

INS DETENTION STANDARD

POPULATION COUNTS

I. POLICY

All facilities shall implement an effective system for counting detainees. Formal and informal counts will be conducted as necessary to ensure around-the-clock accountability for all detainees.

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 additional implementing procedures are identified for SPCs and CDFs. Those procedures appear in italics. 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 PROCEDURES

A. Formal Count

Formal counts are conducted at specific times of the day or night in a predetermined manner. A formal count should be conducted at least once per shift, with a shift supervisor verifying its accuracy.

In SPCs/CDFs:

1. *The formal count(s) conducted at least once per shift shall be at a time determined by the Chief Detention Enforcement Officer. Counts will be scheduled to achieve full accountability with minimal interference with daily work and activity schedules.*

2. *Count procedures must be strictly followed. If the accuracy of a count is in doubt, the officers shall do a recount and any other double-checking necessary. Officers performing the count shall never rely on a roll call.*
 - a. *An unaccompanied officer shall never perform a count in an open area (housing units, food service area, etc.). One officer shall count while a second officer observes all detainee movements, to ensure that no detainee shifts from one location to another, to be counted twice. Upon completing the first count the officers will change positions and count again.*
 - b. *The officers assigned the count, who have primary responsibility for the count accuracy, shall be familiar with possible sources of error. The officers must know the specific manner of counting detainees in different types of locations (e.g., housing units, open-type areas, or work areas). The officers shall encourage detainees to accept the count as a facility necessity.*
 - c. *Officers must make positive identification of the living body-and not mere clothing in a human shape-before counting anyone present. (Escapes have been effected by the skillful use of such dummies.) The counting officers will remain in the count area until the facility Control Center verifies and clears the count.*
 - d. *When making night counts, officers should use flashlights judiciously, with sufficient light to recognize a dummy. The officer must not count a detainee based on a part or parts of clothing, hair, shoes, or the appearance of a human form (see paragraph (c), immediately above).*
3. *Officers shall encourage detainee cooperation. However, they shall not allow detainees to perform the count, nor participate in the preparation or documentation of the count process.*
4. *There will be no movement of detainees during formal counts. All detainee movements into, out of, and within the facility must cease before the count begins. Detainee movement shall not resume anywhere in the facility until the complete facility count has been cleared. Should an emergency arise during the count that necessitates the movement of detainees, the count will restart when the movement has ended.*
5. *All detainee units/areas will be counted simultaneously; each detainee will be counted at a specific location; and all movement of detainees will cease before the count begins. Movement will not resume until the total detainee population count is verified and cleared. The counting officer from each location will radio his count to the facility control officer, who is responsible for collecting and maintaining the count. After the count is radioed in, a signed paper count slip will be delivered to the Control Center. This count slip will be used to verify the area count. Therefore, count slips must be prepared and signed in indelible ink.*

Both officers conducting the count must sign the count slip. The Control Center shall not accept an improperly prepared count slip or one that contains erasures or alterations of any kind. The control officer shall take into account the current out-count in verifying the population count against the master count.

6. *As each area reports its count, the control officer will so indicate in the control log. If any area/unit reports an incorrect count, all areas/units will be required to count again. If the count remains incorrect, the shift supervisor will be notified and additional staff will be dispatched to the count area to assist with a third count. No count shall be cleared until all counting errors have been corrected, or until the cause of error has been identified and corrective action taken. If a detainee is in the wrong count area, the detainee will be escorted to the correct count area. If this occurs, officers in all count areas/units will recount, recall the earlier counts, and deliver the new count slip to the control officer.*
7. *If all recounts fail to clear the count, the shift supervisor will conduct a face-to-photo count, matching photos on facility identification cards with detainee faces, individual by individual. When the face-to-photo count has been completed, the control officer shall report that count to the shift supervisor responsible for accepting and clearing the count.*
8. *In the event that a detainee is unaccounted for after the face-to-photo count, the supervisor on duty will institute the escape policy.*

B. Face-to-Photo Count

Face-to-photo counts (or equivalent) will be conducted as necessary.

In SPCs/CDFs, face-to-photo counting procedures are the same as the formal count procedures, except each detainee will be matched with the photo on his/her I-385 card or facility identification card.

C. Informal/Census Counts

Each officer will make irregular but frequent checks to verify the presence of all detainees in his/her charge.

In SPCs/CDFs, these informal counts or checks occur between formal counts. For work crews, a count is made when the crew assembles for work, at frequent intervals during the work period, and when the crew is dismissed at the end of the work period. An informal count is reported only if a detainee appears to be missing. In that case, an emergency (formal) count shall be taken.

D. Master Count

The facility Control Center will maintain a master count.

In SPCs/CDFs, the facility control officer maintains the master count record. He/she must be provided with up-to-the-minute information regarding detainee admissions, releases, housing changes, hospital admissions, outside work details, and any other changes that could affect detainee accountability. An up-to-the-minute count record shall at all times be maintained in the Control Center. The master count shall take into account the current out-count.

E. Out-Counts

The control officer shall maintain an out-count record of the number and destination of all detainees who temporarily leave the facility.

In SPCs/CDFs, this record must contain an accurate and up-to-the-minute listing of every temporary departure and return of a detainee. It must be updated regularly and used in any formal count.

F. Emergency Count

An emergency count will be conducted when there is reason to believe a detainee is missing, or after a major disturbance has occurred.

An emergency count is a formal count taken in addition to and at a different time from the regularly scheduled formal counts. When a detainee is unaccounted for, or a major disturbance has ended, a count shall be taken to determine that no one has escaped or is in hiding. The facility control officer must always be prepared to produce an up-to-the-minute count for such use.

In SPCs/CDFs, all detainees will be returned to their housing units during emergency counts. An emergency count is conducted in the same manner as a formal count.

IV. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS REFERENCED

American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities. 3-ALDF-3A-14, 1F-05

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 and Naturalization Service
NATIONAL DETENTION STANDARDS
MONITORING INSTRUMENT**

Policy: All detention facilities shall ensure around-the-clock accountability for all detainees. This requires that they conduct at least one formal count of the detainee population per shift, with additional formal and informal counts conducted as necessary.

POPULATION COUNTS			
Components	Yes	No	Remarks
1. Does staff conduct a formal count at least once each shift?			
2. Do certain activities continue while a formal count is being conducted?			
3. Do certain operations continue during formal counts?			
4. Is a certain amount of movement tolerated during a formal count?			
5. Do formal counts in all units take place simultaneously?			
6. Do at least two officers participate in the count in each area/unit? a. Always, or with some exceptions? b. If exceptions, give examples.			
7. Does the counting officer radio the count to the facility control officer? a. Is this standard procedure? b. Does the procedure include sending a count slip to the control officer after each count?			
8. Do both officers conducting the count prepare and sign the count slip? a. In indelible ink?			
9. Do officers allow detainee participation in the count? If yes, at what point? a. Preparing for the count? b. Performing the count? c. Preparing post-count documentation?			
10. Does every area/unit conduct a recount whenever an incorrect count is reported?			
11. Does a face-to-photo count follow each unsuccessful recount?			

POPULATION COUNTS			
Components	Yes	No	Remarks
12. Do the two officers conducting the area/unit count switch positions for the recount? a. Is this a matter of written policy?			
13. Do officers positively identify each detainee before counting him/her as present?			
14. Do written procedures cover informal and emergency counts? a. If yes, are they followed during informal counts? b. During emergencies?			
15. Does the control officer maintain an out - count record of all detainees temporarily leaving the facility?			
16. Does the facility train all officers to follow all requirements of INS' "Population Count Detention Standard"?			
17. Is this training documented in each officer's training folder?			

**U.S. Immigration and Naturalization Service
NATIONAL DETENTION STANDARDS
MONITORING INSTRUMENT**

Population Counts

Verification Sources:

The following may serve as sources of information for auditors verifying the facility's compliance with this detention standard:

Source	Time	Date	Location
A. Observation of facility counts			
B. Observation of escort procedures (whether out counts are maintained)			
C. Facility log books			
D. Written policy and procedures			
E. Detainee and staff interviews*			

Facilities must complete the attached Plan of Action for bringing operations into compliance. For each element found out of compliance, the plan of action will specify remedial action and the estimated timetable for compliance.

***Remarks:** *(Record significant facts, observations, other sources used, etc.)*

Auditor's Signature

Date