

# Office of the Immigration Detention Ombudsman (OIDO)

## OIDO Case Intake Form (DHS Form 405)

### Frequently Asked Questions

1. How can I submit a complaint to OIDO?

Family, legal representatives, or other advocates may submit a complaint by completing the [OIDO Case Intake Form \(DHS Form 405\)](#) and submitting it to OIDO via email or mail. Forms sent via email will be processed more quickly than those received in the mail.

OIDO has begun accepting in-person complaints from detainees at many U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) facilities. We are expanding our operations across the country. To find out which facilities we are located in, contact [OIDO\\_Outreach@hq.dhs.gov](mailto:OIDO_Outreach@hq.dhs.gov).

2. Can I submit a complaint anonymously?

Yes, complaints can be submitted by an anonymous person and/or on behalf of an anonymous detainee.

3. Will I receive confirmation that you received my complaint?

Yes, you will receive confirmation that we received your complaint if you provided a valid email address on the [OIDO Case Intake Form \(DHS Form 405\)](#).

**Email Address Provided-** When a detainee or other submitter provides an email address on the OIDO Case Intake Form (DHS Form 405), the following communication will occur when applicable:

- An email confirmation with a case number is automatically generated upon entry of a complaint.
- An email providing details about case resolution will be sent out when appropriate documentation has been provided and upon receipt of any required consent forms.
- We may also send requests for additional information or other correspondence while reviewing a case.

4. How do I know if OIDO is taking action on my case?

OIDO has a mandate to provide assistance to individuals affected by potential misconduct, excessive force, or violations of law or detention standards by Department of Homeland Security officers or other personnel. Some cases will involve redress at a facility and others may be retained for future investigations or recommendations.

5. Will you let me know the outcome of my complaint?

Yes, you will receive a response indicating the outcome of your complaint based on how you submitted the [OIDO Case Intake Form \(DHS Form 405\)](#) (email or letter).

Please note: If OIDO has not received consent from the detainee for us to share information with you, we will look into the complaint and may communicate with the detainee, but we will not share details of the outcome with you.

6. Will you share my information with ICE or CBP?

OIDO will never share information without your consent. However, in order to properly and fully investigate a concern, information may need to be shared with ICE, CBP, and/or facility staff. In those instances, OIDO will inform you of the need to share information and provide you with an opportunity to decide if you want to proceed.

7. I believe a government official or facility staff has broken the law. May I submit that concern to you?

Yes, you can file a complaint using the [OIDO Case Intake Form \(DHS Form 405\)](#) and email it to [detentionombudsman@hq.dhs.gov](mailto:detentionombudsman@hq.dhs.gov). OIDO may refer the issue to the appropriate investigative authority.

8. I wasn't allowed to visit my family member in immigration detention. Can you help?

DHS's ICE, CBP, and facility management may restrict visitation for health or safety reasons. You may first wish to file a complaint or inquiry with the facility. However, if visitation is currently allowed in the facility generally and your family member is not permitted visitors, please send your concern to us using the [OIDO Case Intake Form \(DHS Form 405\)](#) and email it to [detentionombudsman@hq.dhs.gov](mailto:detentionombudsman@hq.dhs.gov).

9. My family member in detention isn't being provided a meal appropriate to her religion. Can you help with that?

Yes. OIDO reviews the conditions of immigration detention, which includes how people are treated by staff and other detainees, as well as physical and mental health care, food service, recreation, legal access, and environmental health and safety. This also includes issues related to religiously appropriate meals, practices, and property.

10. Can you help me or my family member get released from immigration detention?

No. OIDO's mission is focused on the conditions of immigration detention and not on the question of whether someone should be detained.

11. I'm afraid that complaining will negatively affect my family member's immigration case.

Filing a complaint with OIDO is a confidential process, and OIDO will never share your information without your consent. However, in order to properly and fully investigate a concern, information may need to be shared with ICE, CBP, and/or facility staff. In those instances, OIDO will inform you of the need to share information and provide you will an

opportunity to decide if you want to proceed. Complaints can also be filed after release from detention.

12. I don't agree with the outcome of my immigration case. Can you assist me?

No. OIDO's mission is focused entirely on the conditions of immigration detention and not on any individual's immigration case or status.

13. I was released from custody over a year ago. Can I still submit a complaint?

Yes. OIDO does not have a time restriction during which a complaint can be filed. However, as time passes, it becomes harder for us to investigate and collect information from the facility. We may also be limited as to what redress we can offer if you are no longer detained.

14. Can I appeal or resubmit my complaint?

At this time, there is no appeal process within OIDO. You can choose to resubmit your complaint to us if you do not agree with the complaint resolution or if the condition persists.

15. Can I submit a complaint by phone?

No. Currently, cases can only be filed in person, via email, or mail.

16. I am filing an [OIDO Case Intake Form \(DHS Form 405\)](#) on behalf of an individual. What documents do I need to provide in order to establish consent?

An attorney or accredited representative will need to complete and submit a signed [DHS Form G-28 Notice of Entry of Appearance as Attorney or Accredited Representative](#) to be able to discuss the case with DHS and OIDO officials and/or receive detailed updates regarding the case.

Anyone who is not an attorney or accredited representative will need to complete and submit a signed [ICE Form 60-001, Privacy Waiver Authorizing Disclosure to a Third Party](#), to allow for detailed case information to be shared with that individual.

17. How do I contact the Immigration Detention Ombudsman if I have a general question or policy suggestion?

Please send your question or suggestion to [OIDO\\_Outreach@hq.dhs.gov](mailto:OIDO_Outreach@hq.dhs.gov).