



NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION
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www.archives.gov

Date: May 1, 2019
Appraiser: Ashby Crowder, ACR1
Agency: Immigration and Customs Enforcement (ICE)
Subject: DAA-0567-2015-0013

On October 11, 2018, the appraiser sent ICE a memo of changes to proposed schedule DAA-0567-2015-0013, Detainee Records that were required for NARA to proceed with the records scheduling process. This memo reflected the changes outlined in the NARA memo dated September 12, 2018, and was based on the item numbers as reflected in the Returned for Revision Working Version downloaded from the Electronic Records Archive (ERA) on July 23, 2018.

ICE made all required changes and on October 25, 2018 certified the proposed schedule in ERA. Upon certification, ERA automatically reordered the items as follows:

Item 0001: Detainee Sexual Abuse and Assault Files
The item number is unchanged.

Item 0002: Enforcement and Removal Operations (ERO) Detainee Death Review Files
Item 0002 was originally proposed as Death Review Files. Two separate organizations in ICE maintain Detainee Death Review Files. Item 0002 on the revised schedule is the Detainee Death Review Files for Enforcement and Removal Operations.

Item 0003: Office of Professional Responsibility (OPR) Detainee Death Review Files
This is the second Detainee Death Review Files item. It covers files maintained by OPR and was numbered as item 0013 on the Returned for Revision Working Version of the schedule. This item was not included on the original schedule, as the Death Review Files item on the original schedule was intended to cover ERO records only. Adding the OPR Detainee Death Review Files item to this schedule clarifies the handling of these two different sets of records.

Item 0004: Detainee Death Reports
This is a new item that did not appear on the original proposed schedule. In the course of discussions, NARA and ICE determined that these records, previously scheduled as permanent, needed to be rescheduled, as the office creating the records had changed. The item appeared as item 0012 on the Returned for Revision Working Version of the schedule.

Item 0005: Detention Monitoring Reports
This item was originally proposed as Item 0004, Weekly Detention Service Monitor Report.

Item 0006: Detainee Escape Reports

This item, title unchanged, was numbered 0007 on the schedule as originally proposed.

Item 0007: Detention Reporting and Information Line (DRIL) Records

This item was proposed on the original schedule as item 0008, Detention Information and Reporting Line Records. The title was corrected to fix two transposed words.

Item 0008: Detainee Segregation Reports

This item was originally proposed as item 0009, Detainee Segregation Case Files. The item title was revised to more accurately reflect the nature of the records.

Ashby Crowder

ASHBY CROWDER

Appraiser



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Date: September 12, 2018
Appraiser: Ashby Crowder, ACR1
Agency: Immigration and Customs Enforcement
Subject: DAA-0567-2015-0013

INTRODUCTION

Schedule Overview

Detainee Records

Background Information

U. S. Immigration and Customs Enforcement (ICE) originally submitted this schedule on October 26, 2015. The appraiser negotiated several changes with the Agency and prepared the appraisal. Notice was published in the Federal Register on July 14, 2017, and NARA received a record number of comments and petitions from numerous organizations and individuals questioning the appropriateness of the proposed disposition and retention periods.

NARA appraisal staff conducted extensive research and met with ICE officials to gather all information necessary to adjudicate public requesters' comments. NARA also conducted a comprehensive review of all ICE schedules that relate to deaths and assaults of detainees in ICE facilities. In the course of this process, NARA and ICE officials concluded that modification to the titles, descriptions, and disposition instructions of some items would be appropriate. Some items were removed from the schedule, either because they were already scheduled or are proposed for disposition on a different schedule. One item was added to the schedule because it is a type of detainee record that needed to be rescheduled. Finally, the disposition of one item has been changed from temporary to permanent in response to public interest in the records.

This schedule covers records created and maintained by Enforcement and Removal Operations (ERO) and the Office of Professional Responsibility (OPR). ERO manages and oversees the civil immigration detention system in the United States. Non-U.S. persons who are apprehended and determined to need custodial supervision are placed in detention facilities. ICE endeavors to ensure that its detention facilities, whether government-run or contracted out, follow ICE's Performance-Based National Detention Standards.

OPR investigates allegations of misconduct involving ICE employees. In cases of potential misconduct that would violate state or federal criminal law, or that would jeopardize or undermine the agency's ability to perform its mission, OPR prepares reports of its investigations for possible judicial or management action. OPR also provides independent reviews of ICE programs and offices.

This change memorandum is based on the Returned for Revision Working Version downloaded from the Electronic Records Archives (ERA) on July 23, 2018. This version was based on changes discussed at meetings held on January 8, 2018 and February 28, 2018.

Note: When the agency certifies a final version of the schedule, the ERA system will renumber the items to reflect deletions and additions. This will affect the item numbering used below, which reflects the uncertified Returned for Revision Working Version.

Overall Recommendation

I recommend approval with proposed changes to items, as provided below.

APPRAISAL

Detainee Telephone Rate Records

ICE has removed this item from the schedule because the record copy is part of the procurement file and is therefore already scheduled under General Records Schedule 1.1, item 011, Procuring goods and services, DAA-GRS-2013-0003-0001, which requires the records to be retained for at least 6 year(s) after final payment or cancellation. A previous version of this schedule erroneously stated that the item proposed for disposition included legal memoranda and analysis of public comments.

Alternative to Detention (ATD) Participant Records

Alternative to Detention (ATD) Incident/Violation Reports

ICE has removed these items from the proposed schedule and has proposed them for disposition in a separate request for disposition authority (Alternatives to Detention (ATD) Program, DAA-0567-2018-0001). NARA initiated the Federal Register notice publication process for this schedule on August 20, 2018. Under the proposed disposition, these records would be retained for 7 years after the date on which the participant is terminated from the ATD Program.

Daily Detention Log

Residential Detainee Locator Files

These items were removed from the proposed schedule because they are covered by another approved disposition authority (Department of Homeland Security, Law Enforcement: Identification, investigation, apprehension, and/or removal of aliens unlawfully entering or president [sic] in the United States and facilitate entry of individuals into the United States, DAA-0563-2013-0001-0006). Under this authority, the records are maintained for 75 years after the year in which the data are gathered.

Item 0001: Detainee Sexual Abuse and Assault Files

Records relating to incidents of sexual assault at ICE facilities are created and maintained in accordance with the Prison Rape Elimination Act of 2003. Following a notice of an alleged sexual abuse or assault the ICE Joint Intake Center must be notified within 2 hours and a report entered into the Significant Event Notification System (SEN) within 24 hours. This item consists of records of the investigation, and the outcome of the investigation, that are maintained by both ERO and OPR. The DHS Office of Inspector General always has the right of first refusal before OPR conducts an investigation. Records include investigative reports, memoranda, and documentation from federal and local law enforcement. The investigations normally take 6-18

months to complete. The investigation is closed when an outcome is determined. If there is prosecutorial activity, the investigation will likely take longer. Investigations are handled in the same manner whether the perpetrator of the assault or abuse is another detainee or an ICE employee or contractor. OPR stores all its investigations including allegation of sexual abuse and assault in the Joint Integrity Case Management System (JICMS). A summary of the results of the forensic medical exam is placed in the investigation file, but other medical records are not included.

Records management staff at ICE has changed since this schedule was originally submitted. The current staff is reviewing system schedules in light of scheduling records agnostic to the system that contains the records. As such this item will cover sexual abuse and assault records maintained in JICMS and in the Sexual Abuse and Assault Prevention and Intervention Case Management System (SAAPICM) (unscheduled). SAAPICM includes fields for case overview (location, reporter name, incident location, intake method); incident report; correspondence; details of inquiry; report of investigation; assault/abuse incident review; notice of charges; unit disciplinary report for offender; and investigation findings. ICE will be required to modify the superseded authority citation field to read: "N1-567-11-009, item 1a (supersede in part, for detainee sexual abuse and assault files only.)"

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate.

Appraisal Justification:

* Captured elsewhere in other long-term temporary records [Significant Event Notification System Master File/Data, N1-567-11-4, item 1]. The Significant Event Notification master file is a 75 year temporary record. Data about sexual abuse and assault incidents are maintained in this system as a Significant Incident Report (SIR) which includes biographical information and summary of the event.

* Captured elsewhere in permanent records [Department of Homeland Security, Annual and Other Reports to Congress, DAA-0563-2013-0005-0001]. Statistical information on incidents of sexual assault and abuse and investigations of such incidents that are reported to the DHS Office for Civil Rights and Civil Liberties is captured in the annual and semi-annual reports the DHS Office for Civil Rights and Civil Liberties submits to Congress. The Office of Inspector General's inspection reports [Audit/Inspection Reports and Supporting Documentation, Performance Audits and Inspection Reports, N1-563-09-10, item 1a] also document ICE's handling of issues of civil rights and human rights. Some reports deal with the treatment of detained immigrants housed at ICE facilities. If an incident of sexual abuse or assault is related to significant employee misconduct, the investigative case file would be permanent under proposed schedule item Internal Affairs Significant Misconduct Investigative Case Files, DAA-0567-2015-0012-0001 (pending).

Adequacy of Proposed Retention Period: Inadequate. ICE agreed at the appraisal meeting to modify the proposed retention period from destroy 20 years after cutoff to destroy 25 years after cutoff. This item now supersedes in part Joint Integrity Case Management System Master File/Data, N1-567-11-009, item 1a. This approved item has a 25 year retention period, and the change is required to ensure records in a consolidated new item covering both SAAPICM and records in JICMS are preserved for the time required for ICE's business needs. According to the regulations implementing the Prison Rape Elimination Act for DHS, an agency, as defined in the regulations, must maintain data for allegations of sexual abuse for at least 10 years after the date

of the initial collection unless Federal, State, or local law requires otherwise. The 25 year retention period is therefore well in excess of the minimum time established in 6 CFR §115.89. A 25 year period is sufficient to ensure that the rights of victims are protected.

Media Neutrality: Approved

Item 0002 and 0013 Detainee Death Review Files

ICE has split the original item DAA-0567-2015-0013-0002, Death Review Files, into two items. The first is a temporary item for ERO's Detainee Death Review Files, and reflects the 20 year temporary disposition documented in the first appraisal report. The second item will be a permanent item for OPR's Detainee Death Review Files (see below for new item 0013). When a detainee dies in ICE custody, the OPR and ERO both create and maintain Death Review Files.

In 2017, there were ten detainee deaths. All detainee deaths are immediately reported to the DHS Office of Inspector General (DHS-OIG), and this office has the right of first refusal before OPR initiates its investigation into a detainee death. DHS-OIG reviewed individual cases of detainee deaths in custody as part of a June 2008 report entitled *ICE Policies Related to Detainee Deaths and the Oversight of Immigration Detention Facilities*. As part of this report, DHS-OIG gathered data from the two affected detention facilities, examined the agency's reports of monitoring visits to various facilities, and held discussions with public and private sector experts on detention standards.

In the event that a death in ICE custody is determined to be a homicide, the Federal Bureau of Investigation (FBI) conducts an investigation. In the history of ICE, there has been only one detainee death found to be a homicide. This homicide occurred in 2013 and remains under investigation as of the date of this appraisal. FBI case files for such investigations are permanent records under Classification 70, Crime on Government Reservation, Federal Bureau of Investigation, NC1-065-82-004, item 70.

OPR conducts an administrative review of the death and sends its report, minus the exhibits, to ERO. This copy is included in ERO's own separate death review file.

Item 0002: Enforcement and Removal Operations (ERO) Detainee Death Review Files

At the beginning of its process, ERO asks the facility and local law enforcement where the death occurred to supply all records the facility has on the deceased detainee. These were previously transmitted via express delivery and since FY 2013 are transferred via a SharePoint site. These records are shared with OPR and with the ICE Health Service Corp. ERO incorporates into its death review file everything the facility sends, which may include a copy of the entire Alien File (A-File). If and only if the facility where the detainee dies sends ERO a copy of the detainee's medical file would the medical file be in ERO's death review file. (Medical program clinical records are currently scheduled under N1-567-08-001, item 1. The records are retained for 10 years after the end of the year in which the individual is released from ICE custody.)

ERO's death review file typically includes the death certificate; a memorandum of issue ERO creates for the Executive Associate Director of ERO summarizing the circumstances of the death; background on the detainee and his or her arrest; the removal order statement; consular

notification information; the autopsy exam report; the toxicology report; ERO's corrective action plan based on the OPR report; a copy of the Significant Incident Report (SIR) from the Significant Event Notification (SEN) System; and correspondence between ERO and the facility where the detainee died. The file may include an ICE Health Service Corps (IHSC) incident report, and the detainee's telephone call history. ERO's Detention Standards Compliance Unit opens the file at death and closes it when corrective actions at the facility are completed. Corrective actions include recommendations from the OPR administrative review.

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* Captured elsewhere in permanent records. The most significant contents of the ERO Death Review file are covered by the OPR Death Review File discussed in this appraisal. Some records such as the death certificate, consular notification and charging documents are included in the U.S. Citizenship and Immigration Services, Alien Files (A-Files) April 1, 1944 to Present, N1-566-08-11, item 1.

* Many records included in the ERO Death Review are duplicates of records appraised under other authorities such as Significant Event Notification System (SEN), Master File/Data, N1-567-11-4, item 1; and U.S. Citizenship and Immigration Services, Alien Files (A-Files) April 1, 1944 to Present, N1-566-08-11, item 1.

Adequacy of Proposed Retention Period: Adequate from the standpoint of legal rights and accountability. The long retention period ensures that individuals and organizations who may wish to obtain the ERO Death Review Files have many years to request them from ICE through the Freedom of Information Act.

Media Neutrality: Approved. ERO maintains a file which is a mix of hard copy records, and records burned to DVD.

Item 0013: Office of Professional Responsibility (OPR) Detainee Death Review Files

This new permanent item is for OPR's Detainee Death Review Files. OPR conducts an administrative review of the death and the circumstances surrounding it. While the ERO Death Review File is a comprehensive accumulation of all source documentation related to the individual and his or her encounters with immigration agencies, the OPR Death Review is a focused examination and analysis of the circumstances surrounding the death.

This death review file includes all exhibits cited in the investigation. Types of exhibits are highly specific to the incident under investigation. Exhibits may include records such as logs, physical examination reports from health care professionals, emails, medical progress notes, property receipts, autopsy reports, and video footage. This review is done only if the death occurs after the detainee is in the custody of ICE. The review includes a determination of whether deficiencies in detention practices contributed to the death. OPR examines medical files of the deceased, speaks to health care providers at the facility, and examines the security of the facility. Its report includes an analysis, and any findings relating to deficiencies in following the National Detention Standards. The review also discusses problems encountered that are areas of concern but do not rise to the level of violations of the standards.

The OPR death review file is the copy that is available online from ICE's FOIA library at the time of appraisal. Although the exhibits are not posted online in the FOIA library, exhibits are part of the OPR file that is covered by this item. OPR's Death Review Files date back to approximately 2007, when a formal review procedure was established. At the time of scheduling the report and its exhibits are maintained in both hard copy and in the Joint Integrity Case Management System (JICMS). ICE will be required to modify the superseded authority citation field to read: "N1-567-11-009, item 1a (supersede in part, for detainee death review files only.)" ICE will also be required to revise the description from "...investigative reports,..." to "...investigative reports and their exhibits,..."

Proposed Disposition: Permanent

Appropriateness of Proposed Disposition: Appropriate. At various stages in ICE/NARA discussion about this item on this and previous withdrawn schedules, the proposed disposition has flipped between temporary and permanent. In light of the level of public interest in the records, the appraiser considers a permanent disposition appropriate for OPR's death review files.

Appraisal Justification:

* High potential research value. The records will be useful for historical research into conditions of detention and the Federal government's treatment of detainees. Congress and the public have shown considerable interest in records of detainee deaths.

Adequacy of Proposed Transfer Instructions: Appropriate.

Media Neutrality: Approved. Since the original appraisal it has been decided to declare the recordkeeping copy electronic. The recordkeeping copy is maintained in JICMS.

Item 0012: Detainee Death Reports

This item consists of summary data on detainee deaths in ICE custody. Previously maintained by the ICE Health Services Corps (IHSC), it has been added to this schedule to reflect the transfer of responsibility in 2012 from IHSC to ERO as the entity that maintains this record. Data elements are maintained in a spreadsheet and include date of death, nature of death, preliminary cause of death, location of death, location of last detention, IHSC staffing status, facility type, length of final detention stay, length of hospital stay, autopsy findings, death certificate received date, final cause of death, death category, criminal history based on conviction, most serious criminal conviction, and most recent case number. At the time of this appraisal some of these data points in the form of a data table are available in the ICE FOIA library. Annual transfers will consist of data from each year only. ICE has detainee deaths data going back to 2003. This item supersedes Annual Detainee Deaths Data, Data ICE transfers to the Bureau of Justice Statistics (BJS), N1-567-08-001, item 2b1; and Data ICE does not transfer to the Bureau of Justice Statistics (BJS), N1-567-08-001, item 2b2. ICE has not transferred data to NARA under the superseded permanent item, N1-567-08-001, item 2b2. Nor has ICE regularly transferred data to BJS; the schedule item referring to transfers to BJS were in practice ad hoc rather than regular and recurring. ICE will be required to add the superseded items to the schedule.

Proposed Disposition: Permanent

Appropriateness of Proposed Disposition: Appropriate.

Appraisal Justification:

* High potential research value. Congress and the public have shown considerable interest in records of detainee deaths. These high level summary data of deaths are appropriate for preservation in the National Archives.

* Previously approved as permanent [Annual Detainee Deaths Data, Data ICE does not transfer to the Bureau of Justice Statistics (BJS), N1-567-08-001, item 2b2].

Adequacy of Proposed Transfer Instructions: Appropriate.

Media Neutrality: Approved

Item 0004: Detention Monitoring Reports

Weekly reports filed by Detention Service Monitors (DSMs). DSMs support oversight of ICE's largest facilities, soliciting feedback from local and regional staff. The report is distributed throughout ERO in the form of an itemized narrative report. The report serves as a digest for operational awareness. Reports include significant events at facilities as well as information about media contacts and administrative awareness items such as job vacancy announcements.

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* Has little or no research value. The records do not warrant retention in the National Archives once the business needs of the agency to maintain operational awareness have been fulfilled. Significant events would be registered in the Significant Event Notification System, a long term temporary record whose master file is already scheduled [Significant Event Notification System Master File/Data, N1-567-11-4, item 1].

Adequacy of Proposed Retention Period: Adequate from the standpoint of legal rights and accountability.

Media Neutrality: Approved

Item 0007: Detainee Escape Reports

Reports of detainees escaping from ICE detention. Includes records of investigation into whether proper procedures were observed. These records are maintained by ERO's Detention Standards Compliance Unit and pertain only to escapes that were successful. Erroneous releases on ICE's part are considered a category of successful escape and are covered by this item.

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* Has little or no research value. The records have insufficient historical value to warrant preservation in the National Archives once the business needs of the agency to support any escape related litigation have been met.

* Captured elsewhere in other long-term temporary records [Significant Event Notification System Master File/Data, N1-567-11-4/1]. The Significant Event Notification master file is a 75 year temporary record. Escapes must be reported in this system.

Adequacy of Proposed Retention Period: Adequate from the standpoint of legal rights and accountability. The retention period ensures that records are available to serve as evidence in any litigation that may arise.

Media Neutrality: Approved

Item 0008: Detention Reporting and Information Line (DRIL) Records

The ICE ERO Detention Reporting and Information Line is a toll-free service that provides a direct channel for detainees, the public, non-governmental organizations, academic institutions,

and advocates to communicate directly with ERO to answer questions and resolve concerns. Call center representative answer calls and assist with resolution on subjects such as: incidents of sexual or physical assault or abuse; serious or unresolved problems in detention; reports of victims of human trafficking; and requests for basic case information.

ICE telephone operators create records in a web-based platform in response to the calls received in call centers. The operator inputs notes about calls and triages the calls. Call reports are collected at ICE headquarters and sent to the appropriate field offices for investigation. For example, if a sexual assault is reported, records covered by item 0001 of this appraisal, Detainee Sexual Abuse and Assault Files, would be created. ICE has developed reporting requirements governing steps that must be taken depending on the allegation made in the call. Some allegations are serious enough to be immediately referred to DHS OIG and OPR.

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* Has little or no research value. DRIL records consist of initial case intake data referred to other offices as appropriate and do not warrant preservation in the National Archives. Documentation of significant incidents will be captured in records specific to the type of allegation being made.

Adequacy of Proposed Retention Period: Inadequate. The agency will be required to maintain the records for a minimum of 7 years. This retention periods will ensure maintenance of records for an appropriate length of time to ensure legal rights and accountability.

Media Neutrality: Approved

Item 0009: Detainee Segregation Reports

Records documenting placement of detainees in segregated housing, either for non-punitive administrative reasons or as a disciplinary action. Non-punitive detention pertains to detainees with mental health problems, or those who are sexual minorities. Detainees in administrative segregation are not commingled with detainees in disciplinary segregation. Each time a new instance of segregation occurs, a new case is opened. One individual may have one or more cases. The records are maintained in the Segregation Review Management System (SRMS), a share-point based system. Each case consists of one database record with file attachments. Data fields include reasons for segregation, dates of segregation, whether the individual has an illness or disability, whether the individual is LGBTI, and if there is a related Sexual Abuse and Assault Prevention and Intervention (SAAPI) case. Information about housing is also recorded in each detainee's Detention Case File, scheduled under N1-567-11-014, item 1 and maintained for 6 years from date of detainee's transfer or release from facility, or removal from the United States.

Proposed Disposition: Temporary

Appropriateness of Proposed Disposition: Appropriate

Appraisal Justification:

* Has little or no research value. These are short-term records created for the purpose of managing and monitoring detainee housing. The records do not have long-term administrative or historical value and do not warrant preservation in the National Archives.

Adequacy of Proposed Retention Period: Inadequate. Reference in the cutoff instruction to "final report" must be removed. Per discussions between NARA and ICE, there is no final report.

Rather, the case is closed upon the detainee's release from segregation (not release from ICE custody). Cutoff instruction should be revised to read "Cut off at end of fiscal year in which detainee is released from segregation." The agency will be required to maintain the records for a minimum of 7 years to support interests of legal rights and accountability.

Media Neutrality: Approved

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ASHBY CROWDER

Appraiser

PENDING - NOT APPROVED FOR USE

Request for Records Disposition Authority

Records Schedule Number DAA-0567-2015-0013

Schedule Status Appraiser Working Version

Agency or Establishment Immigration and Customs Enforcement

Record Group / Scheduling Group Records of the Bureau of Immigration and Customs Enforcement

Records Schedule applies to Agency-wide

Schedule Subject Detainee Records

Internal agency concurrences will be provided No

Background Information

Enforcement and Removal Operations (ERO) is responsible for the management and oversight of the United States civil immigration detention system. Detainees placed in ICE custody are individuals who are apprehended and determined to need custodial supervision. Individuals who are released from secure custody constitute ERO's "nondetained" docket. Every case, whether "detained" or "non-detained," remains part of ERO's caseload and is actively managed until it is formally closed. ERO processes and monitors detained and non-detained cases as they move through immigration court proceedings to conclusion.

The Office of Professional Responsibility (OPR) is responsible for overseeing the agency's detention functions to ensure compliance with ICE detention standards. In the event of a detainee's death, OPR will investigate the circumstances of that death.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
8	2	6	0

GAO Approval

PENDING - NOT APPROVED FOR USE

Outline of Records Schedule Items for DAA-0567-2015-0013

Sequence Number	
1	Detainee Sexual Abuse and Assault Files Disposition Authority Number: DAA-0567-2015-0013-0001
2	Enforcement and Removal Operations (ERO) Detainee Death Review Files Disposition Authority Number: DAA-0567-2015-0013-0002
3	Office of Professional Responsibility (OPR) Detainee Death Review Files Disposition Authority Number: DAA-0567-2015-0013-0003
4	Detainee Death Reports Disposition Authority Number: DAA-0567-2015-0013-0004
5	Detention Monitoring Reports Disposition Authority Number: DAA-0567-2015-0013-0005
6	Detainee Escape Reports Disposition Authority Number: DAA-0567-2015-0013-0006
7	Detention Reporting Information Line (DRIL) Records Disposition Authority Number: DAA-0567-2015-0013-0007
8	Detainee Segregation Reports Disposition Authority Number: DAA-0567-2015-0013-0008

PENDING - NOT APPROVED FOR USE

Records Schedule Items

Sequence Number	
1	<p data-bbox="345 380 932 411">Detainee Sexual Abuse and Assault Files</p> <p data-bbox="345 432 1149 464">Disposition Authority Number DAA-0567-2015-0013-0001</p> <p data-bbox="345 489 1507 674">Records documenting the reporting and investigation of sexual abuse or assault allegations between detainees as well as by employees, contractors, or volunteers against detainees. Records include, but are not limited to, police reports; summaries of medical exam results; supporting memos and video (if any); evidentiary materials pertaining to the allegation; and investigation outcomes.</p> <p data-bbox="345 695 915 726">Final Disposition Temporary</p> <p data-bbox="345 747 878 779">Item Status Pending</p> <p data-bbox="345 800 818 831">Is this item media neutral? Yes</p> <p data-bbox="345 852 802 978">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p data-bbox="345 999 1495 1073">GRS or Superseded Authority Citation N1-567-11-009 / 1a (supersede in part, for detainee sexual abuse and assault files only.)</p> <p data-bbox="345 1104 659 1136">Disposition Instruction</p> <p data-bbox="345 1167 1479 1241">Cutoff Instruction Cut off at end of the fiscal year in which the case is closed.</p> <p data-bbox="345 1262 1192 1293">Retention Period Destroy 25 year(s) after cutoff.</p> <p data-bbox="345 1335 656 1367">Additional Information</p> <p data-bbox="345 1388 948 1419">GAO Approval Not Required</p>
2	<p data-bbox="345 1451 1406 1482">Enforcement and Removal Operations (ERO) Detainee Death Review Files</p> <p data-bbox="345 1503 1154 1535">Disposition Authority Number DAA-0567-2015-0013-0002</p> <p data-bbox="345 1560 1511 1860">Records documenting Enforcement and Removal Operations (ERO) reporting of detainee deaths that occur in ICE custody, including detention facilities, medical facilities, or in transit to or from any such facility. ERO, in coordination with OPR, conducts an internal review of all facility inspection records for the detention facility at which the death occurred, and a review of all contract documentation for the detention facility where the death occurred. Records include, but are not limited to, correspondence; medical reports; investigative reports; detainee's detention and medical files; death certificates; toxicology reports; and autopsy reports.</p> <p data-bbox="345 1881 915 1913">Final Disposition Temporary</p>

PENDING - NOT APPROVED FOR USE

	Item Status	Pending
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off at the end of the fiscal year in which the case is closed.
	Retention Period	Destroy 20 year(s) after cutoff.
	Additional Information	
	GAO Approval	Not Required
3	Office of Professional Responsibility (OPR) Detainee Death Review Files	
	Disposition Authority Number	DAA-0567-2015-0013-0003
	Records documenting OPR investigation of detainee deaths that occur in ICE custody, including but not limited to deaths that occur in a detention facility, a medical facility, or in transit to or from any such facility. Records include, but are not limited to, investigative reports and their exhibits, correspondence, witness statements, extracts of pertinent information, immigration records, medical records, photographs, video and voice recordings, death certificates, toxicology report, and autopsy reports.	
	Final Disposition	Permanent
	Item Status	Pending
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
	Do any of the records covered by this item exist as structured electronic data?	Yes
	GRS or Superseded Authority Citation	N1-567-11-009 / 1a (supersede in part, for detainee death review files only.)
	Disposition Instruction	
	Cutoff Instruction	Cut off at the end of the fiscal year in which the case is closed.
	Transfer to the National Archives for Accessioning	Transfer to the National Archives 20 year(s) after cutoff.

PENDING - NOT APPROVED FOR USE

4

Additional Information

What will be the date span of the initial transfer of records to the National Archives? **Unknown**
Will be determine in consultation with OPR.

How frequently will your agency transfer these records to the National Archives? **Every 5 Years**

Detainee Death Reports

Disposition Authority Number **DAA-0567-2015-0013-0004**

Cumulative reports of individuals who have died while in ICE custody each fiscal year. Reports include alien's name, alien number, date of death, location at time of death, type of death (natural causes, suicide, homicide, accidental overdose, etc.), and cause of death as reported on the death certificate.

Final Disposition **Permanent**

Item Status **Pending**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

GRS or Superseded Authority Citation **N1-567-08-001 / 2b1**
N1-567-08-001 / 2b2

Disposition Instruction

Cutoff Instruction **Cut off at the end of the fiscal year in which the report is issued.**

Transfer to the National Archives for Accessioning **Transfer to the National Archives 20 year(s) after cut off.**

Additional Information

What will be the date span of the initial transfer of records to the National Archives? **Unknown**
Records Division will consult with ERO for date span of initial transfer.

How frequently will your agency transfer these records to the National Archives? **Unknown**
Records Division will consult with ERO and NARA for transfer frequency.

PENDING - NOT APPROVED FOR USE

5	<p>Detention Monitoring Reports</p> <p>Disposition Authority Number DAA-0567-2015-0013-0005</p> <p>Reports documenting on-site monitoring of detention facilities for appropriate and timely resolution of problems and concerns that may arise daily during facility operations. Facilities provide weekly reports to the Detention Monitoring Unit (DMU) identifying concerns within the facility and corrective actions taken to remedy them.</p> <p>Final Disposition Temporary</p> <p>Item Status Pending</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p>Disposition Instruction</p> <p>Cutoff Instruction Cut off at end of the calendar year in which the report is issued.</p> <p>Retention Period Destroy 3 year(s) after cutoff.</p> <p>Additional Information</p> <p>GAO Approval Not Required</p>
6	<p>Detainee Escape Reports</p> <p>Disposition Authority Number DAA-0567-2015-0013-0006</p> <p>Reports documenting details of successful detainee escapes from ICE custody or detention facilities. Reports are generated from field offices and submitted to the ICE Detention Standards Compliance Unit (DSCU).</p> <p>Final Disposition Temporary</p> <p>Item Status Pending</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p>Disposition Instruction</p> <p>Cutoff Instruction Cut off at end of the fiscal year in which the report is issued.</p>

PENDING - NOT APPROVED FOR USE

7	Retention Period	Destroy 7 year(s) after cutoff.
	Additional Information	
	GAO Approval	Not Required
	Detention Reporting Information Line (DRIL) Records	
	Disposition Authority Number	DAA-0567-2015-0013-0007
	Records documenting calls to the Detention Reporting and Information Line (DRIL). DRIL is a toll-free service providing a direct channel for individuals in ICE custody, the public, non-governmental organizations, faith-based organizations, academic institutions, attorneys, and advocacy groups to communicate directly with ICE to answer questions and resolve concerns. Inquiries are sent to the appropriate referral source for action and resolution. Records include, but are not limited to, communications in any form (phone, etc.), correspondence, and supporting documentation.	
	Final Disposition	Temporary
	Item Status	Pending
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
8	Disposition Instruction	
	Cutoff Instruction	Cut off at end of the calendar year in which the call is received.
	Retention Period	Destroy 7 year(s) after cutoff.
	Additional Information	
	GAO Approval	Not Required
	Detainee Segregation Reports	
	Disposition Authority Number	DAA-0567-2015-0013-0008
	Reports documenting the placement of detainees in segregated housing, including reasons for segregation placement, compliance with applicable detention standards, alternative arrangements explored, and assessment of the best course of action. Segregation may be administrative, disciplinary, protective actions, or self-requested by the detainee.	
	Final Disposition	Temporary
	Item Status	Pending
Is this item media neutral?	Yes	

PENDING - NOT APPROVED FOR USE

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?

No

Disposition Instruction

Cutoff Instruction

Cut off at end of fiscal year in which the detainee is released from segregation.

Retention Period

Destroy 7 year(s) after cutoff.

Additional Information

GAO Approval

Not Required

PENDING - NOT APPROVED FOR USE

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
10/26/2015	Certify	Dawn Boswell	Records Officer	OAS - Privacy and Records
11/25/2016	Return for Revision	Ashby Crowder	Archives Specialist	National Archives and Records Administration - ACRA
02/06/2017	Submit For Certification	Sara Cheeseman	Records Contractor	Office of the Assistant Secretary - Office of Information Governance and Privacy
02/13/2017	Return to Submitter	Rachel Frier	ICE Records Officer	M and A - Records Division
05/23/2017	Submit For Certification	Vanessa Ortiz	Records Management Specialist	Department of Homeland Security - Immigration and Customs Enforcement
05/23/2017	Certify	Vanessa Ortiz	Records Management Specialist	Department of Homeland Security - Immigration and Customs Enforcement
01/09/2018	Return for Revision	Ashby Crowder	Archives Specialist	National Archives and Records Administration - ACRA
10/24/2018	Submit For Certification	Vanessa Ortiz	Records Management Specialist	Department of Homeland Security - Immigration and Customs Enforcement
10/25/2018	Certify	Daniel Tucker	Records Officer	Management and Administration - Information governance and Privacy

PENDING - NOT APPROVED FOR USE

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: **DAA-0567-2015-0013**

Executive Summary

Summary

Permanent Item Numbers 0003, 0004

Federal Register Notice

Publication Date

Copies Requested 0

Comments Received 0