

5.3 Escorted Trips for Non-medical Emergencies

Introduction

This U.S. Immigration and Customs Enforcement (ICE) Family Residential Standard ensures that residents may visit critically ill immediate family members, attend immediate family members' funerals, and participate in family-related state court proceedings, among other things, under certain circumstances through ICE/Enforcement and Removal Operations (ERO) staff-escorted trips.

Various terms used in this standard may be defined in the ICE Family Residential Standard on *Definitions*.

Program Philosophy

The requirements of this standard must be implemented in accordance with the ICE Family Residential Standard on *Program Philosophy, Goals, and Expected Outcomes*.

A. Language Access and Disability Requirements

Centers will adhere to the language access and disability laws, regulations, responsibilities, requirements, and laws cited in the ICE Family Residential Standard on *Program Philosophy, Goals, and Expected Outcomes* and the ICE Family Residential Standard on *Disability Identification, Assessment, and Accommodation*. These requirements must be promulgated in all Center policies, practices, and operations and its themes must be fully incorporated into every Center activity. This is of critical importance and will directly impact resident life, health, and safety.

Expected Outcomes

The expected outcomes of this standard are as follows (specific requirements are defined in the Expected Practices section in this standard):

1. Within the constraints of safety and security, selected residents will be able to visit critically ill members of their immediate family, attend their funerals, or attend family-related State court proceedings, while under constant staff supervision.
2. Safety and security will be primary considerations in planning, approving, and escorting a resident out of a Center for a non-medical emergency.
3. ICE/ERO will make all travel arrangements; residents will be responsible for payment in full of any commercial travel arrangements before commencing the trip.
4. ICE/ERO will select the escorts and delegate decision-making authority during the trip to one of the escorts.

5.3 Escorted Trips for Non-medical Emergencies

5. Escorting staff will maintain constant visual supervision of the resident during the trip and will follow appropriate policies and procedures on transport and/or restraints.
6. Escorting staff will follow all applicable policies and procedures for non-emergency travel.

Standards Affected

This standard replaces the ICE Family Residential Standard on *Escorted Trips for Non-medical Emergencies* dated 12/21/2007.

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 (FOD), the Center Administrator may allow a resident, under ICE/ERO staff escort, to visit a critically ill member of his/her immediate family, or attend an immediate family member's funeral and/or wake.

Residents will be able to attend family court, child welfare proceedings, or court ordered visitation in accordance with the ICE Detention and Removal of Alien Parents or Legal Guardians Directive. The Field Office point of contact for Child Welfare will be consulted as appropriate.

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

"Critically ill" is defined as an immediate family member whose condition is life-threatening or has the immediate potential to become life-threatening.

The FOD is the approving official for non-medical emergency escorted trips from Family Residential Centers, and may delegate this authority to the Assistant FOD-level for any resident who does not require a high degree of control and supervision.

The Center Administrator will prepare and submit a plan for the care and supervision of related minors remaining at the Center. The Juvenile and Family Residential Management Unit Onsite Coordinator will review and approve this plan before requests are forwarded to the FOD. The child may accompany the parent/guardian according to the parent's/guardian's wishes.

The FOD will review the merits of the request, by consulting with appropriate persons to determine the validity and appropriateness of the request. When the plan is adjudicated, the respective FOD will notify the Center Administrator and resident.

The Center Administrator will designate staff to help residents prepare requests for non-medical emergency trip requests, according to the stipulations outlined in this standard.

A staff member will forward the completed request to the resident's deportation staff.

The deportation staff will review the merits of the request, to include consultations with immigration enforcement agents, medical staff, the resident's family, and other persons in positions to provide relevant information.

5.3 Escorted Trips for Non-medical Emergencies

On the basis of the information collected, the deportation staff will report to the Center Administrator on the appropriateness of the resident's request and the amount of supervision the travel plan may entail.

B. Types of Trips and Travel Arrangements

1. Local Trip

A "local" trip constitutes up to and including a 10-hour absence from the Center. ICE/ERO assumes the costs.

2. Extended Trip

An "extended" trip involves more than a 10-hour absence and may include an overnight stay.

3. Travel Arrangements

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

As needed, ICE/ERO will provide overnight housing near the resident's destination. The FOD or designee will determine appropriate overnight accommodations.

ICE/ERO will pay the travel costs incurred by the transporting staff members.

C. Selection of Escorts

No fewer than two escorts are required for each trip. At least one of the escorts must be the same gender as the resident. The FOD or his/her designee will select and assign the roles of the transporting staff members (escorts) and delegate to one the decision-making authority for the trip.

D. Supervision and Restraint Requirements

Except when the resident is housed in a Center, transporting staff members will maintain constant and immediate visual supervision of any resident who is under escort and will follow the policy and procedures in the ICE Family Residential Standards on *Transportation (by Land)* and the ICE Family Residential Standards on *Use of Physical Control Measures and Restraints*.

E. Training

Escorts and others, as appropriate, will receive training on this standard, the ICE Family Residential Standard on *Staff Training*, the ICE Family Residential Standard on *Transportation (by Land)* and the ICE Family Residential Standard on *Use of Physical Control Measures and Restraints*.

F. Escort Instructions

Escorts will maintain constant visual supervision of the resident during the trip except when temporarily lodging in a secure Center. Escorting staff will follow the policy and procedures in:

- ICE Family Residential Standard on *Transportation (by Land)*; and

5.3 Escorted Trips for Non-medical Emergencies

- ICE Family Residential Standard on *Use of Physical Control Measures and Restraints*.

Escorts will follow the applicable policies, standards, and procedures listed above in this standard.

Routes, meals, and lodgings (if necessary) will be arranged prior to departure.

Escorts will follow the schedule included in the trip authorization, arriving at and departing from the places and events listed at the specified times.

For security reasons, the trip route and schedule will be confidential.

The responsible transporting staff member will report unexpected developments to the FOD or designee, who will issue instructions for completion of the trip.

Escorts will deny the resident access to any intoxicant, narcotic, drug paraphernalia, or drug not prescribed for his/her use by the medical staff.

All use of restraints will be in compliance with the ICE Family Residential Standard on *Use of Physical Control Measures and Restraints*.

Escorts will advise the resident of the rules in effect during the trip in a language or manner the resident can understand.

Among other things, the escorted resident may not:

- Bring discredit to ICE/ERO;
- Violate any Federal, State, or local law;
- Make unauthorized phone calls; or
- Arrange any visits without the express permission of the Center Administrator.

If the resident breaches any of the rules of this standard and/or the escorts determine a need to abort the trip, then the responsible escorts will immediately contact his/her FOD, who will have authority to abort the trip, and immediately return to the Center.

Residents will not be subject to any form of random testing upon return from a non-medical emergency trip; however, they will be referred to Center Medical Authority for consultation in circumstances that warrant further medical attention.

Staff members may not accept gifts or gratuities from the resident or any other person in appreciation for performing escort duties or for any other reason.

Escorts will ensure that residents with physical or mental disabilities are provided reasonable accommodations in accordance with safe and secure Center operations.

References

- ICE Family Residential Standard on Definitions
- ICE Family Residential Standard on Program Philosophy, Goals, and Expected Outcomes
- ICE Family Residential Standard on Staff Training

5.3 Escorted Trips for Non-medical Emergencies

- ICE Family Residential Standard on Transportation (by Land)
- ICE Family Residential Standard on Use of Physical Control Measures and Restraints
- Detention and Removal of Alien Parents or Legal Guardians Directive