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ICE Guidance on COVID-19

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Introduction

U.S. Immigration and Customs Enforcement (ICE) is working closely with the Department of Homeland Security (DHS) and other federal, state, and local agencies to facilitate a speedy, whole-of-government response in confronting Coronavirus Disease 2019 (COVID-19), keeping everyone safe, and helping detect and slow the spread of the virus. To keep the public, media and family members of those in custody and other stakeholders informed, we will update this site frequently during this extremely fluid situation.

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GENERAL
IMMIGRATION ENFORCEMENT and CHECK-INS
BONDS
DETENTION
<p>What has ICE done to protect detainees in ICE custody?</p> <p>In March, ICE’s Enforcement and Removal Operations (ERO) convened a working group between medical professionals, disease control specialists, detention experts, and field operators to identify additional enhanced steps to minimize the spread of the virus. ICE has since evaluated its detained population based upon the CDC’s guidance for people who might be at higher risk for severe illness as a result of COVID-19 to determine whether continued detention was appropriate. Of this medical risk population, ICE has released over 900 individuals after evaluating their immigration history, criminal record, potential threat to public safety, flight risk, and national security concerns. This same methodology is currently being applied to other potentially vulnerable populations currently in custody and while making custody determinations for all new arrestees. Additionally, ERO has had reduced intake of new detainees being introduced into the ICE detention system coming from CBP, due to reduced numbers of apprehensions by CBP under immigration authorities. ICE’s detained population has steadily dropped by more than 7,000 individuals since March 1, 2020 as a result of the decrease in book-ins when compared to this time last year, combined with continued repatriations of illegal aliens.</p> <p style="text-align: right; font-size: 0.8em;"><i>Updated 05/04/2020 05:20pm</i></p>

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risk criteria, and who do not have fever or symptoms of respiratory illness. In detention settings, cohorting serves as an alternative to self-monitoring at home.

Comprehensive protocols are in place for the protection of staff and patients, including the appropriate use of personal protective equipment (PPE), in accordance with CDC guidance. ICE has maintained a pandemic workforce protection plan since February 2014, which was last updated in May 2017. This plan provides specific guidance for biological threats such as COVID-19. ICE instituted applicable parts of the plan in January 2020 upon the discovery of the potential threat of COVID-19. The ICE Occupational Safety and Health Office is in contact with relevant offices within the Department of Homeland Security, and in January 2020, the DHS Workforce Safety and Health Division provided DHS components additional guidance to address assumed risks and interim workplace controls. This includes the use of N95 masks, available respirators, and additional personal protective equipment.

ICE testing for COVID-19 complies with CDC guidance. IHSC updates and shares its COVID-19 guidance with field units on a real-time basis. Subjects selected for testing follow CDC's definition of a person under investigation.

Updated 04/29/2020 7:30pm

How does ICE screen new detainees for COVID-19?

ICE instituted screening guidance for new detainees who arrive at facilities to identify those who meet CDC's criteria for epidemiologic risk of exposure to COVID-19. IHSC isolates detainees with fever and/or respiratory symptoms who meet these criteria and observe them for a specified time period. IHSC staff consult with the local health department, as appropriate, to assess the need for testing. Detainees without fever or respiratory symptoms who meet epidemiologic risk criteria are monitored for 14 days. ERO has also encouraged facilities to isolate new admissions into the detention network for 14 days before placing them into general population.

Updated 04/06/2020 1:27pm

Is ICE testing detainees for COVID-19 at ICE detention centers, or sending detainees somewhere for testing?

Detainees are being tested for COVID-19 in line with CDC guidance. In some cases, medical staff at ICE detention facilities are collecting specimens from ICE detainees for processing at a commercial or public health lab. In other cases, including when a detainee requires a higher level of care, they are sent to a local hospital and may be tested at the discretion of the treating provider at the hospital.

Updated 03/24/2020 2:15pm

Can detainees attend medical appointments?

Asymptomatic detainees in isolation can attend all appointments. Symptomatic detainees in isolation must wear a tight-fitting surgical mask to attend essential medical appointments. ICE also notifies the medical provider about the detainee's status ahead of the appointment to coordinate care and protect staff and other patients.

Updated 03/15/2020 2:38pm

How does ICE mitigate the spread of COVID-19 within its detention facilities?


Detainees who meet CDC criteria for epidemiologic risk of exposure to COVID-19 are housed separately from the general population. ICE places detainees with fever and/or respiratory symptoms in a single medical housing room, or in a medical airborne infection isolation room specifically designed to contain biological agents, such as COVID-19. This prevents the spread of the agent to other individuals and the general public. ICE transports individuals with moderate to severe symptoms, or those who require higher levels of care or monitoring, to appropriate hospitals with expertise in high-risk care. Detainees who do not have fever or symptoms, but meet CDC criteria for epidemiologic risk, are housed separately in a single cell, or as a group, depending on available space.

ICE reviews CDC guidance daily and continues to update protocols to remain consistent with CDC guidance.

Updated 03/15/2020 2:38pm

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ICE only has authority to detain individuals for immigration purposes. ICE cannot hold any detainee ordered released by a judge. If ICE must release an ill or isolated detainee, health staff immediately notify the local public health agencies to coordinate further monitoring, if required.

Updated 04/06/2020 1:27pm

Do ICE facilities have necessary sanitary products to help guard against the virus?

In addition to providing detainees with soap for the shower and hand soap for sink handwashing, ICE provides alcohol-based sanitizer in visitor entrances, exits, waiting areas and to staff and detainees in the secure setting whenever possible. ICE also provides soap and paper towels that are present in bathrooms and work areas within the facilities. Everyday cleaning supplies such as soap dispensers and paper towels are routinely checked and are available for use. Detainees are encouraged to communicate with local staff when additional hygiene supplies or products are needed.

Performance-Based National Detention Standards (PBNDS) 2008 and PBNDS 2011, require that facilities operating under these respective standards have written plans that address the management of communicable diseases, which should include isolation and management of detainees exposed to communicable diseases. The Centers for Disease Control and Prevention (CDC) remains the definitive source for information about how to protect individuals and reduce exposure to the virus, so ICE continues to encourage facilities to follow CDC guidelines as well as those of their state and local health departments.

Updated 04/02/2020 6:05pm

How are ICE detention facilities engaging in social distancing?

In March, ICE's Enforcement and Removal Operations (ERO) convened a working group between medical professionals, disease control specialists, detention experts, and field operators to identify additional enhanced steps to minimize the spread of the virus. As a result of the working group, ERO decided to reduce the population of all detention facilities to 70 percent or less to increase social distancing. Detention facilities may also increase social distancing by having staggered meals and recreation times in order to limit the number of detainees gathered together. All community service projects are suspended until further notice.

Updated 04/06/2020 1:27pm

How will detainees communicate with family members and others?

ICE recognizes the substantial impact of curtailing personal visitation and limiting in-person legal visitation during the pandemic, and continues to facilitate communication with families and attorneys through extended access to telephones, video visitation and with extended hours where possible. ICE began providing 520 minutes of free domestic or international phone or video calls per month to detainees on April 22 at all facilities served by Talton Communications (serving approximately 57% of the ICE population), and has been negotiating with all other facilities to provide 500 minutes or more.

In addition to the toll-free Detention Reporting and Information Line (DRIL), which provides a direct channel for detainees and agency stakeholders to communicate with ICE for questions and concerns, all ICE detainees are able to make free calls to legal service providers on the ICE pro bono network to contact legal representatives, consular officials, the Department of Homeland Security (DHS) Office of Inspector General, the ICE Office of Professional Responsibility Joint Intake Center, as well as other authorized government agencies and nongovernment organizations.



Updated 05/27/2020 11:20am

Are detainees able to make outside phone calls?

All detainees are afforded telephone access and can make calls to the ICE-provided list of free legal service providers and consulates at no charge to the detainee or the receiving party. Additionally, detainees who cannot afford to call family members may request a call to immediate family or others in personal or family emergencies or on an as-needed basis to maintain community ties.

Updated 04/02/2020 6:05pm

VISITATION AT DETENTION FACILITIES

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STAKEHOLDER ENGAGEMENT
EMPLOYMENT VERIFICATION (I-9)
NONIMMIGRANT STUDENTS AND SEVP-CERTIFIED SCHOOLS
DONATIONS OF PERSONAL PROTECTIVE EQUIPMENT

Last Reviewed/Updated: 06/03/2020