

2.8 Staff-Resident Communication

Introduction

This U.S. Immigration and Customs Enforcement (ICE) Family Residential Standard enhances safe and secure Center operations by encouraging and requiring informal direct verbal and written contact among staff and residents and informal supervisory observation of living and working conditions, and by ensuring that the U.S. Department of Homeland Security's (DHS)/Office of the Inspector General's (OIG) hotline informational notices are posted.

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. Residents will have frequent opportunities for informal contact with Center managerial and supervisory staff and with ICE/Enforcement and Removal Operations (ERO) Field Office staff.
2. Center managerial and supervisory staff and ICE/ERO Field Office staff will observe Center operations and conditions of confinement directly.
3. Residents will be able to submit, in their native language if necessary, written questions, requests, grievances, and concerns to ICE/ERO staff and receive timely responses in their native language.
4. Centers will inform residents how to contact OIG directly.

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Standards Affected

This standard replaces the ICE Family Residential Standard on *Staff-Resident Communication* dated 12/21/2007.

Expected Practices

A. Staff and Resident Contact

Residents will have opportunities for frequent, informal access to and will have interactions with Center and ICE/ERO staff, in a language they can understand. As detailed below, the respective Field Office will assign Deportation Officers and ICE/ERO managers to visit and monitor Centers. Center staff will not restrict resident communications with ICE/ERO staff for any reason.

ICE/ERO managers will conduct unannounced, unscheduled visits once a week to the Center's living and activity areas to observe living conditions informally as well as engage in informal communication with residents.

In addition to conducting (at least weekly) unannounced and unscheduled visits, ICE/ERO Deportation Officers will conduct weekly "open door" resident meetings to address any concerns and answer questions regarding immigration issues. ICE/ERO will develop written weekly visit schedules and ensure they are posted in the Resident Information Center.

During all visits, ICE/ERO staff will observe:

- Living and activity areas;
- Classrooms;
- Food service areas (during meals);
- Recreation areas; and
- Medical areas.

ICE/ERO staff members will announce their presence upon arrival in each area.

ICE/ERO will document all Center visits in the appropriate Center log.

The resident handbook and local supplement as appropriate will include contact information for the ICE/ERO Field Office.

B. Staff Observation

When Center or ICE/ERO staff observes residents with visible injuries, bruising, signs of illness, depression, or changes in overall demeanor, they will immediately report their observations to their supervisor, the health care provider, and the Juvenile and Family Residential Management Unit (JFRMU) Onsite Coordinator.

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C. Daily Announcements

Centers will establish daily scheduled announcements to provide pertinent information on programming and scheduling activities.

D. Town Hall Meetings

Centers will establish regularly scheduled meetings between staff and residents to discuss all aspects of Center operations. The town hall meeting will occur at least once a month during school hours to limit the number of children requiring supervision. All adult residents will be encouraged to attend town hall meetings. These meetings allow residents and department heads to discuss any changes in operations, upcoming events, and other topics. The following staff will attend town hall meetings:

- JFRMU Onsite Coordinator;
- ICE/ERO supervisory staff assigned to the Center;
- Center health care provider/Health Services Administrator;
- Center Administrator; and
- Shift Supervisor.

The ICE/ERO supervisory staff, JFRMU Onsite Coordinator, or Center Administrator may request other department supervisors attend the meeting based on the meeting agenda or residents' requests for information.

Staff will maintain minutes of each town hall meeting. Minutes will be posted in the Resident Information Center in Spanish and in the prominent languages of most residents with Limited English Proficiency (LEP), where practicable.

E. Written Resident Requests to Staff

Residents may submit written questions, requests, or concerns to Center or ICE/ERO staff, using the "Resident Request" form or its equivalent.

Such informal written requests are not intended as a substitute for the more formal process specified in the ICE Family Residential Standard on *Grievance System*. However, informal written requests may be used to resolve informal grievances, as described in that standard.

To prepare a written request, a resident may obtain assistance from another resident, the housing staff, or other Center staff and may, if he/she chooses, seal the request in an envelope that is addressed clearly with name, title, and/or office to which the request will be forwarded.

Each Center Administrator will:

- Ensure that adequate supplies of "Resident Request" forms, envelopes, and writing implements are readily available;
- Establish written procedures for authorized staff to route/deliver resident requests promptly to the appropriate ICE/ERO official while ensuring that requests are not read, altered, or delayed; and

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- Provide secure, labeled drop-boxes in each living and activity area (at a minimum) for residents to correspond directly with Center staff. Residents will not have access to the requests put in the drop-boxes.

Centers also must allow any ICE/ERO resident dissatisfied with the Center's response to file a grievance appeal and communicate directly with ICE/ERO freely, without harassment or retribution.

1. Response Times

In Centers with ICE/ERO Onsite Presence: The ICE/ERO staff member receiving the request will respond in person or in writing, in the resident's native language, normally as soon as possible and practicable, but no later than within three business days of receipt.

In Centers without ICE/ERO Onsite Presence: Each resident request will be forwarded to the ICE/ERO office of jurisdiction within two business days and answered in the resident's native language as soon as practicable, in person or in writing, but no later than within three business days of receipt. All dates will be documented.

2. Record Keeping and File Maintenance

Both the Center and ICE/ERO will record in and maintain a logbook (or electronic logbook) specifically designed to document resident requests. At a minimum, the log will record:

- Date of receipt;
- Resident's name;
- Resident's alien number;
- Name of the staff member who logged the request;
- Date that the request, with staff response and action, was returned to the resident;
- The nature or purpose of the request;
- Specific reasons if the resident's request is urgent and requires a faster response; and
- Centers will log the date immigration-related requests were forwarded to ERO; ERO will log the date they received the request from the Center.

A copy of each completed resident request will be filed in the resident's file and retained in accordance with the ICE Family Residential Standard on *Resident Files*. Copies of ICE/ERO-related requests will be maintained in the resident's alien file.

3. Resident Handbook

As required by the ICE Family Residential Standard on *Resident Handbook*, each Center's resident handbook and local supplement as appropriate will advise residents in a language or manner that they understand of the procedures to submit written questions, requests, or concerns to ICE/ERO staff, as well as the availability of assistance to prepare such requests.

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F. OIG Hotline Informational Posters

DHS/OIG periodically revises a “DHS/OIG Hotline” poster, which is to be posted in Centers that house ICE/ERO residents.

Field Office Directors will distribute sufficient numbers of the posters to all Centers. Each Field Office will maintain a master copy from which additional copies may be duplicated as needed.

The Center Administrator will ensure that posters are mounted in housing and activity areas (e.g., living/recreation areas, dining areas, processing areas).

During staff-resident communication visits, ICE/ERO staff will verify the presence of posters in the areas listed above and will ensure that any missing or destroyed posters are replaced as soon as possible.

References

- ICE Family Residential Standard on Definitions
- ICE Family Residential Standard on Grievance System
- 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