



## **DETENTION STANDARD**

### **TRANSPORTATION (LAND TRANSPORTATION)**

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#### **I. POLICY**

The Immigration and Naturalization Service (INS) will take all reasonable precautions to protect the lives, safety, and welfare of officers, other personnel, the general public, and the detainees themselves involved in the ground transportation of detainees.

Detainees in transit from the facility to another institution or one jurisdiction to another will be transported in a safe and humane manner, under the supervision of trained and experienced personnel.

#### **II. APPLICABILITY**

The standards provided in this Detention Standard shall apply to the following facilities housing INS detainees:

1. Service Processing Centers (SPCs);
2. Contract Detention Facilities (CDFs); and
3. State or local government facilities used by INS through Intergovernmental Service Agreements (IGSAs) to hold detainees for more than 72 hours; referred to as "IGSA facilities."

Within the document there are additional implementing procedures that are identified for SPCs and CDFs. IGSA facilities may find such procedures useful as guidelines. IGSAs may adopt, adapt or establish alternatives to, the procedures specified for SPCs/CDFs, provided they meet or exceed the objective represented by each standard.

See the separate "Definitions" Standard for the meaning of certain terms used in this document.

#### **III. STANDARDS AND SPC/CDF PROCEDURES**

##### **A. Transportation Planning**

The Assistant District Director for Detention and Deportation (ADD/DDP) has overall responsibility for all aspects of vehicle operations.

In SPCs/CDFs, the ADD is responsible for setting schedules for and monitoring vehicular maintenance, making logistical arrangements to transport detainees, supervising and instructing personnel, and protecting detainee security. Before departure, the ADD will revise plans as necessary, based on weather and road conditions and any other last-minute considerations.

When coordinating the transfer of detainees, staff shall fax the transfer-to facility a copy of Form I-216 or I-213, along with the following information about each detainee:

- Name, date of birth, and sex;
- Nationality;
- A-number;
- Case type (NTA, E/R, Inadmissible, V/R, W/D, R and B, etc.);
- Health and general condition;
- Special handling, if any (violent, escape risk, medical, etc.); include name and title of point(s) of contact at originating office; and
- Property and baggage.

Originating office staff will phone to confirm receipt of the fax.

The following documents must accompany the transferee:

1. I-862, "Notice to Appear"
2. I-203, "Order to Detain or Release Alien," if required by transfer-to facility;
3. I-216, "Record of Persons and Property Transferred," with G-589 and I-77 attached (see also "Admissions and Release" Standard);
4. I-205, "Warrant of Deportation," original copy (if applicable);
5. I-385, "Booking Card," with photo attached;
6. I-794, "In-Processing Health Screening Form"; supplemented by the complete medical file if the detainee has identified medical problems. In that case, the file shall be sealed and opened only by medical personnel; pre-departure, medical personnel will provide the transporting officers with instructions and, if applicable, medication(s) for the detainee's care in transit;
7. Classification Sheet;
8. "Order to Show Cause (OSC)," if applicable, with original signature and proof of service;
9. I-294, "The Warning to Alien Ordered Removed or Departed"
10. I-296, "Noticed to Alien Ordered Removed/Departured Verification"
11. Travel documents/personal documents;
12. A-File/temporary file, including conviction documents and rap sheets, if available, with three photos stapled onto the file's left side;
13. Airline ticket(s), if applicable; and
14. G-391, "Official Detail," one per trip.

If the above paperwork is incomplete at the time of departure, the transporting officers will attempt to complete the work before turnover at the relay point. If this proves impossible, the originating and receiving officers will report the situation to their respective supervisors. If the situation remains unresolved, the ADD/DDP(s) with jurisdiction will take corrective action; if necessary, the Assistant Regional Director for Detention and Deportation will contact the District Director to resolve the problem.

**B. G-391, “Official Detail”**

No detainee shall be removed from a facility, to include district detention areas, unless a Form G-391 is furnished, authorizing the removal. The G-391 must be properly signed and shall clearly indicate the name of the alien(s), the place or places to be escorted, the purpose of the trip and other information necessary to efficiently carry out the detail.

In SPCs/CDFs, it is the responsibility of the Supervisory Detention Enforcement Officer (SDEO) or Detention Operations Supervisor (DOS) to check records and ascertain if the alien has a criminal history, is dangerous, or has an escape record. Any information of an adverse nature shall be clearly indicated on the G-391 and the escorting officers shall be warned to institute the necessary precautions. Before beginning the detail, the escorting and transportation officers shall read their instructions and clearly understand the purpose for which the alien is being taken from the facility. The officers will also discuss emergency and alternate plans with the SDEO and/or DOS beforehand.

All completed G-391's shall be filed in order (monthly) and the previous months shall be readily available for review. All G-391s shall be retained for a minimum of 3 yrs.

**C. Transporting Officer Responsibilities**

Supervisors shall maintain all vehicle-operators' files at the official duty station. Each file will contain a Certificate of Completion from the INS Bus Training Program; a copy of the most current physical examination, used to obtain the commercial driver's license (CDL); and a copy of the CDL.

Every officer operating a motor vehicle shall complete forms SF-47, G-392, and G-294 for his/her official personnel folder (OPF). The officer is responsible for renewing these documents and providing copies for the OPF.

The transporting officers shall comply with all State and Federal (including Department of Transportation, Interstate Commerce Commission, Environmental Protection Agency) motor vehicle regulations including, but not limited to, the following:

1. Wearing a seat belt when the vehicle is moving;
2. Holding a valid Commercial Driver's License (CDL) from the State where employed;
3. Inspecting the vehicle, using a checklist and noting any defect that could render the vehicle unsafe or inoperable;
4. Transported detainees in a safe and humane manner;
5. Verifying individual identities and checking documentation when transferring or receiving detainees;
6. Driving defensively, taking care to protect the vehicle and occupants; obeying traffic laws; and reporting damage or accidents immediately;
7. Reinspecting the vehicle and completing a vehicle inspection report, including an odometer reading, after each trip;
8. Returning the keys to the Control Officer or supervisor, according to facility policy;
9. Recording authorized expenses under \$50, such as fuel, emergency services, oil, etc. on the G-205, "Government-owned Vehicle Record," including the exact amount and

the date; keeping all receipts and turning them in along with the G-205 at the end of each month;

10. Safeguarding credit cards assigned to the vehicle.

All officers assigned to transportation are subject to U.S. Department of Transportation (DOT) drug- and alcohol-testing (separate from the random testing used in the drug-free workplace program). Driving under the influence of drugs or alcohol is prohibited.

**D. Vehicle Safety**

The officers shall secure the vehicle before leaving it unattended. This includes removing the keys from the ignition immediately upon parking the vehicle.

The officers will avoid parking in a spot where the vehicle would attract undue attention or be vulnerable to vandalism or sabotage. If they cannot locate a parking area with adequate security, they will contact the local law enforcement agency for advice or, if convenient, permission to use one of its parking places.

**E. Vehicle Operation**

To be assigned to the bus crew of a vehicle transporting INS detainees, an officer must have successfully completed either the INS bus-driver-training program or a comparable training program. In addition, the driver must have the appropriate commercial driver's license issued by the State where he/she is employed.

The driver shall operate the vehicle in accordance with the CDL manual or the highest prevailing standard.

Bus-driver trainees may operate the vehicle during any segment of a run when detainees are not on board, but only under the direct and constant supervision of a certified bus instructor licensed by the State in which they are driving.

Prior to departure, the bus crew will inspect the vehicle, as provided in Section III.B.3, above. In addition to checking mechanical and electrical systems, the officers will search for hidden weapons and other contraband before every trip.

The driver must maintain complete control of the vehicle at all times, obeying all posted traffic signs and exercising extreme caution when negotiating a steep grade or driving in inclement weather. The maximum cruising speed shall be the posted speed limit. Under inclement weather or hazardous road conditions, common sense will dictate the safe, reduced speed.

**F. Driving Hours and Number of Operators**

The following rules apply to all members of the vehicle crew, whether or not driving:

1. CDL required (see section III.B., above);
2. Off-duty for the eight hours immediately before any trip or trip segment;
3. Ten hours, maximum, driving time (time on the road) per trip segment; eight off-duty hours between segments;
4. Fifty hours, maximum, driving time per work week; 70 hours, maximum, in any eight-day period;

5. In an emergency or under unforeseen and adverse driving conditions only, the vehicle crew may drive as long as necessary to reach a safe and secure stopping area;
6. When vehicles without detainees travel in tandem, a single officer will be assigned to each. Unaccompanied officers may also drive empty vehicles for certain purposes, e.g., maintenance trips.

Each officer must recognize the limitations imposed by his/her own driving skills, personal distractions, environmental conditions, modifying his/her driving accordingly.

DOT regulations apply to all vehicles on U.S. highways, including those used to transport INS detainees.

#### **G. Pre-Departure Security Check**

The vehicle crew must be present to ensure a complete and thorough search. The crew may take certain precautionary measures with a detainee identified as a special-handling case (security, medical, or psychological problems) while searches are in progress.

1. The vehicle inspection required before each trip will include the driver's compartment and glove compartment, the detainee seating area, and the cargo compartment.
2. The officers will search the staging area prior to loading detainees to ensure the area is clear of any weapons or contraband.
3. The officers will thoroughly search each detainee, as he/she is about to board the vehicle.

#### **H. Movement to Vehicles**

The escorting officer/assistant driver will instruct the detainees about rules of conduct during the trip.

The main driver is responsible for managing the detainees' move from the staging area into the vehicle. The number of available officers will determine whether they move at one time, or in groups.

Armed officers will be posted whenever detainees exit the vehicle outside a secure area. Detainees may generally keep the following in their possession during the trip: jewelry, cash, eyeglasses, prescription medicines, and receipts for property and money (G-589, I-77). However, if the vehicle crew determines that any of these items would compromise officer or detainee safety, the item(s) will be removed and put in appropriate storage area(s). In some instances, the vehicle crew will safeguard and dispense prescription medicines, noting the detainee's name, A-number, and date and time(s) dispensed, and by whom. These notes will be attached to the detainee's medical record or A-file.

#### **I. Vehicle Occupancy Requirement**

The number of detainees transported shall not exceed the rated occupancy level. The Regional Director will establish the rated capacity at or below the manufacturer's maximum.

#### **J. Detainee Count and Identification**

To confirm the identities of the detainees they are transporting, the vehicle crew shall:

1. Summon the detainee, by surname, to the vehicle.
2. Ask detainee to state his/her complete name.
3. Compare name and face with the Booking Card (I-385) and attached photo and the Record of Persons and Property Transferred (I-216). If necessary, refer to the I- 385 for additional biographical information.
4. Conduct a visual count once all passengers are seated on board, and every time the vehicle makes a stop (scheduled or unscheduled), before resuming the trip.

**K. Seating of Detainees**

The OIC will develop written policy and implementing procedures governing the seating of detainees in transportation vehicles:

1. Detainees in restraints (whose documents or behavior in transit indicate a security risk) will occupy the first seats behind the security screen. A log maintained by the officers will record the detainee's name, the reason for using restraints, the type of restraints, and time on and time removed.
2. The officers will place detainees with particular medical problems in areas that can best accommodate them.

The OIC will establish separate procedures for transporting detainees whose physical or mental conditions preclude prolonged travel.

**L. Departure Scheduling and Security**

The vehicle crew shall organize their driving time such that the detainees arrive at the designated meeting area according to schedule.

Before starting on a detail transferring detainees from one facility to another, a designated officer will contact the next receiving office with the following information:

1. The estimated time of departure/arrival (ETD/ETA);
2. The number of detainees in each of the following categories: new arrivals (remaining at the facility); }drop-offs; and overnights;
3. The total number of detainees;
4. Special-handling cases, detailing medications, restraints, etc., about each
5. Notification of any actual or estimated delays in departure, and the accordingly revised ETA(s).

**M. Responsibilities En Route**

The next receiving office on the vehicle route serves as the contact point, and is responsible for monitoring the vehicle's schedule.

Upon making contact with the arriving vehicle, the receiving officers will certify that they are taking custody of the specified detainees by signing the accompanying Form I-216.

Each office will develop and post written guidelines for locating an overdue vehicle. If the vehicle does not arrive within range of the ETA, the contact point will set the tracing procedures in motion.

**N. Safety**

The vehicle crew will keep the cage doors locked whenever detainees are on board. Therefore, the officers will include tests of the emergency exits in their vehicle inspections.

This will involve maintaining and periodically testing the key for every lock located in or on the vehicle. A complete set of these keys will travel with the vehicle at all times, in a secure place disclosed to every transporting officer.

The crew will keep bolt cutters in the forward compartment with the outer equipment for use in an emergency.

For safety purposes, all personnel will remain seated while the vehicle is in motion.

**O. Stops**

During stops, which the vehicle crew will keep to a minimum, detainees will not leave the vehicle until the transporting officers have secured the area. When the detainees disembark, the officers will keep them under constant observation to prevent external contact(s) and/or contraband-smuggling. At least one officer will remain in the vehicle when one or more detainees are present.

**P. Meals**

The vehicle crew will provide meals and snacks during any long-distance transfer that exceeds six hours. Officers shall consider when the detainees last ate before serving meals and snacks.

The requirements specified in the "Food Service" standard apply equally to food served in transit and food served in detention facilities. Meals must satisfy the nutritional requirements of the sending facility. Special dietary needs should be identified to the Food Service before departure, so suitable meals can be arranged.

In the interest of safety, detainees will have no access to eating utensils (disposable or not) while in transit.

Transporting officers will observe safe-handling procedures at all times. Their responsibilities begin with the meals awaiting pickup from the Food Service, which the vehicle crew must inspect (wrapping, portions, quality, quantity, thermos transport containers, etc.) Before accepting the meals, the vehicle crew will raise and resolve questions, concerns, or discrepancies with the food service representative.

In transit, the crew will store and serve food at the required temperatures, maintain personal hygiene, and meet all sanitation requirements. The crew will maintain a constant supply of drinking water (and ice) in the water container(s), along with paper cups. Some disposable garbage receptacles (plastic bags) will reside in the driver's compartment, with the remainder stored in the equipment box located in the forward baggage compartment.

The Food Service Administrator shall monitor the condition and routine cleansing/sterilizing of drinking-water containers, basins, latrines, etc. in vehicles to ensure compliance with the "Food Service" standard.

In an emergency, the transporting officers may purchase meals from a commercial source, obtaining receipts for later reimbursement.

**Q. Vehicle Supervision**

The officers must maintain a clear view of the entire vehicle compartment and remain alert for behavior that could jeopardize safety and security. Detainees shall not have access to any personal baggage or packages while in transit, except as provided in Section III.G., above.

The assistant driver is responsible for detainee oversight during transport.

**R. Vehicle Communication**

Every vehicle will be equipped with a functioning two-way radio. Every crew will carry at least one portable, so the officers can maintain contact if one or more has to leave the vehicle. The vehicle's communications system will include a cellular phone that can counteract certain problems associated with radio transmittals, such as dead zones, different frequencies, etc.

**S. Vehicle Sanitation**

Vehicles must be kept clean and sanitary at all times. The OIC will establish the procedures and schedule for sanitizing facility vehicles. Vehicle crew responsibilities include, but are not limited to, the following:

1. Dumping septic tank contents at the locations specified
2. Maintaining an adequate supply of water and chemicals in the toilet at all times, which involves monitoring the inventory of chemical supplies stored in the forward baggage compartment.

**T. Officer Conduct**

Recognizing the effect of personal appearance, speech, conduct, and demeanor in communicating the appropriate sense of authority, every officer shall dress, speak, and act with the utmost professionalism.

Officers assigned to vehicle operations will have contact with personnel from various District and Sector offices, other government agencies, and with the general public. In all such encounters, the officers will conduct themselves in a manner that reflects positively on INS.

The vehicle crew falls under the authority of the ADD/DDP with jurisdiction at each facility en route, whether an intermediate stop or final destination. This authority remains in effect until the vehicle's departure, and applies only to the current trip. If problems arise, the lead driver must contact the ADD/DDP in his/her chain of command.

Officers will comply with all rules and procedures governing use of government vehicles. They shall not transport any personal items other than those needed to carry out their assigned duties during the trip. Alcoholic beverages and illegal drugs are strictly prohibited.

Using INS guidelines and common sense, officers will handle the crises that occasionally arise. While treating all persons with courtesy and respect, they will not sacrifice or compromise security to do so.

**U. Security**

The vehicle crew is responsible for the custody, security, and control of detainees during transit. By maintaining a cool and efficient manner and exercising good judgment and common sense, the officers can generally defuse/avoid adverse situations.

**V. Transfer of Funds, Valuables, and Property**

The personal property of a detainees transferring from one facility to another will be inspected and inventoried upon release and arrival by respective facility personnel (see the “Funds and Personal Property” and “Admission and Release” standards).

The lead driver will check the manifest against the number of packages by detainee name and A- number before signing the I-216 or placing the baggage on the bus.

In addition to the policy and procedures specified in the “Funds and Personal Property” and “Admission and Release” standards, the following procedures apply to transferring detainees:

1. At the originating facility, staff will ask whether the detainee has in his/her possession all funds, valuables, and other property listed on the I-216.
  - a. If the detainee answers “yes,” he/she may board the vehicle.
  - b. If the detainee claims missing property, including funds and valuables, he/she will remain at the facility until completion of the required paperwork (the SF-95 and I-387 or comparable forms). Photocopies of the completed forms are documentation sufficient for the delayed transfer to proceed.
2. The I-77 number(s) in the “checked baggage” section of the I-216 will identify the baggage to be verified by the receiving officer.

**W. Baggage Check Form (I-77)**

In addition to the procedures specified in the “Funds and Personal Property” standard, personnel shall comply with the following (completing a separate I-77 for each piece of baggage):

1. Record the detainee’s name on the top, middle, and bottom portions of the I-77.
2. Attach the string on the top of the I-77 to the corresponding piece of baggage. Attach the middle section to the copy of the I-385 that will accompany the detainee to the final destination. The bottom portion will serve as the detainee’s receipt.
3. Secure the detainee’s signature on the back of the I-77 attached to the baggage.
4. Transporting officers will record their initials, office designator, and ID number in the lower left corner of the bottom portion of the I-77.
5. The officers involved in the transfer will identify detainees with baggage by the I-77 attached to the I-385.

**X. Officer Uniform and Equipment**

Transporting officers will wear uniforms, including the INS-issued or -authorized personal firearms, in accordance with INS procedures. Certain transportation details will require the wearing of street or business attire; the OIC will establish a dress code for such occasions. The dress code will, among other things, prohibit the wearing of jumpsuits.

Every transporting officer shall be issued, and advised to wear, a protective vest while participating in the transportation program.

Equipment recommended for each trip includes, among other things, the following:

1. Flashlights;
2. Extra handcuffs;
3. Flexcuffs and cutters;
4. Oleoresin capsicum (OC) spray;
5. INS approved batons
6. Other authorized non-deadly force devices

**Y. Firearms Storage**

An armed officer is prohibited from entering the secure area of the vehicle. If he/she must enter that area, the officer will first leave the weapon(s) with another officer for safekeeping or, if the vehicle is equipped with weapons lockers, in a locker.

Every OIC shall ensure that the on-site supply of gun lockers can accommodate the non-resident vehicle crews during stops at the facility.

**Z. Vehicle Equipment**

The District, in conjunction with the Region, shall provide all vehicles with the following equipment:

1. Mobile radio(s) able to communicate on frequencies used by Border Patrol and other law enforcement agencies;
2. Cellular phone (backup communication system);
3. Portable CB radio (for emergency use only);
4. In the forward baggage compartment, two equipment boxes containing:
  - Box #1: large bolt cutters, fuses, fan belts, jack, small hand tools, flashlight, lantern, rags, disposable trash bags, broom, ground cloth, two sets of coveralls, and work gloves (fleet officer/shop supervisor maintains inventory; checks written inventory quarterly)
  - Box #2: transmission fluid, water for radiator, oil, toilet disinfectant, extra fire extinguisher(s), road flares, and reflectors (transporting officers record amount and date used and by whom on inventory sheets kept in Box 2, likewise maintaining MSDS sheets as necessary)

- Other equipment may be added as necessary (transporting officers will provide supervisors with written notification of inventory needs, including items that need replenishing or replacing);
5. First-aid equipment bag (disaster kit), auxiliary to the first-aid kit in the driver's compartment (officers will document each emergency requiring first-aid treatment, including whether and how quickly the injured received proper medical care);
  6. Fifty emergency blankets;
  7. Boarding bag containing extra forms, camera that produces instant photographs, film, batteries, emergency phone numbers: INS offices, local police, State police, etc.;
  8. Spare tire and snow chains (if applicable);
  9. Restraining equipment, including, at a minimum: 50 sets of waist chains; 50 sets of leg irons; 2 sets of leg irons modified for use as hand cuffs (extra-large); 2 sets of group (daisy) chains, 25-feet each, and keyed-alike padlocks (for an emergency evacuation)

All restraining equipment must be of high quality and needs to be maintained in good operating condition and kept in the forward baggage compartment with the other supplies.

The vehicle crew will determine which safety and security equipment to use in an emergency.

The crew will maintain restraints and other equipment in good working order.

### **Use of Restraints**

Officers shall use authorized techniques and common sense when applying restraints. (See the "Use of Force" standard.) To ensure safe and humane treatment, the officers will check the fit of restraining devices immediately after application, at every relay point, and any time the detainee complains. Properly fitting restraints do not restrict breathing or blood circulation.

The officers will double-lock the restraining device(s), and secure each handcuff cover to the waist chain at a point inaccessible to the detainees. Under no circumstances will officers attach a restraining device to an immovable object, including, but not limited to, security bars, seats, steering wheel, or any other part of a vehicle. Officers carrying firearms shall exercise caution if close contact with a detainee becomes necessary.

As a rule, transporting officers will not handcuff women or minors. If an exception arises, the officers will document the incident, recording the facts and the reasoning behind the decision.

### **AA. Emergency Situations**

The OIC shall establish written procedures for transportation officers to follow in an en-route emergency.

If an emergency occurs within a reasonable distance of an INS office, the officers will make every effort to reach that office before taking extraordinary measures. However, if moving seems ill-advised or impossible, they will contact the office, stating location and

the nature of the problem so the office can provide/secure assistance as quickly as possible.

If the situation is life-threatening, the vehicle crew cannot afford to wait for help from an INS office; but will take immediate action.

### **1. Attack**

If attacked, the vehicle crew should request assistance from the nearest law enforcement agency, continuing to drive until the vehicle is incapacitated. The transportation officers will do everything possible to protect the safety of everyone in the vehicle.

### **2. Escape**

If a detainee escapes, the transportation officers shall not jeopardize the security and accountability of the remaining detainees by chasing the escapee. Instead, they will notify the nearest INS office, providing the escapee's name, A-number, height, weight, type of clothing and direction of flight (if known). The office shall directly relay this information to local law enforcement agencies.

The vehicle crew shall wait for assistance, under no circumstances using the vehicle to pursue the escapee. While waiting, the officers will prepare a written report of the escape and/or attempted escape, fully documented.

### **3. Hostages**

If a hostage situation occurs on board the vehicle, one transporting officer will secure the vehicle perimeter, while the other notifies the closest INS office of the hostage-taking. The officers will make every effort to determine who is/are involved and whether armed, relaying the information to the INS office and the local law enforcement agencies. Under no circumstances will a transporting officer bargain with or take orders from the hostage-taker(s), regardless of the status or rank of the hostage(s).

The vehicle crew will hold all detainees on board until help arrives, assuming the hostage-taker(s) allow non-participants to disembark. Regardless of demands, the officers will not allow any hostage-taker(s) off the bus, with or without the hostages.

Transportation officers will take no action to remedy a hostage situation, especially one that would involve the use of force. The officers shall follow instructions from the jurisdictional INS office, which should include cooperating with other agencies.

A hostage situation will effectively end a transportation assignment because of the need to interview witnesses, examine the crime scene, etc. The transportation officers will receive instructions on how and where to proceed once the hostage situation is resolved.

The vehicle crew's incident report will note participants, witnesses, action taken, etc.

### **4. Illness**

If a detainee becomes ill while in transit, but the illness is not serious, the transporting officers will take appropriate action and alert the receiving office so it can prepare to handle the situation.

If the illness requires immediate medical treatment, (e.g., heart attack, etc.), officers will request assistance from the nearest facility and local law enforcement agencies. The officers will initiate life-saving procedures as appropriate, proceeding if security permits. The closest INS office will prepare procurement paperwork and make arrangements for hospitalization, security, etc.

#### **5. Death**

If a detainee dies while in transit, transporting officers will notify the originating or receiving office as soon as possible, and follow the procedures specified in the “Terminal Illness, Advance Directives, and Death” standard.

The closest INS office will coordinate with other agencies, including the coroner, required to be on the scene when the body is removed from the vehicle. This must take place in the State where death occurred. The “Terminal Illness, Advance Directives, and Death” standard specifies the policy and procedures with which the officers must comply.

#### **6. Fire**

In case of fire in or on the vehicle, the driver will immediately stop the vehicle. The crew will fight the fire with the on-board equipment. If necessary, the officers will request assistance from the local fire department and law enforcement agency. If the fire forces the occupants’ evacuation of the bus, the crew is responsible for maintaining accountability while removing the detainees in orderly fashion.

#### **7. Riots**

If a riot, fight, or any disturbance occurs on the bus, the assistant driver will order the detainees to cease and the driver will attempt to move the bus to the side of the road. If necessary, the crew will request assistance from the local law enforcement agency. Efforts should be made to determine the instigators, number of detainees involved, names and A-numbers.

When sufficient assistance is available, the transporting officers will attempt to regain control, using only as much force as necessary (e.g., restraints, pepper spray). Officers may not enter the screened area bearing arms (see Section III.X, above).

#### **8. Traffic Accident**

The OIC will establish written procedures for vehicle crews involved in traffic accidents.

After an accident, the officers shall secure the area, request assistance from a local law enforcement agency, and obtain medical assistance for anyone injured. Regardless of its severity, the officers must report the accident to the local law enforcement agency and the nearest INS office. They must also obtain a police report for the record, in case of future allegations or lawsuits against INS or individual officers. The driver must record witnesses’ names, addresses, and phone numbers on Form SF-94.

The transporting officers will discuss the issue of responsibility for the accident only with INS investigating officers and supervisors. Upon arriving at the receiving office, the officers will report the accident to the ADD/DDP and prepare the required forms.

## **9. Vehicle Failure**

The OIC shall develop written procedures for transportation officers to follow when the vehicle develops mechanical problems en route.

The crew in an INS-owned vehicle that develops mechanical problems en route will attempt to isolate the problem, then contact the nearest INS office. Unless the vehicle constitutes a traffic hazard in its current location, the crew will not move it until instructed to do so. If the officers fail to connect with the INS office, they will try to reach a local law enforcement agency. As always when detainees are on board, the officers' top priorities are order/control, safety, and security.

## **10. Natural Disasters**

The OIC shall develop written procedures for transportation officers to follow in severe weather or a natural disaster.

In a flood, dust storm, ice storm, tornado, or other natural disaster, the vehicle crew will contact State authorities to assess road conditions along the planned route. If driving conditions are unlikely to improve, the vehicle crew will look for a safe area to park the vehicle and request further instructions from the receiving office.

When contacting the office, give all available information concerning your location. This can include highway markers, buildings, unusual structures, or other identifying features. Should it become necessary to exit the vehicle, the detainees should be directed to a safe area. When this occurs, officers must maintain a heightened alertness throughout the emergency. When the emergency has passed, the officers will return all detainees to the vehicle and conduct an accurate count.

## **11. Transporting Females and Minors**

The OIC shall develop written procedures for vehicle crews transporting women and/or minors. However, women and children will travel by means of another mode of transportation if the bus-trip to the destination would exceed six hours.

Women and children will occupy the front of the vehicle. Officers will search a detainee of the opposite sex only in extreme circumstances, in the absence of a same-sex officer.

## **BB. Radio Use**

The officer will plan and rehearse the message intended for transmittal before making radio contact. When ready, the officer will listen to ensure his/her communication will not interfere with an in-progress transmittal., before proceeding as follows:

1. Holding the microphone at a 45-degree angle, about four inches from the mouth, press the microphone switch, pause, then speak (across, not directly into, the microphone). The officer will speak slowly and clearly in a normal voice.
2. Keep the transmission as brief as possible. In an emergency, if the message is lengthy, break it into phrases, waiting for an acknowledgment of one phrase before continuing

with the next. Do not use the radio to transmit a lengthy message under normal (non-emergency) circumstances; use the telephone instead.

3. If having transmittal problems, change locations or use a telephone, if possible. Heavy concentrations of electrical power often limit radio effectiveness, especially around high-speed electrical motors, in areas surrounded by heavy steel or reinforced concrete, and in mountain valleys.

### **Transmitting Numbers**

Transmit numbers exactly as they appear. For example, communicate “1, 2, 3, 4” as, simply, “One. Two. Three. Four.” Never attempt clarity by substituting “One thousand, two hundred, thirty-four” or “Twelve thirty-four.”

### **Transmitting Descriptions**

When transmitting descriptions of persons, give information based on the following; name (if known), sex, race, age, height, weight, hair, eyes, complexion, marks/scars, a description of clothing worn, and type of weapon if armed.

When transmitting information about vehicles, use the acronym **C Y M B A L**:

**C**-Color, **Y**-Year, **M**-Make, **B**-Body style, **A**-And, **L**—License plate number, e.g., Black-2000-Lincoln LS-VA plate number BRAVO YANKEE ECHO 6-9-9-6.

### **Phonetic Alphabet**

Use the following chart when spelling or using letters in messages. Say the letter first, then its identifier, pronouncing “A: Alpha,” “B: Bravo.” Never say “A as in Alpha” or “B as in Bravo”.

<b>A-ALPHA</b>	<b>B-BRAVO</b>	<b>C-CHARLIE</b>	<b>D-DELTA</b>
<b>E-ECHO</b>	<b>F-FOXTROT</b>	<b>G-GOLF</b>	<b>H-HOTEL</b>
<b>I-INDIA</b>	<b>J-JULIET</b>	<b>K-KILO</b>	<b>L-LIMA</b>
<b>M-MIKE</b>	<b>N-NOVEMBER</b>	<b>O-OSCAR</b>	<b>P-PAPA</b>
<b>Q-QUEBEC</b>	<b>R-ROMEO</b>	<b>S-SIERRA</b>	<b>T-TANGO</b>
<b>U-UNIFORM</b>	<b>V-VICTOR</b>	<b>W-WHISKEY</b>	<b>X-X-RAY</b>
<b>Y-YANKEE</b>	<b>Z-ZULU</b>		

All communication equipment is to be used for official government business only. Officers must monitor and censor their language at all times.

**IV. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS REFERENCED:**

American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: 3-ALDF-3E-02

**Approval of Standard**



**Michael D. Cronin  
Acting Executive Associate Commissioner  
Office of Programs**

SEP 20 2000

**Date**



**Michael A. Pearson  
Executive Associate Commissioner  
Office of Field Operations**

SEP 20 2000

**Date**

**U.S. Immigration and Naturalization Service  
NATIONAL DETENTION STANDARDS  
MONITORING INSTRUMENT**

**Policy** The Immigration and Naturalization Service will take all necessary precautions to protect the lives, safety, and welfare of our officers, the general public, and those in INS custody during the transportation of detainees. Standards have been established for professional transportation under the supervision of experienced and trained Detention Enforcement Officers or authorized contract personnel.

<b>TRANSPORTATION (Land Transportation)</b>			
<b>Components</b>	<b>Yes</b>	<b>No</b>	<b>Remarks</b>
1. Do transporting officers comply with applicable local, state, and federal motor vehicle laws and regulations? a. How monitored and verified?			
2. Does every transporting officer have a valid Commercial Driver's License (CDL) issued by the state of employment? a. How many officers do not have a CDL?			
3. Do supervisors maintain records for each vehicle operator?			
4. Do officers use a checklist during every vehicle inspection? a. Do officers report deficiencies affecting operability? b. Are deficiencies corrected before the vehicle goes back into service?			
5. Do transporting officers: a. Limit driving time to 10 hours? b. Drive only after eight consecutive off-duty hours? c. Receive transportation assignments after having been on duty, in any capacity, for 15 hours? d. Drive a 50-hour maximum in a given work week; a 70-hour maximum during eight consecutive days. During emergency conditions (including bad weather), may officers drive as long as necessary to reach a safe area—exceeding the 10-hour limit?			

**TRANSPORTATION  
(Land Transportation)**

Components	Yes	No	Remarks
6. Are two officers with valid CDLs required in any vehicle transporting detainees? a. When buses travel in tandem, are there two qualified officers per vehicle? b. May an unaccompanied driver transport an empty vehicle?			
7. Before the start of each detail, is the vehicle is thoroughly searched?			
8. Is positive identification of all detainees being transported confirmed? a. By what method?			
9. Are all detainees searched immediately prior to boarding the vehicle? a. By whom?			
10. Does the facility ensure that the number of detainees transported does not exceed the manufacturers occupancy level?			
11. Are protective vests provided to all transporting officers?			
12. Does the vehicle crew conduct a visual count once all passengers are on board and seated? a. Are additional visual counts made whenever the vehicle makes a scheduled or unscheduled stop?			
13. Are policies and procedures are in place addressing the use of restraining equipment on transportation vehicles?			
14. Do officers ensure that no one contacts the detainees? a. Does one officer remains in the vehicle when detainees are present?			
15. Are meals provided during long distance transfers? a. Do the meals meet the minimum dietary standards, as identified by dieticians utilized by the Service?			

**TRANSPORTATION  
(Land Transportation)**

Components	Yes	No	Remarks
<p>16. Does the vehicle crew inspect all Food Service pickups before accepting delivery (food wrapping, portions, quality, quantity, thermos-transport containers, etc.)?</p> <p>a. Before accepting the meals, does vehicle crew raise and resolve questions, concerns, or discrepancies with the Food Service representative?</p> <p>b. Does the Food Service Administrator regularly monitor the condition of basins, latrines, and drinking-water containers/ dispensers?</p> <p>c. Are basins, latrines, and drinking-water containers/dispensers cleaned and sanitized on a fixed schedule?</p>			
<p>17. Do any vehicles lack:</p> <p>a. Two-way radios?</p> <p>b. Cellular telephones?</p> <p>c. Equipment boxes stocked in accordance with the Use of Force Standard?</p>			
<p>18. Are the vehicles clean and sanitary at all times?</p>			
<p>19. The personal property of a detainee transferring to another facility:</p> <p>a. Is inventoried?</p> <p>b. Is inspected?</p> <p>c. Accompanies the detainee?</p>			
<p>20. When do armed officers enter a vehicle's secured area?</p>			

**TRANSPORTATION  
(Land Transportation)**

<b>Components</b>	<b>Yes</b>	<b>No</b>	<b>Remarks</b>
21. Are the following contingencies included in the written procedures for vehicle crews: <ul style="list-style-type: none"> <li>a. Attack?</li> <li>b. Escape?</li> <li>c. Hostage-taking?</li> <li>d. Detainee sickness?</li> <li>e. Detainee death?</li> <li>f. Vehicle fire?</li> <li>g. Riot?</li> <li>h. Traffic accident?</li> <li>i. Mechanical problems?</li> <li>j. Natural disasters?</li> <li>k. Severe weather?</li> <li>l. Passenger list is not exclusively men or women or minors</li> </ul>			
22. List discrepancies between contingency procedures for vehicle crew and the INS standard?			

**U.S. Immigration and Naturalization Service  
NATIONAL DETENTION STANDARDS  
MONITORING INSTRUMENT**

**TRANSPORTATION  
(Land Transportation)**

**Verification Sources:**

**The following may serve as sources of information for auditors verifying the facility's compliance with this detention standard:**

SOURCE	TIME	DATE	LOCATION
A. Observing transportation activities			
B. Traveling with vehicle crew			
C. Observing search procedures			
D. Observing restraining procedures			
E. Facility's written policy and procedures			
F. Detainee and staff interviews			

Facilities must complete the attached Plan of Action for bringing operations into compliance. For each element found out of compliance, the plan of action will specify remedial action and the estimated timetable for compliance.

**Remarks:** *(Record significant facts, observations, other sources used, etc.)*

\_\_\_\_\_  
Auditors Signature

\_\_\_\_\_  
Date