

ICE/DRO DETENTION STANDARD

ESCORTED TRIPS FOR NON-MEDICAL EMERGENCIES

I. PURPOSE AND SCOPE. This Detention Standard permits detainees to maintain ties with their families through emergency staff-escorted trips into the community to visit critically ill members of the immediate family or to attend their funerals.

It applies to the following types of facilities housing DRO detainees:

- Service Processing Centers (SPCs);
- Contract Detention Facilities (CDFs); and
- State or local government facilities used by DRO through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours.

Procedures in italics are specifically required for SPCs and CDFs. IGSAs must conform to these procedures or adopt, adapt or establish alternatives, provided they meet or exceed the intent represented by these procedures.

Some terms used in this document may be defined in the separate **Definitions** Standard.

II. EXPECTED OUTCOMES. The expected outcomes of this Detention Standard are:

1. Within the constraints of safety and security, selected detainees will be able to visit critically ill members of the immediate family or to attend their funerals, while under constant staff supervision.
2. Safety and security will be primary considerations in planning, approving, and escorting a detainee out of a facility for a non-medical emergency.

III. DIRECTIVES AFFECTED. This Detention Standard replaces **Non-Emergency Medical Escorted Trips** dated 9/20/2000.

IV. REFERENCES

American Correctional Association 4th Edition Standards for Adult Local Detention Facilities: 4-ALDF-1B-06.

ICE/DRO Detention Standard on **Searches of Detainees**.

ICE Interim Use of Force Policy (7/7/2004), as amended or updated.

V. EXPECTED PRACTICES

A. Non-Medical Emergency Trip Requests and Approvals

On a case-by-case basis, and with approval of the respective Field Office Director, the facility administrator may allow a detainee, under ICE/DRO staff escort,:

- To visit a critically ill member of his or her immediate family, or
- To attend an immediate-family member's funeral.

"Immediate family member" refers to a parent (including stepparent or foster parent), brother, sister, biological or adopted child, and spouse (including common-law spouse).

The Field Office Director:

- Is the approving official for non-medical emergency escorted trips from SPCs, CDFs, and IGSAs, and
- May delegate this authority to the Assistant Field Office Director level, for any detainee who does not require a high degree of control and supervision.

The facility administrator shall designate staff to help detainees prepare requests for non-medical emergency trip requests.

1. That staff member shall forward the completed request to the detainee's Deportation Officer.
2. The Deportation Officer shall review the merits of the request, to include consultations with Immigration Enforcement Agents, medical staff, the detainee's family, and other persons in positions to provide relevant information.
3. On the basis of the information collected, the Deportation Officer shall report to the facility administrator on the appropriateness of the detainee's request and the amount of supervision the travel plan would entail.

B. Types of Trips and Travel Arrangements

1. Local Trip

A "local" trip is one that involves up to and including a 10-hour absence from the facility. ICE/DRO assumes the costs, except that the detainee must pay for his or her own commercial carrier transportation (plane, train, etc.), if needed for the trip.

2. Extended Trip

An "extended" trip involves more than a 10-hour absence and may include an overnight stay. The cost of the detainee's round-trip transportation on a commercial carrier must be paid by the detainee, the detainee's family, or another source approved by the Field Office Director.

3. Travel Arrangements

ICE/DRO shall make all travel arrangements; however, travel involving a commercial carrier may not commence until the detainee or person acting on his or her behalf has submitted an open paid-in-full ticket or electronic-ticket voucher in the detainee's name.

As needed, ICE/DRO shall provide overnight housing in an SPC, CDF, or IGSA facility.

ICE/DRO shall pay the travel costs incurred by the transporting officers.

C. Selection of Escorts

No less than two escorts are required for each trip. The facility administrator shall select and assign the roles of the transporting officers (escorts) and delegate to one the decision-making authority for the trip. Ordinarily, probationary officers may not be assigned, and in no case may more than one probationary officer be on an escort team.

D. Supervision and Restraint Requirements

Except when the detainee is housed in a detention facility, transporting officers shall maintain in constant and immediate visual supervision of any detainee who is under escort and shall follow the policy and procedures in:

- The ICE/DRO Detention Standards on **Transportation (By Land) and Use of Force and Restraints**;
- The ICE Enforcement Standards on "Escorts" and "Use of Restraints"; and
- The ICE Enforcement Standard on "Use of Firearms," if the escorts are armed for the trip.

E. Training

Escort officers and others, as appropriate, shall receive training on:

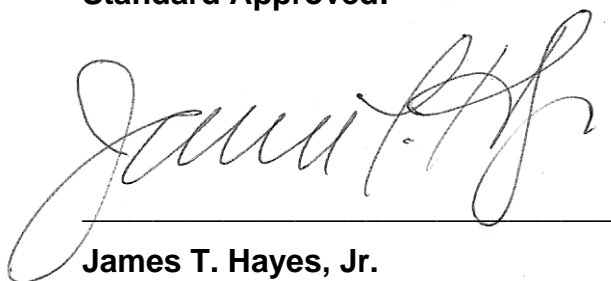
- The ICE/DRO Detention Standard on **Escorted Trips for Non-Medical Emergencies**, and
- The ICE/DRO Detention Standards on **Transportation (By Land) and Use of Force and Restraints**;
- The ICE Policy on "Escorts" and "Use of Restraints"; and
- The ICE Policy on "Use of Firearms," if the escorts are armed for the trip.

F. Escort Instructions

1. Escorts shall follow the applicable policies, standards, and procedures listed above.
2. Routes, meals, and lodgings (if necessary) shall be arranged prior to departure.
3. Escorts shall follow the schedule included in the trip authorization, arriving at and departing from the place(s) and event(s) listed at the specified time(s).
4. For security reasons, the trip route and schedule shall be confidential.
5. The responsible transporting officer shall report unexpected developments to the Control Center at the originating facility. Control Center staff shall relay the information to the highest-ranking supervisor on duty, who shall issue instructions for completion of the trip.
6. Escorts shall deny the detainee access to any intoxicant, narcotic, drug paraphernalia, or drug not prescribed for his or her use by the medical staff.

7. If necessary, the transporting officers may increase the minimum restraints placed on the detainee at the outset of the trip but at no time may reduce the minimum restraints. Since escorts may exercise no discretion in this matter and are prohibited from removing the restraints, the detainee shall visit the critically ill relative or attend the funeral in restraints.
8. Escorts shall advise the detainee of the rules in effect during the trip, in a manner that the detainee can understand.
9. Among other things, the escorted detainee may not:
 - Bring discredit to ICE/DRO;
 - Violate any Federal, State, or local law;
 - Make unauthorized phone call(s); or
 - Arrange any visit(s) without the express permission of the facility administrator.
10. If the detainee breaches any of these rules, the responsible officer may decide to terminate the trip and immediately return to the facility.
11. Officers shall also remind the detainee that, during the trip and upon return to the facility, he or she is subject to searches in accordance with the Detention Standard on **Searches of Detainees**, as well as tests for alcohol or drug use.
12. Officers may not accept gifts or gratuities from the detainee or any other person in appreciation for performing escort duties or for any other reason.
13. Escorts shall ensure that detainees with physical disabilities are provided reasonable accommodations in accordance with security and safety concerns.

Standard Approved:



James T. Hayes, Jr.
Acting Director
Office of Detention and Removal Operations

September 12, 2008

Date