

Biometrics in Detention

J.Z. v. DHS, DDC No. 26-01510

A federal judge just ordered DHS to collect biometrics for people whose cases are pending before USCIS while they are detained by ICE. Here's what you can do if your client needs biometrics.

What Happened?

As part of USCIS applications, the agency schedules people for appointments to collect biometrics like photos and fingerprints. In December 2025, USCIS announced a new policy that they would not accept biometrics from people who are detained by ICE. That policy also rescinded any requirement that ICE collect the biometrics for people who are detained in their custody.

As a result, DHS prevented people from complying with the requirement for submitting biometrics and then used that lack of compliance to deny applications.

On October 7, 2026, a [judge declared](#) that DHS's new policies preventing people in ICE custody from complying with the USCIS biometrics requirements is likely unlawful, and stayed the policies.

Who does this decision impact?

People detained by ICE with applications that can only be adjudicated by USCIS. For example, people with pending T visa applications, SIJS applications, or certain adjustment of status applications.

How do I help my client?

- For a person who is detained, DHS is now required to take biometrics.
- DHS is not required to accomplish this in any particular manner, so you should work with your local ICE officers to ensure that they accomplish collection of all biometrics required by USCIS.
- If DHS refuses to take biometrics for a detained client with a pending USCIS application, please email biometrics@democracyforward.org with details including:
 - The detention center where the client is being held,
 - The type of USCIS application at issue,
 - Your attempts to contact ICE and/or USCIS,
 - The agencies' responses to your efforts, and
 - Whether your client authorized us to share their name and A-number with the government.