

From:

To:

Cc:

Subject:

Date:

(b)(6), (b)(7)c

FW: Interim Guidance Suspending Alien's Signature Requirement for Form G-28, Notice of Entry of Appearance As Attorney or Accredited Representative, in the Cases of Detained Aliens

Thursday, April 10, 2014 9:39:00 AM

All,

There are two topics in this email---none of them really new to Denver ERO?

- 1) Privacy waiver not required if there is a G-28 in the file
- 2) Alien signature on the G-28 for DETAINED aliens is not required
- 3) If you find that the DETAINED alien claims not to know why "X" attorney is claiming to represent with an unsigned G-28, turn that information into your chain of command and we will discuss with OCC locally.

The Department of Homeland Security has designated Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, as the form on which attorneys or accredited representatives provide information to establish their eligibility to appear and act on behalf of an applicant, petitioner, or respondent. The companion instructions require that the Form G-28 be signed by the applicant, petitioner, or respondent.

- 1) The signature of the applicant, petitioner, or respondent constitutes consent to the disclosure to the named attorney or accredited representative "of any record pertaining to [the alien] that appears in any system of records of USCIS, ICE or CBP." However, disclosure of A-file records, GEMS records, and ENFORCE records to attorneys or representatives for use in proceedings before USCIS, CBP, and ICE are authorized pursuant to routine uses in the respective DHS System of Record Notices ([SORNS](#)). *Therefore, the ICE Privacy Officer has determined that the subject alien's signature is not required in order for ICE personnel to disclose information to attorneys or accredited representatives who have executed an otherwise complete and compliant Form G-28.*
- 2) In order to facilitate access to counsel and ease administrative burdens on ERO, pending further guidance, **ERO will no longer require that DETAINED aliens sign the Form G-28 before disclosing information to attorneys or accredited representatives who have completed and signed the Form G-28.**
- 3) Attorneys or accredited representatives who misrepresent the nature of their relationship with an alien, or otherwise misuse the Form G-28, are accountable under the professional responsibility and ethics rules of their licensing state bars, as well as applicable regulations. Such misuse instances discovered by ERO personnel should immediately be brought to the attention of the local Office of the Chief Counsel. Please note also that *family members* are not, solely based on their relationship, "attorneys or accredited representatives" and thus cannot sign the Form G-28 on behalf of the alien to any legal effect unless they are the alien's parent or legal guardian. Such individuals may receive limited information from DHS records in accordance with the ENFORCE SORN, which allows disclosure "[t]o family members

and attorneys or other agents acting on behalf of an alien, to assist those individuals in determining whether (1) the alien has been arrested by DHS for immigration violations; (2) the location of the alien in DHS custody; or (3) the alien has been removed from the United States, provided however, that the requesting individuals are able to verify the alien's date of birth or Alien Registration Number (A-number) or can otherwise present adequate verification of familial or agency relationship with the alien."

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From: [REDACTED]
To: [REDACTED] (b)(6), (b)(7)c
Cc:
Subject: RE: Attorney access to El Paso County Jail
Date: Monday, October 01, 2012 10:30:00 AM

ODO or the annual inspection types?

From: [REDACTED] (b)(6), (b)(7)c
Sent: Friday, September 28, 2012 12:14 PM
To: Longshore, John P; [REDACTED] (b)(6), (b)(7)c
Cc: [REDACTED] (b)(6), (b)(7)c
Subject: RE: Attorney access to El Paso County Jail

Sir,

I met with Chief [REDACTED] (b)(6), (b)(7)c on this issue. During their last audit in April, they were instructed not to admit attorneys who do not have a G-28 on file. That being said, their policy, as written in their Front Desk Post Orders, is to provide attorneys with a blank copy of the G-28 to fill out and then CJC staff takes the G-28 to the detainee for signature, once completed access is granted. According to CJC, this process can take 20-30 minutes, but no attorneys have been denied access due to not having the G-28. Once the G-28 is completed, the original is forwarded to ICE with a copy to their detainee file and a copy to the front desk.

[REDACTED] (b)(6), (b)(7)c

From: Longshore, John P
Sent: Monday, September 24, 2012 10:50 AM
To: [REDACTED] (b)(6), (b)(7)c
Cc:
Subject: RE: Attorney access to El Paso County Jail

It may also be the phrasing of the attorney? They need to state whether they are indeed their attorney or they are doing a consultation with someone to determine if they will represent that particular individual. If they are stating that they represent the alien, then the jail will be asking for the G-28 that is signed.

They are NOT allowed to ask for ICE detainees en mass---they must have a particular name if they are wanting the interview to determine if they will represent a given alien.

See if this rings truer to the version that El Paso County Jail gives us.

jpl

From: [REDACTED] (b)(6), (b)(7)c
Sent: Monday, September 24, 2012 9:54 AM
To: [REDACTED] (b)(6), (b)(7)c
Cc: Longshore, John P; [REDACTED] (b)(6), (b)(7)c
Subject: FW: Attorney access to El Paso County Jail

(b)(6), (b)(7)c

Can you take a look at the email below and see if the alleged practice is indeed in place? A pre-representational legal visit would not require a G-28, nor would a legal visit for matters unrelated to immigration. Also, I'm not sure how the jail staff would know if ICE has a G-28 on file so are they requiring each attorney to submit a G-28 to the jail for each visit?

(b)(6), (b)(7)c

Deputy Field Office Director
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations

12445 E. Caley Avenue
Centennial, Colorado 80111
Desk: 720-875-(b)(6), (b)(7)c
Cell 303-328-(b)(6), (b)(7)c

From: (b)(6), (b)(7)c **n Behalf Of**

(b)(6), (b)(7)c

Sent: Wednesday, September 19, 2012 6:31 AM

To: (b)(6), (b)(7)c

Subject: Re: Attorney access to El Paso County Jail

H: (b)(6), (b)(7)c

Of course. I'll explain via email, and then you can let me know if you think a phone conference is necessary.

The El Paso County Jail is requiring attorneys to present signed G-28s before they can visit immigrants detained there. This becomes problematic when an attorney needs to visit a client for the first time, or a potential client, and doesn't yet have a signed G-28 on file. The attorneys who came to me with this issue were turned away because they didn't have signed G-28s.

I am wondering if this policy can be adjusted so attorneys on first-time visits to the jail can access their potential clients. Let me know what additional information you need. Thanks again for your response.

(b)(6), (b)(7)c

On Tue, Sep 18, 2012 at 4:09 PM (b)(6), (b)(7)c wrote:
If there are specific concerns, please share those with me and I'll be sure to have them investigated so we can have answers for you.

From: (b)(6), (b)(7)c

Sent: Tuesday, September 18, 2012 03:56 PM

To: (b)(6), (b)(7)c

Cc: Longshore, John P
Subject: Re: Attorney access to El Paso County Jail

Hi (b)(6), (b)(7)c

That would be great, thank you so much. The best place to reach me for the rest of the week is on my cell phone: (b)(6), (b)(7)c

Thanks again,

(b)(6), (b)(7)c

On Tue, Sep 18, 2012 at 6:31 AM, (b)(6), (b)(7)c wrote:

Hi (b)(6), (b)(7)c

I'm in Washington DC this week but I can have one of the AFODs give you a call if you'd like?

From: (b)(6), (b)(7)c
Sent: Monday, September 17, 2012 10:51 PM
To: (b)(6), (b)(7)c
Subject: Attorney access to El Paso County Jail

Hi (b)(6), (b)(7)c

I hope you had a good weekend. I am writing because AILA attorneys who practice in Colorado Springs are having issues accessing clients detained in the El Paso County Jail. Would you have time for a quick phone conference sometime this week to discuss the details? I'm sorry to bother you and really appreciate your time. Thanks in advance.

Best,

(b)(6), (b)(7)c

--
(b)(6), (b)(7)c
Attorney
(b)(6), (b)(7)c
(b)(6), (b)(7)c, Boulder, CO 80302
(b)(6), (b)(7)c
fax: [\(303\) 444-4847](tel:3034444847)
toll free: (b)(6), (b)(7)c
(b)(6), (b)(7)c

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--

(b)(6), (b)(7)c

Attorney

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(b)(6), (b)(7)c Boulder, CO 80302

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--

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(b)(6), (b)(7)c

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From: (b)(6), (b)(7)c
To: (b)(6), (b)(7)c
Subject: RE: Clearance Request
Date: Tuesday, April 30, 2013 5:33:00 PM
Attachments: [image001.jpg](#)

All the standards are available on the web through www.ice.gov

GEO is under PBNDS 2008, no?

jpl

From: (b)(6), (b)(7)c
Sent: Tuesday, April 30, 2013 3:14 PM
To: Longshore, John P; (b)(6), (b)(7)c
Subject: FW: Clearance Request

Is the PBNDS accessible to attorneys?

Can I send her the PBNDS portion where it states:

1. Visitor Identification and Search

Staff shall verify each adult visitor's identity before admitting him or her to the facility. No adult visitor may be admitted without positive photo identification, such as a valid driver's license, unexpired passport or other photo identification.

The facility administrator may establish a procedure for random criminal background and warrant checks for the purpose of ensuring facility safety, security and good order.

Let me know. She wants to forward a copy to AILA Colorado.....

(b)(6), (b)(7)c
Management & Program Analyst (COR)
Enforcement & Removal Operations, Denver
Cell: 303-472-(b)(6), (b)(7)c
Ph: 720-875-(b)(6), (b)(7)c
Fax: 720-873-3717

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From: (b)(6), (b)(7)c
Sent: Tuesday, April 30, 2013 12:27 PM
To: (b)(6), (b)(7)c
Subject: Clearance Request

Dear Officer (b)(6), (b)(7)c

Thank you for your time today. Attached, please find the Clearance Request we discussed. As my client has a hearing on Thursday morning, it is quite important to be able to communicate with him as quickly as possible. If there is anything further you need, please let me know as soon as possible.

Will you contact me when the clearance is completed, or is there a way to check on the status?

I look forward to receiving the procedure as well, I will forward it to all AILA Colorado members as soon as you send it to me.

Sincerely,

(b)(6), (b)(7)c
Senior Attorney



(b)(6), (b)(7)c
Aurora, CO 80011
(303) 297 (b)(6), (b)(7)c

(b)(6), (b)(7)c
Colorado Springs, CO 80903
(719) 434 (b)(6), (b)(7)c

Direct Line: (303) 962 (b)(6), (b)(7)c
Fax: (303) 733-4188

(b)(6), (b)(7)c

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From: (b)(6), (b)(7)c
To: (b)(6), (b)(7)c
Cc:
Subject: Re: Private Attorney Laptops Approved for Immigration Court Hearings
Date: Tuesday, September 11, 2012 6:34:10 PM

Continue our current policy.....

From: (b)(6), (b)(7)c
Sent: Tuesday, September 11, 2012 05:43 PM
To: Longshore, John P
Cc: (b)(6), (b)(7)c
Subject: FW: Private Attorney Laptops Approved for Immigration Court Hearings

John (b)(6), (b)(7)c

Our current CDF policy allows for private attorneys to bring in I-Pads and other electronic notebooks / notepads, in addition to laptops, for court purposes only. Per ACC (b)(6), (b)(7)c most private attorneys use these electronic notepads in lieu of laptops. Per the HQ directive below, do you want us to immediately cease to allow attorneys to bring in such devices, or do you want me to ask (b)(6), (b)(7)c if we can continue with our current policy? Please advise. Thanks.

From: (b)(6), (b)(7)c
Sent: Tuesday, September 11, 2012 1:53 PM
Subject: Private Attorney Laptops Approved for Immigration Court Hearings

This message is sent on behalf of Tae D. Johnson, Assistant Director for Custody Management, and approved by (b)(6), (b)(7)c Acting Assistant Director for Field Operations:

To: Assistant Directors, Field Office Directors and Deputy Field Office Directors

Subject: Private Attorney Laptops Approved for Immigration Court Hearings

Effective immediately, to ensure that detainees have full access to fair and impartial immigration court proceedings, ICE—at the request of the Executive Office of Immigration Review (EOIR)—will allow private attorneys or accredited representatives appearing before an immigration judge on behalf of detainees to bring a laptop into EOIR courtrooms located within detention facilities.

To implement this change, the FOD should complete the following actions within five (5) business days of this broadcast message:

1. Forward a notification to each facility in your AOR that has a co-located Immigration Court inside the facility.
2. Ensure all ERO employees and contract employees are aware that private attorneys, with appropriate identification and security checks, must be allowed to take a cleared laptop into the immigration court. Facilities will be given a reasonable amount of time to implement this process.
3. Email Ms. (b)(6), (b)(7)c at (b)(6), (b)(7)c when this action has been completed. Please include the name of each detention facility that has been notified.

Attached is the form that the private attorneys or accredited representatives must fill out each

time they request to bring a laptop into an EOIR courtroom located in a detention facility.

It should be noted that this process is for laptop computers along with an air card only and does not include IPADs, IPODs, smart phones, blackberrys or other electronic devices. In addition, this process does not provide for laptops in attorney client visitation rooms./

Questions regarding this broadcast message and/or facility compliance should be addressed to Chief [REDACTED] Detention Standards Compliance Unit (DSCU), at [REDACTED]. She may be reached at (202) 732-[REDACTED].

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From: (b)(6), (b)(7)c
To: (b)(6), (b)(7)c
Subject: FW: Attorney Presence
Date: Monday, February 09, 2009 8:38:30 PM

All,

FYI & Compliance.

From: (b)(6), (b)(7)c
Sent: Monday, February 09, 2009 4:50 PM
To: (b)(6), (b)(7)c

(b)(6), (b)(7)c

Cc: (b)(6), (b)(7)c
Subject: Attorney Presence

All,

If during processing an alien asks to speak with his attorney before he answers any further questioning then the interview must stop and the alien must be given an opportunity to contact his attorney.

Moreover, if an attorney appears and requests to be present while their client is being processed he should be allowed access to the alien and to be present as long as he has a signed G-28.

An attorney should be allowed to be present during questioning and service of the NTA.

An attorney does not need to be present while the alien is being fingerprinted.

The only way to deny counsel an opportunity to be present during questioning is if the officer decides not to question the alien but will issue an NTA based on information already in the file. In this case the officer can verify the alien's name and DOB without counsel present. The alien however must be allowed to have counsel present when the alien is actually served the NTA if so requested and there is a signed G-28.

Attorney should NOT be allowed on the processing floor except for exceptional circumstances and only with the approval by a CAP SDDO or AFOD. If the alien request to have an attorney present during the interview process, the interview must be conducted in the attorney interview rooms. Any forms that need to be completed such as a I-213 or Q&A, must be completed by hand then updated in ENFORCE.

Please let me know if you have any questions.

From: (b)(6), (b)(7)c
Subject: Revised Broadcast - Private Attorney Electronic Devices Approved for Immigration Court Hearings
Date: Thursday, September 13, 2012 2:43:10 PM
Attachments: [Laptop form \(3\) \(4\).docx](#)

To: Assistant Directors, Field Office Directors and Deputy Field Office Directors
Subject: Revised Broadcast - Private Attorney Electronic Devices Approved for Immigration Court Hearings

Effective immediately, to ensure that detainees have full access to fair and impartial immigration court proceedings, ICE—at the request of the Executive Office of Immigration Review (EOIR)—will allow private attorneys or accredited representatives appearing before an immigration judge on behalf of detainees to bring laptops, smartphones, tablets, or similar devices into EOIR courtrooms located within detention facilities.

To implement this change, the FOD should complete the following actions within five (5) business days of this broadcast message:

1. Forward a notification to each facility in your AOR that has a co-located Immigration Court inside the facility.
2. Ensure all ERO employees and contract employees are aware that private attorneys, with appropriate identification and security checks, must be allowed to take a cleared laptop into the immigration court. Facilities will be given a reasonable amount of time to implement this process.
3. Email Ms. (b)(6), (b)(7)c at (b)(6), (b)(7)c when this action has been completed. Please include the name of each detention facility that has been notified.

Attached is the form that the private attorneys or accredited representatives must fill out each time they request to bring in a laptop, smartphone, tablet, or similar device into an EOIR courtroom located in a detention facility.

It should be noted that this process is for laptop computers, air cards, smartphones, tablets, or similar devices and is not intended to put restrictions on other devices currently allowed in the courtroom. In addition, this process does not cover access to these devices in attorney client visitation rooms unless the existing facility rules permit use of such devices.

Questions regarding this broadcast message and/or facility compliance should be addressed to Chief (b)(6), (b)(7)c Detention Standards Compliance Unit (DSCU), at (b)(6), (b)(7)c. She may be reached at (202) 732-(b)(6), (b)(7)c.

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U.S. Immigration
and Customs
Enforcement

Electronic Device Request and Authorization Form

I, _____, seek permission to use a laptop computer, air card, smartphone, tablet, or similar device in the EOIR Immigration Courtroom at this detention facility.

I am an attorney **or** an accredited representative appearing before EOIR on immigration matters. I have a signed G-28 for detainee _____, A _____.

By signing below, I acknowledge and certify that:

- I will not use the device to record, broadcast, skype, or transmit any video images or audio sounds.
- I will use the device for immigration business only. To prevent distractions to the court and others, I will not use the device for playing games, personal communications, or any other inappropriate use.
- I understand that there may be restrictions on the number of devices allowed per representative, or any group of individuals (e.g., attorney and paralegal) representing a detainee.
- I understand that the device will be screened in accordance with facility screening processes, which may include visual observation, x-ray scanning, chemical detection devices or other screening methods.
- I understand that failure to comply with any of the above requirements may result in loss of my right to use the device in the court, or result in other court sanctions.

Name: _____

Date: _____

From:
To:

(b)(6), (b)(7)c

Subject:

FW: AILA Midsouth - ICE New Orleans Liaison Meeting -- Tuesday June 25, 2013, at 3:00 PM -- ICE Office of Chief Counsel, 1250 Poydras Street, New Orleans, LA

Date:

Tuesday, June 11, 2013 9:59:31 AM

Attachments:

[2013 02 20 ICE-AILA Liaison Meeting Minutes & attached dockets SENT kam.pdf](#)

FYI

(b)(6), (b)(7)c

(b)(6), (b)(7)c

Assistant Field Office Director

New Orleans Field Office

ICE - Enforcement and Removal Operations

(504) 599-(b)(6), (b)(7)c

(504) 589-2489 [fax]

(504) 520-(b)(6), (b)(7)c [cell]

(b)(6), (b)(7)c

From:

(b)(6), (b)(7)c

Sent: Tuesday, June 11, 2013 8:55 AM

To: AILA Mid South Chapter Mailing List

Cc:

(b)(6), (b)(7)c

Subject: AILA Midsouth - ICE New Orleans Liaison Meeting -- Tuesday June 25, 2013, at 3:00 PM -- ICE Office of Chief Counsel, 1250 Poydras Street, New Orleans, LA

Colleagues,

We will conduct the next AILA Midsouth/ICE New Orleans Liaison Meeting on Tuesday June 25, 2013, at 3:00 PM, at the offices of the ICE Office of Chief Counsel in New Orleans, 1250 Poydras Street. I'll circulate call-in information and the exact location before the meeting.

Please email me any questions or issues you would like to place on the agenda for discussion at the meeting no later than Monday June 17, 2013. **In your e-mail to me, please take a moment to frame the background of the issue that you would like to discuss. Please let of know of any issues involving access to detained clients or other issues you'd like addressed.** Thanks.

Attached are the minutes from the last meeting.

(b)(6), (b)(7)c

(b)(6), (b)(7)c

Assistant Professor of Professional Practice
LSU Paul M. Hebert Law Center

Mailing Address:

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1 E. Campus Dr.
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(b)(6), (b)(7)c

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Enforcement and Removal Operations

National Detainee Handbook

Custody Management



U.S. Immigration
and Customs
Enforcement

A

Amharic አኔ አግረኛ ነገሙ ምናግረናለሁ
Arabic أنا أتحدث اللغة العربية
Armenian Ես խոսում եմ հայերեն

B

Bengali আমি বাংলা কথা বলতে পারি
Bosnian Ja govorim bosanski
Bulgarian Аз говоря български
Burmese ဂျပန်စာ/ထွန်း မြန်မာ ဝန် ဆိုရမယ် ဝိသေသ

C

Cambodian ខ្ញុំនិយាយភាសាខ្មែរ
Cantonese 我講廣東話 (Traditional)
我讲广东话 (Simplified)
Catalan Parlo català
Croatian Govorim hrvatski
Czech Mluvíím česky

D

Danish Jeg taler dansk
Dari من دری حرف می زنم
Dutch Ik spreek het Nederlands

E

Estonian Ma räägin eesti keelt

F

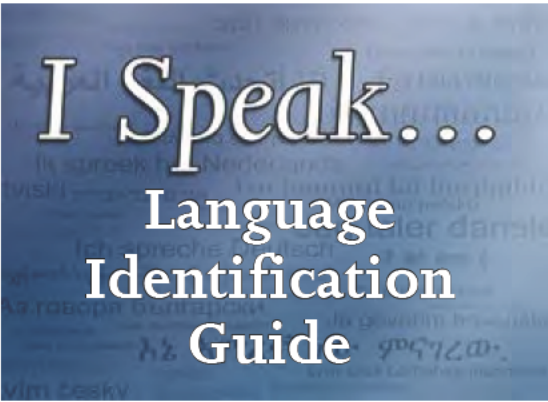
Finnish Puhun suomea
French Je parle français

G

German Ich spreche Deutsch
Greek Μιλώ τα ελληνικά
Gujarati ગુજરાતી બોલુ છુ

H

Haitian Creole M pale kreyòl ayisyen
Hebrew אני מדבר עברית
Hindi मैं हिंदी बोलता हूँ ।
Hmong Kuv has lug Moob
Hungarian Beszék magyarul



I Speak... Language Identification Guide

I

Icelandic Ég tala íslensku
Indonesian saya bisa berbahasa Indonesia
Ilocano Agaonak ti ilokano
Italian Parlo italiano

J

Japanese 私は日本語を話す

K

Kackchiquel Quin cha güic ká chábal' ruin' rí
Korean 한국어 합니다
Kurdish man Kurdiî zaanim
Kurmanci man Kurmaanjiî zaanim

L

Laotian ຂ້ອຍປາກພາສາລາວ
Latvian Es runāju latviski
Lithuanian Aš kalbu lietuviškai

M

Mandarin 我講國語
我讲国语/普通话 (Traditional)
Mam (Simplified)
Bán chiyola tuj kíyol mam
Mon အဲလို့အတန်အတန်

N

Norwegian Jeg snakker norsk

P

Persian من فارسی صحبت می کنم.
Polish Mówię po polsku
Portuguese Eu falo português do Brasil (for Brazil)
Eu falo português de Portugal (for Portugal)
Punjabi ਮੈ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।

Q

Qanjobal Ayin tí chí wal q anjob al
Quiche In kinch'aw K'u'in ch'e quiche

R

Romanian Vorbesc românește
Russian Я говорю по-русски

S

Serbian Ја говорим српски
Sign Language (American)



Slovak Hovorím po slovensky
Slovenian Govorim slovensko
Somali Waxaan ku hadlaa af-Soomaali
Spanish Yo hablo español
Swahili Ninaongea Kiswahili
Swedish Jag talar svenska

T

Tagalog Marunong akong mag-Tagalog
Tamil நான் தமிழ் பேசுவேன்
Thai พยาษาไทย
Turkish Türkçe konuşurum

U

Ukrainian Я розмовляю українською мовою
Urdu میں اردو بولتا ہوں

V

Vietnamese Tôi nói tiếng Việt

W

Welsh Dwi'n siarad

X

Xhosa Ndithetha isiXhosa

Y

Yiddish און רעד יידיש
Yoruba Mo nao Yooba

Z

Zulu Ngiyakhuluma isiZulu

Use this guide to tell facility staff what language you speak.

Executive Order 13166 requires the Department of Homeland Security (DHS) to take reasonable steps to provide meaningful access for persons with limited English proficiency and - as also required by Title VI of the Civil Rights Act of 1964 - to ensure that recipients of federal financial assistance do the same.

I speak is provided by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). Other resources at www.dhs.gov/crcl-lep and www.lep.gov

Contact the DHS Office for Civil Rights and Civil Liberties' CRCL Institute at CRCLtraining@dhs.gov for digital copies of this poster or an "I Speak" booklet.

Download copies of the DHS LEP plan and guidance to recipients of financial assistance at www.dhs.gov/crcl





Enforcement and Removal Operations (ERO)

Detainee Handbook

TABLE OF CONTENTS

Table with 4 columns: Topic, Page No., Topic, Page No. listing various handbook sections and their corresponding page numbers.

Introduction

You are being held in a detention facility that is operated or contracted by the U.S. Immigration and Customs Enforcement’s (ICE) Enforcement and Removal Operations (ERO).

You will probably stay at the facility until:

- Your immigration case is decided;
- You are ordered to be removed from the country; or,
- You are transferred to another facility.

While you are at the facility, ICE ERO must make sure that the facility is safe, clean and meets your basic needs; including medical health services, mental health services and access to legal help.

Read this handbook to learn about:

- Your rights as a detainee;
- Programs and services available to you;
- Rules you must follow;
- Procedures for common situations; and,
- How to report problems and file complaints.

This handbook provides only a summary of important information, and does not cover all rights and requirements related to your stay at the facility.

You will also get a handbook from your facility that explains its local rules. It is important that you understand and follow the rules in both handbooks.

If you lose this handbook, you are entitled to one replacement. Copies will be available for reference at the law library and in the housing units, or may be requested from facility staff.

? If you need help understanding this handbook, tell a staff person at your facility or an ICE officer.

Responsibilities and Rights

This part of the handbook explains your:

- Responsibilities; and,
- Rights, including disability rights and language access.



Responsibilities

ICE policy is to treat all detainees with dignity and respect, and to keep the facility safe, secure and clean.

To help us meet these goals, we ask you to:

- Learn the facility’s rules and follow them at all times. If you do not follow the facility’s rules, you may be disciplined;
- Follow all instructions;
- Cooperate with the staff;
- When you speak to the staff, please use their title (e.g. mister, Miss, doctor, officer) and their last name;
- Be polite to other detainees;
- Be careful with the things around you, whether owned by the government, the facility, or other detainees;
- Keep yourself, your clothes, and your living area clean;
- Follow laundry and shower schedules; and,
- Ask for medical care if you need it. Be honest with healthcare providers by giving medical staff accurate information about your health to the best of your ability. Follow treatment instructions by medical staff to maintain and improve your overall health.

ICE officers will routinely visit the housing units at your facility. If you have questions about your case or how the facility has treated you, let the ICE officers know. They will do their best to get you the information and help you with what you asked for. You may also submit a request for information in writing.

Rights

At the facility, you have the right to:

- Freedom of religion, including the right to practice your religion as long as it does not harm others or affect the order and security of the facility. Please also respect the religious freedoms of other detainees;

- Have your basic needs met, including:
 - Nutritious meals;
 - Proper bedding and clothes;
 - Toiletries such as soap, shampoo, toothpaste, toothbrush, sanitary pads, and hairbrush or comb;
 - Regular opportunities for laundry, showers and exercise;
 - Proper air circulation and heating; and,
 - Medical and mental healthcare, if you need it.
- File a complaint about the living conditions with the facility or the Department of Homeland Security (DHS);
- Report any assault, including an incident of sexual abuse or assault, to facility staff or DHS;
- Visits from family and friends. The visits must take place during the facility's visiting hours. Visitors must follow the facility's rules. You must not give or get anything during a visit without the facility's approval;
- Confidential contact with your lawyer and the courts by mail, phone and visits. You also have the right to use mail, phone and visits to ask someone to be your lawyer;
- Access to law library resources;
- Legal assistance or educational programs if available. See your local facility handbook for information about legal aid programs and their presentations, rules, procedures and hours; and,
- Sign up for a work program, if your facility has one and you qualify.

Legal rights for your case include:

- You have the right to a lawyer or approved legal representative of your choice, at no cost to the U.S. government. That person must sign form G-28 to notify the facility that they will represent you;
- Depending on your case, you may have the right to a hearing before an immigration judge. You, your lawyer or legal representative are responsible for presenting your case to the immigration judge. The government may decide your immigration status using alternative proceedings that may not involve an immigration judge, if the law allows it;
- You may be allowed to pay a bond and leave the facility until your hearing. It is up to you to find a way to pay your bond;
- You have the right to ask for relief from removal based on various legal grounds, if you believe you qualify. (These might include, among other things: cancellation of removal, adjustment of status, asylum, withholding of removal, or relief under the Convention against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment.);

For example, you have the right to ask for political asylum to stay in the U.S. if you were (or are afraid that you will be) persecuted in your native country or a country where you last lived because of your race, religion, nationality, political opinion or membership in a particular social group.

- If you have questions about the removal process, talk to your ICE officer. You may also call any of the lawyers on the list of free legal services providers given to you by ICE. In addition, your facility's law library may have materials explaining this information; and, If you believe that you qualify for a form of immigration relief, you should try to talk to a lawyer. There may be time restrictions for applying for such relief, so make sure that you fill out and turn in the necessary applications in a timely manner or you may miss your opportunity to have your claim reviewed. It is your responsibility to prepare and submit the proper forms requesting consideration for relief.
- You have the right to ask to leave the U.S. of your own free will before your hearing, if eligible. This is called voluntary departure. If your request is approved, you may lose the right to present your case at a hearing.

If you want to leave voluntarily, you must tell an ICE officer or the immigration judge.

Disability rights and language access

What are my rights if I have a disability – an impairment that limits me in a major life activity such as moving, speaking, breathing, seeing, hearing or caring for myself, or a major bodily function?

If you have a disability, you have the right to:

- Reasonable access to all programs, activities and services available to other detainees; and,
- Request that the facility provide you with aids or services for effective communication (or other kinds of help) if you have trouble seeing or hearing.





What if I do not read or understand English?

You have the right to receive important information in a language or format that you understand or to have someone explain it to you in simpler terms. Advise an officer that you need assistance.

Arriving at the Facility

Most facilities follow these steps when detainees arrive:

1. An intake officer will;
 - Take your clothes, money and other property for safekeeping; and,
 - Give you an itemized receipt for all items taken from you.
- Important!** Keep this receipt so you can get your things back when you are released.
2. An intake officer will make a list of all of your legal and identity documents (passport, birth certificate, etcetera) then give them to an ICE officer, who will put them in your official immigration file, called your A-File. Your documents will be returned when your case is resolved. Meanwhile, if you need copies of these documents for your hearing, ask your ICE officer in advance;
 3. You will receive an A-Number, which will be used to identify you during your stay at the facility. This A-Number should be shared with your family and your attorney to find you in the online detainee locator system;
 4. An officer will tell you what things you can and cannot keep with you at the facility. The officer's decisions are based on security concerns. Under your facility's policy, you may be allowed to keep:
 - Religious items, such as religious headscarves and medallions;
 - Simple wedding bands;
 - Photos;
 - Soft-cover religious and personal reading

materials (an officer may approve hardcover religious texts);

- Legal documents and papers, including property receipts; and,
 - Other small items (see your facility's local rules).
5. An officer will give you sheets, a pillowcase, and a blanket. You can exchange your bedding once a week for clean bedding;
 6. An officer will give you approved personal care items, such as soap, a toothbrush, comb, etcetera. You will be able to shower and get clean clothes as appropriate for the climate at your facility. You may ask your housing officer for more personal care items when you need them;
 7. An officer will decide your classification level and assign you to a housing unit with other detainees in your classification level. For more information on this topic, see your facility's local handbook, and see classification level below; and,
 8. A health professional or trained officer will ask you about your physical and mental health. Tell them if:
 - You have health problems or concerns that need immediate attention from a health professional; or,
 - You are taking or need to take medication.

Or ask to speak directly with medical staff about your health concerns. The medical staff must keep your information private and will not share it with any non-medical staff.

An approved health professional will give you a thorough medical exam within 14 days after you arrive.





Classification and Housing

Classification level

When you arrive at the facility, an officer will decide your classification level and assign you to a housing unit with other detainees in your classification level.

To decide your classification level, the officer will look at the information in your records, to include:

- Criminal charges and convictions;
- Immigration history;
- Discipline record;
- Current classification level; and,
- Other related information.

What if I think my classification level is not right?

You have the right to appeal your classification level and housing placement. To do that, you must file an appeal to change your classification level. Follow the appeal procedures in your facility's local handbook.

How often does the facility review the classification levels of detainees?

Classification levels are reviewed no later than 90 days after the first classification. After that, they are reviewed approximately every 90 to 120 days after the most recent review. See your facility's local rules for a detailed schedule of when classification levels will be reviewed.

If you are placed in segregation, your classification will be reviewed before you return to the general population.

Can the facility change my classification level at other times?

Yes, the facility can change your classification level and housing placement at any time:

- For safety reasons; or,
- If you have not followed the rules.

Separate Housing

Sometimes detainees are placed in separate housing.

This is called segregation. In segregation, you would live in an individual cell alone and away from other detainees. This happens if stricter supervision is needed.

There are two kinds of segregation:

- Administrative; and,
- Disciplinary.

Administrative segregation

You may be placed in administrative segregation if:

- You are being investigated or have a hearing for disciplinary violations;
- You are scheduled to be transferred or released within 24 hours; or,
- You need protection and cannot be safely housed in a less restrictive environment.

Can I still get services if I am in administrative segregation?

Yes. You will have access to the same types of services as before. However, you may receive a lesser degree of each, depending on available resources and security concerns. Your access to the following services may in some cases be more limited:

- Showers;
- Recreation;
- Law library;
- Presentations by legal rights groups;
- General telephone calls;
- General visitation;
- Religious guidance; and,
- Personal property and materials (including legal, religious and personal reading materials).

However, you will still receive the same extent of access to:

- Mail;
- Legal telephone calls;
- Legal visitation; and,
- Healthcare services.

How long could administrative segregation last?

It depends on your case. The security supervisor reviews all administrative segregation cases to decide if you should stay in that placement.

Here is the review schedule:

- First review of your placement within 72 hours of placement by a security supervisor;

- Second review of your placement after seven days of placement by a security supervisor; and,
- Weekly reviews of your placement for the first 30-60 days after your second review, regular but less frequent reviews after the first 30-60 days of placement. (See your facility's local rules for a more detailed review schedule.)

When a security supervisor reviews your placement, they will interview you and then create a written record of that interview. Once there has been a decision made on your placement after a review, the security supervisor sends their written decision to the facility administrator for approval or denial. A copy of the final written decision will be given to you unless there is a security issue that prevents the facility from giving you this decision.

What if I do not agree with the decision to leave me in administrative segregation?

You have the right to appeal the decision.

How do I appeal?

After seven days in a row of administrative segregation, you may appeal the decisions of any review conducted, by writing to the facility administrator. If you need help, ask for a staff member or an interpreter to help you write your appeal.

Once you have appealed, the facility administrator will review your case every 30 days.

Disciplinary Segregation

You may be placed in disciplinary segregation if:

- You cause serious disruption at the facility;
- You need stricter supervision; and,
- The Institutional Disciplinary Panel (IDP) has disciplined you.

See Discipline and Your Rights in this handbook.

Can I still get services if I am placed in disciplinary segregation?

Yes, however, you may receive a lesser degree of some of these services, depending on your violation, security concerns and available resources at the facility. Your access to the following services may in some cases be more limited:

- Showers;
- Recreation;
- Law library;
- Presentations by legal rights groups;
- General telephone calls;

- General visitation;
- Religious guidance; and,
- Personal property and materials (including legal, religious and personal reading materials).

However, you will still receive the same extent of access to:

- Mail;
- Legal telephone calls;
- Legal visitation; and,
- Healthcare services.

Will the facility review my placement in disciplinary segregation?

Your case will be reviewed every seven days to:

- See if you are obeying all of the rules;
- Ensure that you are receiving proper services; and,
- Consider placing you back in the general population.



Communicating with Family, Friends and Legal Representatives

This part of the handbook explains how to communicate outside the facility, including:

- Phone calls;
- Visitors; and,
- Mail.

Important! The online detainee locator system is a public system available on the internet that allows your family members, legal representatives, and members of the public, to locate you while you are in ICE detention. The website address is <http://www.ice.gov/locator>. The best way to search for individuals in the online detainee locator system is to use the detainee's A-Number and their country of birth.

Phone calls

When you first arrive at the facility, you will be given access to a telephone. Later, you may make phone calls from your housing unit.

Is there a time limit on phone calls?

Yes, see your facility's local rules.

What if I am represented by a lawyer?

You will have at least twenty minutes per phone call with your lawyer.

What if I am representing myself (and do not have my own lawyer)?

Facilities cannot limit the amount of time you spend on the phone to find a lawyer, unless another detainee needs to use the telephone or there are security reasons.

What if I need to make an emergency call?

If there is an urgent situation, such as an illness or death in your family, and you need to make an emergency call, you may ask to use the phone, even when the phone is usually off limits.

You may ask for help from:

- Your housing unit officer;
- A supervisor; or,
- ICE personnel.

Routine calls to your lawyer are usually not considered emergency calls.

Could I lose my phone privileges?

Yes, the facility may limit your use of the phones if you:

- Do not follow facility rules;
- Abuse the phone equipment; or,
- Make calls for illegal activities.

Important! It is up to **you** to learn the facility's rules for phone use.

Will my phone calls be monitored?

All calls, except for calls to your lawyer or to a court, may be monitored. To keep calls with your lawyer private, you **must** list your lawyer's phone number on the Authorized Phone Numbers Form.

Do I have to pay to use the phone?

It depends, some phone calls are free.

You can use the telephones in your housing unit to make free calls to:

- Consulates;
- U.S. DHS, Office of the Inspector General (OIG);
- ICE Office of Professional Responsibility (OPR) Joint Intake Center (JIC); and,
- Pro bono (free) lawyers and free legal services groups on the Executive Office for Immigration Review (EOIR) pro bono legal services contact list. (The ICE field office will give you this list. It may also be posted in your housing unit.)

In addition, you can ask your housing officer to help you make free calls to:

- Immigration courts and the Board of Immigration Appeals;
- Federal or state courts where you have or may become involved in a case;
- United Nations High Commissioner for Refugees;
- Government offices to get papers for your immigration case
- Lawyers or advocates you are calling for advice or representation if you are facing immediate removal; and,
- Your immediate family or others if there is an emergency.

What if I have trouble making free calls?

If the ICE free phone system is not working properly or does not allow for free calls to the people or organizations listed above, tell your housing officer right away. Next:

- Ask your housing or ICE officer to arrange for free access; or,
- See the instructions on other ways to make free calls posted in your housing unit.

What if I am not allowed to use the ICE free phone system?

You have the right to ask to use the ICE free phone system. If your request is denied, tell any ICE officer that you want to make a written request to use the phone system.

Where can I get the contact information for free legal services in my area?

To find lawyers and organizations in your area that offer free services:

- Look in your housing unit for the pro bono legal services contact list, or
- Ask any ICE officer for the list of pro bono legal providers.
 - The list is updated four times per year.

What if I cannot pay for phone calls?

If it is determined by ICE that you cannot pay for calls, then calls will be free on an as-needed basis. You can talk to an ICE officer about your ability to pay.

Calls to your consulate

Can I call my consulate to ask for help?

Yes, you may call the consulate in the U.S.; all calls to your consulate are free.

How can my consulate help me?

They may:

- Help you find a lawyer;
- Help you contact your family; or,
- Visit you at the facility.

Can ICE help me contact my consulate?

Yes, you may ask your ICE officer to tell your country's consulate that you are at the facility. After being notified, the consular staff is allowed to call and visit you at the facility.

Visits

Can I have visitors at the facility?

Yes, but your visitors must follow rules about behavior, clothing and packages (see your facility's local rules).

What rules do visitors have to follow?

Visitors must:

- Wear appropriate clothing, and
- Behave in an orderly way. If you or your visitors are disruptive, they will have to leave, and the facility may limit your visits in the future.

Will my visitors be searched?

Maybe, the facility may search visitors and anything they bring to the facility. Visitors may be asked to put their things in a locker or in their car. Tell your visitors not to bring a lot of packages or other items with them.

Can visitors bring me things?

It depends, you may accept **only** those items that an officer first checks and approves.

Important! Anything you accept from a visitor that was not approved by an officer can be taken from you, and you may be disciplined.

What if my visitors don't know about the rules?

It is up to **you** to learn your facility's rules for visitors and to make sure your visitors know them, too.

Visits from family and friends

When can my family and friends visit me?

Your family and friends may visit you during certain hours set by your facility on Saturdays, Sundays and holidays. Check your facility's local rules for visiting hours.

The facility will also try to accommodate (to the extent possible) the scheduling needs of visitors who cannot visit on weekends or holidays.

(If you have immediate family members who are detained at the same facility as you, you may also visit with each other during normal visiting hours.)

How long can I meet with my visitors?

You will usually have at least 30 minutes for your visits with family and friends. (In some facilities you may have more – check your local rules.)

However, you may request additional time for family members who have come from far away.

Can children (less than 18 years old) visit me?

Yes, if they come with an adult visitor. That adult must watch the children and make sure they do not bother other people.

Meeting with your lawyer

When can my lawyer visit me?

Lawyers and paralegals may visit you any day of the week during the visiting hours for lawyers at your facility.





What are the visiting hours for lawyers?

At a minimum, lawyers will be able to visit you:

- Monday through Friday: eight hours per day; and,
- Saturday, Sunday and holidays: four hours per day

Check your facility's local rules to find out the visiting hours for each day.

Can I meet with my lawyer during meal hours?

Yes, you may ask to meet with your lawyer during meal hours. If you do this, the facility staff should give you a meal tray or sack meal to eat during your meeting.

How do I get a meeting with a lawyer?

If you want to see a lawyer or paralegals from the approved pro bono legal service list, you must call them and ask for a meeting. You may use the free phone system to call pro bono lawyers or paralegals.

What if I need to cancel a meeting with my lawyer?

You must call to cancel the meeting. You may not ask an officer or another detainee to cancel it for you.

Mail

You may send and receive mail, unless that mail threatens the safety, security or order of the facility. Read the rules about mail in this handbook and in your facility's local rules.

Important! It is up to you to know and follow the rules about mail, and to explain these rules to the people who write to you.

Can the facility limit my mail privileges?

Yes, if the facility believes you are not following mail rules, they may limit your mail privileges.

For example:

- You may only be allowed to mail people who have been approved by your facility's administrator; or,
- The staff may read or censor all mail you send and receive in order to keep the facility safe and secure.

Legal mail

Legal mail (or special correspondence) includes written communication to and from:

- Private lawyers, legal representatives and government lawyers;
- Judges and courts;
- Embassies and consulates;
- U.S. president, vice president or member of Congress;
- U.S. Department of Justice, and DHS (including ICE, the DHS OIG, the DHS Office for Civil Rights and Civil Liberties, and the ICE Health Services Corps);
- Grievance systems administrators; and,
- Reporters and other representatives of the news media.

How do I send legal mail?

1. In the top left corner of the envelope, write:
 - Your name;
 - Your Alien or ID number, the Alien number must include only the last four digits (A-XXX-XX0-000); and,
 - The address of your facility.
2. In the middle of the envelope, write the recipient's:
 - Name and address; and,
 - Title or organization, such as lawyer, law office, legal services, etcetera.
3. Write "Legal Mail" or "Special Correspondence" on the envelope (tell your lawyer that all incoming legal mail must be labeled like this, too).

Also see your facility's local rules for legal mail.

Mail privacy

Will the facility staff open my mail?

All incoming and outgoing letters may be inspected for contraband and content.

If it is **legal** mail, the facility staff will open it **in front of you**. They may check it for contraband, but they **may not read it**.

If you do not want your legal or special mail opened, allow the facility staff to inspect the mail, but not read it, seal it in front of a staff person and clearly label it as legal mail. You may seal your other mail on your own and drop it in a detainee mailbox.

Mail you send

Will my mail be sent to the post office right away?

The facility will send your mail to the local post office within one business day of getting it from you (excluding weekends and holidays).

Exception: It may take longer if your mail needs special handling for security reasons (for example, facility staff may hold legal mail for up to 48 hours to check that it is in fact legal mail).

Can I send mail to someone in another detention facility or jail?

Yes, only if you get permission from:

- Your facility's administrator; and,
- The ICE field office director.

To ask for permission, fill out a detainee request form.

Important! If you send mail to another detention facility or jail without permission, that mail will be considered contraband, and you may be disciplined.

Can I send mail to someone in my facility?

Yes, but only if you get permission from the facility administrator.

Mail sent to you

Can the facility refuse to give me my mail?

Yes, if the mail is considered contraband.



The facility will not give you mail that:

- Shows, describes or might cause violence or disorder;
- Explains how to escape, make weapons or explosives, break the law, disobey ICE rules, or make drugs or alcohol;
- Has explicit pictures or descriptions of sex;
- Contains threats, bribes, or obscene material; and,
- Contains anything illegal or not allowed, messages in code, or anything that threatens the safety and security of the facility.

Can I receive identity documents in the mail?

No, the facility will forward any identity documents you receive in the mail to your ICE officer. The facility will notify you that they did this. You can get a certified copy of the identity document by requesting it in writing from your ICE officer.

Can I receive magazine subscriptions in the mail?

No, you may not subscribe to magazines, catalogues or other publications. But you may have a relative or friends send you these things.

Will I get my mail as soon as it arrives?

The facility usually delivers mail within 24 hours of the time the facility received it.

Exception: It may take longer if your mail needs special handling for security reasons (for example, facility staff may hold legal mail for up to 48 hours to check that it is in fact legal mail).

What if my mail arrives after I leave the facility?

It will be returned to sender.

Are there other rules about mail sent to me?

Yes, all mail sent to you must have your **Alien** or **ID number** on:


- The envelope, as part of your address; and,
- The first page of written letters.

The Alien number must include only the last four digits (A-XXX-XX0-000). If your incoming mail does not have your Alien or ID number, it will be returned to the sender. This includes legal mail and packages.

Your incoming legal mail must also have this information on the envelope:

- The sender's name and title; and,
- The words "Legal Mail" or "Special Mail."

If legal mail is not marked as required, the facility will not treat it as legal mail.

<div style="text-align: right; margin-bottom: 10px;">  </div> <p style="text-align: center; color: red;"> C/O: Facility Name: A-number (A-XXX-XX0-000) Facility Address </p> <p style="text-align: center; color: red;"> “Legal Mail” or “Special Mail” </p>

Sample Envelope

Important! It is your responsibility to explain these rules to anyone who sends you mail.

Money in the mail

Can I receive money in the mail?

Yes, if you receive money in the mail, the officer will issue you a receipt for the money before placing it in your account.

Can I send money to someone outside the facility?

Yes, but it may not be safe to send cash in the mail. We suggest you tell the shift supervisor that you want to buy a money order.

Are there rules about cash, checks and other funds?

Yes, each facility has written rules about money. See the facility’s local rules on this topic. If the rules are not clear, your facility can help you to understand them.

Paying for postage

If the facility determines that you cannot afford to pay for postage or mailing materials, you can send some kinds of mail for free, including:

- Legal mail;
- Mail to your consulate; and,
- Mail to any court.



If you cannot afford to pay for postage or mailing materials, you will also get three or more stamped envelopes per week for your personal mail. You can get paper, pencils and envelopes from your housing unit officer.

If the facility determines that you can afford to buy mailing materials, you will not receive them for free. You may buy supplies from the commissary. See your facility’s local rules about mail.

Legal Resources

Group legal rights presentations

At some facilities legal rights groups from the local community offer presentations. The presentations give information to ICE detainees.

When do the presentations take place?

Your facility will post announcements about the presentations in common use areas. If you cannot read or understand an announcement, you may ask for information in a language or format you can understand.

How can I arrange to attend a presentation?

You may sign up on a sign-up sheet that is available in each housing unit. The presentations are open to all detainees.

If you are in administrative or disciplinary segregation, and want to go to the presentation, the facility will make arrangements for you to go if:

- They can make security arrangements;
- Your presence would not pose a security risk; and,
- The presenter agrees to the security arrangements.

What if the facility does not let me go because of a security risk?

If you are in segregation and are not allowed to go to the presentation for security reasons, the facility will make other arrangements if both you and the presenters ask for it.

Do all facilities have legal rights presentations?

No, some facilities may not have legal rights presentations because no volunteers in the community offer them.

Law library

All ICE detainees have the right to use the facility’s law library. This includes access to:

- Approved legal materials; and,
- Office equipment to copy and prepare legal documents.



What kinds of office equipment does the law library have?

The law library may have:

- Copy machines;
- Typewriters; and,
- Computers.

You can get photocopies of your legal communications. In some facilities, you may also be able to get photocopies of your complaints, grievances and letters about the conditions at the facility, legal mail, sick call requests, disciplinary decisions, special needs forms, photographs, newspaper articles, or other documents that are relevant to presenting your immigration case.

The typewriters and computers in the law library may only be used to prepare legal documents. They are not for personal communication.

If you need materials for personal letters, ask your housing unit officer for paper, pencils and envelopes.

What are the law library hours?

The law library hours are posted in all housing units. You are allowed at least five hours each week to work on your case.

What if I need more time at the law library?

Fill out a detainee request form and send it to the facility. Explain why you need more time.

The facility may give you more time if you have an urgent need or special circumstance.

How do I find the legal materials I need?

The law library may have books and publications. Or it may use LexisNexis. This is CD-based software that lets you find legal materials on a computer.

The law library has self-help materials that show you how to:

- Do legal research;
- Prepare legal documents; and,
- Use legal materials on the computer.

What if I need help using the law library?

Ask the staff at your facility if:

- You need help finding materials;
- You need help accessing programs;
- You need help with equipment;
- You do not speak English well; or,
- You have a disability.

You may also ask another detainee to help you with your legal research and document preparation. Send a written request to your facility's administrator.

Another detainee may be allowed to help you if:

- There are no security risks or other concerns; and,
- You do not pay or give the detainee anything of value.

Note: The facility will not pay a detainee to help you use the law library.

It is up to you to know the rules for the law library. Also see your facility's local rules. If you disobey these rules, you may be disciplined and lose your law library privileges.

Activities and Services

Meals

The facility serves meals three times every day. You are allowed one meal at each mealtime.

The meals are:

- Nutritionally balanced;
- Approved by a dietician
- Served in a clean, safe place; and,
- Served with napkins and utensils (you must return the utensils at the end of each meal).



Where do I eat?

You will eat in:

- A central dining room;
- A dining room in your housing unit; or,
- Special Housing Unit.

What is on the menu?

The facility offers a standard menu. Menus and meal times may be posted on the housing bulletin board.

See your facility's local rules.

Is there pork in the food?

Most facilities do not serve pork, but check the day's menu to be sure.

What if I have a special diet?

Important! It is up to you to ask for a special diet if you need it.

If you need a special diet for religious reasons, ask the chaplain for a "common fare diet."

If you need a special diet for medical reasons, ask the medical staff to evaluate your request.

Your request must be approved before you can get special meals.



Will I get different food if I am being disciplined?

No, we do not use food to punish or reward.

Recreation

You will be allowed to have recreation for at least one hour each day. Recreation may be indoor or outdoor, depending on your facility.



If your facility has an outdoor recreation area, you will be permitted to access it for at least one hour a day, five days a week, if weather permits. In some facilities you may be permitted more outdoor recreation. Check your facility's local rules for more information.

What recreation activities may be available?

Your facility may have:

- Television;
- Movies;
- Games; and,
- Exercise equipment.

If outdoor recreation is cancelled or not available, will I get more indoor recreation time?

No.

What if my facility does not have outdoor recreation?

If your facility has no outdoor recreation, you may be eligible to request voluntary transfer to another facility with outdoor recreation after a certain number of months (ask your ICE officer).

Religion

You will have opportunities to participate in practices of your religious faith. These opportunities will only be limited if you present a specific documented threat to the safety of the individuals involved in the aforementioned religious activities, or if you disrupt order in the facility.

All facilities must give you reasonable access to religious services and providers of your faith.

Your facility will explain how to contact the chaplain or religious services coordinator for your facility and give you information about:

- Special religious diets;

- Visits from a religious representative;
- Religious headwear and other religious property allowed at the facility; and,
- Access to religious resources, services, instruction and counseling.

ICE detainees may usually:

- Take part in their religious practices;
- Wear approved religious headwear and garments; and,
- Have other approved religious property.

The facility cannot limit these unless there is a specific documented threat to persons involved in these practices or activities.

Important! You must ask the facility for approval of any hard-covered religious book. Unless you get approval,



al, all religious books must be soft-covered.

Commissary or vending machines

Your facility may have a store, called a commissary, or vending machines.

If your facility has this service, you do not have to buy anything if you do not want to.

If you want to use the store, check your local rules first. Detainees do not have a right to use the store.

Do I have to buy basic toiletries from the commissary?

No, your facility must give you basic toiletries and hygiene products, such as soap, shampoo, sanitary pads and toothpaste.

What if I bought some items, but I got transferred or removed before they were delivered?

The facility does not have to send you the items or give you a refund if you are transferred or deported.

But the facility may give you a refund before you leave if they choose to. See your facility's local rules.

Voluntary Work Program

Can I work while I am at the facility?

If your facility has a volunteer work program, you may be able to volunteer to work, but many facilities do not allow ICE detainees into their work programs.

Will I get money for my work?

If you participate in the voluntary work program at your facility, you will get at least \$1 for each day you work, not for each assignment. You will get paid at the end of every day you work, unless your facility has a different way of paying detainees. Some facilities will pay everything that you are owed before you are transferred or released. Check your facility's local rules.

How often will I get paid?

Most facilities pay detainees every day. Your facility may use another system where you get paid before you are transferred or released.

How many hours can I work?

You cannot work more than eight hours per day or 40 hours a week.

What are the requirements for the work program?

To take part in this program, you must:

- Sign a voluntary work program statement;
- Complete any work-related training;
- Follow all dress, grooming, and hairstyle requirements for your work assignment;
- Work the schedule assigned to you; and,
- Do your assigned work satisfactorily.



Can I be fired?

Yes, you can be taken out of this program if:

- You miss work without permission; or,
- You do not do your work satisfactorily.

Will I get paid for keeping my living area clean?

No, you must keep areas that you use clean, including your living area and any general use areas that you use. If you do not keep your areas clean, you may be disciplined.

It is up to you to know the rules for the work program. Also see your facility's local rules.



Library

Most facilities have library materials similar to what you would find at a school or community library.

How are the materials chosen?

The facility considers the detainees' needs, interests and abilities when deciding on its materials.

Can I go to the library at any time?

No, see your facility's local rules for library use.

Each facility's library has a schedule for using and checking out materials.

Please give other detainees a chance to read library materials. Make sure that you:

- Take care of the materials you check out; and,
- Return them on time.

Attending other (non-immigration) court hearings

Can I attend a court hearing that has been scheduled for me in another case (i.e. not related to my immigration case)?

If you have a court hearing scheduled for you in another case (for example, if you are currently involved in a criminal proceeding or child custody case), ask your ICE

officer about how you might be able to take part in your hearing.

In some cases, ICE may be able to escort you to the court hearing, or arrange for your participation through a video conferencing system.

Requests to Marry

If you want to get married while you are at the facility, you (or your lawyer) must send a written request to the housing area officer or ICE officer, who will give it to the facility administrator or the ICE field office director. Your written request must confirm that:

- You meet the legal requirements to marry;
- You are mentally competent to marry; and,
- Your future spouse will certify they will marry you.

Attach a separate document (signed by your future spouse) that says they plan to marry you.

The facility's administrator may need to send your request to the ICE field office director, for approval.

If you do not get approval in time, you may have to delay or cancel any wedding plans. If your request is denied, you and your legal representative will be provided with the decision and the reasons for the decision in writing.

Dress and Grooming

Uniforms

You will get a uniform (shirt, pants and shoes) and wristband. In ICE ERO and contract facilities, but not in most jails, the color depends on your security level:

- Blue for low custody;
- Orange for medium custody; and,
- Red for high custody.

If you are in a jail, the uniform colors and rules about uniforms may be different.

You must always wear the color uniform for your security level.

Exception: Kitchen workers must wear a white uniform, but only when on duty.





Are there other rules about clothes?

Yes, you must also follow these rules:

- No torn or dirty clothing;
- Do not change or re-purpose your uniform if issued (for examples do not wear your shirt as a headband or roll up long pants to make them short);
- No hats or head coverings, unless it is part of your work uniform or has been approved by the chaplain for religious reasons; and,
- No shower shoes outside the housing unit.

Other rules:

- You must always wear your complete uniform (shirt, pants and shoes);
- Outside of your housing unit;
- In the dining room;
- Medical appointments (unless told otherwise);
- Going to court;
- During religious services; and
- Seeing visitors.
- Place the waistband of your pants so that neither your underclothes nor buttocks show;
- Do not keep your hands under the waistband of your pants, even in cold weather; and,
- You may only strip down to your underclothes if you are in your cell or the bathroom.

Personal Care

You will be living in a dormitory or a locked housing unit with other people. Good personal hygiene helps keep everyone healthy.

When can I shower?

Check the shower schedule posted in your housing unit. It will tell you when you can use the shower each day. You must bathe regularly and keep your hair clean.

What if I need shampoo or other personal items?

You will get some personal care items when you arrive, including:

- Shampoo and soap;
- Toothpaste and a toothbrush;
- Comb or brush; and,
- Other items for personal care.

If you run out of these things, ask your housing officer for more. Women can ask the housing officer for feminine hygiene products when needed.

Grooming

Poor hygiene and unsanitary habits can harm health and safety at the facility.

You must:

- Keep yourself neat and clean; and,
- Always wear appropriate clothes and shoes.

If you do not obey the dress and grooming rules:

- It could cause conflicts with others at the facility; and,
- The staff may counsel and discipline you.

The facility will accommodate your religious preferences about your grooming.

Can I wear my hair any way I want?

Yes, you may have any hairstyle you want if it is safe and clean.

Exception: If you work in the kitchen or operate a machine, your hair must be clean and in a hairnet.

Can I have a beard or mustache?

Yes, unless you work in the kitchen or operate a machine.

For safety reasons, kitchen workers and detainees operating machines must be clean-shaven while on duty. By accepting a job in the kitchen or operating machinery, you agree to follow this rule.

There are no exceptions to the rule regarding kitchen work and operating machines.

Can I shave?

Yes, you can check out a disposable razor every day. You must return it after you shave.

If you have a court hearing, the facility will give you the opportunity to shave before you go.

You may not share your razor with anyone else. This is for your health and safety. Shared razors can spread diseases, such as HIV and hepatitis. See your facility's local rules about razors.

Can I get a haircut?

Yes, if you want a haircut, you must ask for it. See your facility's local rules about how to ask for a haircut.

Important! It is up to you to learn the grooming rules for your facility. See your facility's local rules.

Laundry

To get clean clothes, you must turn in one dirty item of clothing to get a clean one.

At a minimum, you will be able to exchange your items according to the following schedule:

- Socks and underwear – every day;
- Your colored uniform – twice every week;
- Sheets, pillowcases, and towels – once every week; and,
- White kitchen uniforms – every day.

See your facility's local rules about volunteer worker uniforms.

At some facilities, you may be able to exchange your laundry more frequently. Check your facility's local rules.

To make sure there are enough clean clothes for everyone, you may not keep extra clothes.

Do not wash clothes, sheets, shoes or other things in your housing unit unless there are washing machines and dryers that you are allowed to use. See your facility's local rules.



A clean facility

For your safety and health, it is important to keep the facility clean.

Do I have to make my bed?

Yes, you must make your bed every day before you start your daily activities or work.

You must also keep your area clean and neat.



Do not hang sheets, blankets, towels or anything else from wires, lights, beds, bars or other objects. Follow your facility's rules for hanging wet towels.

Where can I keep my personal belongings?

You must follow the facility's rules about storing your personal things. Someone from the facility will show you what to do.

Do not put anything where it is not allowed to be, such as on or in:

- Windows or windowsills;
- Bunks;
- Lockers; or,
- Under a mattress, etcetera.

Improperly stored items may be taken away. If this happens, it is up to you to ask the supervisor to return them to you.

Rules and Procedures

Head counts

Detainees will be counted at least three times per day at hours that do not interfere with daily activities.

You must participate in the counts and follow the facility's rules for head counts. See your facility's local rules.

During the head counts, do **not**:

- Move;
- Talk; or,
- Do anything to interfere with the head count.

You may be disciplined (and everyone in your housing unit may be locked in their room) if you:

- Do not get counted;
- Do not follow instructions; or,
- Disrupt the head count.

Authorized property and contraband

Does all property have to be authorized?

Yes, visitors and detainees must get permission to have any item, even if that item is usually allowed at your facility.

The facility may throw away any of your items, even if the type of item has been approved, if:

- You have too many;
- You have misused them; or,
- You have changed the item without permission.

See your facility's local rules about unauthorized items. Any item that has not been specifically approved by the facility may count as contraband (not allowed).

What is contraband?

Contraband is anything not allowed at the facility. You are not allowed to have anything unsafe or that interferes with the orderly operations of the facility.

It is your responsibility to know the rules for what is and is not allowed at the facility. If you have anything listed below or anything else not allowed by the facility, you may be disciplined.

Contraband items include, but are not limited to:

- Alcohol or illegal drugs;
- Dangerous objects, deadly weapons and explosives;
- Anything that could be used to disguise or change a detainee's appearance or that could be used to help someone escape; or,
- Any camera, video, recorder, cell phones or other device that could be used to make photos, audio or video recordings of detainees, staff or government property.

Personal property, including clothing and other personal items, is also contraband unless:

- The facility administrator has approved them; or,
- You bought the item or items from the facility's commissary or vending machines.

See your facility's local rules about contraband.

Searches

We search detainees to:

- Keep everyone safe;
- Control contraband; and,
- Keep the facility clean and sanitary.

We do not do searches to punish anyone.

When will I be searched?

We will search your **body** and your **property** at these times:

- When you arrive at the facility;
- Whenever there is reasonable suspicion that you are concealing contraband or a weapon;
- When you go into a housing unit;
- When you leave the visiting area after a visit; and,
- From time to time, we also do unscheduled routine searches.

Can I refuse to be searched?

No, you must allow the officer or officers to search you. You must also follow their directions and do everything they tell you.

If you do **not** follow their directions, you can be:

- Disciplined; or,
- Charged with a crime.

What if I refuse to be searched?

You may be moved away from the other detainees and put in isolation. We do this to keep you and others safe.

Will I have to take off my clothes when I am searched?

If we have a justified reason to suspect that you may be hiding a weapon or other contraband, we will do a strip search.

Will I be searched by someone of the same sex?

For strip searches (when you take your clothes off), we will assign an officer of the same sex. If no officer of the same sex is available, we will ensure either that the search is conducted in private with two staff members present, or that someone of your sex is with you to observe.

Discipline and your rights

Order and discipline are very important for the safety and wellbeing of the detainees and the staff. Some problems can be taken care of informally with counseling, but other problems may require discipline.

All facilities follow established procedures to ensure your legal rights are respected, including your right to:

- Due process, including getting your disciplinary case processed quickly;
- Translation and interpreter services so you can understand and communicate;
- Aids or services that ensure effective communication between you and facility staff if you have a hard time hearing or seeing or have other communication needs. The facility will choose the aid or service for you, but the aid or service should be given to you in a format

that you can understand and that protects your privacy; and,

- Communicate with other people and, or organizations, unless that communication threatens safety, security or order at the facility.

While in ICE custody, you also have the right to:

- Protection from personal abuse, physical punishment, unnecessary or excessive use of force, personal injury, disease, property damage and harassment; and,
- Freedom from discrimination based on your race, religion, national origin, gender, sexual orientation, physical ability, mental ability or political beliefs.

You also have the right to file a grievance if you feel your rights have been violated. No one can punish you for filing a grievance. Follow the procedures in this handbook. See How to File a Grievance.

How will I know the rules?

Your facility must give you written information about its rules, procedures, schedules and all topics covered in this handbook. The facility will give you this handbook and a local handbook.

What happens if I break the rules?

Each facility has a list of rules that you and other detainees must follow. If you are accused of breaking the rules, these things will happen:

1. The supervisor in charge will be told what happened;
2. The officer involved will try to resolve the incident informally, if possible. However, if informal resolution is not possible, the officer will write an incident report;
3. An investigation will start within 24 hours;
4. The investigating officer will refer you to the IDP. You will get a copy of the incident report at least 24 hours before meeting with the IDP; and,
5. If your case is sent to the IDP, you will get a hearing on the first business day after the IDP receives the referral.

If the charges are serious, you may be placed temporarily in administrative segregation before your hearing.

If the IDP determines that you did something that is not allowed, you may be placed in disciplinary segregation or punished in other ways depending on the seriousness of your offense. For example, you may be removed from activities commissary or other privileges.

What is the IDP?

The IDP is made up of one to three members of the facility's staff who decide what to do about your violation.



One of them will be in charge of the panel.

Certain staff is not allowed to be on the IDP, including:

- The officer who reported the violation;
- The officer who investigated the violation; and,
- Any officer or staff person who witnessed, was directly involved with or was part of the unit that reported the violation.

What does the IDP do?

The IDP must decide how to resolve your case. They follow detention facility standards that say what kinds of punishments are appropriate for different kinds of violations. They may reduce or dismiss the charges if you are found not to have broken the rules.

If you do not agree with the IDP's decision, you may file an appeal (see your facility's local rules on filing appeals).

What are my rights at the IDP hearing?

Before the incident report is sent to the IDP the facility must notify you in writing about your rights at the IDP hearing, including your right to:

- Receive a copy of the Notice of Charges against you at least 24 hours before the IDP hearing;
- Have a full-time staff member of your choice speak for you at the IDP hearing;
- Call witnesses and present evidence before the IDP;
- Remain silent. You do not have to speak if you do not want to. Your silence may not be used against you;
- Be at all phases of the hearing;

Exception: You may not be present when the IDP meets to make a decision on your case. Also, you will not be allowed to be present if your presence threatens order or safety at the facility.

- Receive translation and interpreter services so you can understand and communicate;
- Receive aids or services that the facility can provide to ensure effective communication because of your limited hearing or sight or other disability;
- Receive the IDP decision and an explanation of how they made their decision in writing; and,
- Appeal the IDP decision if you disagree.

Important! Appeals must be submitted through the formal detainee grievance process.

Can the IDP postpone the hearing?

Yes, if you have a good reason for postponing your hearing, or if the IDP wants to investigate your case further, they may postpone your hearing.

However, if you are being held in administrative segregation pending your hearing, the delay may not exceed 72 hours, barring an emergency.

Criminal charges

While you are at the facility, you must follow the laws of the state where the facility is located and U.S. laws.

If you disobey any state or federal law, you may be:

- Notified and charged by the local, state or federal law enforcement authorities; and,
- Tried in local, state or federal court.

Local, state or federal charges may also be processed at the facility as disciplinary matters.

What happens if criminal charges are filed against me?

You will receive notice about your right to a lawyer.

If you do not have enough money to hire your own lawyer, the court will appoint a lawyer to represent you for the criminal case.

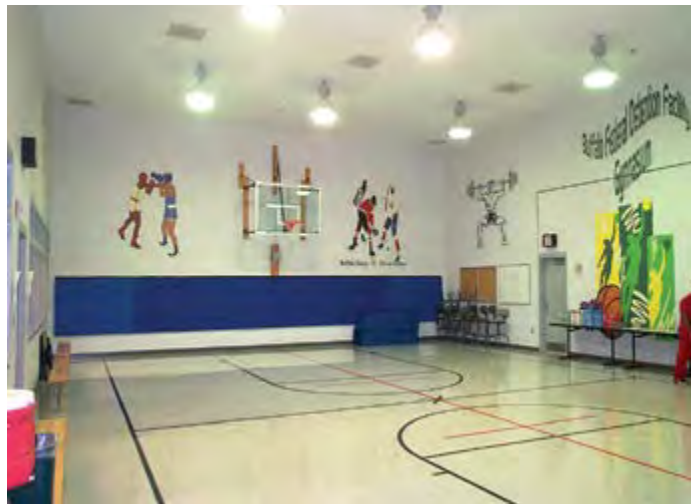
You have the right to speak to your lawyer about your criminal case and have the lawyer with you at your criminal court appearances.

Health and Safety

Evacuation drills

From time to time, there will be evacuation drills at the facility. Drills can help you get out safely in a real emergency, such as a fire, gas leak, civil disaster or other danger.

In most cases, you will not know about a drill before it happens. The drills are not done to scare or inconvenience you. They will help you be ready if you need to get out of the facility in the event of an emergency.



For your safety, you should learn:

- Proper procedures to exit the building in an emergency; and,
- The location of your housing unit's emergency exits (there should be a map in your unit).

Important! You must follow directions during a drill or a real emergency. If you do not, you may be disciplined.

Smoking

Smoking is not allowed anywhere at the facility.

Healthcare

You have a right to receive adequate and timely health-care free of charge while you are detained. You can ask for healthcare at any time, including when you:

- Are sick or injured;
- Have a chronic health problem;
- Need medical treatment; or,
- Take or need to start taking medications to keep you well.

Healthcare services are available to all detainees at the facility for free. To get a non-emergency medical appointment, you must fill out a form to sign up for a sick call. Then put the form in the drop box in your housing unit.

Forms are picked up every day and sent to the medical department. They are checked carefully to decide who needs to be seen first. In many cases, you can see the medical staff by the next business day. If you sign up during the weekend and your medical need is not urgent, you will usually be seen the following Monday.

If you sign up after hours and cannot wait until the next business day and are experiencing a medical emergency, tell your housing officer. They will contact the on-call medical staff.

In a health emergency, you can get care right away.

Tell:

- Your housing officer;
- A staff member; or,
- Anyone who can get help.

If you need help communicating with the health professional, ask for an interpreter or someone who can explain things in a way you can understand.

Second opinions

You may have the right to get a second or outside medical opinion, but you must pay for it. Check your facility's local rules. If your facility permits this, you or your lawyer must send your written request to the field office director. The facility will consider security issues when it makes its decision whether to permit you to get a second opinion.

Your facility may have other information about how to get care, appeal, or communicate emergency concerns about healthcare at the facility. (See your facility's local rules.)

Medical records

You have a right to a copy of your own medical records upon request. Check your local rules to understand how you can receive a copy of your medical records while you are in custody.

If you need to release your medical record to someone else, a written request from you to the facility will allow the facility to release your private health information to another person or organization, as long as your written request includes the following information, and meets any other requirements of your local health services administrator:

- Address of the facility that will release your medical record;
- Name of the individual or institution that will receive your information;
- Your full name, A-Number (or other facility identification number), date of birth and nationality;
- Specific information to be released, along with dates of treatment; and,
- Your signature and date.

After the release of health information, the written authorization will be retained in the health record.

To request a copy of your medical records after you are released from ICE custody, you must file a Freedom of Information Act (FOIA) request with ICE. For instructions on filing a FOIA request, please see www.ice.gov/foia or call the ICE FOIA office at 1-866-633-1182.

Suicide and mental health care

Detainees with mental illness or depression, or who may be at risk for suicide, will be treated with sensitivity and referred to an appropriate mental health professional.

Tell your housing officer right away if:

- You are depressed;
- You think you may hurt yourself; or,
- You want to talk to someone.

You will be referred to an appropriate health professional.

Sexual assault

ICE does not tolerate any sexual abuse or assault at the facilities. We require that all facilities have a sexual abuse and assault prevention program, which includes facility procedures for reporting and investigating all incidents of sexual abuse or assault, and ensuring that you are provided medical care and other services if you have been a victim of sexual abuse or assault.

If you are afraid ...

Of being abused or assaulted, or if you have been sexually abused or assaulted, you can do any of the following:

Take steps to protect yourself *right away!*

- Contact your housing officer or unit supervisor;
- File an emergency grievance. Your housing officer or unit supervisor will explain how; or,
- Contact a facility staff member or the sexual abuse program coordinator.

Your local handbook has more information about who to contact.

Staff may not punish you for filing a complaint. If you feel you have been punished in any way for reporting abuse, you should report it the same way you would report any incident of sexual abuse or assault.

The facility is required to handle your report confidentially.

The facility will not share your report or your identity with anyone unless that person needs to know. People who may need to know include:

- Staff who make decisions about your care;
- Law enforcement; and
- Investigators.

If you are abused or assaulted, the facility will help you get medical care and counseling.

You may also contact DHS.

To contact ICE:

- Fill out a staff request form or a detainee request form; or,
- Report the problem to ICE OPR JIC:
 - Call: 1-877-2INTAKE;
 - Fax: 202-344-3390;
 - Email: Joint.Intake@dhs.gov; or,
 - Write:
P.O. Box 14475
1200 Pennsylvania Ave. NW
Washington, D.C. 20044

To contact the U.S. DHS OIG:

- Call: 1-800-323-8603;
- Fax: 202-254-4297; or,
- Write:
DHS Office of Inspector General
Attention: Office of Investigations Hotline
245 Murray Drive, SWE
Building 410/Mail Stop 2600
Washington, DC 20528

You may also ask a relative or friend to contact ICE or OIG for you.

You do not have to give your name to report sexual abuse or assault, but the more information you can provide, the easier it will be to review or investigate what happened.

Use of force and restraints

Officers shall use only as much force as needed to:

- Gain control of the detainee;
- Protect the safety of detainees, staff and others;
- Prevent serious property damage; and,
- Ensure the security and orderly operation of the facility.

Officers may use force after all reasonable efforts to otherwise resolve a situation have failed.

Physical force or restraint devices will not be used as punishment.

Questions, Requests and Grievances

This part of the handbook explains:

- What to do if you have a question, request or problem;
- How to file a grievance; and,
- What happens when you file a grievance.

Questions, requests and informal complaints

If you have a question, request, concern or complaint or want more information about the facility's rules, please let us know. We will do our best to listen carefully and solve your problem.

You may:

- Ask a staff member at the facility;
- Talk to an ICE officer; or,
- Send a written request to the facility or directly to ICE.

How do I make a request in writing?

You may:

- Write your request on a blank piece of paper; or,
- Ask your housing officer for a detainee request form.

Important! A detainee request form is an informal request. It is not the same as a grievance. If you would like to pursue a formal complaint, you may file a grievance. See How to File a Grievance below.

What is a detainee request form?

It is a form you can fill out to make a request or informal complaint to the facility or ICE staff.

If you need help filling out the detainee request form, you may ask:

- Another detainee;
- Your housing officer; or,
- Other staff member at the facility.

Will my request be private?

Yes, you may put your request in an envelope and seal it. The staff – not other detainees – will deliver it promptly. The staff will not read or change it unless there are security concerns.

Who will read my request?

You decide where you want your request to go. Just write the name, title or office where you want it delivered on the envelope.

How do I send my request?

Put your request in the locked drop-box at your facility. The facility faxes or forwards these forms to the ICE officer in charge of your case at least twice a week.

When will ICE answer my request?

ICE will answer you within three business days. Or you will get a letter from ICE saying they need more than three days to answer.

How to file a grievance (formal complaint)

If you have a problem, try talking to an officer or other staff member. He or she will try to solve the problem informally.

If you do not feel comfortable talking to an officer or other staff member, or if talking has not helped solve the problem, you may file a formal grievance. At some facilities, you may also pursue a formal grievance at the same time as you try to resolve the problem by talking. Check your facility's local rules about when you can file a grievance.

Follow these steps:

1. Ask your housing officer for a grievance form;
2. Fill out the grievance form and then give it to your housing officer.
3. You may keep your grievance private by sealing it in an envelope available from the housing officer;
4. Your grievance form will be sent to the grievance officer (GO); and,

Exception: In some facilities, if your complaint is about a medical problem, your grievance form will be sent directly to the medical staff, and will be kept confidential. Check your local supplement.

5. The GO will give you a written or oral response within five days of receiving your grievance.

If I disagree, can I appeal the GO's decision?

1. If you do not agree with the GO's decision, you can file a written appeal with a grievance appeals committee, usually called a Grievance Appeal Board (GAB) or Detainee Grievance Committee (DGC). The GAB or DGC will meet to review your complaint. None of the committee members can be an officer or staff member who:
 - Is named in the complaint;
 - Already reviewed your complaint; or,
 - Helped you write your complaint.
2. When the GAB or DGC meets, they may call witnesses, look at evidence and gather facts needed to decide your case fairly.
3. The GAB or DGC will ask you to go to the meeting so you can:
 - Tell your story;
 - Answer questions; and,
 - Respond to any evidence or testimony that conflicts with yours;
 - The GAB or DGC may let you meet with them over the phone; and,
 - The GAB or DGC will give you a decision in writing five days after receiving your appeal.

The decision will explain the reasons why the decision was made.

If I disagree, can I appeal the GAB or DGC decision?

If you lose your appeal with the GAB or DGC, you may be able to appeal the decision to the facility administrator. Check your facility's local rules about this.

Can I file a complaint for someone else?

No, but another detainee or someone on the staff can help you to prepare and file your complaint.

Important! Even if you need someone to help you, you must adhere to all of the deadlines.

Will I be treated differently if I file a complaint?

No, you cannot be harassed, punished, or disciplined because you made a complaint. If you believe that you have been retaliated against because you filed a complaint, please contact the GO or the facility administrator immediately.

Will my complaint stay in my file?

Yes, a copy of your complaint stays in your detention file for three years.

What if I have an emergency grievance?

Your facility will have its own procedure to handle emergency grievances that impact your life, health and safety. Please contact the GO or the facility administrator immediately if you have a complaint that involves an immediate threat to your health or safety.

Where else can I send a complaint?

You can communicate your problems to ICE Community and Detainee Helpline (CDH). The CDH is toll-free and is available at **1-888-351-4024**. Trained operators are available for individuals in the community and for those currently in ICE detention. CDH information posters (English and Spanish) are posted in detention facility housing pods. Language assistance is also available. You may call to:

- Obtain basic immigration case information;
- Report an incident of sexual or physical assault or abuse;
- Report serious or unresolved problems at your facility;
- Report that you are a victim of human trafficking; or
- Let ICE know that your immigration detention separated you from your minor child who is dependent on you.

Where can I report staff misconduct?

If you think the staff mistreated or abused you, or violated your civil rights, you can file a complaint with DHS for free by:

- Email;
- Phone; or,
- Mail.

Contact:

U.S. DHS OIG

- Call: **1-800-323-8603**
- Fax: 202-254-4297
- Mail:

DHS Office of Inspector General
Attention: Office of Investigations Hotline
245 Murray Drive, SW
Building 410/Mail Stop 2600
Washington, DC 20528

You can also contact the DHS JIC with allegations of staff misconduct, or with allegations of sexual assault by a staff member or by another detainee.

JIC

- Call: **1-877-2INTAKE.**
- Fax: 202-344-3390.
- Email: **Joint.Intake@dhs.gov**
- Write: **P.O. Box 14475**
1200 Pennsylvania Ave. NW
Washington, D.C. 20044

Records

This part of the handbook explains:

- What records and files we keep about you; and,
- Why we keep them.

What files are there about me?

We keep these files about you:

- A-File;
- Detention file; and,
- Medical records (an explanation of how you get your medical records is found under the medical records section).

What is in my A-File?

Your A-File has a summary of all legal actions in your case, and may include you:

- ID cards;
- Photos;
- Passports;
- Criminal history; and,
- Immigration history and related documents.

What is in my Detention File?

Your Detention File has your:

- Booking record;
- Classification worksheet;
- Discipline records from the facility;
- Behavior reports;
- Receipts for your money and other property;
- Written requests, complaints and other issues;
- U.S. government documents; and,
- Special housing unit records.

If you would like a copy of a document or documents from your A-File, detention files or medical record, ask your ICE officer or facility staff. If you want another person to get a copy of those documents, you will need to provide written consent.

Who keeps my records?

ICE keeps your A-File. The facility or ICE has your detention and medical files.

What to Expect If You Are Released From the Facility

If you are released from DHS custody, you should expect the following before you leave:

1. Legal obligations:

You should review all your legal paperwork, and understand the conditions of your release and the date and location of your next court appearance, if you have one. You can call the EOIR at **1-800-898-7180** if you are unsure of your next court date.

2. Phone calls:

You may make one free phone call to help you make travel arrangements.

3. Release time and travel arrangements:

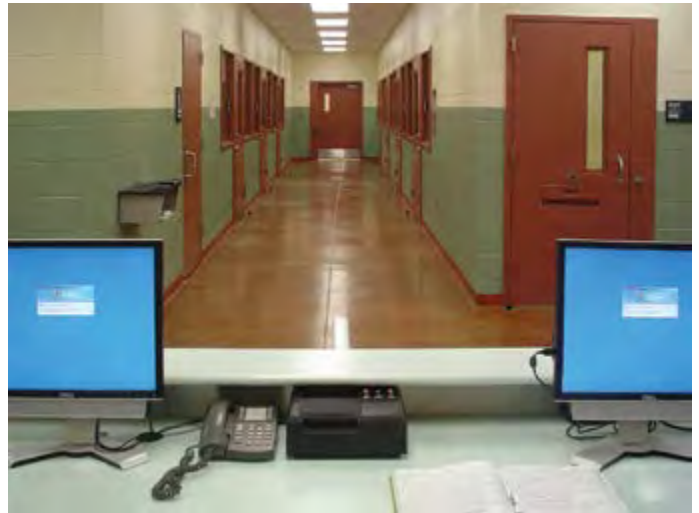
You should be released from the facility at a reasonable time of day, which could include the early evening hours. If a friend or family member cannot pick you up at the facility, ask staff at the facility or an ICE officer to arrange for your transportation to a public transportation location, such as a bus station, airport or subway.

4. Property and clothing:

You will be given back your property, including the clothes you wore when you arrived. These will be listed on the receipt you received when you arrived. Make sure to check your receipt. If you did not receive all of your property, ask a facility staff member for a missing property form. If your clothing is not appropriate for the weather outside, ask a facility staff member or ICE officer for weather appropriate clothing.

5. Medical:

If you received medical care while in detention, you will be given medical paperwork. This may include: your medical record, a summary of the healthcare you received during your stay at the facility or instructions or referrals for follow-up care for medical conditions. If you received medication while in detention, you may also be given a supply of the medications you have been taking.



6. Local community service organizations list:

Please ask a staff member or an ICE officer if your facility has a list of local community service organizations that may help you with legal, medical, housing or other social services upon your release. Not every facility has a list of local organizations.

IMPORTANT: If you do not receive the information and items listed above, please tell a facility staff member or an ICE officer as soon as possible, and before you leave the detention facility.



Medical Orientation and Health Information

The medical clinic here will provide you with medical care if you have a medical problem.

Except for rare medical reasons, medical staff will NOT give you comfort items or items such as special shoes, extra blankets, extra pillows, jackets, soap or deodorant. Medical staff also cannot answer any questions about your case, your court date or your legal situation. Ask your deportation officer these questions.

General overview of services provided

Arrival - Soon after you arrive here, we will ask you some medical questions and will give you a chest x-ray or tuberculin test to see if you have been near someone who has had tuberculosis. This is important for the health and safety of everyone.

Physical exam – Within the first 14 days of your stay here, you will receive a physical exam.

Sick call – If you are sick, you can request to be seen in the medical clinic. In order to receive this care, you will either fill out a sick call form or the medical staff will visit you in the housing areas or other designated areas. If you are not sure how sick call works, ask any staff member.

1. If you are having dental pain or swelling, you will use the sick call process to get help. Routine care like dental cleanings will not be done unless you are here for more than 12 months; and,

2. If you are feeling overwhelmed, have thoughts of hurting yourself or feel like you might hurt someone else, let an officer or a medical staff member know immediately and you will be seen.

Additional services

If needed, other services may include medications, lab tests, x-rays, education and counseling, and regular appointments for serious medical conditions.

Medical complaints and grievances – If you are not happy with the care you receive, talk to the medical provider. Remember that some types of care or services are not available. If you are still unhappy and it is care that the facility provides, you have the right to complete a grievance form. If you can't find the form in the clinic, ask any security or medical provider to get you the form.

Emotional Difficulties – It is normal to feel emotions like sadness, depression, anxiety, nervousness, anger and fear in this environment. It is also normal to have problems sleeping. Try to remember that you will not be in detention forever. Think about ways to keep busy, to stay calm and to stay healthy. Read, talk to people, play a game, exercise, go to religious activities or practice some relaxation techniques. A medical provider can give you some information on stress management.

Medications

1. Do not share medications with others;
2. If your medicine is causing you problems such as a rash, itching, trouble breathing or diarrhea, let an officer or the medical staff know immediately, and stop taking the medicine; and,
3. Keep your medicine with you at all times. Do not lose your medication.

Proper shoes and clothes

1. Wear your shoes at all times;
2. If you are wearing closed shoes, wear socks if you have them;
3. Wear your shower shoes in the shower; and,
4. Wear proper clothing for the weather.

Toilet use

1. Please do not stand on the toilet. Sit on the toilet seat and flush the toilet after using it;
2. Put all used toilet paper into the toilet then flush; and,
3. Ladies, please put used Kotex pads or tampons in the garbage cans and not into the toilet.

Hand washing

Germs can make you sick, and germs can be passed through hand contact. Washing your hands will help keep you from getting sick.

1. Make sure you run the water in the sink and use soap to wash your hands.
2. Wash each finger and rub your hands together, washing both sides of your hands with soap and water. Clean under your finger nails also.
3. Wash hands before eating, after going to the bathroom, after playing or working outside, or after being near a sick person.

Showering and personal care

1. Take a shower every day (when possible) and use soap and water;
2. Bathe only in the shower, NOT the sinks. Don't urinate (pee) in the shower;
3. Use the sinks to wash your hands or face, to shave your face or to brush your teeth;
4. Do not shave your head or private areas (leads to infections), and do not share your razor with others;
5. Do not pierce any part of your body;
6. Use a deodorant every day; and,
7. Do not leave any clothes in the bathroom.

Bed safety

1. Do not jump down from the top bunk or up to the top bunk;
2. Take your time when getting into and out of bed. Make sure you step on a solid area of the floor with the large portion of your foot;
3. Lower your head when getting out of bed if you sleep on a lower bunk; and,
4. If you fall out of bed at any time notify the officer in the barracks so that you can be examined in the medical clinic.

Good health

1. In hot weather, stay in the shade during the hottest part of the day and drink lots of water throughout the day. If your urine is very dark, you probably aren't drinking enough water, so drink more;
2. Eat three good meals a day. Be sure to eat fruits and vegetables. Don't eat too much candy;
3. Try to exercise at least 30 minutes every day. Play sports, walk around, run in place or do pushups. If you haven't exercised in a long time, do some light stretching or slow jogging to warm up and prevent injuries;
4. Try to sleep at least 8-10 hours a night;
5. Cover your mouth with your hand when you cough or sneeze and do not spit on the ground or floor. This spreads germs that can make other people sick; and,
6. Smoking is not allowed. Think of this as your chance

to quit smoking forever. It is one of the best things you can do for your health.

Dental care

1. Brush your teeth after every meal, if possible, and before going to bed;
2. Always brush up and down – never across;
3. Always brush your back teeth; and gently brush your tongue; and,
4. Floss everyday if dental floss is available.



General

1. If you brush your hair over the sink, remove any fallen hairs from the sink;
2. Throw trash into the garbage cans, not onto the floor;
3. Throw disposable diapers into the trash. Do not throw them on the floors or into the toilets; and,
4. Do not leave crumbs from food in your housing area because it will bring ants and other insects.

Non violence

1. This facility will not permit any type of physical or sexual abuse. If someone physically or sexually assaults you, tell an officer or medical staff immediately;
2. Disciplinary measures will be taken against anyone who physically or sexually assaults someone else in the facility.

Getting along with others

You have to share living space with a lot of people so it is important to be considerate and to recognize that others are different.

1. Don't be so loud that others can't enjoy their activities. Be quiet at night so other people can sleep; and,
2. Avoid people who like to cause problems or fight.

Staying Healthy

How do I stay healthy in hot weather?

It is important to keep water in your body when it is hot. Your body needs lots of water to stay healthy. In hot weather, you sweat and lose water from your body. This can:

- Make you feel dizzy;
- Make your mouth and tongue dry and sticky;
- Make your urine darker; and,
- Urinate less often.

If you feel thirsty, this means you need more water in your body. Drink water in hot weather even when you don't feel thirsty.

To avoid getting sick in hot weather:

- Drink lots of water all day long;
- If you are playing sports, drink extra water;
- Stay in the shade during the hottest part of the day;
- Wear loose clothing;
- If you start to feel dizzy, sit down in the shade or indoors; and,
- Don't stay in the sun for too long.

You should let medical staff know if:

- You feel weak or dizzy every time you stand up; or,
- You urinate very little.

How can I keep my teeth healthy?

Brush your teeth correctly:

1. Place the toothbrush at a 45-degree angle between your teeth and gums;
2. Move the brush up and down on each tooth, not back and forth. Spend 10 seconds on each tooth before you go to the next tooth;
3. For the inside top front teeth and bottom front as shown in the picture below;
4. Clean all the outside surfaces of your top and bottom teeth;
5. For the surfaces where you bite down, move the toothbrush back and forth; and,
6. If possible, floss your teeth every day.

Privacy Notice Regarding the Collection of Your Information for Your Medical Care

What is ICE’s legal authority for collecting this information?

The collection of this information is authorized by 8 U.S.C. § 1222 and 42 U.S.C. § 249.

Why is this information being collected?

ICE is committed to protecting your health while you are in ICE custody. In order to effectively do so, ICE medical personnel will collect information about you and your medical history including health conditions you have, medications you take and special needs you have as a result of a medical condition. The information may be collected in various ways including through forms that you complete or discussions you have with medical personnel.

How will the information be used and with whom will it be shared?

The information is used by ICE to care for you while you are in ICE custody and to provide you with medical care that you may need. If you need medical treatment that ICE is unable to provide, ICE may send you to an outside medical provider and share relevant medical information about you with that provider so that the provider may properly treat you. If you are transferred to another facility or to the custody of another domestic or foreign government agency, or are removed to another country, medical information may be shared with that facility, agency or country to help ensure continuity in your care. Your information may also be shared with federal and state reporting agencies for purposes of disease surveillance and control and with accrediting agencies that accredit ICE facilities. Additionally, because the U.S. Department of Veterans Affairs (VA) is responsible for payment of billable services for medical care provided to individuals in ICE custody, information about you will be shared with the VA to enable them to issue payment to medical providers who treat you. Finally, your medical information may be shared with the Department of Justice or with the United States Courts if it is relevant to competency issues or legal proceedings.

Am I required to provide this information?

Furnishing this information is voluntary. However, if you choose not to provide the requested information, it could have a negative impact on your care or health because ICE may not have the information it needs to properly care for you.

Note: This privacy notice is required by the Privacy Act of 1974 and only applies to information about you collected by ICE medical personnel and placed into your ICE medical records. At some facilities, your medical records are not created by ICE medical personnel; in such cases the Privacy Act of 1974 and this notice do not apply.

Sexual Assault Awareness

While detained by DHS ICE ERO, you have a right to be safe and free from sexual abuse and sexual assault. Report all attempted abuse or assaults to a facility staff member (for example, your housing unit officer, a supervisor, a healthcare provider or the officer in charge), or directly to the ICE Community and Detainee Hotline or the ICE OPR JIC.

Definitions

Detainee-on-detainee sexual abuse and assault:

One or more detainees, by force, coercion or intimidation, engaging in or attempting to engage in: contact between the penis and the vagina or anus; contact between the mouth and the penis, vagina or anus; penetration of the anal or genital opening of another person by a hand, finger or any object; touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or the use of threats, intimidation, or other actions or communications by one or more detainees aimed at coercing or pressuring another detainee to engage in a sexual act.

Staff-on-detainee sexual abuse and assault:

One or more staff members, volunteers or contract personnel engaging in or attempting to engage in: contact between the penis and the vagina or anus; contact between the mouth and the penis, vagina or anus; penetration of the anal or genital opening of another person by a hand, finger or any object; touching of the genitalia, anus, groin, breast, inner thighs or buttocks, either directly or through the clothing, except in the context of proper searches and medical examinations; the use of threats, intimidation, harassment, indecent, profane or abusive language, or other actions (including unnecessary visual surveillance) or communications aimed at coercing or pressuring a detainee to engage in a sexual act; or repeated verbal statements or comments of a sexual nature to a detainee, including demeaning references to gender, derogatory comments about body or clothing, or profane or obscene language or gestures.

Sexual conduct of any type between staff and detainees amounts to sexual abuse, regardless of whether consent exists.

Prohibited acts

This facility has a zero tolerance policy for sexual abuse and assault, which is prohibited by ICE policy and the law. A detainee or staff member who commits sexual assault shall be punished administratively and may be subject to criminal prosecution.

A detainee who engages in such behavior can be charged with the following prohibited acts under the detainee disciplinary policy:

- Code 101: Sexual Assault;
- Code 207: Making a Sexual Proposal or Threat;
- Code 404: Using Abusive or Obscene Language;
- Code 206: Engaging in a Sex Act; and,
- Code 300: Indecent Exposure.

Victimized detainees shall not be subject to disciplinary action for reporting sexual abuse or for participating in sexual activity as a result of force, coercion, threats or fear of force. If you experience retaliation for reporting sexual abuse or for engaging in sexual activity as a result of force or coercion, you can report it in any way that you report an incident of sexual abuse.

In addition, consensual sexual conduct between detainees is also prohibited and subject to administrative and disciplinary sanctions.

Detention as a safe environment

While you are detained, no one has the right to pressure you to engage in sexual acts or engage in unwanted sexual behavior. Regardless of your age, size, race, ethnicity, sexual orientation or gender identity, you have the right to be safe from unwanted sexual advances and acts.

Confidentiality

Information concerning the identity of a detainee victim reporting a sexual assault, and the facts of the report itself, will be limited to those who have a need-to-know in order to make decisions concerning the detainee victim's welfare and for law enforcement investigative purposes.

Avoiding sexual assault

Sexual assault is never the victim's fault. Knowing the warning signs and red flags can help you stay alert and aware:

1. Carry yourself in a confident manner. Many attackers choose victims who look like they would not fight back or who they think are emotionally weak;
2. Do not accept gifts or favors from others. Most gifts or favors come with special demands or limits that the giver expects you to accept;

3. Do not accept an offer from another detainee to be your protector;
4. Find a staff member with whom you feel comfortable discussing your fears and concerns. Report concerns;
5. Do not use drugs or alcohol; these can weaken your ability to stay alert and make good judgments;
6. Be clear, direct and firm. Do not be afraid to say, "No," or, "Stop it now;"
7. Choose your associates wisely. Look for people who are involved in positive activities like educational programs, work opportunities or counseling groups. Get yourself involved in these activities, if they are available at your facility;
8. If you suspect another detainee is being sexually abused, report it to a staff member you trust or to the ICE Community and Detainee Hotline at 1-888-351-4024 or ICE OPR JIC at 1-877-246-8253; and,
9. Trust your instincts. Be aware of situations that make you feel uncomfortable. If it does not feel right or safe, leave the situation or seek assistance. If you fear for your safety, report your concerns to staff.

Report All Assaults

If you become a victim of a sexual assault, report the incident immediately. Individuals who sexually abuse or assault detainees can only be disciplined or prosecuted if the abuse is reported. You can report a sexual assault incident to facility staff, ICE ERO personnel, or DHS or ICE headquarters, including through the following methods:

Report to the facility:

1. Tell any staff member at the facility you trust (for example, the sexual abuse and assault prevention and intervention program coordinator, medical staff, chaplains, housing officers, supervisors, etcetera); and,
2. File an informal or formal grievance (including emergency grievance) with the facility.

Report to the ICE field office:

3. Tell an ICE ERO staff member who visits the facility; or,
4. File a written informal or formal request or grievance to ICE ERO.

Report to DHS or ICE headquarters:

5. Contact the ICE Community and Detainee Helpline:
 - Call: 1-888-351-4024
6. Contact the ICE OPR JIC:
 - Call: 1-877-246-8253
 - Email: Joint.Intake@dhs.gov
 - Write: P.O. Box 14475
1200 Pennsylvania Ave. NW
Washington, D.C. 20044

You do not have to give your name to report sexual abuse or assault, but the more information you can provide, the easier it will be to investigate what happened. Staff members are required to keep the reported information confidential and only discuss it with the appropriate officials on a need-to-know basis.

Next steps after reporting a sexual assault or attempted sexual assault

You will be offered immediate protection from the assailant and you will be referred for medical examination and clinical assessment. You do not have to name the individual who assaulted you in order for you to receive assistance, but specific information may make it easier for staff to help you. You will continue to receive protection from the assailant, whether or not you have identified your attacker or agree to testify against them. If the assault occurred recently, it is important that you do not shower, wash, drink, change clothing or use the bathroom, to the extent possible, until you can be seen by a medical provider and any evidence can be collected.

The medical exam

Medical staff will examine you as appropriate for injuries, which may or may not be readily apparent to you. In some cases, they may also check for and gather physical evidence of assault. Bring with you to the medical exam the clothes and underwear that you had on at the time of the assault. With your consent, a medical professional may perform a pelvic and, or rectal examination to obtain samples of, or document the existence of physical evidence such as hair, body fluids, tears or abrasions that remain after the assault. This physical evidence may be critical in corroborating that the sexual assault occurred and in identifying the assailant; trained personnel will conduct the exam privately and professionally.

You are entitled to medical health services, mental health services and ongoing care, as appropriate, including testing and treatment for sexually transmitted diseases and infections, emergency contraception and counseling services.

Understanding the Investigative Process

Once the misconduct is reported, the facility and, or an appropriate law enforcement agency will conduct an investigation. The purpose of the investigation is to determine the nature and extent of the misconduct. You may be asked to give a statement during the investigation. If criminal charges are filed, you may be asked to testify during the criminal proceedings.

The emotional consequences of sexual assault

It is common for victims of sexual assault to have feelings of embarrassment, anger, guilt, panic, depression and fear several months or even years after the attack. Other common reactions include loss of appetite, nausea or stomach aches, headaches, loss of memory, trouble concentrating, and changes in sleep patterns. Emotional support is available from the facility's mental health and medical staff, and from the chaplains. Also, many detainees who are at high risk of sexually assaulting others have often been sexually abused themselves. Mental health services are available to them also so that they can control their actions and heal from their own abuse.

Sexual assaults can happen to anyone; any gender, age, race, ethnic group, socio-economic status and to an individual with any sexual orientation or disability. Sexual assault is not about sex; it is about power and control. All reports are taken seriously. Your safety and the safety of others is the most important concern. For everyone's safety, all incidents, threats or assaults must be reported.

Break the Silence ICE Has Zero Tolerance for Sexual Abuse & Assault

Keep Detention Safe
Report Confidentially
Be Safe and Get Help

Report an incident involving a detainee or a staff person by:

Notifying a staff person ♦ Telling an ICE official
Calling a toll free number

1-888-351-4024 or 9116#

ICE's Community and Detainee Hotline

1-877-246-8253 or 5663#

ICE's Joint Intake Center



At this facility, contact:

Report Sexual Assault Now

بلغ عن الاعتداء الجنسي الآن

即刻举报性侵犯事件

Rapportez les agressions
sexuelles

Denonse agresyon seksyèl
touswit

Denuncie crimes sexuais agora

Báo cáo cưỡng hiếp tình
dục ngay lập tức

**Reporte la agresión sexual
ahora**



Report your concerns

يرجى الإبلاغ عن مخاوفك

报告您的顾虑

Signalez vos préoccupations

Rapôte enkyetid ou

Apresente suas denúncias

Báo cáo quan ngại của quý vị

Expresse sus inquietudes

ICE Detainee Helpline

Dial: 9116# or
or 1-888-351-4024

Call to:

- Obtain **basic immigration case information**
(For information on your next court date please call 1-800-898-7180)
- Report an incident of **sexual or physical assault or abuse**
- Report **serious or unresolved problems**
- Report that you are a **victim of human trafficking**
- Let ICE know that your immigration detention separated you from your **minor child who is dependent on you**

If you need urgent assistance, including a medical emergency, please contact facility staff immediately!



ICE Enforcement and Removal Operations
Committed to transparency, collaboration, and resolving concerns



U.S. Immigration
and Customs
Enforcement

Report Suspicious Activity:

1-866-347-2423

www.ice.gov