

STANDARD 7.1

DETENTION FILES

I. POLICY

Facilities will create a detention file for each detainee booked into the facility for more than 24 hours. The detention file will contain copies and, in some cases, the originals of documents including but not limited to the classification sheet, initial medical screening, property inventory sheet, and disciplinary records. The detention file may be comprised of hard copy documents, retrievable electronic records, or a combination of both.

II. STANDARDS AND PROCEDURES

A. Policy

The creation of a detention file is essential to maintaining a complete record of a detainee's time in facility custody. The file will contain the classification level and any copies of receipts for items issued to/surrendered by the detainee. It will also document adverse behavior, special requests and complaints, and other information considered appropriate for the record by facility officials.

B. Creation of a Detainee Detention File

When a detainee whose stay will exceed 24 hours is admitted into a facility, staff will create a detainee detention file as part of in-processing (admissions) procedures, including the date of file initiation.

C. Required Contents of File

1. The detention file will contain either originals or copies of forms and other documents generated during the admissions process. If necessary, the detention file may include copies of material contained in the detainee's A-File.
2. The detention file will generally include the following information unless the information is maintained in a retrievable electronic format:
 - a. Booking Record, with one or more original photograph(s) attached;
 - b. Classification Work Sheet;
 - c. Health Screening Form;

- d. Personal Property Inventory Sheet;
 - e. Housing Identification Card;
 - f. Property Receipt;
 - g. Baggage Check(s);
 - h. Acknowledgment form, documenting receipt of handbook, orientation, etc.;
 - i. Work assignment sheet;
 - j. Identifying marks form; and
 - k. Any other documents, as appropriate.
3. The detention file shall also contain documents generated during the detainee's time in the facility. ICE/ERO may direct that certain documents be added to the detention file.

D. Additions to File

1. During the course of the detainee's stay at the facility, staff will maintain documents associated with normal operations in either the detainee's detention file or in a retrievable electronic format. Examples of documents typically maintained in the detention file include the following:
 - a. Special requests;
 - b. Any property or baggage form closed-out during the detainee's stay;
 - c. Disciplinary forms;
 - d. Grievances, complaints, and the disposition(s) of same;
 - e. All forms associated with disciplinary and/or administrative segregation;
 - f. Staff reports about the detainee's behavior, attitude, etc.;
 - g. Strip search documentation; and
 - h. Any privacy waivers, including release-of-information consent forms.

E. Location of File

Detention files will be located and maintained in a secured area.

F. Active/Archived File

1. The detention file will remain active during the detainee's stay. Upon the detainee's release from the facility, staff will add any final documents not available in a retrievable electronic format to the file before closing and archiving.
2. The officer closing the detention file will document the date the file was closed.
3. The closed detention file shall not be transferred to another facility with the detainee. However, staff may forward copies of documents in the file at the request of supervisory personnel at the receiving facility/office.
4. When forwarding documents, staff will accordingly notate the request in the archived file or electronic record.
5. The archived files may be purged after six years, with the material either shredded or, if possible, burned.

G. Access to File

1. The facility shall have procedures addressing the circumstances under which a detention file may be requested and accessed by both facility staff and outside officials, and the recording of the file's removal from storage in a logbook or retrievable electronic record.
2. Unless release of information is required by statute or regulation, a detainee must sign a release-of-information consent form prior to the release of information in his or her detention file. A copy of the form shall be maintained in the detainee's detention file. The content of the form shall be explained to the detainee in a language or manner he or she understands.
3. Upon request by the detainee, the detention file shall be provided to the detainee or his or her designated attorney of record. Prior to release of the detention file, ICE/ERO should be notified to confirm that there are no security or sensitivity concerns.