include prohibited activities and unacceptable and the associated sanctions (see the "Disciplinary Policy" Standard).

2. Staff will issue every arriving detainee personal-hygiene items, clothing, sheets and blankets appropriate for local weather conditions (see the "Issuance of Clothing, Bedding, and Towels" Standard).
3. Medical screening protects the health of the detainee and others in the facility (see the "Detainee Access to Medical Care" Standard).

Staff will open a detainee detention file as part of the admissions process. This file will contain all paperwork generated by the detainee's stay at the facility.

B. Classification

Admission staff will use the documentation accompanying each new arrival (see section III.I., below) for identification and classification purposes. If the classification officers are not INS employees, INS will provide only the information needed for classification-processing. Under no circumstances shall non-INS personnel have access to the detainee's A-file. (See the "Detainee Classification System" Standard.)

C. Search of Detainee and Property

The classification process determines the appropriate level of custody for each detainee. Once this is established, staff can issue the detainee clothing/wristband in the appropriate color for his/her classification level.

Each new arrival will be strip-searched, in accordance with the "Detainee Search" Standard. Among other things, search procedures require an officer of the same sex as the detainee to conduct the search, in an area of Processing that affords as much privacy as possible. All items discovered during the strip search will be identified as funds, valuables, or other personal property, to be kept in the detainee's possession or inventoried, receipted, and stored; or as contraband. (See the "Funds and Personal Property," and "Contraband" standards.)

1. Officers will focus search efforts on commonly used hiding and smuggling places, such as pockets, waistbands, seams, collars, zipper areas, cuffs, and shoe exteriors and interiors, including under the inner soles.
2. Officers will inspect all open containers. They will inventory and store factory-sealed durable goods in accordance with facility procedures.

In SPCs/CDFs, to maintain standards of personal hygiene and to prevent the spread of communicable diseases and other unhealthy conditions within the housing units, every detainee must shower before entering his/her assigned unit. During the detainee's shower, an officer of the same sex will remain in the immediate area.

D. Funds and Valuables (other than baggage and personal property)

Each facility shall institute procedures for inventory and receipt of detainee funds and valuables (other than baggage and personal property) in accordance with the "Funds and Personal Property" Standard.

E. Baggage and Personal Property (other than funds and valuables)

Each facility shall have a procedure for inventory and receipt of detainee baggage and personal property (other than funds and valuables) in accordance with the "Funds and Personal Property" Standard.

In SPCs/CDFs, staff will prepare an itemized list of the detainee's baggage and personal property, using the Personal Property Inventory Form. If a detainee has no baggage, staff will use a facility container to store his/her personal property.

Identity documents, such as passports, birth certificates, etc., will be inventoried, then given to a deportation officer for placement in the detainee's A-file.

F. Clothing and Bedding Issued to New Arrivals

Among other things, staff shall issue detainees clothing and bedding in quantities and weights appropriate for the facility environment and local weather conditions.

(See the "Issuance of Clothing, Bedding, and Towels" Standard.)

G. Personal Hygiene Items

Staff shall provide male and female detainees with the items of personal hygiene appropriate for, respectively, men and women. They will replenish supplies as needed.

In SPCs/CDFs, each detainee will receive, at a minimum, the following items:

1. One bar of bath soap, or equivalent;
2. One comb;
3. One tube of toothpaste;
4. One toothbrush;
5. One bottle of shampoo, or equivalent; and
6. One container of skin lotion.

The OIC may modify this list, e.g., to accommodate use of bulk liquid-soap and shampoo dispensers.

The responsible housing unit officer will replenish personal-hygiene items on an as-needed basis, in accordance with written facility procedures. The OIC may establish an empty-container exchange system.

If the facility has no detainee commissary, personal-hygiene items from sources other than the issuing officer(s) will be permitted into the housing units only with the approval of the health services staff and the Chief Detention Enforcement Officer or contract equivalent.

The same procedures will govern issuance of bedding, towels, and facility uniforms for male and female detainees. However, the following rules specifically affect female detainees:

1. Institutional clothing only, including undergarments; no items of personal clothing permitted;
2. Feminine-hygiene items issued as needed;
3. Unbreakable brushes with soft, synthetic bristles allowed to replace combs;

4. Cosmetics prohibited; and
5. Electric rollers, curling irons, hair dryers, and similar appliances prohibited.

H. Admissions Documentation

An order to detain or release (Form I-203 or I-203a) bearing the appropriate official signature shall accompany the newly arriving detainee. IGSA facilities shall forward the detainee's A-file or temporary work file to the INS office with jurisdiction. Staff shall prepare specific documents in conjunction with each new arrival to facilitate timely processing, classification, medical screening, accounting of personal effects, and reporting of statistical data.

In SPCs/CDFs:

The A-File or temporary work file must accompany the arriving detainee, unless INS and facility officials have authorized other arrangements.

Forms requiring completion include, but are not limited to, the Alien Booking Record (Form I-385); the medical questionnaire; the housing assignment card, and any others used by the booking SPC/CDF.

The I-385, Alien Booking Record or booking card, contains blocks in which the Processing Officer will enter information during the admissions process. In some circumstances, the arresting or delivering office will enter biographical information, including name, sex; age, date of birth, birthplace, country of citizenship, alien(es), A-number; medical alert, date apprehended, booking office, date of transfer, and places involved in transfer (from which, to which).

Other blocks shall be completed as specified below:

1. Block 16 - Admitted By - initials and ID number of the officer accepting the detainee, usually the processing officer or shift supervisor)
2. Block 17 - Searched By - initials and ID number(s) of the officer(s) conducting the search of the detainee and his/her possessions. If one officer conducts the search of the detainee's person and another officer conducts the search of the detainee's possessions, include initials and ID numbers of each.
3. Block 18 - Date Admitted - date and time, recorded by the admitting officer (identified in block 16); time should match that in the detention logbook.
4. Block 22 - Rt. Index Print IN - print of detainee's right index finger; initials and ID number of fingerprinting officer placed above the print. If the right index finger cannot be used, the officer will print the right middle finger, noting the substitution in the block.
5. Block 24 - Remarks - arresting or booking officer identifies behavior problems, etc. that could prove helpful to the receiving office.

If the arresting/delivering office has not initiated an I-385, the processing officer is responsible for its completion, excluding the release information.

Based on a one-on-one interview with the newly arrived detainee, the processing officer will complete the U.S. Public Health Service In-Processing Health Screening Form (I-794) or equivalent, as follows:

1. Circle or write the name of the facility receiving the detainee.
2. Complete the biographical information in blocks 1, 2, 3, 4, 5 and 6 with information provided in the detainee's A-file or I-385 (presence of detainee not required).
3. Attach the detainee's photograph to the right of the biographical data.
4. Record detainee responses (checking yes or no) to Section I interview questions and distinguishing characteristics observed on the detainee. If the officer who searches the detainee is not the officer completing the questionnaire, he/she will likewise mark the diagram.
6. Respond "yes" or "no" to the questions in Section II, based on general observations of the detainee during the admissions process so far (compliance with orders, responsiveness, demeanor, etc.).
7. Circle the appropriate action of the above questioning in Section III, below:
 - a. #1 - "General Population" — Applicable when 100% of responses to questions in sections I and II are negative ("no" circled). This authorizes the detainee's release into the facility's general population, once the classification level is established.
 - b. #2 - "General Population with Referral to Medical Care" — Applicable when one or more responses to questions in sections I and II is positive ("yes" circled) and, while this could indicate any of several conditions, none causes immediate concern. The detainee's release into the facility's general population is authorized, with probable follow-up by the Medical Department.
 - c. #3 - "Referral for Immediate Medical Attention" — Applicable when one or more positive responses in sections I and II cause immediate concern for the detainee's physical or mental health. The officer informs the shift supervisor of the need for immediate medical attention; the shift supervisor then contacts the Medical Department, describes the situation, and does as instructed.
 - d. #4 - "Isolation until Medically Evaluated" — Applicable when a positive response in section I or II suggests a contagious disease, or when the detainee's behavior during questioning seems abnormal or bizarre enough to pose a threat to self or others. The officer prepares an Administrative Segregation Order and, in accordance with facility procedures, the detainee is placed in the Special Management Unit pending medical review. The medical review will take place as soon as practical, but no later than 24 hours after isolation, even if this means involving on-call medical staff.

8. After completing the form, provide signature and ID number in the signature block and, if the signature is illegible, neatly print name above it.
9. Print onto a color-coded wristband information that includes, but is not limited to, the following: detainee's name and A-number; housing and bunk assignment; and I-77 number.
10. Strap the color-coded wristband around the detainee's wrist in a way that will not cause circulation problems. Advise the detainee that the wristband must remain on his/her wrist until removed by an officer, and that disregarding this requirement could lead to disciplinary action.

I. Missing Detainee Property

The officer shall complete a Form I-387, "Report of Detainee's Missing Property" when any newly arrived detainee claims his/her property has been lost or left behind. IGSA facilities shall forward the completed I-387s to INS.

J. Orientation

All facilities shall have a medium to provide INS detainees an orientation to the facility. In IGSA's the INS office of jurisdiction shall approve all orientation procedures.

In SPCs/CDFs, the OIC shall screen the facility's orientation video for every detainee as part of the admissions process.

In SPCs/CDFs:

- a. Produced with either professional or local resources, the orientation video shall meet the standards of quality established by the INS District Office.
- b. The video will be in English and Spanish or English and the most prevalent language(s) spoken by detainees at the facility. The OIC will establish procedures ensuring the availability of an interpreter for a detainee who does not speak the language(s) used in the video. The interpreter will be available for orientation and scheduled meetings with the detainee. Outside sources may be used in pressing circumstances.
- c. The video will present an overview of the facility operations that most affect the detainees. The OIC may supplement the required information, with explanations of particular policies, rules, and procedures. At a minimum, each video must provide the following:
 1. OIC's introduction;
 2. Typical detention-case chronology (what most detainees can expect);
 3. Authority, responsibilities, and duties of security officers (INS and contract);
 4. How the detainee can contact the deportation officer handling his/her docket;
 5. Availability of pro bono legal services, and how to pursue such services in the facility (location of current listing, etc.);
 6. Standards of conduct, including acceptable and unacceptable detainee behavior, with an overview of other rules and requirements;

7. Disciplinary procedures, including criminal prosecution; grievance procedures; appeals process;
8. Introduction to the individual departments (recreation, medical, etc.); the various housing units; and food services.
9. Schedule of programs, services, daily activities, including visitation, telephone usage, mail service, religious programs, count procedures, access to and use of the law library and the general library; sick-call procedures, etc; and
10. Voluntary work program, with specifics, including how to volunteer.

The material may appear in any order, but must be coherently organized and edited, with smooth transitions between subjects

A question-and-answer session between detainees and officers will follow the video. Officers shall respond to the best of their ability. However, under no circumstances will an officer give advice about a legal matter or recommend a professional service.

The new detainees will remain segregated from the general population during the orientation period.

K. Detainee Handbook

In addition to the orientation-video presentation, every detainee will receive a detainee handbook.

The handbook will provide a more detailed discussion of the material covered in the video overview. It will fully describe all policies, procedures, and rules in effect at the facility, in accordance with the "Detainee Handbook" standard..

1. As part of the admissions process, the detainee will acknowledge receipt of the handbook by signing where indicated on the back of the I-385 (or on a separate form). The designated spot on the back of the I-385 may be a stamped entry containing the date of issue; handbook number, if applicable; initials and ID number of the issuing officer; detainee-signature line; and space for date of return and the receiving officer's initials and ID number. The stamp used for the handbook issuance may contain an identical section for locker-key issuance. If a form is used instead of a stamp or comparable notation on the back of the I-385, the officer must record the detainee's name and A-number in addition to the above-required information. The form will be maintained in the detainee's detention file.
2. The handbook will be in English and Spanish or English and the most prevalent language(s) spoken by detainees at the facility.
3. If a detainee does not understand the language of the handbook, the OIC will provide a translator for orientation and scheduled meetings. Under pressing circumstances, the OIC may contact an outside source for this purpose.

J. Releases

Staff must complete certain procedures before any detainee's release, removal, or transfer from the facility. Necessary steps include completing and processing forms, closing files,

fingerprinting; returning personal property; and reclaiming facility-issued clothing, bedding, etc., as follows:

1. A detainee's out-processing begins when Processing receives the Form I-203, "Order To Detain or Release," signed by an authorizing official. Generally other paperwork accompanies the I-203, such as the I-205, "Warrant of Removal," the I-286, "Notice of Custody Determination," the I-220A, "Order of Release on Recognizance," the I-220B, "Order of Supervision," the EOIR Order of the Immigration Judge, etc.
2. Responsibility for having all documentation required for the detainee's release or transfer complete and ready for use by out-processing officers rests with the Deportation Officer. The Deportation Officer will organize documents that must be completed with fingerprints, witness signatures, date stamps, receipt numbers, etc., during out-processing.
3. The Deportation Officer will present the appropriate documents to the Control Officer or contract equivalent responsible for the I-385s. Using the detainee's name and A-number as they appear on those documents, the Control Officer will locate and remove the detainee's I-385 from the booking-card file. Having removed the I-385, the Control Officer will compare the detainee's name and A-number on the I-385 with the name and A-number on the other documents to verify the identification.

The I-385 is the detainee's identity document that is used to verify all documents associated with the release or transfer.

4. After verifying the documents, the Control Officer will use the most expeditious communication system (e.g., public address system) to instruct the detainee to report to the nearest officer.
5. The officer will check the wristband of the detainee who reports as instructed to verify his/her identity.
6. The officer will advise the detainee to remove all facility-issued items and personal property from the housing unit and, after doing so, to return to the officer for further instruction.
7. The officer will remove the detainee's housing-identification card from the file system and turn it over to the detainee, then instruct the detainee to report to Processing. The officer will use the radio to notify Processing and other officers that the detainee is en route to Processing.
8. At this stage of the detainee's out-processing, the Control Officer will remove any G-589 receipts from the detainee's detention file. The Control Officer will give the G-589(s) to the shift supervisor for further action, and send the remaining documents to Processing.
 - a. The shift supervisor will compare the information on the blue portion of the G-589 with that on the pink triplicate portion and, if they match in all particulars, remove the pink copy from its safeguards.
 - b. After verifying the information on each portion of the G-589, the shift supervisor will remove the funds and valuables from safeguards, attach the two portions of

the G-589, make the necessary log entries, place the items in a secure container, and deliver the container to the Processing Officer.

9. When the detainee arrives in Processing, the Processing Officer will verify his/her identity, and take physical possession of the housing-identification card, detainee handbook, and locker key (if issued) handed back by the detainee. The officer will then date and sign the back of the I-385 or specified form (see paragraph III.K.1., above), and remove the bottom portion(s) of the detainee's I-77(s).
 - a. The I-77 authorizes the removal from storage of the detainee's personal property, as inventoried on the form.
 - b. Before returning the property to the detainee, the officer will require the detainee to sign his/her name on the bottom of the I-77 or on a separate piece of paper. The officer will compare this signature with the signature on the back of the top portion of the I-77 that is attached to the property. If the signatures appear the same, the officer will return the items to the detainee.
 - c. The detainee will check his/her property against the original personal property inventory sheet (G-589). If all property is correctly accounted-for, the detainee will sign the inventory sheet, which the officer will then to the copy in the detainee's detention file. The detainee will be provided a copy of the signed form upon request.
10. After placing the detainee in a private area of Processing, the Processing Officer will:
 - a. Instruct the detainee to remove all facility-issued clothing, and to dress in his/her personal clothing.
 - b. Inspect the condition and quantity of facility-issued clothing, bedding, etc., surrendered by the detainee.
 - c. Place the returned clothing and bedding, excluding the mattress, in the bin designated for soiled items. These will be laundered and sanitized as appropriate before reuse.
 - d. Set aside the plastic-covered or -sheathed mattress for rinse and wipe-down with disinfectant or other solution prescribed by the Medical Department.
11. The Supervisory Detention Enforcement Officer (SDEO) will compare the blue and pink copies of the G-589 with the white copy presented by the detainee. If the detainee's documentation is in order, the SDEO will return his/her funds and secure the detainee's signature confirming receipt of the inventoried property on the blue copy of the G-589. The facility will retain all three copies (blue, pink, and white) of the closed-out G-589 in the detainee's detention file.

If the detainee claims to have lost the white portion of the G-589, the SDEO will note this on the blue copy, which he/she and the detainee will certify by signing immediately below.

12. Forms associated with detainee releases or removals from SPCs/CDFs include, but are not limited to, the following:

I-205 Warrant of Removal/Deportation

I-210 Notice of Action — Voluntary Departure

I-220A Order of Release on Recognizance

I-220B Order of Supervision

I-296 Notice to Alien Ordered Excluded by Immigration Judge

I-352 Immigration Bond

I-860 Notice and Order of Expedited Removal

The transfer of a detainee from one facility to another requires additional paperwork, such as duplication of existing forms, tracking mechanisms, and order to escort, as follows:

I-216 Record of Persons and Property Transferred—a manifest, completed in triplicate, providing the following information about one or more detainees per page:

Status (removal, transfer, deportation, etc.)

Afflicted or Dangerous (criminal, diseased, epileptic, mentally ill, likely to attempt escape, etc.)

From Service [INS] Detention

Expense of Deportation (who pays: INS or carrier)

Money and Hand Luggage (amounts in transit with detainee)

Checked Baggage (yes or no)

Baggage Check Number (receipt number [I-77] for checked baggage)

The receiving officer will insert, where indicated, his/her signature, title, and the date and place of transfer. The delivering officer will receive the signed original.

I-385 Booking card (blocks 1 through 15: biographical data, transfer-from and transfer-to points)

I-77 Baggage receipts for property, including funds and small valuables (issued for transfer; includes transfer-from and -to points). Top and bottom portions distributed as above; middle attached to the I-216 or the new I-385. Note: the G-589 (facility receipt for funds and small valuables) is not used for transfers.

G-391 Official Escort forms

A-file Detainee records (transferred with detainee). A work/temporary file, not an A-file, accompanies a detainee designated “room and board.”

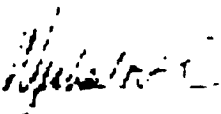
13. When the detainee(s) depart(s), the Processing Officer will, among other things, advise the Control Officer of the actual count.

14. The Processing Officer will enter specified book-out information into the computerized Deportable Alien Control System (DACS). The officer will then initial

and place his/her ID number next to the booking-card mark that indicates completion of DACS data-entry. (the mark is a red line drawn with a felt marker down the front right side of the booking card). The closed-out booking card will be placed in the detainee's detention file and archived for at least three years.

Facilities: 3-ALDF: 1B-04, 1B-06, 1B-16, 1B-19; 1E-01, 1E-02; 2B-02, 2B-11; 2E-01; 3A-08, 3A-14, 3A-16, 3A-19, 3A-20; 3C-01, 3C-03, 3D-07, 4A-01, 4A-03, 4A-04, 4B-01, 4D-11, 4D-12, 4G-07.

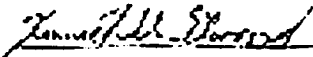
Approval of Standard



**Michael D. Cronin
Acting Executive Associate Commissioner
Office of Programs**

SEP 20 2000

Date



**Michael A. Pearson
Executive Associate Commissioner
Office of Field Operations**

SEP 20 2000

Date

U.S. Immigration & Naturalization Service

Detainee Personal Property Receipt

Date: _____

Name: _____ A# _____ Country _____

<u>Qty</u>	<u>Article</u>	<u>Disp</u>	<u>Qty</u>	<u>Article</u>	<u>Disp</u>	<u>Qty</u>	<u>Article</u>	<u>Disp</u>
_____	Belts	_____	_____		_____	_____	Books/Mags	_____
_____	Caps/Hats	_____	_____		_____	_____		_____
_____	Trousers	_____	_____		_____	_____		_____
_____	Shoes/Tennis	_____	_____		_____	_____		_____
_____	Boots/Other	_____	_____		_____	_____	Radios	_____
_____	Dress Shirts	_____	_____		_____	_____	Televisions	_____
_____	Blue Jeans	_____	_____		_____	_____	Musical Instruments	_____
_____	Underwear	_____	_____		_____	_____		_____
_____	T-Shirts	_____	_____		_____	_____		_____
_____	Jacket/Coat	_____	_____		_____	_____		_____
_____	Sweater	_____	_____		_____	_____		_____
_____	Socks	_____	_____		_____	_____		_____
_____	Shorts	_____	_____		_____	_____	Other	_____
_____	Wallet	_____	_____	Baggage/Luggage	_____	_____	Sunglasses	_____
_____		_____	_____		_____	_____		_____
_____		_____	_____		_____	_____		_____
_____		_____	_____		_____	_____		_____
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_____		_____	_____		_____	_____		_____
_____		_____	_____		_____	_____		_____

Disposition
 S - Retained by INS
 R - Retained by detainee
 D - Damaged

The above property was recieved for storage by:
 Officer: _____
 Officer: _____

 Detainee's signature

I-77 Numbers

All of the above property was returned to me:

 Detainee's Signature Date

Original to Detainee Copy to Detention File.