



## Notice of Placement in a Restrictive Setting

Office of Refugee Resettlement

You are in the custody of the Office of Refugee Resettlement (ORR), and have been placed in a restrictive setting - a secure or staff secure facility, or a Residential Treatment Center (RTC). The reason you have been placed in a restrictive setting is listed below.

If you have any questions about this placement, please discuss them with your case manager, your attorney, or an ORR-funded legal service provider.

UAC Name	Alien Number	Country of Birth	Date of Birth	Gender
Name of Care Provider Facility			Type of Facility	

**Secure Care:** ORR has determined that you pose a danger to self or others; or have been charged with having committed a criminal offense. ORR considered that you:

Are charged with a crime, are chargeable with a crime, or have been convicted of a crime; or are the subject of delinquency proceedings, have been adjudicated delinquent, or are chargeable with a delinquent act<sup>1</sup>;

Have committed, or have made credible threats to commit a violent or malicious act while in ORR custody;

Have committed, threatened to commit, or engaged in serious, self-harming behavior that poses a danger to self while in ORR custody;

Have engaged in conduct that has proven to be unacceptably disruptive of the normal functioning of a staff secure facility in which you were placed such that transfer may be necessary to ensure your welfare or the welfare of others;

Have self-disclosed violent criminal history prior to placement in ORR custody that requires further assessment; and/or,

Have a history of or display sexual predatory behavior, or have inappropriate sexual behavior.

**THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) STATEMENT OF PUBLIC BURDEN:** The purpose of this information collection is to allow ORR to document and inform UAC of the reason they have been placed in a restrictive setting. Public reporting burden for this collection of information is estimated to average 0.33 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a mandatory collection of information (Homeland Security Act, 6 U.S.C. 279). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless it displays a currently valid OMB control number. If you have any comments on this collection of information please contact [UACPolicy@acf.hhs.gov](mailto:UACPolicy@acf.hhs.gov).

**Staff Secure Care:** ORR has determined that you require close supervision, but do not require placement in a secure care provider facility. ORR considered that you:

Have been unacceptably disruptive to the normal functioning of a shelter care facility such that transfer is necessary to ensure the welfare of others;

Are an escape risk;

Have reported gang involvement (including prior to placement in ORR custody) or displayed gang affiliation while in care;<sup>2</sup>

Have non-violent criminal or delinquent history not warranting placement in a secure care provider facility, such as isolated or petty offenses; or,

Could be stepped down from a secure facility.

**Residential Treatment Center:** ORR has determined that you have a serious psychiatric or psychological issue that cannot be addressed in an outpatient setting and you are a danger to self or others. A licensed psychologist or psychiatrist has indicated that you:

Have not shown reasonable progress in the alleviation of your mental health symptoms after a significant period of time in outpatient treatment;

Demonstrate behavior that is a result of your underlying mental health symptoms and/or diagnosis and cannot be managed in an outpatient setting;

Require therapeutic-based intensive supervision as a result of mental health symptoms and/or diagnosis that prevent you from independent participation in the daily schedule of activities; and/or,

Present a continued and real risk of harm to self, others, or the community, despite the implementation of short-term clinical interventions.

<sup>1</sup> Excluding: isolated offenses that (1) were not within a pattern or practice of criminal activity and (2) did not involve violence against a person, or the use or carrying of a weapon (e.g., breaking and entering, vandalism, DUI, etc.); or petty offenses which are not considered grounds for a stricter means of detention in any case (e.g., shoplifting, joy riding, disturbing the peace, status offenses).

<sup>2</sup> "Displays gang affiliation" refers to any objective indication that a UAC is involved with or is a member of a gang. For example, it may refer to the presence of identifying characteristics such as gang tattoos, confirmed acts such as vandalizing property with a gang's "tag", other confirmed participation in gang activities, and/or any indications from the UAC's behavior while in government custody.

Summary of placement decision or case review (additional pages may be added):

[Empty box for summary of placement decision or case review]

ORR will review your placement, at a minimum, every 30 days to determine whether your placement in a restrictive level of care is still necessary. If you remain in a secure facility or RTC after 30 days, you may request that the ORR Director reconsider your placement. For more information on this process, please ask your case manager.

If you believe you have not been properly placed or that you have been treated improperly you may also ask a Federal District Court to review your case. You may call a lawyer to assist you.

UAC's acknowledgement of receipt:

\_\_\_\_\_

\_\_\_\_\_

UAC's Signature

Date

Care provider-issuing official:

\_\_\_\_\_

\_\_\_\_\_

Signature

Date