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# ICE

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NOTICE

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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

#### What is ICE doing to safeguard its employees/personnel during this crisis?

The ICE Occupational Safety and Health (OSH) Unit continues to work diligently to ensure employees are operating under the safest and most practical conditions to reduce the risk of exposure and prevent further spreading of COVID-19 during the course of ongoing daily operations. The OSH Unit regularly provides guidance regarding integrating administrative controls such as social distancing in law enforcement settings, and the appropriate choice and use of personal protective equipment when administrative controls cannot be implemented. Besides providing information through an employee website, OSH officials have held conference calls, responded to emails, and spoken personally with employees who have safety questions. At all levels, ICE employees have access to the most current CDC and DHS guidance and assistance in this rapidly changing environment.

ICE is reviewing CDC guidance daily and will continue to update protocols to remain consistent with CDC guidance.

*Updated 03/18/2020 4:28pm*

#### What is ICE doing in response to the COVID-19 virus?

Law enforcement agencies across the country, to include ICE, are paying close attention to this pandemic. While our law enforcement officers and agents continue daily enforcement operations to make criminal and civil arrests, prioritizing individuals who threaten our national security and public safety, we remain committed to the health and safety of our employees and the general public. It is important for the public to know that ICE does not conduct operations at medical facilities, except under extraordinary circumstances. ICE policy directs our officers to avoid making arrests at sensitive locations – to include schools, places of worship, and health care facilities, such as hospitals, doctors' offices, accredited health clinics, and emergent or urgent care facilities – without prior approval for an exemption, or in exigent circumstances. See our FAQ for more.

Consistent with federal partners, ICE is taking important steps to further safeguard those in our care. As a precautionary measure, ICE has temporarily suspended social visitation in all detention facilities.

The health, welfare and safety of U.S. Immigration and Customs Enforcement (ICE) detainees is one of the agency's highest priorities. Since the onset of reports of Coronavirus Disease 2019 (COVID-19), ICE epidemiologists have been tracking the outbreak, regularly updating infection prevention and control protocols, and issuing guidance to ICE Health Service Corps (IHSC) staff for the screening and management of potential exposure among detainees.

ICE continues to incorporate CDC's COVID-19 guidance, which is built upon the already established infectious disease monitoring and management protocols currently in use by the agency. In addition, ICE is actively working with state and local health partners to determine if any detainee requires additional testing or monitoring to combat the spread of the virus.

*Updated 03/15/2020 2:38pm*

## **IMMIGRATION ENFORCEMENT and CHECK-INS**

### **Has ICE modified enforcement efforts during COVID-19?**

To ensure the welfare and safety of the general public as well as officers and agents in light of the ongoing COVID-19 pandemic response, U.S. Immigration and Customs Enforcement (ICE) will temporarily adjust its enforcement posture beginning today, March 18, 2020. ICE's highest priorities are to promote life-saving and public-safety activities.

ICE Enforcement and Removal Operations (ERO) will focus enforcement on public-safety risks and individuals subject to mandatory detention based on criminal grounds. For those individuals who do not fall into those categories, ERO will exercise discretion to delay enforcement actions until after the crisis or use alternatives to detention, as appropriate.

Homeland Security Investigations will continue to carry out mission critical criminal investigations and enforcement operations as determined necessary to maintain public-safety and national security. Examples include investigations into child exploitation, gangs, narcotics trafficking, human trafficking, human smuggling, and continued participation on the Joint Terrorism Task Force. This work will be conducted based on ability to coordinate and work with prosecutors from the Department of Justice and intake at both the U.S. Marshals Service and Bureau of Prisons.

Consistent with its sensitive locations policy, during the COVID-19 crisis, ICE will not carry out enforcement operations at or near health care facilities, such as hospitals, doctors' offices, accredited health clinics, and emergent or urgent care facilities, except in the most extraordinary of circumstances. Individuals should not avoid seeking medical care because they fear civil immigration enforcement.

### **Translations**

- [Chinese - Simplified](#)
- [French](#)
- [Haitian Creole](#)
- [Portuguese](#)
- [Punjabi](#)
- [Russian](#)
- [Spanish](#)

*Updated 05/27/2020 12:00pm*

### **Has ICE suspended in-person reporting requirements for ATD participants?**

Due to the COVID-19 pandemic, and in an effort to reduce the risk to participants, ICE has temporarily

suspended the requirement for ATD participants to report in-person for office visits, and home visits have been temporarily suspended as well. In the interim, ICE will continue to leverage telephonic and electronic reporting between participants and case specialists. ICE will maintain this posture until either stay-at-home orders are lifted or ICE, in consultation with the Centers for Disease Control and Prevention, determines that the risk to resume face-to-face contact has been mitigated.

*Updated 04/17/2020 12:12pm*

### **I have a scheduled ICE check-in and tried calling my local field office but no one answered, what should I do?**

Contact the [local ICE field office by phone](#) for further instructions. If you missed your scheduled ICE check-in, you need to ensure that you make contact with ICE.

*Updated 04/17/2020 12:12pm*

### **I tried calling ICE but they did not answer the phone. What should I do?**

Leave a message for ICE with your name, A-number, and phone number. Due to the unfolding situation with COVID-19 and a higher than expected number of phone calls, ICE will be contacting you soon to provide you with updated information on how to proceed with your check-ins.

*Updated 04/17/2020 12:12pm*

### **I'm unable to attend an ICE check-in because of COVID-19, what should I do?**

Contact your [local ICE field office](#). If they do not answer, leave a message with your name, A-number, and phone number. Due to the unfolding situation with COVID-19 and a higher than expected number of phone calls, ICE will contact you with updated information on how to proceed with your scheduled check-in.

*Updated 04/17/2020 12:12pm*

### **I have a scheduled ISAP appointment, what should I do?**

Due to COVID-19, ICE has temporarily suspended in-person reporting, regardless of whether you were scheduled at an office or at your home. In the interim, your case specialist will be contacting you telephonically to conduct your check-in over the phone. If you are scheduled for in-person reporting with your ISAP case specialist and have not yet heard from them, please call them before in advance of your appointment.

*Updated 04/17/2020 12:12pm*

### **I'm unable to attend a scheduled ISAP check-in because of COVID-19, what should I do?**

Contact your case specialist. Please keep a record of the date and time you contacted your case specialist for reference purposes.

*Updated 04/17/2020 12:12pm*

### **I tried calling my case specialist, but they did not answer the phone. What should I do?**

Leave a message for your case specialist with your name, A-number, and phone number. Due to the unfolding situation with COVID-19 and a higher than expected number of phone calls, your case specialist will be contacting you soon to provide you with updated information on how to proceed with your check-ins. Please keep a record of the date and time for reference purposes that you contacted your case specialist.

*Updated 04/17/2020 12:12pm*

### **I have a scheduled check-in, what should I do?**

Individuals should contact their local field office for additional guidance prior to their scheduled

appointment.

*Updated 03/17/2020 5:00pm*

### **Is ICE making arrests at hospitals?**

ICE does not conduct enforcement operations at medical facilities, except under extraordinary circumstances. Claims to the contrary are false and create unnecessary fear within communities. Individuals should continue to seek medical care.

*Updated 03/15/2020 2:38pm*

### **Has ICE revised the process for filing the Form I-246, "Application for Stay of Deportation or Removal?"**

ICE will temporarily permit the filing of Form I-246, "Application for Stay of Deportation or Removal," through the mail accompanied by money orders, certified funds, or requests for fee waivers only.

*Updated 03/18/2020 5:18pm*

### **Has ICE revised the timeline for aliens to report for their initial check-in with a local field office?**

Aliens released from the Southwest Border will now be scheduled for initial reporting to a local field office 60 days after release, versus the current practice of scheduling such reporting in 30 days or less. Individuals should contact their local field office for additional guidance prior to their scheduled appointment.

*Updated 03/18/2020 10:39am*

## **BONDS**

### **I need to pay a bond, has ICE made any adjustments to its payment process?**

ICE will limit the acceptance of bonds to locations with "bond windows" or other appropriate barriers that will limit exposure to staff. Generally, only the individual appearing to post the bonds will be permitted to enter the office. Anyone accompanying such individuals, including children accompanied by another adult, will be asked by security not to enter the building.

If a prospective bond obligor contacts an office that is not currently physically accepting bonds, the office will provide [contact information for ICE offices](#) that are currently physically posting bonds, as well as contact information for surety agencies that are currently posting surety bonds with ICE.

*Updated 04/24/2020 7:52am*

## **DETENTION**

### **What has ICE done to protect detainees in ICE custody?**

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.

*Updated 05/04/2020 05:20pm*

## **What is ICE doing to ensure detainees in custody are well-cared for during this crisis?**

Currently, the CDC advises self-monitoring at home for people in the community who meet epidemiologic 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?**

Effective June 4, 2020, ICE tests all new detainees who arrive at ICE-owned facilities for COVID-19 during the intake screening process. ICE houses all new arrivals separately (cohorting) from the general population for 14 days after their arrival, and monitors them for symptoms. IHSC isolates detainees with COVID-19 symptoms and observes them for a specified period, in accordance with CDC guidance. New arrivals who have negative test results and remain symptom free can join the general detained population after the 14-day intake period. Detainees who test positive for COVID-19 receive appropriate medical care to manage the disease.

*Updated 08/12/2020 2:45pm*

## **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*

### **Will someone who presents symptoms or tests positive for COVID-19 be released from immigration custody?**

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**

### **My family member or friend is currently in ICE custody, will visitation to the facility still be allowed?**

ICE has temporarily suspended social visitation in all of its detention facilities. ICE recognizes the considerable impact of suspending personal visitation and has requested wardens and facility administrators maximize detainee use of teleconferencing, video visitation (e.g., Skype, FaceTime), email, and/or tablets, with extended hours where possible. ICE will continue to collaborate with the CDC, IHSC, and its network of health care providers to provide updates and revise procedures as necessary.

*Updated 04/02/2020 6:05pm*

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*Updated 05/27/2020 11:20am*

### **Will individuals in ICE custody be able to meet with their legal representatives?**

Detainee access to legal representatives remains a paramount requirement and should be accommodated to the maximum extent practicable. Legal visitation must continue unless determined to pose a risk to the safety and security of the facility.

Non-contact legal visitation (e.g., Skype or teleconference) should be offered first to limit exposure to ICE detainees, but in person contact should be permitted if determined essential by the legal representative. Prior to the in-person visit, the legal representative must undergo the same screening required for staff entry into the facility. The ultimate legal visit approving authority lies with the Warden or Facility Administrator; however, the facility should notify its local Field Office Director as soon as possible of any denied legal visits.

*Updated 04/02/2020 6:05pm*

### **Are Legal Orientation Programs continuing in ICE detention facilities?**

Government-sponsored Legal Orientation Programs (LOPs), carried out by the Department of Justice Executive Office for Immigration Review (EOIR) and authorized by congressional appropriations,

currently operate at a limited number of detention sites, and may continue to conduct detainee presentations. No more than four LOP presenters may be allowed in the facility at any time and must undergo the same screening required for staff entry into the facility. Non-LOP legal rights group presentations offered by volunteers are suspended until further notice.

*Updated 04/02/2020 6:05pm*

### **Will members of Congress be able to visit ICE detention facilities?**

Facility tours are suspended until further notice, excluding Members of Congress, Congressional Member Delegations (CODELs), and Congressional Staff Delegations (STAFFDELS) who will not be prevented from accessing facilities for the purpose of conducting oversight. To safeguard visitors, detainees, ICE and facility staff, congressional visitors may be subject to special screening procedures congruent with staff facility entry screening. Congressional visitors should be advised of standard hygiene practices to help prevent the spread of disease (i.e., washing hands, avoiding close contact) and should be made aware of available hand washing stations within the facility.

*Updated 04/02/2020 6:05pm*

## **IMMIGRATION COURT**

### **Is immigration court still taking place in-person at ICE detention facilities?**

Individuals attending immigration court in-person are encouraged to contact the Executive Office for Immigration Review (EOIR) for any additional requirements or changes to procedures. Please check EOIR's [operational status page](#) for the latest operational status of immigration courts nationwide.

*Updated 07/02/2020 3:30pm*

## **REMOVALS**

### **Does ICE medically screen detainees before they board a removal flight to their home country?**

The ICE Air flight medical provider conducts a visual screening consistent with current ICE policy and procedures on those detainees lacking medical summary information (new apprehensions) who are delivered to the aircraft. Those detainees who are not "new apprehensions" are brought to the aircraft with medical clearance. Any ICE detainee who fails to pass screening by a flight medical provider and/or is suspected of having a health-risk condition potentially contagious to other detainees, staff and/or third parties, will be denied boarding and referred to an ICE approved facility for screening.

In addition to recently issued IHSC guidance, for ICE Air charter removals, there will be a temperature screening at the flight line, prior to boarding. As of April 17, in accordance with updated IHSC guidance, any detainee with a temperature of 99 degrees or higher will be immediately referred to a medical provider for further evaluation and observation.

*Updated 04/17/2020 1:50pm*

## **STAKEHOLDER ENGAGEMENT**

### **Is ICE continuing to hold in-person stakeholder meetings?**

ICE will eliminate non-mission critical meetings with the public and use video-teleconferencing and other technology to conduct stakeholder meetings, to the extent practicable. ERO case officers will notify attorneys and those with upcoming scheduled appointments of the temporary change in procedures.

*Updated 03/18/2020 10:39am*

## **EMPLOYMENT VERIFICATION (I-9)**

### **If I am hiring and onboarding workers to work remotely at this time, do I need to verify their identity and employment authorization documents in person?**

If there are no employees present at a work location and a new employee is working remotely due to COVID-19, employers will not be required to review the employee's identity and employment authorization documents in the employee's physical presence. However, employers must inspect the Section 2 documents remotely (e.g., over video link, fax or email, etc.) and obtain, inspect, and retain copies of the documents, within three business days for purposes of completing Section 2. Employers also should enter "COVID-19" as the reason for the physical inspection delay in the Section 2 Additional Information field once physical inspection takes place after normal operations resume. Once the documents have been physically inspected, the employer should add "documents physically examined" with the date of inspection to the Section 2 additional information field on the Form I-9, or to section 3, as appropriate. These provisions may be implemented by employers for a period of 60 days from the date of this notice OR within 3 business days after the termination of the national emergency, whichever comes first. Click [here](#) to read the full guidance and requirements.

*Updated 04/08/2020 2:15pm*

## **NONIMMIGRANT STUDENTS AND SEVP-CERTIFIED SCHOOLS**

[Expand All](#) [Collapse All](#)

### **Guidance Documents**

### **Frequently Asked Questions**

## **DONATIONS OF PERSONAL PROTECTIVE EQUIPMENT**

### **Is ICE accepting donations of personal protective equipment?**

ICE is committed to the safety, health and wellbeing of those in its custody. The agency will continue providing appropriate personal protective equipment (PPE) to individuals in ICE custody and is thankful to outside organizations for offers to donate additional PPE. At this time, the agency is not accepting donated PPE, but will continue to evaluate its need to do so in the future.

*Updated 05/01/2020 11:03am*

Last Reviewed/Updated: 09/22/2020