

**AMERICAN BAR ASSOCIATION
Detention Standards Complaint Form**



Please complete the information on this cover page and attach a detailed description of the subject matter of this complaint on additional pages. Please be as specific in providing the information requested below. A detailed complaint will help us follow up more quickly and in a manner which specifically targets the problem you wish to see addressed. Please be sure to include the names and titles of anyone involved as well as the dates of any and all attempts to remedy this situation. Please attach copies of any correspondence with the INS or facility management regarding the complaint.

Your name: _____ Today's date: _____

Your contact information: _____

The detention facility concerned: _____

Please provide information on a separate paper in as much detail as possible.

1. What provision of the Standards were violated?
2. What happened?
3. What was the date and time of incident(s)?
4. What are the names and titles of any detention officers involved in the complaint?
5. What are the names and 'A numbers' of any detainees involved (if permission was given to release this information)?
6. Please provide detailed information regarding any complaints that you have made. Indicate:
 - The names and ranks of person to whom you complained
 - Dates of complaint
 - Forms of the complaint: in person discussion, phone call, correspondence, etc.
 - The substance of your complaints
7. For each complaint provide the following information regarding any responses:
 - The names and ranks of responders
 - Dates of responses
 - Forms of each response: in person discussion, phone call, correspondence, etc.
 - The substance of their responses
8. Please provide any information about how the complaint was or was not addressed at the local and District level.
9. Please provide any other information that you feel is important in putting these complaints and any responses in context.
10. How do you want to see this complaint resolved?

Please return the completed form and attached documents to: American Bar Association, Chris Nugent, 740 15th Street, NW, Washington, DC 20005; Tel: 202/662-1008; Fax: 202/638-3844.

**AMERICAN BAR ASSOCIATION
Immigration Pro Bono Development Project**

**CONFIDENTIAL DETAINEE QUESTIONNAIRE REGARDING CONDITIONS
IN INS DETENTION**

BACKGROUND: You recently sent a letter to _____ stating that you are detained by the Immigration Service. We write to ask that you fill out this questionnaire about the conditions at the facility where you are detained. The Immigration Service has recently created standards which guarantee a minimum level of conditions at the detention facilities it uses as well as access for visitation, legal presentations, telephone calls and library materials. You should have received information about your rights and responsibilities in a "detainee handbook" given to you when you entered the facility. This also includes information about the conditions and access that INS should be providing you.

If you are experiencing problems where you are detained, the American Bar Association (ABA) would like to know. The ABA is working on behalf of detained individuals to advocate for better INS detention conditions. All information that you provide us is strictly confidential. We will only use it as a summary of problems in INS detention. If we believe that we can assist you with your particular problem, we may contact you for further information and for permission to discuss the details of your case with the Immigration Service.

INSTRUCTIONS: Please answer the following questions and be as specific as possible regarding date(s) and time(s) of specific problems and names of any detention staff. Use extra paper if you need it. It is important that we receive complete information!

Your full name _____

INS A Number(s) _____ Name of facility where detained _____

Names of other facilities where detained by INS _____

Your mailing address _____

Date of birth _____ Place (town, country) of birth: _____

Nationality _____ What languages do you speak? _____

Are you currently in immigration proceedings? _____

Are you seeking asylum/withholding of removal or protection under the United Nations Convention against Torture? Yes _____ No _____

Have you been given an order of deportation? _____ When? _____

How long have you been detained? _____

Were you given a "detainee handbook" when you arrived at the facility? _____

Is the handbook available in your native language? _____

I. Access to Legal Information

Do you have access to legal information about your case?

What kind of information? (Video/written materials)

Have you seen a video that explains your rights under immigration law?

Please tell us about any problems you have had in getting legal information about your case (use extra paper if you need it):

Is there a law library where you are detained?

Have you been able to visit the law library? How often? How long is each visit?

Do you have to miss any other activity to use the law library? (for example, recreation time)

Do you have access to legal materials in the library?

Please describe the type of materials you have been able to use:

Are the materials current or out of date?

Do you have access to typewriters, pens and paper?

Does the detention center copy legal documents for free for detainees who do not have money?

Please tell us about any problems you have had in using the library, legal materials or other library materials (use extra paper if you need it):

Do you currently have an attorney representing you?

If yes, what is your attorney's name and phone number?

Have you received free legal assistance?

If yes, what is the name and phone number of the group?

Please tell us about any problems you have had in getting legal assistance for your case (use extra paper if you need it):

II. ACCESS TO VISITATION

Have your family or friends been able to visit you?

Has your attorney been able to visit you?

Please tell us about problems you have had during visits with family, friends or attorney, for example, long wait times, lack of privacy, interruptions. (Use extra paper if needed):

Are you strip-searched after attorney visits?

Are you strip-searched after visits with family or friends?

If you miss lunch during visitation, are you given any food?

With your attorney, are you allowed to continue your visit through "count"?

Have you ever received a telephone message from your lawyer? Has your lawyer ever left you a message which you did not receive?

III. MAIL AND TELEPHONES

Have you been able to send and receive mail?

Does the detention center pay to send legal/regular mail of detainees who cannot afford postage?

Please tell us about any problems you have had in sending and receiving mail (use extra paper if you need it):

Are you able to make telephone calls?

What kind of calls? (please circle one) collect/debit card/other

Are you able to make free calls to your consulate, the court, or legal representatives to seek assistance?

Have you requested making a free call to an attorney? Was your request granted/denied?

How long did it take to make the call after you requested it?

Is there information posted by the phone in your facility about how to make phone calls?

Please tell us about any problems you have with making telephone calls (use extra paper if you need it):

IV. CONDITIONS REGARDING RECREATION, MEDICAL, AND RELIGIOUS ISSUES

How many days a week and for how long are you allowed outdoor recreation?

If you do not have regular access to outdoor recreation, please explain why not:

If your facility has indoor recreation, how many days a week and for how long are you given recreation?

Are you able to get medical attention?

Please tell us about any problems you have had in getting medical attention, including dental and psychiatric treatment (use extra paper if you need it):

Are you able to practice your religion in detention?

Please tell us about any problems you have had in practicing your religion in detention, for example lack of special diets, lack of access to articles for prayer, lack of access to religious counselors (use extra paper if you need it):

V. OTHER CONDITIONS ISSUES

Please describe other conditions of detention that have been difficult for you (for example, meals, clothing, sheets, exercise time, segregation, discipline, sleeping arrangements, solitary confinement, etc.). Use extra paper if you need it:

With any of the problems you have identified, have you tried to use the grievance procedure at your facility and what was the result?

THANK YOU for taking the time to fill out this questionnaire. Please mail it back to Chris Nugent at the American Bar Association, Immigration Pro Bono Development Project, 740 Fifteenth Street, NW, Washington D.C. 20005-1022. (Or call the ABA at 202/662-1008 in an emergency.) Do not send any original documents to our office but keep them with you.

APPENDIX 3

