

6.1 Resident Handbook

Introduction

This U.S. Immigration and Customs Enforcement (ICE) Family Residential Standard requires that, upon admission, every resident be provided comprehensive written orientation materials that describe matters such as the Center’s rules and sanctions, mail and visiting procedures, grievance system, services, programs, food service, and medical care, in English, Spanish, and other languages as directed by the Field Office Director (FOD). Residents will acknowledge receipt of those materials. Centers may provide a local handbook, national handbook, or combination. Throughout this standard, “resident handbook” will refer to either the ICE national handbook, local supplement, or combination provided by the Center.

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. Upon admission to a Center, each resident 14 years of age and older will be provided the comprehensive written orientation materials in the form of a resident handbook. The resident handbook will notify residents of key ICE Family Residential Standards provisions and services provided at the Center.
2. Each resident will verify, by signature and date, receipt of those orientation materials, and that acknowledgement will be maintained in the resident’s file. Centers will require adult residents to explain the contents of the resident handbook to their children under 14 years of age.

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3. The resident handbook will be provided to residents in English, Spanish, and other predominant languages as determined necessary by the FOD. The Center Administrator will ensure that the Center has sufficient quantities in each language, and will request additional copies of the resident handbook from the FOD as needed.

Standards Affected

Not applicable. This is a new standard.

Expected Practices

A. General

For consistency among Centers, the resident handbook will be used as a comprehensive orientation resource and will include Center-provided information specific to that Center's operations. All items will be in compliance with this standard and will be approved by the FOD and Juvenile and Family Residential Management Unit Chief prior to distribution.

Centers will require adult residents to explain the contents of the resident handbook to their children under 14 years of age.

For residents who cannot read or do not understand the language of the handbook, the Center Administrator will arrange for the handbook materials to be read to the resident or will provide the material using audio or video tapes in a language or manner the resident understands.

B. Content

Resident handbooks must specifically address the following topics related to the ICE Family Residential Standards:

Housekeeping: Center requirements for keeping personal areas neat.

Contraband: Description of hard and soft contraband items, Center policy, and procedures for searches and inspections.

Admission Process: Overview of process, questions that will be asked, medical screenings and items that will be distributed (clothing, bedding etc.), orientation, and bedroom assignments.

Funds and Personal Property:

- The list of personal items that residents may retain in their possession;
- The procedure to access stored property;
- The description of documentation on each resident retained by either the Center or ICE, and the procedure for requesting copies, to include certified copies of any identity document (passport, birth certificate, etc.) placed in their alien files or resident files;
- The rules for storing or mailing property not allowed in their possession at the Center;
- The procedure for receiving their property upon discharge, transfer, or removal;

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- The procedure for filing a claim for lost or damaged property;
- The procedure for accessing information contained on electronic media such as personal cell phones or computers belonging to the resident;
- The procedure for accessing resident personal funds; and
- The procedure for reporting missing or damaged property.

Resident Census: Procedures for both parents/guardians and their children for both routine and emergency census.

Sexual Abuse and Assault Prevention and Intervention (SAAPI): The Center's SAAPI resident program notification will include, at a minimum:

- The Center's zero-tolerance policy for all forms of sexual abuse and/or assault (SAA);
- Prevention and intervention strategies;
- Definitions and examples of resident-on-resident SAA and coercive sexual activity;
- Explanation of methods for reporting SAA, including one or more staff members other than immediate point-of-contact line staff, the Detention and Reporting Information Line, the U.S. Department of Homeland Security (DHS)/Office of the Inspector General (OIG) and the ICE/Office of Professional Responsibility investigation processes;
- Information about self-protection and indicators of SAA;
- Prohibition against retaliation, including an explanation that reporting SAA will not impact the resident's immigration proceedings negatively; and
- Resident treatment and counseling rights for residents who have been subjected to SAA.

Staff-Resident Communication: Staff-resident communication instructions, including:

- Center staff roles;
- The procedures for informal contact with Center managerial and supervisory staff;
- The procedure for requesting programming or services;
- The procedures for contacting the ICE/Enforcement and Removal Operations (ERO) Field Office staff;
- Contact information for other Federal offices to include the OIG;
- The location of the Resident Information Center;
- Town hall meetings; and
- Assignment and role of case managers.

Behavior Management:

- Expectations for parents/guardians and children;
- Prohibited acts and sanctions, disciplinary process, and the procedure for appeal; and

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- Behavioral interventions for children.

Food Service: Mealtimes, snacks, and the process for obtaining religious or other special dietary requests.

Medical and Mental Health Care: Procedures for accessing medical and mental health care, medical/mental health assessments, emergencies, sick call, dental, counseling, medications, and obtaining medical records.

Advanced Directives: Process for obtaining medical advanced directives.

Personal Hygiene: Key personal hygiene information and laundry policies and procedures, if any. The processes for obtaining and exchanging clothing, linens, and obtaining hygiene items, hair care/barber services.

Education: Description of class attendance requirements for minors 4 to 17 years of age, assessments, parent/guardian-teacher conferences, and reports. In addition, adult classes, such as English as a Second Language will be included.

Correspondence and Other Mail: At a minimum, the notification will include the following:

- That residents may send and receive mail, both written and electronically;
- The procedure for sending mail both written and electronically, and instructions on how outgoing mail must be addressed;
- The Center mailing address and instructions on how incoming mail must be addressed;
- The process for inspecting general correspondence and other mail addressed to residents;
- The definition of special correspondence, which will include instructions on the proper way to label mail as SPECIAL CORRESPONDENCE;
- That special correspondence may be opened only in the resident's presence, and may be inspected for contraband, but not read;
- That a mechanism exists to send or receive packages and a description of that procedure;
- A description of the type of mail that may be rejected (e.g., explosive manufacturing information) or the type of mail that residents may not keep in their possession at the Center (e.g., clothing not in accordance with the Center dress code);
- That identity documents (passports, birth certificates, etc.) mailed to the resident will be turned over to ICE/ERO. Residents may request that ICE/ERO provide them a certified true copy of each document;
- The procedure for obtaining writing instruments, paper, and envelopes; and
- The procedure for purchasing postage along with the rules and procedures for providing indigent and certain other residents free postage.

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Escorted Trips for Non-medical Emergencies: Process that will be followed if a resident requires an escorted trip and the types of trips that are permissible.

Marriage Requests: The marriage request policy and procedure.

Recreation: Free movement, programs available, and schedule.

Religious Practices: Religious program schedule, access, rights, and religious property that can be kept in a resident's possession.

Telephone Access: Telephone access policy and procedure including services for indigent residents. Notice that generally, resident calls will not be monitored, but that in certain limited or exceptional circumstances, a telephone call may be monitored to ensure the safety and security of staff, residents, and the Center. Process for receiving messages and contacting family at other ICE facilities.

Visitation: Rules and hours, and resident rights for social, legal, and consular visitation.

Voluntary Work Program: Instructions for obtaining voluntary work program assignments.

Grievance System:

- The right to file a grievance, including medical grievance, both informally and formally;
- The expectation that, to the greatest extent possible, complaints and grievances will be handled orally and informally by staff in their daily interactions with residents (at all times, the residents will retain their right to file a formal grievance and pursue the formal grievance process);
- The process for filing an emergency and sensitive grievance;
- The procedures for filing and resolving a grievance, including the availability of assistance in preparing a grievance;
- The procedures for filing and resolving an appeal, including the right to appeal to specified higher levels if the resident disagrees with the lower decision; procedures for contacting the FOD to appeal a grievance and decision of the Center Administrator;
- The policy prohibiting staff from harassing, disciplining, punishing, or otherwise retaliating against any resident for filing a grievance or contacting the DHS/OIG; and
- The opportunity at any point to file a complaint about staff misconduct directly to the DHS/OIG by calling the DHS/OIG Hotline at 800-323-8603 or by writing to:

U.S. Department of Homeland Security

245 Murray Drive, S.W., Building 410

Washington, DC 20528

Attn: Office of Inspector General

Online Complaints can be submitted: <https://hotline.oig.dhs.gov>

Law Libraries and Legal Material: The rules and procedures governing access to legal materials, including the following information:

- That a law library is available for each resident's use;

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- The scheduled hours of access to the law library;
- The procedure for requesting additional time in the law library;
- External storage devices and photocopying;
- Access to notary public;
- The procedure for requesting legal reference materials not maintained in the law library; and
- The procedure for notifying a designated employee that library material is missing or damaged.

Legal Rights Group Presentations: The legal rights group presentation policy and procedure.

Resident Transfers: Process that will be followed if a resident is transferred to another Center.

Resident Legal Rights: Description of each resident's legal rights, to include access to legal representation, legal visitation, the law library, and other legal resources available. Section also will include a description of appropriate legal processes that the resident may experience while in residence.

Disability Rights and Language Access: Description of and instruction for obtaining services for those who do not speak English or who have a disability.

Monitored Care for Children: Services, hours, circumstances, and process for receiving monitored care for resident children.

Rules, Regulations, and Procedures with which Every Resident Must Comply: Specific detail as to the rules that residents must abide by while in residence including Center identification requirements, dress code, overnight checks, emergency procedures, and ensuring safe and secure Center operations.

Resident Rights: Description of the rights afforded to all residents.

Philosophy of Center Operations and Family Unity: Description of the Family Residential program and how it promotes family unity in a family-friendly environment.

Reporting Procedures: Instructions for reporting allegations of abuse, civil rights violations, and staff member misconduct directly to ICE/ERO Headquarters or the DHS/OIG.

Specific Information for Minors: Detailed information about programming specific to residents under the age of 18.

C. Distribution

Upon admission but before being placed into general population, each resident 14 years of age and older will be provided a resident handbook.

Staff will require each resident to verify, by signature, receipt of the handbook, and maintain that acknowledgement in the residential file.

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The Center Administrator will provide a copy of the resident handbook to every staff member, contractor, and volunteer who has direct contact with residents, and will review handbook contents in initial and annual staff training.

D. Translations and Access for Limited English Proficient Residents

The resident handbook will be provided in English, Spanish, and other predominant languages as determined necessary by the FOD. The Center Administrator will ensure that the Center has sufficient quantities of the English and all translated versions of the resident handbook, and will request additional copies of the resident handbook from the FOD as needed.

If a resident cannot read or does not understand the language of the handbook, then the Center Administrator will provide the material using audio or video tapes in a language the resident does understand, arrange for the orientation materials to be read to the resident, or provide a translator or interpreter within a reasonable amount of time.

E. Updates

Centers will review the resident handbook at least quarterly and update as necessary. Although the resident handbook does not have to be revised and reprinted immediately to incorporate every change, the Center Administrator will establish procedures for communicating such changes immediately to staff and residents through methods including but not limited to the following:

- Posting changes at the Resident Information Center;
- Notifying Center staff by memos and other means; and
- Providing copies of the changes made since the last revision to new arrivals during orientation.

On occasion, ICE/ERO may require a specific and immediate change to the resident handbook.

References

- ICE Family Residential Standard on Behavior Management
- ICE Family Residential Standard on Admission and Release
- ICE Family Residential Standard on Contraband
- ICE Family Residential Standard on Correspondence and Other Mail
- ICE Family Residential Standard on Definitions
- ICE Family Residential Standard on Funds and Personal Property
- ICE Family Residential Standard on Grievance System
- ICE Family Residential Standard on Law Libraries and Legal Material
- ICE Family Residential Standard on Legal Rights Group Presentations
- ICE Family Residential Standard on Marriage Requests

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- 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 Staff-Resident Communication
- ICE Family Residential Standard on Sexual Abuse and Assault Prevention and Intervention
- ICE Family Residential Standard on Telephone Access
- ICE Family Residential Standard on Visitation
- ICE Family Residential Standard on Staff Training