

# ICE/DRO DETENTION STANDARD

## DETAINEE HANDBOOK

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

It applies to the following types of facilities housing DRO detainees:

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

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

Some terms used in this document may be defined in the separate **Definitions** Standard.

**II. EXPECTED OUTCOMES.** The expected outcomes of this Detention Standard are:

1. Upon admission to a facility, each detainee will be provided the comprehensive written orientation materials in the form of a detainee handbook. The local facility shall provide a detainee handbook supplement, which describes such matters as:

- grievance system
- services and programs,
- medical care,
- law libraries and legal material,
- correspondence and other material,
- staff–detainee communication
- classification system, and
- disciplinary system.

2. Each detainee will verify, by signature and date, receipt of those orientation materials, and that acknowledgement will be maintained in the detainee's detention file.
3. The ICE National Detainee Handbook will be provided in English, Spanish, and other languages as determined necessary by the Field Office Director (FOD). Orientation materials will be read to detainees who cannot read, or they will be provided the material via audio or video recordings.
4. Interpretative services will be provided to detainees who do not speak the languages in which the orientation materials are written.
5. The information in this standard will be communicated in a language or manner which the detainee can understand.

**III. DIRECTIVES AFFECTED.** This Detention Standard replaces Detainee Handbook dated 9/20/2000.

#### **IV. REFERENCES**

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

ICE/DRO National Détention Standards on:

Visitation

Law Libraries and Legal Material

Correspondence and Other Mail

Staff-Detainee Communication

Classification System

Disciplinary System

Medical Care

Grievance System

#### **V. EXPECTED PRACTICES**

1. The facility administrator shall distribute the ICE National Detainee Handbook and develop a local written supplement to the ICE National Detainee Handbook.

For consistency throughout all detention facilities, the ICE National Detainee Handbook shall be used as a comprehensive orientation resource. In each facility, the ICE National Detainee Handbook shall conform to the sample format; the supplement contents shall be customized and adapted for each specific facility.

2. While all applicable topics from the ICE National Detainee Handbook must be addressed, it is particularly important that each local supplement notify each detainee of:
  - The rules, regulations, policies, and procedures with which every detainee must comply,

- Detainee rights and responsibilities,
  - Procedures for requesting interpretive services for essential communication,
  - Prohibited acts categorized by severity (Greatest, High, High Moderate or Low Moderate),
  - The disciplinary system, procedures, and sanctions,
  - The detainee Grievance System, including medical grievances,
  - Law Library access
  - Telephone access
  - The availability of Legal Orientation Programs, and
  - How to Contact ICE (Local ICE Field Office).
3. The ICE National Detainee Handbook will be provided in English, Spanish, and other languages as determined necessary by the FOD. The facility administrator shall ensure that the local supplement is translated into Spanish and any other language spoken by significant numbers of detainees in that facility.
  4. Upon admission to a facility, as part of the orientation program, each detainee shall be provided a copy of the ICE National Detainee Handbook and that facility's local supplement to the handbook.

The Detention Standard on **Admission and Release** requires that all facilities provide ICE/DRO detainees an orientation to the facility and details requirements for an orientation video to be shown as part of the orientation process in SPCs and CDFs.

The comprehensiveness of the video has no bearing on the development, production, or distribution of the detainee handbook.

5. Staff shall require each detainee to verify, by signature, receipt of the handbook and maintain that acknowledgement in the detainee's detention file.  
*In SPCs and CDFs, the detainee shall 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.*
6. If a detainee cannot read or does not understand the language of the handbook, the facility administrator shall arrange for the orientation materials to be read to the detainee, provide the material using audio or video tapes in a language the detainee does understand, or provide a translator.
7. The facility administrator shall provide a copy of the ICE National Detainee Handbook and the local supplement to every staff member who has contact with detainees, and cover its contents in initial and annual staff training.
8. The ICE National Detainee Handbook shall be updated as needed by the Detention Management Division Detention Standards Compliance unit. The facility administrator shall appoint a committee to review the local supplement annually and recommend changes. While the handbook does not have to be immediately revised and reprinted to

incorporate every change, the facility administrator shall establish procedures for immediately communicating such changes to staff and detainees through such methods as:

- Posting changes on bulletin boards in housing units and other prominent areas,
- Notifying staff by memos and other means, and
- Informing new arrivals during orientation.

On occasion, however, the Field Office Director or Detention Management Division may require a specific and immediate change to the handbook.

9. The ICE National Detainee Handbook shall explicitly address how detainees report allegations of abuse and civil rights violations, along with violations of officer misconduct, directly to ICE management or the DHS Office of Inspector General and shall require detention facilities to provide appropriate written guidance to correctional officers to ensure that treatment of immigration detainees is consistent with these Standards.

**Standard Approved:**

**James T. Hayes, Jr. /s/**

**12/5/2008**

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**James T. Hayes, Jr.**  
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**Date**