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Immigration Pro Bono Development and Bar Activation Project  
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## FACT SHEET ON INS DETENTION STANDARD TELEPHONE ACCESS

### Detention Operations Manual, Detainee Services #14

1. **There are certain general rules governing access to telephones. INS detention centers should provide:**

- **reasonable and equitable access** to telephones during established waking hours;
- one telephone for every 25 detainees;
- **collect calls, debit calls and free pre-programmed calls** to legal service providers;
- **direct calls to** immigration court, BIA, Federal and state courts, consular officers, government officers, in family or personal emergencies;
- calls to free **legal service providers and consulates** at no charge to the detainee or the receiving party;

**In jails the rules above do not apply. The following rules will be put in place on a trial basis.**

- Detainees can **request access** to a cell phone which will be pre-programmed to call only legal service providers.
- Access to a telephone must usually be granted within **eight waking hours**, but no later than 24 hours after the request.

2. **Telephone Usage Restrictions which apparently apply to all detention facilities**

- Calls to legal representatives shall not be restricted in their **number or duration**, nor shall **automatic cutoffs** apply to such calls except for security purposes or to maintain orderly and fair access to telephones.
- If time limits are required they shall not be less than **20 minutes** and the detainee shall be allowed to resume the call at the first available opportunity.
- **Detainees in segregation** shall have the same access to telephones.

Detainees may make telephone calls to **immediate family members in other detention centers.**

### **3. Incoming Calls**

- The facility shall **take and deliver telephone messages** to detainees **as promptly** and in INS Detention Centers they will be delivered at least **3 times a day.**
- When an **emergency call** is received, the name and telephone number shall be delivered to the detainee as soon as possible and she will be allowed to return the call as soon as reasonably possible. Indigent detainees will not be required to pay for such calls.

### **4. Privacy for Telephone Calls on Legal Matters**

- A reasonable number of telephones shall be provided for **confidential conversations** which cannot be overheard by officers, other staff or other detainees.

**Electronically monitoring** of legal calls is only allowed with a court order. **Non-legal calls** can be monitored if there is a notice at each phone which indicates that it is subject to monitoring and also states the procedure for obtaining an unmonitored call.

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## **FACT SHEET ON INS DETENTION STANDARD VISITATION**

Detention Operations Manual, Detainee Services #15

**General visitation: rules which govern all visitors. Additional rules are in effect for those making legal visits.**

### **1. Hours and time limits**

Visiting hours should be available over the telephone and posted in the visitor's waiting area. Family and friends will be permitted to visit on **Saturdays, Sundays and holidays**. They may or may not be allowed to visit on both Saturday and Sunday. They should be allowed to visit for at least **30 minutes** although visits can be shorter if the number of visitors requires a reduction of time. If this schedule poses a problem, visits during other hours can be arranged by the detention center.

### **2. Who can visit?**

**Immediate family:** mother, father, stepparents, foster parents, brothers, sisters, children, spouses including common law spouses;

**Other relatives, friends and associates:** grandparents, uncles, aunts, in-laws, cousins, non-relative and friends.

**Other immediate family members** detained at the same facility;

**Minors:** In many facilities minors are allowed to visit without restriction. In the facilities that do not allow minors to visit, the detainee must make a request and visitation will be allowed within 30 days and every 30 days thereafter. The detainee can request a transfer to a facility which does allow minors to visit. If minors do not have positive identification the staff has the discretion to deny them admission.

**Former INS-detainees, individuals with criminal records and individuals in deportation proceedings** are excluded unless the Officer In Charge determines that visitation privileges are appropriate.

**Pets** are not encouraged to visit.

**Independent Medical Service Providers and Experts** may enter the facility to conduct medical and /or psychological examinations. A location must be provided for the examination but no medical equipment or supplies will be provided.

### **Procedure upon arrival:**

When you arrive at the detention center you will be required to identify yourself with a **picture ID**. Information about you will be recorded in a general-visitor log: your name and address, your immigration status, and your relationship to the detainee.

### **3. Visitor search**

As a visitor you may be subjected to a **pat-down search**, and they will look through purses, briefcases, packages and other containers. They may ask you to open these things and remove the contents, but they will not put their hands inside.

### **4. Contact visits**

A contact visit is one in which you can physically touch each other. **Handshaking, embracing and kissing** are allowed only at the beginning and end of the visit. After a contact visit the detainee will be **strip-searched** to ensure that they have not been given any contraband.

### **5. Visiting people in administrative or disciplinary segregation**

Detainees in segregation are still allowed contact visits unless they are considered violent or disruptive. They should not have to wear handcuffs while they visit with you.

### **6. General rules about visitation**

The visits will be made in a quiet room which is as comfortable and pleasant as possible

You will not be allowed to bring **gifts or packages** for the detainee with the exception of written legal materials. Attempts to introduce **contraband** may lead to criminal prosecution of the visitor, detainee, or both. Any violation of visitation rules will result in revocation of visitation privileges for the detainee.

**Money** you wish to give to a detainee will be given to a designated staff member and it will be credited to the detainee's account. You will receive a **receipt**.

Detainees may ask you which of their **possessions they are allowed to keep**. The list is short: small religious items, religious and secular reading materials (soft cover), legal documents, ten 5x7 pictures, prescription glasses, dentures, address book and a wedding ring.

The detention center is allowed to conduct a **pat-down search** of a detainee before a visit in an area where you can touch each other, and they will be **strip-searched** afterward to make sure that you have given them no contraband.

**Dress codes** are in effect and they generally prohibit you from visiting in overly attractive clothes. **Neither men nor women are allowed to wear:** short shorts or clothes which reveal semi-intimate body parts. No see-through clothes or dramatic slits in skirts. No bare midriffs, tube tops or swimsuits. You must wear shoes.

## **VISITS BY LEGAL REPRESENTATIVES AND LEGAL ASSISTANTS**

### **1. Persons allowed to visit**

Lawyers, law students, law graduates not yet admitted to the bar, reputable individuals, accredited representatives, accredited officials and attorneys licensed outside the United States are allowed to visit. State bar cards are the preferred forms of identification. Attorneys who are members of state bars that do not provide a bar card will be required to present other available documentation demonstrating bar membership. If such documentation is not readily available to attorneys licensed in a particular state, they will be required to indicate where they are licensed as an attorney and how that fact may be verified.

**Legal assistants** who are supervised by a legal representative and have a letter of authorization may meet with detainees during legal visitation hours.

**Interpreters** may accompany legal representatives and legal assistants if they pass security clearances. **Messengers** may deliver documents to and from the facility but they cannot visit detainees.

### **2. Hours**

Legal visitation is to be allowed **seven days a week including holidays**. Visitation shall be allowed for at least **eight hours** on regular business, **four hours** on weekends and holidays. On regular business days legal visitation may proceed during scheduled meal period and a tray or sack meal will be provided after the visit.

### **3. Searches of Legal Representatives**

A legal representative or legal assistant **shall be subject to a search** at any time of his or her person and belongings for the purpose of ascertaining the presence of contraband.

### **4. Identification of Detainee**

You are not required to submit the detainee's **A-number** to be allowed to visit them.

## 5. Call-Ahead Inquiries

Only legal representatives are allowed to call a detention facility to determine if a particular detainee is there. Requests should be made to the on-site INS staff or, where there is no resident staff, to the INS office with jurisdiction over the facility. There are several scenarios when they should tell you:

- If you have **filed a G-28** (Notice of appearance);
- If you have not filed a G-28 but are **known to the staff** at the detention center as a legal service provider or legal assistant and you are considering representing the detainee;
- If you are unfamiliar to the staff at the facility you may be required to **fax** documentary evidence such as identifying letterhead;
- Or, at the request of the caller the staff will seek the **consent of the detainee**.

The information should be provided within **24 hours**. If there is clear and compelling articulable facts to support the belief that disclosure would endanger the national security, facility security or the detainee, the INS can withhold the information unless the detainee consents to disclosure.

## 6. Form G-28 (Notice of Appearance)

You do not need to submit G-28 for pre-representation meetings at which the possibility of future representation is discussed. Once a Client/Attorney relationship has been established the legal representative must complete and submit a G-28. Attorneys who are representing detainees on **non-immigration matters** do not need to file a G-28 before visitation.

## 7. The Meeting Room and Interruptions of Visitation

The meeting room should be **private** and ensure that you **cannot be overheard** although you may be visually **observed** through a window or camera. If all private conference rooms are in use, requests for confidential meeting areas should be accommodated to the extent practicable.

Visitation can be **terminated** at the end of the allotted time, but shall not be terminated for meals or routine official counts.

## 8. Materials provided to detainees by legal representatives

Even when contact visits are impossible, there must be some procedure in place to allow **papers to be exchanged** between the detainee and legal representative. These documents can be inspected but not read, and they can be retained by the detainee.

## **9. Detainee Search**

The general rule is that detainees in **INS detention centers** should **not be strip-searched** after legal visitation unless the detainee is reasonably suspected of concealing contraband. **In jails**, if the general rule is that strip-searches are required after contact legal visits, there must be a procedure which allows for non-contact legal visitation to avoid the need for a strip search while ensuring confidentiality.

## **10. Group Legal Meetings**

The legal representative may meet with **two or more detainees** at the same time. If the number of detainees is too large to be accommodated, the facility may require that the legal representative comply with the procedures for Group Presentations on Legal Rights.

## **11. Pro Bono List and Detainee Sign-Up**

The Executive Office for Immigration Review in Falls Church, Virginia produces the **list of pro bono legal organizations** which serve detainees in the local area and this list is to be updated quarterly. This list is to be **posted** in the detainee housing units and other appropriate areas. Those organizations on the list can request that a **sign-up sheet** be posted or circulated to allow detainees to request a consultation with a legal representative.

**12. Independent Medical Service Providers and Experts** may enter the facility to conduct medical and /or psychological examinations. A location must be provided for the examination but no medical equipment or supplies will be provided.

## **13. Other types of visitors:**

### **Consular Officers**

All detained individuals must be provided with notice of their **right to contact** their consular representatives and receive visits from their consulate officers.

### **Non-Government Organization Visitation and tours of facilities**

### **Community Service Organizations**



# NEWS MEDIA INTERVIEWS

## 1. General Provisions

Media representatives may tour facilities that house INS detainees for the **purpose** of preparing reports about the facilities. Visits may be **suspended** during and after an emergency or when there are indications of possible unrest or disturbance within the facility.

Permission must be received before **photographs** are taken in, or of a detention center.

A detainee's name, photo or recorded voice cannot be used without a **signed release** by the detainee.

## 2. Personal Interviews

A **written request** must be submitted not less than **24 hours** (and preferably 48 hours) before the desired time of the interview. The detainee must sign a **written consent**. The District Director must approve or disapprove, in writing, within 24 to 48 hours.

Requirements before an interview is approved:

- the news media organization agrees to the facility's rules;
- detainee is physically or mentally able to participate;
- if the detainee is a **minor**, either the minor's parent, legal guardian or legal representative must provide written consent;
- the interview would not endanger the health or safety of the interviewer, cause serious unrest or disturb the orderly operation of the facility;
- the **INS will monitor** and/or supervise, but not participate in, detainee interviews.

## **CONSULTATION IN EXPEDITED REMOVAL CASES**

### **1. Consultation Visits**

Detainees can meet with **any person** of the detainee's choosing during the first 48 hours. Consultations are permitted both prior to the interview, during the interview and while the Asylum Officer's decision is under review. Once a determination has been made on the case and a Notice to Appear is issued, the regular visitation rules go into effect.

Consultation procedures are to provide **liberal opportunities** for such consultations.

**Attorneys need not file a G-28** to participate in these consultations.

Consultations can be both **face-to-face or by telephone** and the same privacy must be provided as between communications with legal representatives.

Consultations may take place during both legal visitation and general visitation **hours** although confidentiality is ensured only during legal visitation hours.

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**FACT SHEET ON INS DETENTION STANDARD  
GROUP PRESENTATION ON LEGAL RIGHTS**

**Detention Operations Manual, Detainee Services #8**

This language establishes the minimum standards for presentations. Most locations are much more liberal in their interpretation.

**The procedure for setting up a presentation:**

- The group that wishes to make a presentation submits a **written request** to INS **10 days** before the proposed date of the presentation. The request must include the following information:
  - \* A general **description of the proposed presentation** for example: Spanish-speaking deportation cases, Chinese exclusion cases, etc.;
  - \* A **syllabus or outline** of the presentation;
  - \* An **informational poster**:
    - that states: the intended audience, contents of presentation, languages in which it will be presented;
    - 8 ½ x 11 inches in size;
  - \* A statement of the **languages** in which the presentation will be conducted;
  - \* The **name, profession and specific function** of each person requesting permission to enter the facility;
  - \* A representation that each of these people is an attorney, legal representative, accredited representative or legal assistant;
  - \* A **proposed date** or range of dates for the presentation; and
  - \* A telephone number for a **contact person**.
  
- Requests for subsequent presentations may be made in a letter which refers back to the information previously supplied.

**After approval of the request:**

- A **mutually agreed upon date** will be set for the meetings and they will be scheduled during normal legal visiting hours, excluding weekends and holidays.

- Where feasible, group presentations will be conducted **daily**, immediately before the detainee's first Immigration Court appearance.
- At least 48 hours before the scheduled presentation **the informational poster will be displayed** in housing units.
- Detainees who wish to attend can **sign up** on a sheet held by the housing unit control officer.
- Presentations are **open to all detainees** although the number of attendees allowed at a single session may be limited. Therefore, several sessions may be required.
- **Detainees in segregation** who cannot attend regular sessions will be allowed alternative arrangements.

### **Making the presentation**

- Presenters and interpreters will be required to present an official form of **picture identification** and lawyers must present a **bar card** or, in states where these are not available, other proof of bar membership. No more than **4 people** are allowed to enter and everyone should arrive 30 minutes before the presentation.
- The Standard states that if the presentation is to be made by **legal assistants**, their supervising attorney must be present, but this is not required. A letter indicating that the legal assistant is doing the presentation under the supervision of the attorney is also required..
- **One hour** is provided for the presentation and any questions. This time can be extended on a case-by-case basis.
- Presenters cannot charge a fee or solicit business.
- The presentation may be **observed and monitored by the INS** but they will not interrupt except for security purposes or if the allotted time has expired.

### **Distribution of written materials**

- Presenters must distribute brief written materials to detainees and INS/jail staff at the same time. These materials must be **approved in advance**. If materials are too voluminous they shall be placed in the facility's law library.

### **Individual Counseling Following a Group Presentation**

- Presenters can meet with small groups of detainees **to discuss their cases** following the presentation and INS or jail staff shall not be present during these meetings.

### **Videotaped Presentations**

- INS-approved videotaped presentations on legal rights may be played at the request of outside organizations but they do not substitute for live rights presentations. Regular opportunities will be provided for detainees to see the videotape.





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**FACT SHEET ON INS DETENTION STANDARD  
MEDICAL CARE**

**Detention Operations Manual, Health Services #18**

**1. General:**

- Every facility will provide detainees with initial medical screening, primary medical care, and emergency care;
- Each facility will have a staff of licensed or otherwise appropriately certified medical personnel sufficient to the size of the detainee population;
- Every facility will maintain accreditation with the National Commission on Correctional Health Care, and will strive to achieve accreditation from the Joint Commission on the Accreditation of Health Care Organizations;
- Each facility will have an arrangement with a nearby medical facility or health care provider to provide services not available at the facility. This will include custodial officers to transport and remain with any detainee referred for off-site services;
- Medical treatment will be determined by a health care specialist. When there is a disagreement over a course of treatment, INS will make a determination in consultation with the Chief of Medical Staff;
- Each facility shall have adequate, private space appropriately equipped and furnished for provision of medical services. Medical records will be locked and housed within the medical unit. A separate waiting area will be under supervisor of facility custodial officers. Pharmaceuticals will be stored in a secure area.

**2. Screening for New Arrivals:**

- All new arrivals shall receive a health screening by a health care provider or trained officer immediately upon arrival at a facility, before housing assignments, which shall include mental health screening, substance dependence screening, and TB tests;
- Translation services will be obtained if English proficiency is a barrier in a health screening. Other detainees will be used as translators only if the detainee being medically screened consents.
- Health appraisal and physical examination will be performed within 14 days of arrival, unless the detainee has documented evidence of a health appraisal within the previous 90 days (The needs for both health screening immediately upon a detainee's arrival and physical examination within 14 days of arrival are noted, albeit unclear, in the standards);
- Facilities will have a detoxification plan, including hospitalization for sever cases;

- If needed, emergency care will be immediately provided. If unsure as to need, the officer will contact the on-duty supervisor, who if also unsure as to the need, will contact a health care provider;
- Detainees with symptoms of TB will be placed in medical isolation until further testing is performed. Detainees with communicable diseases will be isolated according to local medical operating procedures;
- SPCs/CDFs only: an In Processing Health Screening Form (I-794) will be used, and reviewed by the facility medical staff. Other facilities will use a form approved by INS.

**3. Dental Treatment:**

- A separate dental screening will be performed within 14 days of arrival;
- Emergency dental treatment will be made available;
- Routine dental treatment will be provided to anyone detained for periods longer than six months.

**4. Sick Call/Emergency Treatment/First Aid Kits:**

- A physician or qualified medical officer will be available to examine detainees in a clinical setting. Detainees will be required to fill out request slips. Non-English speaking and/or illiterate detainees will receive assistance in filling out request slips;
- All detainees will have access to sick call regardless of classification;
- Sick call times will be scheduled at a minimum:
  - Facilities with fewer than 50 detainees – a minimum of 1 day per week
  - Facilities with 50 – 200 detainees – a minimum of 3 days per week
  - Facilities with over 200 detainees – a minimum of 5 days per week.
- Each facility will have a plan for 24-hour emergency treatment;
- First aid kits will be placed in each facility consistent with the American Correctional Association requirements;
- Staff will be trained to respond to emergencies within a four-minute response time;
- Detention center emergency plan will provide for transportation to off-site hospital or medial facility.

**5. Medication/Special Needs:**

- The care provider will establish a plan for delivery of medications when required. In facilities with a 24-hour medical staffing, medications will be distributed by the medical. In facilities lacking 24-hour medical staffing, trained officers will distribute medications. Written records will be kept of all medicines distributed;
- The medical care provider will notify the OIC when a detainee has special medical needs. In SPCs.CDFs the Detainee Special Need Form (I-819) will be used to document a special medical need.

**6. HIV/AIDS:**

- The accurate diagnosis and medical management of HIV infection is promoted. An AIDS diagnosis shall only be made by a licensed physician based on a medical history, current clinical evaluation of signs and symptoms, and laboratory studies;
- Any detainee with active tuberculosis should be evaluated for possible HIV infection;
- Detainees with symptoms suggestive of HIV infection or HIV positive detainees do not need to be separated from the general population unless medically required;
- If necessary, HIV positive detainees shall be transferred to a hospital or other appropriate facility for medical testing, final diagnosis, and acute treatment;
- Attending physicians will determine when to terminate acute treatment, return HIV positive detainees to detention facility, and whether the detainee should be housed in the general population;
- An HIV positive diagnosis must be reported to government bodies according to State and Federal requirements;
- Staff shall not be excused from carrying out their regular duties and responsibilities with respect to detainees who are suspected or diagnosed as HIV positive, unless it is determined that staff's own medical conditions put them at high risk for infection;
- All detainees should be assumed to be infectious for blood-borne pathogens. No additional special precautions are required for the care of HIV positive detainees.

**7. Informed Consent:**

- As a rule, medical treatment will not be administered against a detainee's will. The facility health care provider will obtain signed and dated consent forms from all detainees before medical examination or treatment, except in emergency circumstances;
- If a detainee refuses treatment, INS will be consulted in determining whether or not forced treatment will be administered.

In SPCs/CDFs

- If a detainee refuses treatment, medical staff will make a reasonable effort to convince the detainee to accept treatment. The treatment effort and refusal shall be documented in the medical records;
- If a detainee continues to refuse treatment, s/he may be segregated when medically recommended;
- Only medical staff under strict legal restrictions can decide to force treatment.

**8. Confidentiality and Release of Medical Records:**

- All medical providers shall protect the privacy of detainees' medical information to the extent possible while permitting the exchange of health information required to fulfill program responsibilities and to provide for the well being of detainees;
- Copies of health records may be released by the facility health care provider directly to a detainee or any person designated by the detainee with written authorization from the detainee.

- A request can be made using either form I-813 or a written request prepared according to the outlined information. INS will provide requesting detainees an appropriate form and assistance in filling it out;
- All requests for copies of health records shall be documented. IGSA facilities shall notify INS each time a detainee medical records are released.

**9. Transfer and Release of Detainees:**

- The medical staff shall notify OIC in writing if they recognize medical or psychiatric concerns as related to a detainee's potential transfer, release, or deportation;
- If a detainee with such medical or psychiatric concerns is to be transferred, released, or deported, medical staff shall be notified in advance in order to determine and provide for any medical needs;
- When a detainee is transferred from one facility to another, his/her medical records or copies will be transferred with the detainee in a confidential manner.

**10. Medical Experimentation:**

- Detainees will not be used in medical, pharmaceutical or cosmetic experiments or research;
- Detainees may receive a medical procedure not generally available when primary health care provider determines it necessary. In IGSA facilities, USPHS's Division of Immigration Health Services shall be notified.

# **Jesuit Refugee Service**

1616 P Street NW #300, Washington DC 20036

## **FACT SHEET ON INS DETENTION STANDARD RELIGIOUS PRACTICES**

**Detention Operations Manual, Detainee Services #13**

### **Basic Policy**

- **All detainees shall have a reasonable and equal opportunity to practice their religious faith, consistent with the safety, security and orderly operation of the facility.**
- **All detainees have an equal opportunity to practice their faith regardless of the number of practitioners of a given religion or whether the religion is “mainstream” or a well-known Eastern or Western religion.**
- **No one may disparage a detainee because of his or her religious beliefs.**
- **No one may coerce or harass a detainee to change religious affiliation. Attendance at religious activities is voluntary and unless otherwise specified, activities are open to all detainees.**
- **Detainees in Special Management Units, special housing and hospital units should be permitted to participate in religious practices, consistent with the safety, security and orderly operation of the facility.**

The policy applies in Service Processing Facilities, contract facilities and local jails that hold people for more than 72 hours.

### **Religious Preference**

- **During initial processing, INS staff shall enter a detainee’s preferred religious designation into the DACS file. However, detainees are not required to state a religious belief. A detainee may say that he or she belongs to a particular religion or no religion at all. A detainee may request to change this designation at any time.**

### **Those Assisting in Religious Practices: Facility Chaplains, Representatives of Other Faith Groups and Volunteers**

- Chaplains are responsible for managing all religious services in a detention facility, including pastoral care and counseling to detainees who request it.
- If a detainee belongs to a religious faith different from that of the Chaplain, he or she can request access to pastoral care and counseling by religious service providers from **outside the facility**.
- **In SPCs**, the Chaplain can bring in representatives and volunteers from faith groups in the community to provide specific religious services that the Chaplain cannot provide. “Representatives of faith groups” includes both clergy and spiritual advisors.
- Chaplains can use volunteers to assist detainees in religious observances. The only limitation is that a recognized religious representative *may* be required to verify the religious credentials of the volunteers.
- The Chaplain can also contract with spiritual advisors or counselors to meet the particular needs of women and special-needs detainees.

### **Where and When Religious Activities Take Place**

- Detainees will have the opportunity to engage in **group religious activities**, consistent with the safe, secure and orderly operation of the facility.
- Space for religious activities shall be designated. In SPCs the designated space must be sufficient to accommodate the needs of all religious groups in the facility fairly and equitably. It should include office space for the chaplain as well as storage space for items needed in religious ceremonies, and it should be near bathrooms for staff and volunteers. Group activities are allowed, provided that they are consistent with the safety, security and orderly operation of the facility.
- The schedules should be posted on all unit and detainee bulletin boards.
- **Individual pastoral visits** will normally take place in the visiting room during visiting hours. **Private visits in the attorney-client visitation room will be allowed if requested.**
- Detainees may request the introduction of new or unfamiliar religious components to the Religious Services program using the procedure outlined in the standards.

## Religious Property

- Detainees are allowed to have in their personal property religious items such as: **prayer beads, rosaries, oils, prayer rugs, phylacteries, medicine pouches, and religious medallions**. All religious property is subject to normal considerations of safety and security.
- Religious literature, such as books and magazines, is permitted in accordance with the facility's policies on incoming publications.

## Wearing Religious Items or Apparel

- Religious headwear like **kufis, yarmulkes, turbans, crowns, headbands, and head scarves or head wraps** of orthodox Muslim or Jewish women **are permitted**. Religious apparel may be inspected by facility staff.
- A detainee should be allowed to wear or use personal religious items during religious services, ceremonies, and meetings in the chapels, consistent with the safety, security and orderly operation of the facility.

## Religious Dietary Requirements

- Food service **will accommodate, within reason**, religious dietary requirements of detainees, such as fasting or restricted diets, either daily or on specific holy days.
- Menus can be modified to exclude certain foods or food combinations, or to provide for meals at unusual hours.
- Before a special diet is approved, the Chaplain should consult with the medical department to make sure that the diet is nutritious and does not pose a threat to a detainee's health.

## Observance of Holy Days

- **In SPCs**, the observance of important religious holy days involving fasts, special diets, worship or work prohibition **are allowed and should be facilitated**.
- The Chaplain should work with detainees to ensure proper observance of the holy days, but he or she may be required to verify their religious significance.

**Detainees in Special Management Units – Administrative, Disciplinary and Protective Custody Segregation**

- In SPCs and contract facilities, detainees in special housing should have **regular** access to the Chaplain or other religious service providers.
- The Chaplain shall provide weekly pastoral care in special housing and hospital units.

Prepared by Jennifer Bailey 202/462-0400 [jbailey@jesuit.org](mailto:jbailey@jesuit.org)



## **APPENDIX 5**



**THIS SPACE FOR ADMINISTRATIVE USE ONLY (ESTE ESPACIO PARA USO DEL ADMINISTRATIVO)**

Employee \_\_\_\_\_ Case No. \_\_\_\_\_  
Station \_\_\_\_\_ Incident \_\_\_\_\_

Complainant's Name ( <i>Nombre</i> )		Address ( <i>Domicilio</i> )		Phone No. ( <i>Número de Teléfono</i> ) ( )
Age ( <i>Edad</i> )	Race ( <i>Raza</i> )	Sex ( <i>Sexo</i> ) M <input type="checkbox"/> F <input type="checkbox"/>	Occupation ( <i>Ocupación</i> )	
Name of Witness ( <i>Nombre de Testigo</i> )		Address ( <i>Domicilio</i> )		Phone No. ( <i>Número de Teléfono</i> ) ( )
				( )
				( )
				( )

Subject of Complaint ( <i>Persona de quien se queja</i> ) If unknown, please provide description of the employee ( <i>Si usted no lo conoce, describa al empleado</i> )	
Name ( <i>Nombre</i> )	Description ( <i>Descripción</i> )

When did incident occur? ( <i>¿Cuándo ocurrió el incidente?</i> )				Location ( <i>¿Dónde ocurrió el incidente?</i> )
Month ( <i>Mes</i> )	Day ( <i>Día</i> )	Year ( <i>Año</i> )	Time ( <i>Hora</i> )	

Details of Complaint (Use additional sheet if necessary) <i>Detalles de la Queja (Uso papel adicional si es necesario)</i>	

I certify that, to the best of my knowledge and belief, all my statements are true, correct and made in good faith. (Yo declaro (certifico), a mi mejor conocimiento, que el testimonio hoy dado por mí, es verdadero, correcto y hecho en buena fe.)

\_\_\_\_\_  
Signature of Complainant (*Firma*)

Time and Date Reported ( <i>Fecha y Hora del Reporte</i> )	Location Reported ( <i>Lugar donde se hizo el Reporte</i> )	Agency ( <i>Agencia</i> )

\_\_\_\_\_  
Printed Name of Supervisor Receiving Complaint  
(*Nombre en letra de molde del Supervisor Recibiendo Queja*)

\_\_\_\_\_  
Signature of Supervisor Receiving Complaint  
(*Firma del Supervisor Recibiendo Queja*)

## Instrucciones Para Llenar el Formulario Sus Denuncias Son Importantes

Llene este formulario en la medida de lo posible y sea lo más específico que pueda en la descripción del incidente que denuncie. Si Usted no sabe el nombre del funcionario al que denuncia ni el de la entidad donde está empleado, describa los rasgos físicos de esa persona (estatura, peso, color de cabello, vellos en la cara) y la ropa que llevaba (por ejemplo, uniforme negro con una insignia en el brazo). Es importante que Usted llene este formulario con letra tan clara y legible como sea posible.

Usted no se perjudicará por haber presentado esta denuncia válida. Si recibe beneficios en forma lícita del Servicio de Inmigración y Naturalización como, por ejemplo, un permiso de trabajo, no los perderá por llenar este formulario.

Una vez llenado este formulario, doblelo a lo largo de las líneas de puntos, ciérrelo y échelo en cualquier buzón de correos de los Estados Unidos.

**U.S. DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE**

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UNITED STATES



## Instructions For Filling Out This Form With Your Complaints

Fill out this form describing the incident about which you wish to complain as specifically and completely as possible. If you do not know the names of the officials about whom you are complaining nor the organization they work for, describe the physical characteristics of the person (height, weight, color of hair, any facial hair) and the clothing they were wearing (for example, black uniform with a patch on the arm). It is important that you give as much information as possible, clearly and completely.

There will be no retaliation for submitting a complaint. Submitting this form will have no effect on your case or eligibility for any benefits to which you are entitled under the Immigration and Nationality Act.

After filing out this form, fold along the dotted lines, seal and mail in the postal system of the United States.

## **APPENDIX 6**

