

**BUREAU OF IMMIGRATION AND CUSTOMS  
ENFORCEMENT  
SERVICE PROCESSING CENTER  
EL CENTRO, CALIFORNIA**

**DETAINEE HANDBOOK**

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## **INTRODUCTION/MISSION**

This Service Processing Center at El Centro, California is a detention facility of the United States Bureau of Immigration and Customs Enforcement. The mission of this Service Processing Center is to provide a facility that is safe, clean, and sanitary for detainees awaiting process of their administrative hearing.

## **PURPOSE**

The purpose of this handbook is to explain to detainees the specific rules, regulations, policies, and procedures that must be followed while in custody at this facility. This handbook will also help provide you with a general overview of the programs, rules, regulations, and services of this facility and the BICE. **You will be held accountable for your actions while in custody at this facility.** Therefore, it is each detainee's responsibility to become familiar with the contents of this handbook.

A copy of this handbook will be issued to each detainee upon intake and certain sections are posted on the bulletin boards in each housing unit and other bulletin boards throughout the facility. All detainees are required to acknowledge, by signature, receipt of the handbook. **The handbook is to be returned upon your departure from this facility.**

## **NOTICE TO THOSE PERSONS UNDER EXCLUSION OR DEPORTATION PROCEEDINGS**

Your hearing has just been continued by the Immigration Judge to give you an opportunity to contact an attorney to represent you. As you were told, the attorney must be of your own choice and at your own expense, as it is your responsibility to make an effort to contact legal counsel. If you wish to have an attorney represent you, but you're without funds, it may be possible for an accredited representative of one of the organizations listed on the legal services information sheet.

## **MAILING ADDRESS**

The following is an example of how to properly address any letter or parcel that you send from this facility. There should be no other writing on the envelope / package other than the address of the receiving party. The United States Postal Service will not process mail that has drawings or unnecessary marks on an envelope or package.

Your name: \_\_\_\_\_  
Your A-No.: \_\_\_\_\_  
Barracks and Bunk Number: \_\_\_\_\_

Bureau of Immigration and Customs Enforcement  
Processing Center  
1115 N. Imperial Avenue  
El Centro, California 92243

## **BASIC DETAINEE RESPONSIBILITIES**

It is the policy of the Bureau of Immigration and Customs Enforcement to treat detainees with dignity and respect while maintaining a safe, secure, and sanitary detention facility. It is expected that staff will receive **your full cooperation** while you wait during the processing of your case. In the simplest terms, you are expected to:

1. Follow and obey rules, laws, policies, and procedures.
2. **Obey all orders** as given by staff members and contract security personnel.
3. Respect staff and other detainees at all time.
4. Respect government property and the property of others.
5. Keep yourself, your clothing, and living area clean at all times.
6. Obey **all** safety, security, and sanitation rules, policies, and procedures.

If you observe and comply with the above guidelines, you should have no problems while living at this facility awaiting the outcome of your hearing. When addressing staff, you should not refer to them by first name, or nickname created by others. Refer to uniformed staff by their rank and last name (i.e. Officer Cohen, Lt. Shaver, etc.).

Refer to non-uniformed staff by title and last name (i.e. Dr. Jones, Nurse Clark) or by Mr., Mrs., Ms. followed by their last name. Staff members will address you in the same manner if they know your name. It is unreasonable to expect an officer to know all detainees within a facility by name. However, the officer or staff member will address you in an appropriate manner.

## **INITIAL ADMISSION**

1. Upon arrival, the Processing Officer, for safekeeping, will retain your clothes, personal property, valuables, and funds. Itemized receipts will be issued to you for all clothing, personal property, valuables, and funds. It is important that you retain these receipts to claim your property, funds, and valuables when you are released. Detainees are encouraged to have large personal items shipped to their legal residence or to someone that will be responsible for it. Items that are not sent out will be stored in the Processing area, a safe, or in the secured personal effects locker.

If at any time you find that property may be missing, notify an officer immediately. He will furnish you with the necessary form to make a claim.

Identity documents, such as passports, birth certificates, etc., will be inventoried then given to a Deportation Officer for placement in your A-File. These documents may be used as evidence or as otherwise appropriate. Upon request, you will be provided a BICE-certified copy of any identity document that is in your A-File.

### **INITIAL ADMISSION (Cont.)**

2. While at this facility, you are permitted to retain:
  - a. Small religious items;
  - b. Religious and secular reading material (softbound), and correspondence;
  - c. Legal documents and papers, including property receipts (cannot exceed 4" when stacked);
  - d. Pictures (not more than 10) measuring 5" x 7" or smaller (no nudity);
  - e. Prescription glasses;
  - f. Dentures;
  - g. Personal address book or pages (softbound);
  - h. Wedding ring;
  - i. Cash not to exceed \$40.00; and
  - j. Other items approved by the Chief Detention Enforcement Officer

All excess cash, checks, money orders, foreign money, and jewelry are surrendered, receipted, and safeguarded.

The personal items retained must be stored in your locker. No item is to be attached to the bunk, wall, windows, or left on windowsills. Detainees are responsible for the loss of personal items not safeguarded or stored by the Bureau.

3. Your initial issue of clothes shall be limited to:

One shirt, one pair of trousers, one pair of facility issued shoes, one pair of shower shoes, two pair of socks, two pair of underwear, and one sweatshirt during the colder months.

Exchange of soiled outer clothing will be accomplished twice a week; socks and underwear are exchanged daily. Clothing has been marked for identification purposes. Unserviceable clothing is removed from inventory and replaced as necessary.

4. Your issue of personal hygiene items are:

- a. one bar of bath soap, or equivalent;
- b. one comb;
- c. one tube of toothpaste;
- d. one toothbrush;
- e. one bottle of shampoo; and
- f. deodorant

Detainees are not permitted to keep their personally owned hygiene items in their possession during their custody at this facility. This includes items from other institutions or visitors. Items bought from the facility vending machines or commissary are exempt. If a detainee has a medical condition requiring a special soap, shampoo, or lotion, he must obtain written medical authorization to possess it.

Metal or glass containers and spray or aerosol delivery devices are prohibited and will be considered as disposable contraband

#### **INITIAL ADMISSION (Cont.)**

- 5. Your housing officer will provide writing material, pencils, and envelopes for your personal use. **Ink pens are not authorized.**
- 6. Ordinarily, a member of the U.S. Public Health Service will conduct a medical screening upon your arrival and an examination within 14 days.
- 7. You must request replacement items from your housing officer to have service issued personal hygiene items replaced.

#### **CLASSIFICATION**

All detainees are classified upon arrival, before being admitted into the general population. The classification system will ensure that you are placed in the appropriate category and physically separated from detainees in other categories. You will be housed, recreated, and fed with other detainees in your classification. New arrivals are generally classified by convictions/offenses when assessing the criminal record reports.

The El Centro SPC uses a system that utilizes a scoring method as well as a color code to identify different groups by colors, wristbands, and photo identification. A detainee may appeal his initial classification level to the CDEO through the Classification Officer. This may be appealed to the OIC whose decision is final.

A detainee's status may be changed due to reclassification. Reclassification can occur for various reasons, to include disciplinary actions or a reduction in

classification level because of extended good behavior. The detainee has the right to appeal a reclassification.

1. Appeals must be addressed to the Officer-in-Charge in writing.
2. It must state the reason for appeal or review.
3. Detainees under discipline may not request an appeal.

### **LIVING CONDITIONS**

Detainees are required to keep their assigned living areas clean at all times. Lights will be turned on at 5:30 AM. **All detainees are to be up by 6:00 AM.** Your bed must be made immediately upon waking and remain made when not in use. You are not permitted to lie on your bunk with shoes on or while fully clothed. It is in your best interest to maintain a clean living area and avoid many of the problems associated with unsanitary living conditions. All clothing is changed out regularly for laundry, and other items must be stored appropriately. Only the facility issued towel for the person in the lower bunk is allowed to be suspended from the side rail of the upper bunk. Other than this towel and the towel at the cross bar at the foot of the bunk, no other items will be hung from the bunk. Do not attempt to enclose your bunk with any materials. Your sleeping area must remain unobstructed at all times to allow visual inspections by staff.

Sections A and B of your housing unit combined contain the barrack population. Section C is an open area (smaller) compartment that affords a dayroom area for television viewing, games, reading, and writing.

### **LIVING CONDITIONS (Cont.)**

Older barracks (K, L, M, and N) have breezeways that connect the barracks to the restroom and shower area. Breezeway traffic will be kept to a minimum between the hours of midnight and 5:30am. During these hours, loitering is prohibited in the breezeway.

Single cells are required for detainees assigned to maximum and close custody. Detainees assigned to single occupancy cells will be those detainees who require close supervision. They have been placed in the Special Management Unit for Administrative Segregation or disciplinary purposes.

### **SPECIAL MANAGEMENT SEGREGATION**

**Administrative Detention** is intended for detainees with special housing requirements, such as:

1. Pending investigation/hearing of prohibited act(s).
2. Medical observation.
3. Pending a transfer or release within 24 hours.
4. Security risk.
5. Protective custody.

**Disciplinary Segregation** is a special housing unit for detainees that:

1. Are serious disruptions in general population.
2. Require additional physical confines.
3. Have received a sanction by the Institutional or Unit Disciplinary Panel.

Detainees in special management segregation will be provided necessary prescribed medication, clothing that is similar to the general detainee population, and access to personal hygiene items. If an item causes a risk to employees, other detainees, or to the detainee himself, that item can be denied.

Detainees in segregation shall have the opportunity to maintain an acceptable level of personal hygiene, including the opportunity to shave and shower. Detainees are permitted a limited quantity of hygiene items for their use in the segregation cells. A toothbrush, toothpaste, a bar of soap, and a comb are the only items permitted in the cells. All other required hygiene items, such as shampoo and deodorant, are made available to the detainee during their shower period.

Under normal conditions, detainees in segregation will be provided the chance to shower on a daily basis. However, they shall receive the opportunity to shower and shave at least three times per week, minimum.

Prior to a detainee being placed in segregation, he will be issued a clean red uniform, which he will change into. The uniform will be complete; socks, shirt, pants, undergarment (shorts only), sandals, and shoes. A sweatshirt will be added to the uniform during winter months.

Detainees placed in segregation will be issued all authorized linens, to include a mattress cover, upon admission. They shall receive laundry, barbering, and hair-care services. If a detainee in segregation is in need of a haircut, he shall make a request (verbally or in writing) to the Contract Security Supervisor. The Supervisor will make arrangements to have the detainee escorted to the barber area.

### **SPECIAL MANAGEMENT SEGREGATION (Cont.)**

They are issued an exchange of clothing, bedding, and linen on the same basis as detainees in the general population. The clean linen will consist of two sheets, mattress cover, blanket, and a pillow cover.

Detainees placed in segregation will be provided the same opportunities as the general population for the writing and receiving of letters.

Detainees in segregation will be provided opportunities for visitation, unless there are substantial reasons for withholding such privileges. Visitation may not be denied as a form of punishment.

Detainees in segregation will be provided access to personal legal materials and to available legal reference materials. Access to legal materials in the library will normally be restricted to hours the library is closed to the general population. Access to personal legal material in the detainee's belongings may be accomplished during a period in which Processing is clear of other detainees or nearly so.

Detainees in segregation will be given access to, and allowed possession of, reading material. If a detainee requests reading material, he shall be provided the opportunity to visit the library or retrieve reading material from his personal belongings. A detainee in segregation may have a bible and two other reading material items in his possession. All reading material will be soft bound and may be removed for documentable reasons.

Detainees segregated in the cells must make arrangements with the Contract Security Supervisor if it is necessary to make a telephone call during a time not designated as a period to be absent from the cell. Generally, detainees in the segregation cells will make use of the telephone during the exercise and shower period.

Detainees in **disciplinary segregation** ordinarily are not provided telephone privileges as a condition of the discipline process. However, this does not preclude telephone calls to his designated legal representative in connection with his case. The detainee may also make emergency telephone calls to family members when evidence of the emergency is provided to the SDEO, as designated by the OIC of the facility.

Detainees in segregation will receive a minimum of one hour a day, at least five days a week, of exercise outside their segregation cell. This is unless security or safety considerations dictate otherwise.

## **EVACUATION DRILLS**

Per local, state, and federal laws, we are required to perform evacuation drills. At this facility, we perform no less than **one drill per year**. These drills are not designed to inconvenience you, but rather to ensure that you know where the exits are located in case of actual danger in the form of fire, gas leak, civil disaster, etc. In your housing unit is a diagram showing you the location of all fire exits and which exits to use. Study this diagram carefully. It is located in your housing unit. Your life may depend on it.

**YOU ARE REQUIRED TO PARTICIPATE IN ALL REHEARSALS, DRILLS, AND PRACTICES THAT PERTAIN TO SIMULATED EMERGENCIES, FIRES, OR OTHER DISASTERS.**

## **OFFICIAL COUNTS**

In order to maintain proper accountability of detainees at this facility, official counts are conducted at the following times:

There shall be at least one official, formal count per shift in the facility. However, staff may hold as many counts as necessary to ensure thorough accountability. All detainees will be counted simultaneously. Each detainee is counted at a specific location, and **all detainee movement ceases before the count begins** and remains so until the total detainee population count is clear and correct.

#### Movement of detainees:

A short time before each count, all movement of detainees (into and out of the facility) will cease. No changes in count location of any detainee will be made fifteen minutes prior to each count.

#### Housing Unit Counts:

During counting in dormitories or other “open” living areas, **all detainees will be on their beds for all counts.**

During all formal counts, no movement or talking is permitted. Disruptions during counts may result in an extended lock-down being initiated. Face-to-Photo counts will be conducted at least once daily, or when deemed appropriate.

#### **MEALS**

At least three meals are served daily, two of which are hot, during each 24-hour period. Variations may be allowed based on weekend and holiday food service demands, provided basic nutritional needs are met.

All meals are nutritionally balanced, dietician approved, properly prepared, and attractively served in wholesome, clean, and safe surroundings. **Pork products are not used in this facility.**

Special diets, as required for medical reasons or adherence to religious dietary law, are provided by the Food Service Department upon receipt of a special diet card. You will be issued an appropriate eating utensil(s) and napkin. **The utensil(s) must be accounted for at the end of the meal.** Meal times and menus are posted on the bulletin board in your unit.

Religious diets shall be served for special occasions. The facility will utilize regular menu items unless specifically approved by the Assistant Officer in Charge. These items shall not exceed the quantity and/or quality provided to the general population.

The facility medical department will determine if a special diet is necessary. Coordination between the medical department and the food service department will provide for any special diet.

## **MEALS (Cont.)**

### **Feeding Procedures**

1. Each housing unit displays a meal schedule. This schedule may be changed without notice.
2. The housing officer will inform the population prior to being sent to the kitchen. This is done as a courtesy to allow time to prepare for the meal.
3. Detainees are responsible for being ready when the housing unit population is called out for movement to the kitchen.
4. All detainees must leave the housing unit during the designated feed time. **NO EXCEPTIONS.**
5. Detainees will wear the appropriate clothing and shoes when departing the housing unit.
6. **Wristbands are to be worn properly (around the wrist) at all times. Wristbands will not be removed for any reason. Failure to comply with this directive will result in disciplinary action.**
7. Failure to comply with housing officer when directed to vacate may result in disciplinary action.
8. Evacuation of the barracks will be accomplished as timely as possible. The exit door will close 10 minutes after the first detainee has left for the kitchen. Those still remaining in the barracks will be served disciplinary documents (minor infraction) and isolated for the meal, which may be a sack meal.
9. Movement between the barracks and the kitchen will be done without any undue lagging or meandering. Once seated in the kitchen as directed by an officer, the meal will be consumed at a pace that does not cause a slow-down or stoppage of kitchen or other facility operations. The kitchen is not a meeting or visitation area; eat your meal and exit the kitchen.
10. Trashcans are located throughout the facility. **LITTERING IS PROHIBITED AT ALL TIMES.**

## **SMOKING POLICY**

Smoking is prohibited in all buildings, including detainee-housing units, at this facility.

Cigarettes are the only tobacco product allowed. Visitors may not bring cigarettes for detainee consumption.

Detainees are only authorized to smoke in the outside recreation area during their recreation period.

Detainees are prohibited from smoking while talking with any officer or staff member.

Matches and lighters are prohibited. Security Personnel will provide a light for cigarettes when requested.

### **MEDICAL CARE**

The United States Public Health Service or contract medical staff provides medical care. If you are ill or in need of medical attention, you must first sign up for Sick Call (See Sick Call Section). If it is after Sick Call hours, you must notify your Housing Unit Officer. He/she will contact the on-duty medical staff member.

### **CLOTHING EXCHANGE**

Clothing exchange will be made on a “one for one” basis according to the following schedule:

1. Garments shall be exchanged twice a week, one for one with maximum time between changes being 72 hours.
2. Sheets and pillowcases shall be exchanged weekly.
3. All Food Service detainee volunteer workers shall be required to exchange outer garments (whites) daily.
4. All other volunteer workers may exchange outer garments when necessary.

In order to ensure an adequate supply of clothing for all detainees, the hoarding of clothing is prohibited. Detainees are not permitted to wash clothing, bedding, shoes, or other items in their living unit. Clothing exchange schedules are posted in each detainee living area.

### **PERSONAL HYGIENE**

You will be living in a dormitory with other individuals, so personal hygiene is essential. You are expected to bathe regularly and to keep your hair clean. Personal hygiene items, such as soap, toothpaste, toothbrushes, combs, and other items, will be issued to you upon admission. If you should run out of an item, see your housing officer.

Disposable razors will be provided on a daily basis. Razors will be checked out on an as needed basis and returned when you have finished shaving. Disposable razors will not be used by more than one (1) detainee. This is for health and safety reasons meant to protect the detainees and staff.

Detainees attending court will be afforded the opportunity to shave the evening before reporting to court.

## **SHOWERS**

Barracks showers will be open after the morning meal has terminated. Barracks that share showers, such as Kilo, Lima, Mike, and Nancy, will first provide shower use to detainees returning from their recreation period. Once the returning barracks has showered, the breezeway officer will switch the showers to accommodate the adjoining barracks. Showers will be made available on a rotating schedule throughout the day, but may be closed at any time. All showers will be locked at 2130 hours each day.

## **BARBERING SERVICE**

The barber's chair is located in the indoor recreation building. For sanitary reasons, the cutting of hair in the dormitory is strictly prohibited. It is also prohibited to possess cut hair or clippings, either your own or others.

The barber will be a detainee with prior hair-cutting experience and provide his services free of charge to other detainees. However, at the conclusion of each day worked, the Bureau will financially compensate the barber at the authorized rate of \$1.00 per day.

## **BARBERING SERVICE (Cont.)**

Detainees in the general population requesting a haircut are to present their request to the barber during their outside activity period. If necessary, a waiting list will be maintained by the barber. Haircuts are provided free of charge to all detainees. Barbers are restricted to the style of haircut they may provide. A haircut that places emphasis on, or is utilized as, an identifier for members of groups or cliques is prohibited. Haircuts designed to draw attention or produce a shock value are also objectionable.

Detainees in segregation desiring a haircut must advise the Contract Security Supervisor. The supervisor will make arrangements to have the detainee escorted to the barbershop. The detainee will remain under immediate supervision until returned to segregation.

## **SLEEPING AREA/SANITATION**

You are required to keep your bed and immediate area clean and neat. You are also required to make your bed daily before reporting for your work assignment or when you begin your daily routine. When your bed is not in use, it **has to be**

**made!** You are responsible for your immediate area. Therefore, you will be held accountable for any contraband material found in your locker or bunk.

**THE HANGING OF SHEETS, TOWELS, BLANKETS, OR CLOTHING FROM BARS, OVERHEAD LIGHTS, OR BEDS IS NOT PERMITTED.** Special considerations or devices will be made to provide for wet towels.

Personal effects, to include hygiene items, are to be stored in your locker. Do not place items on windowsills, windows, bunks, lockers, under a mattress, etc. These items will be confiscated and removed when left in unauthorized areas. It will be your responsibility to identify and reclaim the items through the appropriate shift supervisor.

### **FINANCES**

Occasionally, you may wish to send money to your family. You are cautioned not to send cash through the mail. To send money, contact the Correspondence Officer and he/she will make arrangements to purchase a money order that you can send. If you receive monies or property in the mail, the officer will receipt the money or property for you, and it will be placed in your account. This is done in your presence.

Upon arrival at this facility, every detainee shall surrender all funds (cash, checks, money orders, or other negotiable items). You may retain \$40.00 cash. You must also surrender all jewelry, other than a religious medallion attached to a chain and/or a wedding ring/band.

### **ACCESS TO TELEPHONE**

Detainees will be permitted to use telephones within the confines of the facility. Debit cards are available in Processing and in the recreation area. All detainee telephone calls shall be debit or collect calls, and made at the expense of the detainee or the person called.

### **ACCESS TO TELEPHONE (Cont.)**

Telephones are provided in the following areas:

Barracks are provided four telephones each in Kilo, Lima, Nancy, and Mike. Two telephones are provided in each of the new dormitories A-South, A-North, B-East, and B-West.

When telephone demand is high, you are expected to limit your phone calls to 5 minutes to permit others the same telephone privileges. The telephones are

available for your use during regular business hours. Exceptions may be made in case of emergencies.

In case of an emergency, such as illness or death in you family, your Housing Officer can assist you in making telephone calls when access to telephones would not normally be available. Routine telephone calls to attorneys are not considered to be emergencies.

Telephones will be turned off during disturbances or by OIC DIRECTIVES.

#### Notice of Special Access (Facilities without preprogrammed phone technology)

As you are in the custody of the Bureau of Immigration and Customs Enforcement, you are allowed to make certain free phone calls. In order to use a phone other than those located in your housing unit, you must submit a written request to a Supervisory Immigration Enforcement Agent. Your request must list the numbers you wish to call, the person's name and title if known, and the reason for each call. The number must not be a preprogrammed number. Do not allow a deadline to approach too closely, as telephone access may be delayed.

- You have been provided with a list of free legal service providers in your area. You may call an attorney from this list to secure legal representation in your case at no charge to you or the attorney.
- You are free to call and consult with an attorney who does not appear on the list. However, you are responsible for any costs incurred, including the cost of the call.
- You may call your consulate at no charge to you or the consulate.

You also may make other calls for free if they are local numbers including:

- The local immigration court and the Board of Immigration Appeals. If this involves a long-distance call, you will be responsible for the charges unless you can show that there is an important need for the call.
- The federal or state courts where you are detained or may become involved in legal proceedings. If this involves a long-distance call, you will be responsible for the charges unless you can show that there is an important need for the call.
- A government office to obtain documents for your immigration case. If this involves a long-distance call, you will be responsible for the charges unless you can show that there is a compelling need for the call.

#### **ACCESS TO TELEPHONE (Cont.)**

- A friend or relative if there is a personal or family emergency.

If you cannot write or understand English, you should ask for assistance.

You should receive access to a phone generally within eight (8) waking hours.

If you encounter difficulties accessing the phone for these calls, please notify:

**On-Duty Supervisory Immigration Enforcement Agent  
Service Processing Center  
1115 N. Imperial Avenue; El Centro, California; 92243**

### **DETAINEE MESSAGE CENTER**

This Service Processing Center provides a “Detainee Message Center” which allows outside callers to leave messages for individuals in a detained status.

To reach the Detainee Message Center, the outside caller must dial (760) 353-2170. When the recording asks for an extension to be entered into the phone, the caller must enter 141 and wait for instructions on leaving a message. The messages are relayed to the intended detainee through the Detention Service Officers of Deportation on a regular basis.

### **RELIGIOUS SERVICES**

All detainees shall have access to religious resources, services, instruction, and counseling on a voluntary basis. All detainees shall be extended the greatest amount of freedom and opportunity for pursuing any legitimate religious belief or practice within the constraints of security and safety considerations. The religious schedule is posted in your housing unit.

The primary religious faith at this facility, as represented by a majority of detained aliens, is Catholic. Mass is conducted on Sunday evening and provided by a contract service outside the BICE. Participation is voluntary. An auxiliary unit of the Catholic support program enters the facility at various times throughout the week during normal business hours. This group provides inspirational music through group participation and holds smaller seminars or discussion groups.

Religious providers attempt to ensure that representatives from minority religions are available upon substantial requests. Detainees requesting representative religious leaders of a minority faith may contact a primary religious provider for the facility. That provider, in conjunction with the Recreation Specialist, will seek a representative of the desired faith. That representative shall have the appropriate credentials from the judiciary and may minister to the detainees under supervision.

When a representative of a particular faith cannot be located, it will be the responsibility of the provider to the facility to locate and distribute material appropriate to the detainees' faith in his native language.

### **VENDING MACHINES OR COMMISSARY**

There are coin-operated vending machines located in the recreation area. You may purchase a variety of snack foods, cigarettes, and beverages from these machines during your recreation period. The machines are maintained in a clean and safe operating condition and a satisfactory variety of items are kept in supply. **Money lost in a machine is not reimbursed unless witnessed by an officer.** All drink items purchased during your recreation period must be consumed prior to leaving the recreation area. Any drink item found in your possession outside of the recreation area will be considered contraband. You will be subject to disciplinary action if this rule is not followed.

You are allowed to take two (2) snack items to the dormitory with you. This privilege is limited and may be revoked if evidence of unsanitary conditions exists or detainees are re-selling the items for profit.

### **VOLUNTARY WORK PROGRAM**

Every effort will be made to provide you an opportunity to participate in the voluntary work program. Wages are \$1.00 per day (This does not mean per assignment). This amount is controlled by other Federal entities and cannot be deviated from.

Ordinarily you will not be permitted to work in excess of eight (8) hours per day, or 40 hours weekly unless a request is made to, and approved by, the CDEO. In addition, you shall be required to sign a voluntary work program statement and receive necessary training.

Detainees that participate in the volunteer work program are required to work according to an assigned work schedule. Unexcused absences from work or unsatisfactory work performance could result in removal from the voluntary work program.

The facility may utilize volunteer detainee labor for various tasks. Your classification level will dictate the type of task or work assignment you are eligible to perform. You will be compensated at the current rate established by Bureau policy.

Workers are paid at the end of their workday. Each worker will receive the authorized amount and sign a roster prepared by the officer/employee responsible for the work detail.

Detainees may participate in **only one work detail per day**. They are not to work two details and be compensated for each. A worker uniform does not permit the detainee to have access to the various areas of the facility.

Even though the facility work assignments do not require specific skills, they are instrumental in helping to develop good work habits and attitudes. This is accomplished by attendance / participation requirements and by allowing the detainees to observe a satisfactory work accomplishment.

**YOU MAY BE REMOVED FROM ANY WORK DETAIL FOR ANY REASONABLE CAUSE.**

## **LIBRARY**

The facility's library is located immediately east of the Mike and Nancy dorm. The library at this facility contains standard library materials found in a school or community library. The needs, interests, and abilities of the majority of detainees are carefully considered and the library collection developed accordingly. You are permitted to check out books during library hours. The Recreation Specialist or detainee librarian can assist you. It is important that you take care of the books and return them timely so other detainees have the opportunity to read them.

This facility maintains a library for your use. Materials contained in the library include a law book section relating to Bureau of Immigration and Customs Enforcement Statutes and regulations (law books and material will not be removed from the library), individual educational enhancement booklets, assorted monthly publications, and various recreational reading products. Most materials are available in English and Spanish. A schedule has been established to allow you the opportunity to utilize the library. The schedule is posted in each housing unit. In order to visit the library, you must ask your housing unit officer to place your name on the library list.

Detainees will be sent to the library in the order that is on the list. If you feel that more time is needed, you must request additional time from your housing officer. The Security Supervisor will grant additional time, as it becomes available.

If you find that material is missing or damaged, notify the library officer immediately, to ensure that replacements can be ordered. If you find that needed materials are not on hand, you must make a request to the library officer who will forward the request to the Recreation Specialist who is in charge of the library.

## **LAW LIBRARY**

The schedule for use is posted in all housing units. Self-help material will be provided and made available to all detainees for their use for research or preparation of their defense. The procedures listed under **LIBRARY** apply to this section of the library also.

Law books and material will not be removed from the library. In order to visit the library, you must ask your housing unit officer to place your name on the library list. Detainees will be sent to the library in the order that is on the list. If you feel that more time is needed, you must request additional time from your housing officer. Additional time will be granted, as it becomes available. If you find that material is missing or damaged, notify the library officer immediately, to ensure that replacements can be ordered. If you find that needed materials are not on hand, you must make a request to the library officer who will forward the request to the Recreation Specialist who is in charge of the library.

### **TYPEWRITERS / COMPUTERS**

Typewriters and computers are available in the library for preparation of **LEGAL DOCUMENTS ONLY**. Typewriters and computers **are not to be used for personal correspondence**.

### **VISITATION**

The facility will accommodate only non-contact visitation between visitors and detainees. Any disruptive conduct by either party will result in the termination of the visit and may have an adverse affect on future visits. If your visitor(s) bring children (17 years of age or under), they are expected to remain under the direct supervision of the adult visitor(s) so they will not disturb others who have visitors(s). **VISITORS MUST BE IN APPROPRIATE AND SOCIALLY ACCEPTED ATTIRE.** If there are more visitors than can be accommodated in the visiting room, it may be necessary to limit visits to lesser periods of time. You are not allowed to accept any item from a visitor unless approved by appropriate supervisory personnel beforehand.

You should discourage your visitors from bringing large quantities of hand carried parcels or other items, to include packages. The visitor(s) may be required to leave such items in a locker or their vehicle. All of your visitors and any hand held items are subject to a search.

You may receive as many eligible visitors as time and space limits allow.

1. Due to present space and staff limitations, visitors will be restricted to 30-minute visits per detainee per visitation block.

2. Family units may be given additional time if circumstances allow.
3. If there is a significant quantity of visitors, the time limits may be reduced to allow all concerned an opportunity to visit.
4. Exceptions shall be made where indicated by special circumstances.
5. The number of visitors who may visit a detainee may be limited to prevent overcrowding in the visiting areas.
6. Persons under the age of 18 will not be admitted unless accompanied by a parent or legal guardian.
7. Emancipated adults may visit with proof of marriage (married under 18 years of age).
8. Persons on active probation, parole, or other forms of conditional release must obtain permission prior to visitation. The permission must be from the individual/agency supervising such conditional release, and from the Officer-in-Charge of this Facility or his designee.
9. Persons with criminal records shall not be automatically excluded from visiting. The nature and extent of an individual's criminal record, plus his/her history of recent criminal activity shall be weighed against the benefits of visitation. This will be a determining factor in whether or not visitation is allowed.
10. Persons shown by substantial evidence to be of harmful effect to the detainee or to constitute a threat to facility security shall be excluded.

**Any violation of the visitation rules may result in disciplinary action against you, which may entail loss of visitation privileges. Cases of contraband introduction or criminal violations may lead to criminal prosecution of the visitor, detainee, or both.**

## **VISITATION (Cont.)**

### **Visiting hours**

#### 1. General Visitation

Monday through Friday: 7:00PM - 9:30PM

Weekends & Holidays: 9:00AM - 11:00AM  
 1:00PM - 3:00PM  
 7:00PM - 9:30PM

Special visits during other days/hours may be scheduled by appointment.

## **ATTORNEY VISITS**

Visiting hours for attorneys are unrestricted. They may visit with their client on any day at any time, as long as it doesn't interfere with the security or normal operations of the facility. If you expect a visit from your attorney at a time that is outside normal business hours (after 5:00pm), inform your housing officer of the visit so that the proper channels can be notified.

**\*NOTE** Visits by attorneys during the weekend may be restricted due to quantity of regular visitation requirements.

A list of *pro bono* (free) legal organizations will be posted in all detainee-housing areas and other appropriate areas. This list shall be updated quarterly. If you wish to see a representative or para-legal from that organization, it is your responsibility to contact them for an appointment.

If you have made an appointment to meet with an attorney, legal representative, or para-legal from an organization, legal firm, other association, or company, it is your responsibility to cancel the appointment if you do not intend to keep the appointment. Appointment cancellations will not be accomplished on your behalf by, or through, an officer or another detainee.

## **GROUP LEGAL RIGHTS PRESENTATIONS**

At times, notifications will be posted in your housing unit to announce Group Legal Rights presentations. When these presentations become available, a sign-up sheet will be provided in each housing unit. Presentations are open to all detainees, regardless of the presenter's intended audience, except when a particular detainee's attendance would pose a security risk.

Detainees in segregation will be allowed to attend if security is not compromised. If it becomes necessary, presentations may be made to individuals in segregation, pending agreement with the presenter and security can be maintained. If a detainee in segregation cannot attend for this reason, and both he/she and the presenter(s) so request, alternative arrangements shall be made.

## **INSPECTIONS OF PERSONS AND PROPERTY**

You will be strip searched upon admission into the facility and when there is reasonable cause to believe you may have contraband concealed on your person. Searches are routine requirements when entering the housing units or when leaving the visiting area after a visit. A strip search will be conducted on workers who go outside of the facility. Routine unscheduled searches of the facility,

detainee's persons, and property will be conducted as deemed necessary. There are occasions when random searches will be conducted as you enter or leave a building or area. All searches are used as a means of interdicting contraband and ensuring safe and sanitary conditions exist within the facility. Searches are not punitive in nature.

Detainees are to comply with all orders during property and personal searches. The search of sensitive body parts is necessary and will be done professionally by male or female officers.

Frequent unannounced searches of detainees, detainee's quarters, and other areas of the facility shall be conducted as often as necessary to ensure the safety and security of the facility.

Searches are conducted to detect and prevent the introduction of contraband, recovery of missing or stolen property, and to prevent escapes and other disturbances.

During strip searches, visual inspections of detainee body cavities shall be conducted on a verbalized suspicion that the detainee is carrying contraband or other prohibited material. Trained staff shall conduct the inspection in privacy.

### **Frisk**

Frisk search is most often used in the daily regimen of the facility, and mechanical devices may be employed. Personnel of the opposite sex, provided it is conducted with dignity and professionalism, may perform a frisk search. It must be in the performance of assigned duties within the facility. The search will be performed prior to entering the visiting area, immediately after a visit, before being sent to processing, prior to departure from the facility/secure area, and when there is probable cause to believe the detainee possesses contraband on his person.

When detainees have exited the barracks, the officer assigned to the area, or an officer assigned to assist, may conduct a search of the area and of the detainee's bunks.

### **CORRESPONDENCE**

When you bear the cost of mailing, there is no limit on the volume of letters you can send or receive. There is no limit on the length, language, content, or source of mail or some publications.

Exceptions would be if there were reasonable belief that limitation is necessary to protect the public safety or facility order and security. Writing implements, paper, and envelopes are available through your housing officer.

Under normal circumstances, when the Bureau provides postage for the detainee, the limit will be three- (3) meter stamped envelopes per week. First class postage will be affixed and accounted for by Bureau personnel.

### **CORRESPONDENCE (Cont.)**

You may send or receive mail to or from anyone you know personally. You may seal your outgoing letters and place it in the provided receptacle. **Drawing on the front or back of your outgoing envelopes is prohibited due to postal regulation.** If you receive incoming social and legal mail, it will be opened in your presence and inspected for contraband.

All mail received by a detainee is subject to search. The OIC may authorize inspection without the detainee's presence for security reasons. If you do not accept the letter or permit the letter to be inspected, it will be returned to sender in your presence. **Your letter will not be read. Your letter will only be inspected for contraband.** You will not be allowed to receive or send packages without advance arrangements, approved by the OIC or his designee. If you intend to send or receive a package, you must first notify your housing officer. He/she will notify his/her supervisor and inquire as to whether or not you may proceed. The postage for sending packages and oversized or overweight mail will be paid by you. The contents of all incoming or outgoing packages will be inspected in the detainee's presence.

A proper return address, including the detainee's name and barracks, will be in the upper left-hand corner of the outgoing detainee mail envelope. The only other acceptable markings will be the "send to" address plus postal requirements. If the envelope is marked in a manner that precludes delivery, the detainee will be responsible for replacement costs.

When you depart the facility, your incoming mail will be sent to your forwarding address. If you do not provide a forwarding address, your mail will be endorsed, "No Forwarding Address, Return to Sender". All such mail will be returned to the Post Office.

### **Special Correspondence**

"Special correspondence" is the term for written communications to or from private attorneys and other legal representatives; government attorneys; judges, courts; embassies and consulates; the president and vice president of the United States, members of Congress, the Department of Homeland Security (including BICE and the Office of the Inspector General); the U.S. Public Health Service; administrators of grievance systems; and representatives of the news media. Correspondence will only be treated as special correspondence if the title and office of the sender (for incoming correspondence) or addressee (for outgoing correspondence) are plainly identified on the envelope, clearly indicating that the correspondence is special. It is your responsibility to notify all senders how to properly label special correspondence in order to avoid any delays. Special

correspondence may only be opened in the detainee's presence. It may be inspected for contraband, but not read.

### **Rejection of Incoming or Outgoing Mail**

Incoming and outgoing mail / packages may be rejected by the OIC to protect the security, good order, or discipline of the facility; to protect the public; or to deter criminal activity. You will be notified if any articles are confiscated, and you will be furnished a receipt for the item(s) withheld. The following is a list of articles that may be rejected. This list includes, but is not limited to:

1. Material that depicts, describes, or encourages activities that could lead to physical violence or group disruption, e.g., material dealing with the subjects of self-defense or survival, weaponry, armaments, explosives, or incendiary devices;

### **CORRESPONDENCE (Cont.)**

2. Information regarding escape plots, plans to commit illegal activities or to violate BICE rules or facility guidelines;
3. Information regarding the production of drugs or alcohol;
4. Sexually explicit material;
5. Threats, extortion, obscenity, or gratuitous profanity;
6. A code; or
7. Other contraband. A package received without the OIC's prior authorization is considered contraband.

### **DETAINEE DISCIPLINE**

In a facility where many individuals live together in a relatively small amount of space, it is extremely important that order and discipline be maintained. Discipline and order are not only for the benefit of the staff, but also for the safety and welfare of you and all other detainees. While many problems can be solved informally through counseling, disciplinary measures must occasionally be imposed.

The duration of punishment shall be within established limits. Neither the panel recommending sanctions nor the OIC making the final decision shall impose sanctions arbitrarily, outside these limits.

Punishments range from the withholding of privilege(s) to segregation. Time in segregation after a hearing will generally not exceed 60 days.

Time served in segregation pending the outcome of the proceedings may be credited to the number of days to be spent in the segregation unit after the decision is announced.

**THE FOLLOWING PAGES LIST OFFENSES THAT VARY FROM “GREATEST” TO “LOW MODERATE” IN SEVERITY. ALSO LISTED ARE THE APPROPRIATE DISCIPLINARY SANCTIONS THAT MAY BE IMPOSED FOR VIOLATION OF THESE OFFENSES.**

**Disciplinary Severity Scale and Prohibited Acts**  
**“GREATEST” OFFENSE CATEGORY**

<b>CODE</b>	<b>PROHIBITED ACTS</b>
100	Killing
101	Assaulting any person (includes sexual assault)
102	Escape from escort; escape from a secure facility
103	Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of greatest severity, e.g. a riot or an escape; Otherwise the charge is classified as Code 218 or 321).
104	Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, escape tool/device, or ammunition.
105	Rioting
106	Inciting others to riot
107	Hostage-taking
108	Assaulting a staff member or any law enforcement or security officer
109	Threatening a staff member or any law enforcement or security officer with bodily harm

*198	Interfering with a staff member in the performance of duties (conduct must be of the greatest severity). This charge is to be used only if another charge of greatest severity is not applicable.
*199	Conduct that disrupts or interferes with the security or orderly running of the facility (conduct must be of the greatest severity). This charge is to be used only if another charge of greatest severity is not applicable.

### SANCTIONS

- A. Initiate criminal proceedings
- B. Disciplinary transfer (recommended)
- C. Disciplinary segregation (up to 60 days)
- D. Make monetary restitution, if funds are available

### Disciplinary Severity Scale and Prohibited Acts

#### “HIGH” OFFENSE CATEGORY

COD E	PROHIBITED ACTS
200	Escape from unescorted activities, open or secure facility without violence
201	Fighting, boxing, wrestling, sparring, and any other form of physical encounter, including horseplay that causes or could cause injury to another person, except when part of an approved recreational or athletic activity.
202	Possession or introduction of an unauthorized tool
203	Loss, misplacement, or damage of any restricted tool
204	Threatening another with bodily harm
205	Extortion, blackmail, protection: demanding or receiving money or anything of value in return for protection against others, avoiding bodily harm, or avoiding a threat being

	informed against
206	Engaging in sexual acts
207	Making sexual proposals or threats
208	Wearing a disguise or mask
209	Tampering with or blocking any lock device
210	Adulteration of food or drink

### **SANCTIONS**

- A. Initiate criminal proceedings
- B. Disciplinary transfer (recommended)
- C. Disciplinary segregation (up to 60 days)
- D. Make monetary restitution, if funds are available
- E. Loss of privileges: commissary, movies, recreation, etc.
- F. Change housing
- G. Remove from program and/or group activity
- H. Loss of job
- I. Impound and store detainee's personal property
- J. Confiscate contraband
- K. Restrict to housing unit

### **Disciplinary Severity Scale and Prohibited Acts**

#### **"HIGH" OFFENSE CATEGORY (cont.)**

<b>CODE</b>	<b>PROHIBITED ACTS</b>
211	Possession, introduction, or use of narcotics, narcotic paraphernalia, or drugs not prescribed for the individual by the medical staff
212	Possessing an officers' or staff members' clothing
213	Engaging in or inciting a group demonstration
214	Encouraging others to participate in a work stoppage or to refuse to work
215	Refusing to provide a urine sample or to otherwise cooperate in a drug test

216	Introducing alcohol into the facility
217	Giving or offering an official or staff member a bribe or anything of value
218	Giving money to, or receiving money from any person for an illegal or prohibited purpose, such as introducing/conveying contraband
219	Destroying, altering, or damaging property (government or another person's) worth more than \$100
220	Being found guilty of any combination of three or more high moderate or low moderate offenses within 90 days

### SANCTIONS

- A. Initiate criminal proceedings
- B. Disciplinary transfer (recommended)
- C. Disciplinary segregation (up to 60 days)
- D. Make monetary restitution, if funds are available
- E. Loss of privileges: commissary, movies, recreation, etc.
- F. Change housing
- G. Remove from program and/or group activity
- H. Loss of job
- I. Impound and store detainee's property
- J. Confiscate contraband
- K. Restrict to housing unit

### Disciplinary Severity Scale and Prohibited Acts

#### "HIGH" OFFENSE CATEGORY (cont.)

CODE	PROHIBITED ACTS
221	Signing, preparing, circulating, or soliciting support for prohibited group petitions
222	Possessing or introducing an incendiary device e.g. matches, lighter, etc.
223	Any act that could endanger person(s) and / or property

*298	Interfering with a staff member in the performance of duties (conduct must be of highest severity). This charge is to be used only when no other charge of highest severity is applicable.
*299	Conduct that disrupts or interferes with the security or orderly operation of the facility (conduct must be of highest severity). This charge is to be used only when no other charge of highest severity is applicable.

\*When the prohibited act is interfering with a staff member in the performance of duties (Code 198, 298, 398, or 498) or conduct that disrupts (Code 199, 299, 399, or 499), the Disciplinary Committee should specify in its findings the severity-level of the conduct. The committee should then cite a comparable offense in that category. For example, “We find this act to be of high severity, most comparable to Code 213, “engaging in a group demonstration.”

### **Disciplinary Severity Scale and Prohibited Acts**

#### **“HIGH MODERATE” OFFENSE CATEGORY**

<b>COD E</b>	<b>PROHIBITED ACTS</b>
300	Indecent exposure
301	Stealing (theft)

302	Misuse of authorized medication
303	Loss, misplacement, or damage of a less restricted tool
304	Lending property or other item of value for profit/increased return
305	Possession of item(s) not authorized for receipt or retention; not issued through regular channels
306	Refusal to clean assigned living area
307	Refusing to obey a staff member / officer's order (may be categorized and charged as a greater or lesser offense, depending on the kind of disobedience). Code 105-Continuing to riot. Code 201-Rioting, continuing to fight. Code 215-Fighting/refusing to provide a urine sample.
308	Insolence toward a staff member
309	Lying or providing false statement to staff

### **SANCTIONS**

- A. Initiate criminal proceedings
- B. Disciplinary transfer (recommended)
- C. Disciplinary segregation (up to 72 hours)
- D. Make monetary restitution
- E. Loss of privileges: commissary, movies, recreation, etc.
- F. Change housing
- G. Remove from program
- H. Loss of job
- I. Impound and store detainee's personal property
- J. Confiscate contraband
- K. Restrict to housing unit
- L. Reprimand
- M. Warning

### **Disciplinary Severity Scale and Prohibited Acts**

#### **"HIGH MODERATE" OFFENSE CATEGORY (cont.)**

<b>CODE</b>	<b>PROHIBITED ACTS</b>
310	Counterfeiting, forging, or other unauthorized reproduction of money or other official document or item, e.g. security document, identification card, etc. (may be categorized as

	greater or lesser offense, depending on the nature and purpose of the reproduction, e.g. counterfeiting release papers to effect escape - Code 102 or 200)
311	Participating in an unauthorized meeting or gathering
312	Being in an unauthorized area
313	Failure to stand count
314	Interfering with count
315	Making, possessing, or using intoxicant(s)
316	Refusing a breathalyzer test or other test of alcohol consumption
317	Gambling
318	Preparing or conducting a gambling pool
319	Possession of gambling paraphernalia
320	Unauthorized contact with public

### **SANCTIONS**

- A. Initiate criminal proceedings
- B. Disciplinary transfer (recommended)
- C. Disciplinary segregation (up to 72 hours)
- D. Make monetary restitution
- E. Loss of privileges: commissary, movies, recreation, etc.
- F. Change housing
- G. Remove from program and/or group activity
- H. Loss of job
- I. Impound and store detainee's personal property
- J. Confiscate contraband
- K. Restrict to housing unit
- L. Reprimand
- M. Warning

### **Disciplinary Severity Scale and Prohibited Acts**

#### **"HIGH MODERATE" OFFENSE CATEGORY (cont.)**

<b>CO</b>	<b>PROHIBITED ACTS</b>
321	Giving money or another item of value to, or accepting money or another item of value from anyone, including another detainee, without staff authorization
322	Destroying, altering, or damaging property (government or another person's) worth more than \$100
*398	Interfering with a staff member in the performance of duties (offense must be of high moderate severity). This charge is to be used only when no other charge in this category is applicable.
*399	Conduct that disrupts or interferes with the security or orderly running of the facility (offense must be of high moderate severity). This charge is to be used only when no other charge in this category is applicable.

### **SANCTIONS**

- A. Initiate criminal proceedings
- B. Disciplinary transfer (recommended)
- C. Disciplinary (up to 72 hours)
- D. Make monetary restitution
- E. Loss of privileges: commissary, movies, recreation, etc.
- F. Change housing
- G. Remove from program and/or group activity
- H. Loss of job
- I. Impound and store detainee's personal property
- J. Confiscate contraband
- K. Restrict to housing unit
- L. Reprimand

\*NOTE: Any combination of high moderate and low moderate offenses during a 90-day period shall constitute a high offense.

### **Disciplinary Severity Scale and Prohibited Acts**

**“LOW MODERATE” OFFENSE CATEGORY**

<b>COD E</b>	<b>PROHIBITED ACTS</b>
400	Possession of property belonging to another person
401	Possessing unauthorized clothing
402	Malingering, feigning illness
403	Smoking where prohibited
404	Using abusive or obscene language
405	Tattooing, body piercing, or self-mutilation
406	Unauthorized use of mail or telephone (with restriction or temporary suspension of the abused privileges often the appropriate sanction)
407	Conduct with a visitor in violation of rules and regulations (with restriction or temporary suspension of visiting privileges often the appropriate sanction)
408	Conducting a business
409	Possession of money or currency, unless specifically authorized
410	Failure to follow safety or sanitation regulations
411	Unauthorized use of equipment or machinery
412	Using equipment or machinery contrary to posted safety standards

**SANCTIONS**

- A. Make monetary restitution
- B. Loss of privileges: commissary, movies, recreation, etc.
- C. Change housing
- D. Remove from program and/or group activity
- E. Loss of job
- F. Impound, store detainee’s personal property
- G. Confiscate contraband
- H. Restrict to housing unit
- I. Reprimand
- J. Warning

## Disciplinary Severity Scale and Prohibited Acts

### “LOW MODERATE” OFFENSE CATEGORY (cont.)

<b>COD E</b>	<b>PROHIBITED ACTS</b>
413	Being unsanitary or untidy, failing to keep self and living area in accordance with posted standards
498	Interfering with a staff member in the performance of duties (offense must be of low moderate severity). This charge is to be used only when no other charge in this category is applicable.
*499	Conduct that disrupts or interferes with the security or orderly running of the facility (offense must be of low moderate severity). This charge is to be used only when no other charge in this category is applicable.

### SANCTIONS

- Δ
  - A. Make monetary restitution
  - B. Loss of privileges: commissary, movies, recreation, etc.
  - C. Change housing
  - D. Remove from program and/or group activity
  - E. Loss of job
  - F. Impound and store detainee’s personal property
  - G. Confiscate contraband
  - H. Restrict to housing unit
  - I. Reprimand
  - J. Warning

**IF YOU WISH TO APPEAL ANY DECISION OF THE INSTITUTION DISCIPLINARY PANEL, YOU MUST USE THE DETAINEE GRIEVANCE PROCEDURE. YOUR APPEAL MUST BE PRESENTED TO THE OFFICER IN CHARGE WITHIN 15 DAYS OF THE NOTICE OF THE PANEL’S DECISION AND DISPOSITION.**

## **DETAINEE DISCIPLINE (Cont.)**

While you are detained here, you have the following rights:

1. The right to protection from personal abuse, corporal punishment, unnecessary or excessive use of force, personal injury, disease, property damage, and harassment.
2. The right of freedom from discrimination based on race, religion, national origin, sex, handicap, or political beliefs.
3. The right to pursue a grievance in accordance with written procedures.
4. The right to correspond with persons or organizations, consistent with safety, security, and the orderly operation of the facility.
5. The right to due process, including the prompt resolution of a disciplinary matter (in accordance with the rules, procedures, and sanctions provided).
6. The right to appeal the decision of the IDP by means of the Detainee Grievance Procedure to the Officer in Charge, within 15 days of the notice of the panel's decision and disposition.

## **GRIEVANCE PROCEDURE**

No harassment, punishment, or disciplinary action will result for a detainee who seeks resolution of legitimate complaints in good faith. However, if you demonstrate a pattern of abuse of the grievance system, resulting in unnecessary burdens at the expense of legitimate complaints, such grievances will be returned unprocessed. Continued abuse may result in an adverse action initiated against you. A copy of your grievance will be maintained in your detention file for a period of three years.

### **Informal/Oral Resolution**

Informal resolution between you and staff members is recommended. Informal resolution is an interaction between you and the on duty Supervisory Immigration Enforcement Agent (SIEA). The SDEO will initiate action to resolve the issue. An emergency condition will require immediate action.

If you cannot find an informal solution, and desire to utilize the grievance procedure, you must file your complaint with the Chief Detention Enforcement Officer (CDEO) for processing.

## Formal Grievance

If you have a complaint/grievance, you must contact the shift supervisor and state the grievance. A reasonable effort shall be made to resolve the grievance at this level (as stated in the informal procedure). If dissatisfied, you may request the form used to submit a written grievance. The shift supervisor will provide the form. The formal written grievance must be submitted within five (5) days of the event or the conclusion of an informal grievance.

## **GRIEVANCE PROCEDURE (Cont.)**

If the detainee claims that the issue is sensitive or the detainee's safety or well-being would be jeopardized if others in the facility learned of the grievance, the detainee may seal the grievance in an envelope, clearly mark the envelope "Sensitive", and submit it directly to the OIC. In that case, the grievance must include the reason for circumventing the chain of command.

A detainee may obtain assistance from another detainee, housing officer, or other facility staff in preparing a grievance. Outside sources, such as family members or legal representatives, may also provide assistance. Staff will not accept the detainee's need to obtain assistance as justification for exceeding the time limit on submissions unless staff caused the delay.

No detainee may submit a grievance on another detainee's behalf.

You will complete the form and forward it to the on-duty Supervisory Immigration Enforcement Agent (SIEA) for processing by the appropriate department head.

If the detainee does not accept the department head's solution, a Detainee Grievance Committee (DGC) will convene to study the grievance within five (5) working days of the detainee's "appeal".

If the detainee does not accept the grievance committee's decision, he may appeal it to the OIC.

## **THE OIC'S DECISION IS FINAL; IT CANNOT BE APPEALED.**

When the complaint is of an emergency nature and threatens the detainee's immediate health or welfare, a reply must be made as soon as possible, and within 48 hours of receipt of the complaint. The shift supervisor may be involved in such instances.

If your complaint is of a sensitive nature, and you fear possible adverse affects if it is known in the facility, you may file directly with the Assistant Field Operation Director of Detention and Removal (ADR) through the mail:

Assistant Field Operation Director of Detention and Removal  
880 Front St. Suite 1234  
San Diego, CA 92101

In such cases, you must explain clearly the reason for not filing in the institution. The ADR shall send you a receipt, replying within 20 days, excluding weekends and holidays. If the time limit expires without a reply, this will be deemed denial of the request.

#### Extensions of the Time Periods

The periods of time referred to for action by the reviewing officials may be extended for a like period. This is done if findings indicate that the initial period is insufficient to make an appropriate decision. This shall be communicated to you in writing.

#### **GRIEVANCE PROCEDURE (Cont.)**

If you have a complaint of officer misconduct, you may file your complaint directly with the Department of Justice by calling 1-800-869-4499 or by writing to:

Department of Justice  
P.O. Box 27606  
Washington, DC 20038-7606

#### **SICK CALL**

Sick call at this facility is provided to all detainees, from the time of admission to the time of release, in order to provide continuous medical care. At any time after admission, a detainee may see the medical staff by completing a sick call slip, which is maintained by the housing officers. It must be filled out completely and placed into the provided container in the dining hall during an authorized movement to visit the dining area. His housing officer will notify the detainee when the medical staff is ready to examine him. Upon verification, he will be escorted to medical for treatment. This procedure applies to all detainees, including detainees in the Special Management Unit.

#### **RECREATION**

##### In-dorm recreational facilities

The following rules apply for television viewing:

1. Channel selections are mandated and monitored according to a posted schedule. Television programming is the responsibility of the Recreation Specialist. To ensure fairness to all detainees, the Recreation Specialist will post a sport viewing and a special programming schedule on a regular basis. **No deviations will be permitted.**
2. Televisions will be turned off during official counts, cleaning of housing areas, and when it will interfere with other facility operations.
3. Volume of television shall be kept at a reasonable level so it will not disturb other detainees or other facility operations.

**As previously stated, the schedule shall be strictly adhered to, and no deviation is permitted unless authorized by the Recreation Specialist. The recreation schedule is posted in each housing unit.**

Any request for special scheduling shall be forwarded to the Recreation Specialist's office for consideration.

You are cautioned not to begin viewing a program that will end after the designated viewing hours, because the television will be turned off at the designated time (usually 11:00PM but will be established by the CDEO). Other indoor leisure time activities are available. These leisure activities include, but are not limited to, art, writing, puzzles, card games, and board games.

**RECREATION (Cont.)**

Access to Outside Recreation

Detainees are scheduled to enter the recreation area at least one hour daily, five (5) days a week. However, more time may be allotted if circumstances permit. Once in the recreation area, there are many types of physical exercise programs available, such as:

- |            |               |           |
|------------|---------------|-----------|
| Basketball | Football      | Handball  |
| Soccer     | Track & Field | Ping Pong |

**FIGHTING, BOXING, WRESTLING, SPARRING, OR ANY OTHER FORM OF PHYSICAL ENCOUNTER IS PROHIBITED. THIS INCLUDES HORSEPLAY THAT CAUSES OR COULD CAUSE INJURY TO ANOTHER PERSON.**

**DETAINEE DRESS CODE**

Detainees are required to keep themselves clean and wear proper clothing/footwear during all activities. Detainees are reminded that poor hygiene, poor sanitation, and not wearing proper clothing and footwear can cause potential

conflict with your peers and others. It can have a negative impact upon the health and safety of you and others. Failure to comply with the dress code and grooming standards will ultimately become an issue that requires staff intervention in the form of appropriate disciplinary action to correct the situation.

When exiting your barracks for recreation time, pants and a shirt must be worn (shorts can be worn under your pants). You may carry your shirt and pants (while wearing your short pants) when you return to your barracks at the end of your recreation time.

Ordinarily, detainees may wear any hairstyle with the following exceptions:

1. For safety and hygiene reasons, kitchen workers and detainee workers operating machinery will keep their hair in a neat, clean, and commonly acceptable style.
2. The hairstyle will not interfere with safety and hygiene requirements.
3. All kitchen workers will wear a hairnet when working in the kitchen.

Ordinarily, facial hair may be grown without restriction with the following exceptions:

1. For safety reasons, detainee workers operating machinery may not be authorized to wear facial hair and are expected to be clean shaven at all times.
2. Due to restrictions for employment.

**There will be no exceptions to this requirement including medical reasons.**

## **CLOTHING**

The system to identify each detainee in custody and determine their location shall include wristband, booking card information (I-385), classification sheet, housing identification card, and a color-coded uniform. **Wristbands are to be worn properly (around the wrist) at all times. Wristbands will not be removed for any reason. Failure to comply with this directive will result in disciplinary action.**

Upon admission to this facility, a detainee is classified according to his criminal record and other behavioral criteria. This classification determines the detainee's assigned barracks and all color-coded materials associated with that barracks. Colors used for coding and identification are red, blue, yellow, white, and orange.

<b>Classification Level</b>	<b>Uniform/Wristband Color</b>
1	Blue
2	Orange
3	Red

The basic uniform for detainees shall be distinctive in appearance as to identify the detainee according to his/her security level.

All issued clothing shall be worn as specified in the following instructions and in no other manner. These requirements are essential to ensure compliance with security, hygiene, and conduct within the realm of propriety for all people.

1. Clothing must be clean and not torn.
2. Only kitchen workers will be authorized to wear white uniforms.
3. The wearing of mixed colors is not authorized for outer garments.
4. Undergarments may be worn without outer garments only while inside the sleeping quarters or the restrooms. **NO EXCEPTIONS!**
5. Shower shoes may be worn only inside the housing unit.
6. Shoes will be worn at all times when outside the housing units.
7. Hats or other head covers will not be authorized for the general population. Workers will be issued the proper head cover when required and will be worn only while performing work related duties.
8. Detainees will wear a complete uniform (shirt, pants, and shoes) at all times while in the dining hall, medical, court, religious services, and all visitations.
9. Pants will be worn at a point about the waist that prevents the crease of the buttock from showing, despite the length of the shirt.
11. No article of clothing will be worn in a manner not normally intended for that item (using a shirt as a head band or head cover, etc.).

**DETAINEES ARE NOT TO WALK ABOUT THE FACILITY WITH THEIR HANDS INSIDE THE WAISTBAND OF THEIR PANTS, REGARDLESS OF WEATHER CONDITIONS.**

## **CONTRABAND**

Items that are considered to be of detriment to the safe and orderly operation of the facility are prohibited. Contraband may be destroyed or held as evidence. Contraband items include, but are not limited to:

1. Any non-prescribed drug, narcotic drug, marijuana, intoxicating liquor of any kind, deadly weapons, dangerous instruments, explosives, or any other

article that, if used or possessed would endanger the preservation of order in the facility.

2. Any item which could be used as an aide to escape.
3. Any item which could be used to disguise or alter the appearance of a detainee.
4. Any article of clothing or item for personal use or consumption, which has not been cleared first through the OIC or purchased by a detainee from the vending machines.
5. Cameras, video, audio, or related equipment that can be used to make unauthorized photographs, audio, or audio/video recordings of detainees, staff, or government property.

### **UNAUTHORIZED PROPERTY**

Items not inherently illegal, which are considered contraband when, possessed by a detainee or visitor within the facility. This includes, but is not limited to, any approved item which, though approved, is in excess of the quantity allowed. Magazines and photographs depicting nudity or explicit sexual acts are prohibited. Materials offering training in martial arts, destructive device manufacturing, or similar devices are prohibited.

### **LEGAL FILE**

An Immigration legal record, commonly called an "A file", is maintained by the Deportation Department for each individual. This "A File" contains your legal transactions and documentation pertaining to your case. It includes, but is not limited to, identification cards, photos, passports, and immigration history.

### **DETENTION FILE**

A detention record is maintained for each individual. This detention record shall include no less than the following:

1. Facility Disciplinary Action
2. Behavior Reports
3. Funds, Valuables, and Property Receipts
4. Detainee's Written Requests, Complaints, and Issues
5. Immigration Responses to the Aforementioned
6. Special Housing Unit Records

## MARRIAGE REQUESTS

All marriage requests from BICE detainees receive a case-by-case review. BICE shall use the following guidelines:

1. The OIC shall consider detainee marriage requests on a case-by-case basis.
2. The OIC alone may approve a marriage request; he/she may not delegate this authority. The FOD/DDP must concur in any marriage request denied by the OIC.
3. A detainee's request for permission to marry will be granted unless:
  - a. He is not legally eligible to be married;
  - b. He is not mentally competent, as determined by a qualified medical practitioner;
  - c. The intended spouse has not affirmed, in writing, his/her intent to marry the detainee;
  - d. The marriage would present a threat to the security or orderly operation of the facility; or
  - e. Compelling government interests exist for denying the request. For example, BICE will generally deny a marriage request if a final order of exclusion, deportation, or removal has been served, and performance of the marriage ceremony would require postponement of the detainee's physical removal from the United States. (Compelling interests could also include the fact that a newly arrived detainee, or one in exclusion proceedings, has limited constitutional rights.) "Compelling interests" ordinarily do not include administrative inconvenience or the possibility that the marriage may allow the detainee to pursue a new avenue of relief from deportation. An OIC uncertain about "compelling interests" in a given case should consult the District Counsel.
4. The request for permission to marry must be submitted to the OIC, in writing, by the detainee or his legal representative. All requests must specifically address items 3.a.-c., above, and be accompanied by the intended spouse's written affirmation of intent to marry.
5. The OIC's decision to deny a request and the reason(s) for the decision shall be provided in writing to the detainee and his legal representative, if applicable. A copy of the written denial will be sent to appropriate BICE headquarters divisions, through appropriate channels.
6. When a request is approved, the detainee, legal representative, or other individual(s) acting on his behalf must make all arrangements for the marriage. Arrangements include, but are not limited to, taking a blood test, obtaining a marriage license, and retaining an official to perform the marriage ceremony. BICE personnel shall not participate in making marriage arrangements.
7. The OIC shall provide the detainee with a time and place during which he may make marriage arrangements. Arrangements made by the detainee or persons acting in his behalf shall be accommodated,

consistent with the security and orderly operation of the facility. The OIC reserves the right of final approval concerning the time, place, and manner of all arrangements.

8. A detainee will not be allowed to leave the facility for the purpose of making marriage arrangements.
9. The detainee or person(s) acting on his behalf shall bear all expenses relating to the marriage.

### **MARRIAGE REQUESTS (Cont.)**

10. The marriage will take place inside the facility.
11. Only individuals essential for the marriage ceremony may attend.
12. Marriage ceremonies will be private, with no media publicity.
13. The FOD/DDP may revoke approval of a marriage request for good cause, in writing.
14. A marriage request will have no effect on regular or scheduled processing or action in a detainee's legal case. That is, marriage requests will neither interrupt nor stay any hearing, transfer to another facility, or removal from the United States.

The foregoing are internal guidelines for detention facilities. They are not to be construed as creating rights for detainees or other persons, and they do not prevent the OIC from exercising discretion in conducting his/her case-by-case review.

### **RELEASE / DEPARTURE FROM FACILITY**

When you are ordered released or transferred from this facility, you will return the following items to processing:

- Detainee handbook
- 1 towel
- 1 blanket
- 2 sheets
- 1 mattress cover
- 1 pillow case
- 1 uniform (complete)

At this time, you will surrender your property receipt (Form I-77). The Processing Officer will have you sign a blank piece of paper for comparison with the signature on the back of part 1 of the Form I-77, attached to your baggage. Once verified, you will receive your civilian clothing and you will begin to change.

You will then surrender your G-589 white copy to the Processing Officer. The officer will obtain the property envelope and, in the presence of the officer, you will sign the blue copy of the G-589 for comparison with the signature on the pink

copy. In your presence, the officer will also compare the pink copy with the contents and blue copy of the form. Provided there are no discrepancies, your property shall be returned to you, and the issuing officer will sign the blue G-589. You will date and sign the blue copy of the G-589 acknowledging receipt of property. All 3 copies will be stapled together. Any discrepancies noted will be reported to the shift supervisor immediately. Every effort shall be made to resolve the discrepancy prior to your departure from the facility. If you lose your copy of the G-589, on the blue copy will be noted that the white copy of the G-589 was lost and you will sign and date acknowledging receipt of his property.

If you intend to make a claim of missing property, the Processing Officer will fill out Form I-387 (report of detainee missing property). The report shall include a complete description of the lost or missing property, last time and place the item was seen or removed, and an estimated value. Once completed, it will be forwarded to the shift supervisor for review and follow up.

### **DETAINEE RIGHTS AND RESPONSIBILITIES**

1. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the facility.

***You have the responsibility to know and abide by them.***

2. You have the right to freedom of religious affiliation, and voluntary religious worship.

***You have the responsibility to recognize and respect the rights of others in this regard.***

3. You have the right to health care which includes nutritious meals, proper bedding, clothing, a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles, and medical treatment.

***It is your responsibility not to waste food, to follow the laundry and shower schedule, to maintain neat and clean living quarters, and to seek medical care as needed.***

4. You have the right to have family members and friends visit with you in keeping with the facility rules and schedules.

***It is your responsibility to conduct yourself properly during visits, and to not accept or pass contraband.***

5. You have the right to unrestricted and confidential access to the courts by correspondence.

***You have the responsibility to present honestly and fairly, your petitions, questions, and problems to the court.***

6. You have the right to legal counsel from an attorney of your choice by means of interviews and correspondence at no cost to the United States Government.

***It is your responsibility to obtain the services of an attorney honestly and fairly.***

7. You have the right to have access to reading material for your own enjoyment. These materials may include approved magazines.

***It is your responsibility to seek and utilize such material for your personal benefit, without depriving others of the same benefit.***

8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

***It is your responsibility to use those resources in keeping with the procedures and schedule prescribed, and to respect the rights of other detainees to the use of the material.***

#### **DETAINEE RIGHTS AND RESPONSIBILITIES (Cont.)**

9. You have the right to a wide range of reading material for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the publishers.

***It is your responsibility to seek and utilize such material for personal benefit, without depriving others of their equal rights to use of this material.***

10. You have the right to participate in a work program, as far as resources are available, and in keeping with your interests, needs, and abilities.

***You have the responsibility to take advantage of activities that may help you live a successful and abiding life within the facility and in the community. You will be expected to abide by the regulations governing the use of such activities.***

11. You have the right to an administrative hearing before an Immigration Judge to determine your status in the United States.

***It is your responsibility to seek and provide evidence for your defense.***

12. If you are not an “exclusion case” and eligible, you have the right to be released on bond until your scheduled administrative hearing.

***It is your responsibility to seek methods of payment for your bond.***

13. You have the right to apply for political asylum if you believe that you will be persecuted because of your race, religion, nationality, membership in a social group, or political opinion.

***It is your responsibility to prepare and submit the proper forms accurately***

14. You have the right to request voluntary departure, if statutorily eligible, prior to a hearing. If you request voluntary departure you waive that right to a hearing.

***It is your responsibility to inform a BICE Officer that you request voluntary departure.***