

2.1 Admission and Release

Introduction

This U.S. Immigration and Customs Enforcement (ICE) Family Residential Standard ensures that residents are admitted to and discharged from Centers in a safe and orderly fashion.

Various terms used in this standard may be defined in the ICE Family Residential Standard on *Definitions*.

Program Philosophy

The requirements of this standard must be implemented in accordance with the ICE Family Residential Standard on *Program Philosophy, Goals, and Expected Outcomes*.

A. Language Access and Disability Requirements

Centers will adhere to the language access and disability laws, regulations, responsibilities, requirements, and laws cited in the ICE Family Residential Standard on *Program Philosophy, Goals, and Expected Outcomes* and the ICE Family Residential Standard on *Disability Identification, Assessment, and Accommodation*. These requirements must be promulgated in all Center policies, practices, and operations and its themes must be fully incorporated into every Center activity. This is of critical importance and will directly impact resident life, health, and safety.

Expected Outcomes

The expected outcomes of this standard are as follows (specific requirements are defined in the Expected Practices section in this standard):

1. Centers will comply with appropriate policies and procedures when admitting, transferring, and releasing residents.
2. Centers will maintain accurate records and documentation in an ICE/Enforcement Removal Operations (ERO)-approved electronic format related to admissions, orientations, transfers, discipline, and discharges.
3. Each resident will be screened to ensure safe and secure Center operations.
4. During the admission process, residents and their personal property will be inspected using the least intrusive methods available and any contraband found will be processed properly. Searches of persons will be conducted in accordance with the ICE Family Residential Standard on *Searches and Inspections*.
5. During the admission process, each resident's personal property and valuables will be checked for contraband, inventoried, receipted, and stored in accordance with the ICE Family Residential Standard on *Funds and Personal Property*.

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6. During the admission process, each resident's identification documents will be forwarded to ICE/ERO.
7. During the admission process, residents will receive a medical and mental health screening.
8. Residents will undergo screening interviews and will complete questionnaires and other forms in accordance with this standard.
9. During the admission process, residents will have the opportunity to shower and will be issued clean clothing, bedding, towels, and personal hygiene items.
10. Newly arriving residents will be kept separated from admitted residents until admission processing is completed.
11. New admissions will be fully processed in fewer than 12 hours after arrival, barring documented exigent circumstances.
12. Newly arriving residents will receive a Center orientation.
13. If not completed during transport to the Center, the language spoken by the family will be identified and recorded. Residents will receive a Center ID that identifies the language spoken that is easily visible to Center staff.
14. Within two hours of arrival, residents will be allowed to make a free telephone call.
15. Residents will be discharged, removed, or transferred from a Center only when staff have followed specified procedures and completed required forms.

Standards Affected

This standard replaces the ICE Family Residential Standard on *Admission and Release* dated 12/21/2007.

Expected Practices

A. Overview of Admission, Orientation, and Release

As detailed below, each Center is required to implement written policies and procedures for the intake and reception of newly arrived residents, and to provide these residents with information about Center policies, rules, and procedures. At intake, residents will be searched and their personal property and valuables checked for contraband, inventoried, receipted, and stored. Each resident's identification documents will be secured and given to ICE/ERO. Medical screening protects the health of the resident and others in the Center, and the resident will be given an opportunity to shower and will be issued clean clothing, bedding, towels, and personal hygiene items.

Each new arrival will undergo screening interviews, and will complete questionnaires and other forms. To maintain safe and secure Center operations, each newly arrived resident will be kept separated from the general population until he/she is classified and housed accordingly.

Each new resident will be oriented to Center operations through written material in the form of a resident handbook and local supplement (as appropriate), covering issues such as access to health

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care services, sick call, and grievance procedures, and the Center's rules and prohibited acts. Residents will have an opportunity to view an orientation video.

Before a resident's discharge, removal, or transfer from a Center, staff must follow specified procedures and complete various forms.

B. Space

Centers will designate an area to conduct admissions and discharges. This area will be separate from the general housing area and will contain the following:

- Adequate work space for Center and ICE staff;
- A separate area to conduct interviews regarding confidential information outside the presence of minors;
- At least one speaker telephone;
- Adequate space to search property; and
- An age-appropriate toddler and young children play area.

C. Admission and Release Documentation

Centers will establish procedures for the reception of residents. These procedures must ensure the completion of all paperwork, verification of resident identity, and documentation confirming each admission is properly ordered by ICE/ERO. An alien file, temporary work file, and medical records as appropriate must accompany the arriving resident, unless ICE/ERO and Center officials have authorized other arrangements.

Centers will establish procedures for the discharge of residents. These procedures must ensure the completion of all paperwork, verification of resident identity to be discharged, and documentation confirming each discharge is properly ordered by ICE/ERO. Centers will return all resident funds, valuables, and property to residents prior to discharge.

D. Intake and Reception

1. Admission Processes

All Centers will have in place a written policy and procedure related to the admissions process, which will include intake and admissions forms and screening forms. Staff members will be provided with adequate training on the admissions process at the Center. Admission processes for a newly admitted resident will include, but not be limited to the following items:

- Recording basic personal information;
- Photographing and fingerprinting arriving residents who are 14 years of age and older, including noting any identifying marks or other unusual physical characteristics;
- Identifying and recording the language spoken by the family, if not completed during transport to the Center. Residents will receive a Center ID that identifies the language spoken that is easily visible to Center staff;
- Conducting medical and mental health screenings;

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- Identifying residents with obvious or reported disabilities and engaging in an interactive process to determine whether an accommodation may be necessary;
- Taking inventory and issuing receipts for resident funds, valuables, and personal property in accordance with the ICE Family Residential Standard on *Funds and Personal Property*;
- Never separating children from their respective parents/guardians during the admission process unless shown that such separation is necessary to protect the child, or there is a demonstrated immediate threat to the Center's safe and secure operations;
- Providing a play area in the admission area that young children and toddlers can use under staff supervision while their parents/guardians are participating in an interview of a sensitive nature;
- Providing residents access and time to shower (or be bathed if an infant or young child) before entering the general population. Infants and young children will be bathed by their parent/guardian. During the resident's shower, a staff of the same gender may remain in the immediate area but will not observe the showering process;
- Providing a sack meal, or equivalent, within four hours of admission;
- Notifying ICE/ERO when a resident claims their property was lost or damaged during transit. ICE/ERO will advise the resident on the process for reporting and resolving lost or damaged property issues. Staff will document this notification in the resident's residential file;
- Conducting appropriate medical, mental health, and special needs screening by appropriate medical staff of each resident in accordance with the ICE Family Residential Standard on *Health Care*;
- Establishing a residential file on each new resident in accordance with the ICE Family Residential Standard on *Resident Files*;
- Issuing items to the resident that are appropriate for the Center's environment and local weather conditions in accordance with the ICE Family Residential Standard on *Personal Hygiene*;
- Assigning bedrooms according to individual resident needs, but generally maintaining family unity when assigning bedrooms;
- Issuing a resident handbook and local supplement (as appropriate) to each newly admitted resident 14 years of age and older in accordance with the ICE Family Residential Standard on *Resident Handbook*; and
- Allowing residents time and a place to make a free telephone call within two hours of Center arrival.

New admissions will be processed fully (to include initial classification, clothing and hygiene issuance, medical and mental health screening, and housing assignment) in fewer than 12 hours after arrival, barring documented exigent circumstances.

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Screening of Resident. All residents will be screened upon admission in accordance with the ICE Family Residential Standard on *Searches and Inspections*. Ordinarily, admission searches shall include: screening with a metal detector and a search of the resident's clothing.

2. Search of Clothing and Personal Items

Staff 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.

Staff also will inspect all open containers, and inventory and store factory-sealed durable goods in accordance with Center procedures.

Items discovered during the search of a resident or his/her property will be identified as:

- Contraband, and processed in accordance with the ICE Family Residential Standard on *Contraband*; or
- Funds, valuables, or other personal property, to be kept in the resident's possession or inventoried, receipted, and stored or mailed to an address provided by the resident, in accordance with ICE Family Residential Standard on *Funds and Personal Property*.

3. Search of Baggage and Personal Property

In accordance with the ICE Family Residential Standard on *Funds and Personal Property*, each Center will have a procedure for taking inventory and receipt of resident baggage and personal property (other than funds and valuables, which are addressed below).

Identity documents, such as passports, birth certificates, and driver's licenses, also will be inventoried and given to ICE/ERO staff. Center staff also will photocopy identity documents and place a copy in the resident's file, with documentation that the original copy was provided to ICE/ERO. Upon request, only ICE will provide residents a certified copy of any found identity documents.

Center staff will prepare an itemized list of the resident's baggage and personal property using a Personal Property Inventory form or its equivalent. If a resident has no baggage or luggage, then staff will use a Center container to store his/her personal property.

4. Funds and Valuables

In accordance with the ICE Family Residential Standard on *Funds and Personal Property*, each Center shall institute procedures for inventory and receipt of resident funds and valuables.

5. Missing Resident Property

When a newly arrived resident claims his/her property has been lost or left behind, staff will complete Form I-387 ("Report of Resident's Missing Property"). Centers will forward completed I-387 Forms to ICE/ERO. A copy will be provided to the resident.

6. Medical Screening

Medical and Mental Health Assessments: History of Sexual Abuse. Centers will conduct assessments pursuant to the Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement (DHS PREA 6 CFR §115.41) for each resident. If that assessment

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indicates that a resident has experienced prior sexual victimization or perpetrated sexual abuse and/or assault (SAA), then staff will, as appropriate, ensure that the resident is referred immediately to a qualified medical or mental health practitioner for medical and/or mental health follow-up as appropriate.

Assessment for Risk of Victimization and Abusiveness. The Center will assess all residents on intake to identify those likely to be sexual aggressors or sexual abuse victims. To mitigate such dangers and prevent SAA, Centers will house those identified residents appropriately. Each new arrival will be kept separate from the general population until he/she is classified and may be housed accordingly.

The Center also will consider, to the extent that the information is available, the following criteria to assess residents for risk of sexual victimization:

- Whether the resident has a mental, physical, or developmental disability;
- The age of the resident;
- The physical build and appearance of the resident;
- Gender;
- Although Centers generally do not house residents with criminal backgrounds, staff will ask all residents:
 - Whether the resident has been incarcerated or detained previously;
 - The nature of the resident’s criminal history; and
 - Whether the resident has any convictions for sex offenses against an adult or minor.
- Whether the resident has self-identified as gay, lesbian, bisexual, transgender, intersex, or gender nonconforming, or has been diagnosed with gender identity dysphoria;
- Whether the resident has self-identified as having experienced sexual victimization previously; and
- The resident’s own concerns about his/her physical safety.

The initial screening will consider prior acts of SAA, prior convictions for violent offenses, and history of prior institutional violence or SAA, as known to the Center, in assessing residents for risk of being sexually abusive.

The Center will reassess each resident’s risk of victimization or abusiveness between 60 and 90 days from the date of initial assessment, and at any other time when warranted based upon the receipt of additional, relevant information or following an incident of abuse or victimization.

Residents will not be disciplined for refusing to answer or for not disclosing complete information in response to questions asked pursuant to this standard.

The Center will implement appropriate controls on the dissemination within the Center of responses to questions asked pursuant to this standard to ensure that sensitive information is not exploited to the resident’s detriment by staff or other residents.

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Use of Assessment Information. The Center will use the information from the risk assessment under DHS PREA 6 CFR § 115.41 to inform resident assignments. ICE will make individualized determinations about how to ensure the safety of each resident.

When making assessment and housing decisions for a transgender or intersex resident, the Center will consider the resident's gender self-identification and an assessment of the effects of placement on the resident's health and safety. The Center will consult a medical or mental health professional as soon as practicable on this assessment. The Center should not base placement decisions of transgender or intersex residents solely on the identity documents or physical anatomy of the resident; a resident's self-identification of his/her gender and self-assessment of safety needs always will be taken into consideration as well. The Center's placement of a transgender or intersex resident will be consistent with the safety and security considerations of the Center, and placement and programming assignments for each resident who is transgender, intersex, gender nonconforming, or diagnosed with gender identity dysphoria will be reassessed at least twice each year to review any threats to safety experienced by the resident.

Transgender, those diagnosed with gender identity dysphoria, and intersex residents will be given the opportunity to shower separately from other residents.

Protective Custody. The Center will develop and follow written procedures consistent with DHS PREA 6 CFR § 115.43 governing the use of protective custody in accordance with the ICE Family Residential Standard on *Sexual Abuse and Assault Prevention and Intervention*.

7. Establishing a Family File

As part of the admission process, staff will open a family file in accordance with the ICE Family Residential Standard on *Resident Files*.

E. Clothing and Bedding

In accordance with the ICE Family Residential Standard on *Personal Hygiene*, staff will issue clothing and bedding items that are appropriate for the Center environment and local weather conditions.

F. Admissions Documentation

Form I-203 ("Order to Detain or Release the Resident") bearing the appropriate ICE/ERO Authorizing Official signature, must accompany each newly arriving resident. Medical records and/or a book-in packet must accompany the arriving resident, unless ICE/ERO and Center officials have authorized other arrangements. Staff will 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.

G. Orientation

Centers will have a procedure to provide a Center orientation to residents. Orientation procedures must be approved in advance by the Juvenile and Family Residential Management Unit Chief. Centers will provide a translator or use a language line for residents who do not understand the

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language or manner of the orientation presentation. The orientation process will include an initial orientation upon arrival, including a video in a language that the resident understands, and a follow-up orientation within 72 hours. The initial orientation will include information on:

- Legal access;
- Telephone access;
- Medical access;
- Food service;
- Emergency needs;
- Resident rights;
- Grievance procedures;
- The Center's Sexual Abuse and Assault Prevention and Intervention (SAAPI) program;
- Procedures for contacting the deportation officer handling the resident's case;
- Behavior management;
- An additional orientation provided by staff within 72 hours that will include an overview of the Center, review of the Center map, an overview of staff titles and functions, etc.; and
- A review of the resident handbook and local supplement (as appropriate) to include Center expectations, programs, medical, mental health, dental access, and services contained in the resident handbook and supplement.

Following the orientation, staff will conduct a question-and-answer session. Staff will respond to the best of their ability and will research and respond at a later date on questions they could not answer during the session. Under no circumstance may staff give advice about a legal matter or recommend a professional service. Staff also will demonstrate clearly to residents how to use the telephone system to make telephone calls, including free telephone calls to consulates and free legal service providers.

H. Resident Handbook

Centers will issue to each newly admitted resident 14 years of age and older a copy of the resident handbook and any local supplement (as appropriate) in accordance with the ICE Family Residential Standard on *Resident Handbook*.

As part of the admissions process, the resident will acknowledge receipt of the handbook and supplement by signing a form acknowledging receipt.

I. Release Procedures

As detailed below, each Center is required to implement written policies and procedures for the discharge of residents to ensure the completion of all paperwork and verification of the resident to be discharged, and will document that all discharges are properly ordered by ICE. Center staff assigned to discharge processing must complete certain procedures before any resident's discharge from the Center. Necessary steps include, but are not limited to: completing out-processing forms;

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closing files; returning personal property; reclaiming Center-issued clothing, identification cards, handbooks, and bedding; and verification for resident identities through the use of photos, biometrics, or other systems designed to prevent the accidental discharge of residents. ICE/ERO will approve all Center discharge procedures.

J. Release Accommodations

The time, point, and manner of discharge from a Center will be consistent with safety considerations and will take into account special vulnerabilities of the resident, if any. Prior to discharge, the resident will be notified of the upcoming discharge and provided an opportunity to make a free telephone call to facilitate discharge arrangements. ICE/ERO and Center officials will determine who will be responsible for transporting discharged residents to local public transportation.

In locations where Centers will transport discharged residents, they will implement written policies and procedures to facilitate timely and safe transportation to the resident's discharge destination. These policies will be approved in advance by ICE/ERO. Such procedures will include coordinating transport with the discharge arrangements to ensure residents arrive at bus/train stations in time for their ticketed transport. Residents will be provided with a list of legal, medical, and social services that are available in the discharge community. Residents will be discharged with at least one set of noninstitutionalized, weather-appropriate clothing for the current and future destination, and necessary food, water, and infant/toddler supplies (i.e., diapers, wipes, formula) to last the period of transportation to their destination.

References

- ICE Family Residential Standard on Contraband
- ICE Family Residential Standard on Definitions
- ICE Family Residential Standard on Funds and Personal Property
- ICE Family Residential Standard on Health Care
- ICE Family Residential Standard on Personal Hygiene
- ICE Family Residential Standard on Program Philosophy, Goals, and Expected Outcomes
- ICE Family Residential Standard on Resident Files
- ICE Family Residential Standard on Resident Handbook
- ICE Family Residential Standard on Searches and Inspections
- ICE Family Residential Standard on Sexual Abuse and Assault Prevention and Intervention