

# **ICE/DRO RESIDENTIAL STANDARD**

## **ESCORTED TRIPS FOR NON-MEDICAL EMERGENCIES**

**I. PURPOSE AND SCOPE.** Residents may visit critically ill members of their immediate family or attend their funerals under certain circumstances through emergency staff-escorted trips into the community.

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

1. Within the constraints of safety and security and while under constant staff supervision, selected residents will be able to visit critically-ill members of their immediate family or attend family member's funerals.
2. Safety and security will be primary considerations in planning, approving, and escorting a resident from a facility for a non-medical emergency.
3. Where required, residents have regular access to translation services and/or are provided information in a language that they understand.
4. The standard complies with federal laws and with DHS regulations regarding residents with special needs.

**III. DIRECTIVES AFFECTED.** None

## **IV. REFERENCES**

The First Edition National Residential Standards were written using a variety of methodologies including previous and current practices, review and comment from various subject matter experts, review and comment from various government and non-government organizations, and a review of current state codes in Pennsylvania and Texas. Each standard is written in a manner that affords each resident admission and continuous housing to a family residential facility in a dignified and respectful manner. There are no specific codes, certifications, or accreditations that deal specifically with unique management requirements of families awaiting the outcome of their immigration proceeding in a non-secure custodial environment.

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

ICE/DRO Residential Standard on "Searches of Residents"

ICE/DRO Residential Standard on "Land Transportation"

ICE/DRO Residential Standard on "Use of Force"

## **V. EXPECTED PRACTICES**

### **1. Non-Medical Emergency Trip Requests and Approvals**

On a case-by-case basis, and with approval of the JFRMU and in collaboration with the respective Field Office, the ICE facility administrator may allow a resident who is an immediate family member – under ICE/DRO staff escort – to visit:

- a. A critically-ill member of his or her immediate family, or
- b. A funeral of an immediate family member.

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

"Critically Ill" is defined as a family member who is confined to a hospital and whose condition is life threatening or has the immediate potential to become life threatening.

The Chief JFRMU is the approving official for non-medical emergency escorted trips, and may delegate in writing this authority to the ICE facility administrator for any resident who is determined by ICE/DRO as a resident not requiring a high degree of control and supervision.

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

The designated staff member shall forward the completed resident request to ICE/DRO, so that the ICE facility administrator may make an informed recommendation to JFRMU. ICE/DRO staff shall review the merits of the request and consult with Immigration Enforcement Agents, medical staff, the resident's family, and any other people deemed by ICE to be able to provide relevant information. On the basis of the information collected, the ICE/DRO staff shall report to the ICE facility administrator on the appropriateness of the resident's travel plan and the amount of supervision it would entail.

### **2. Types of Trips and Travel Arrangements**

#### **a. Local Trip**

A "local" trip is travel that involves up to a 10-hour absence from the facility.

#### **b. Extended Trip**

An "extended" trip is travel, which involves more than a 10-hour absence including overnight stays.

#### **c. Travel Arrangements and Costs**

ICE/DRO shall make all travel arrangements; however, travel involving a commercial carrier may not commence until the resident or person acting on his or her behalf has submitted an open paid-in-full ticket or electronic-ticket voucher in the resident's name. The cost of the resident's round-trip transportation on a commercial carrier must be paid by the resident, the resident's family, or other approved source by the JFRMU. ICE/DRO assumes all other costs.

As needed, ICE/DRO shall provide overnight housing. ICE/DRO shall pay the travel costs incurred by the transporting staffs.

### **3. Selection of Escorts**

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

### **4. Supervision and Restraint Requirements**

Except during any period that the resident is housed in a residential facility, transporting staff shall maintain constant and immediate visual supervision of a resident under escort, and shall follow the policy and procedures in:

- a. The ICE/DRO Residential Standards on "**Transportation (By Land)**" and "**Use of Physical Force and Restraints**"
- b. The ICE Enforcement Standards on "**Escorts**" and "**Use of Restraints**"
- c. The ICE Enforcement Standard on "**Use of Firearms,**" if the escorts are armed during the trip

In all circumstances involving the travel of minors, staff must take into account the special needs of minors such as travel seats, meals, access to medicine, etc.

### **5. Training**

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

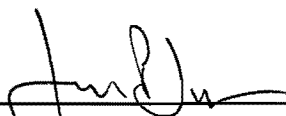
- a. This Residential Standard
- b. The other standards, policies, and procedures listed above

### **6. Escort Instructions**

- a. Escorts shall follow the applicable policies, standards, and procedures listed above.
- b. Routes, meals, and lodging (if necessary) shall be arranged prior to departure.
- c. Escorts shall follow the schedule included in the trip authorization, arriving at and departing from the places and events at the specific times listed.
- d. For security reasons, the trip route and schedule shall be kept confidential.
- e. The responsible transporting staff shall report unexpected developments to the Control Center of 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.

- f. Escorts shall deny the resident access to any intoxicant, narcotic, drug paraphernalia, or drug not prescribed for his or her use by the medical staff.
- g. Residents shall not be placed in restraints unless exigent circumstances necessitate their use. If necessary, the transporting staff may increase the minimum restraints placed on adult residents at the outset of the trip when it can be shown that staff safety is at issue. The resident shall visit the deathbed or attend the funeral in restraints only when the use for restraints can reasonably be articulated as necessary for the safety of the resident and staff. Residents under the age of 18 shall not be placed in restraints without written authorization from the ICE facility administrator. Such authorization must show cause for the need of restraints and must outline the limitations on their use.
- h. Prior to commencing the trip, escorts shall advise residents, including minors, of the rules that will be effective during the trip.
- i. The escorted resident may not:
  - 1) Bring discredit to ICE/DRO
  - 2) Violate any federal, state, or local law
  - 3) Make unauthorized phone call(s)
  - 4) Arrange any visits without the express permission of the facility administrator
- j. If the resident breaches any of these rules, the responsible staff may decide to abort the trip and immediately return to the facility.
- k. Residents shall not be subject to any form of random testing upon return from a non-medical emergency escort; however, they shall be referred to medical authority for consultation in circumstances that warrant further medical attention.
- l. Staffs may not accept gifts or gratuities from the resident or any other person in appreciation for performing escort duties or for any other reason.

**Standard Approved:**

  
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**John P. Torres**  
**Director**  
**Office of Detention and Removal**

**DEC 21 2007**  
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**Date**