



U.S. Immigration and Customs Enforcement (ICE)
Detainee Death Report: DUARTE Rascon, Oscar

General Demographic/Background Information

- **Date of Birth:** May 29, 1966
- **Date of Death:** September 8, 2025
- **Age:** 59
- **Gender:** Male
- **Country of Citizenship:** Mexico

Immigration History

On September 10, 1976, Mr. DUARTE Rascon entered the United States at or near Douglas, AZ, without admission or parole.

On February 11, 2004, United States Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) Phoenix encountered Mr. DUARTE Rascon at Arizona Department of Corrections (ADOC) and served him a Notice to Appear, charging him for violating of the Immigration and Nationality Act (INA) as an alien present in the United States without being admitted or paroled by an Immigration Officer, and as an alien who has been convicted of a crime involving moral turpitude.

On April 12, 2004, ADOC transferred custody of Mr. DUARTE Rascon to ERO Phoenix where he was detained at the Eloy Detention Center (EDC), in Eloy, AZ.

On May 3, 2004, an Immigration Judge (IJ), in Eloy, AZ, ordered Mr. DUARTE Rascon removed from the United States to Mexico. On this same date, ERO Phoenix removed Mr. DUARTE Rascon from the United States to Mexico.

On May 3, 2004, Mr. DUARTE Rascon re-entered the United States at or near Nogales, AZ, without being admitted or paroled.

On July 28, 2005, ERO Phoenix encountered DUARTE at the Arizona Department of Corrections (ADOC), in Phoenix, AZ, and placed an Immigration Detainer-Notice of Action.

On January 6, 2025, the ERO Phoenix encountered Mr. DUARTE Rascon at ADOC and determined he was unlawfully present in the United States. On the same date, ERO Phoenix issued Mr. DUARTE Rascon a Form I-862, Notice to Appear, charging him with inadmissibility as an alien who is present without being admitted or paroled, and transferred Mr. DUARTE Rascon to Florence Staging Facility (FSF), in Florence, AZ, pending placement. ERO Phoenix subsequently transferred Mr. DUARTE Rascon to the Honor Health Florence Medical Center (HFMC), in Florence, AZ, for evaluation, with a plan for transfer to EDC upon hospital discharge.

On January 7, 2025, HFMC, released Mr. DUARTE Rascon, and ERO Phoenix transferred him to EDC, pending his immigration proceedings.



Criminal History

Between June 6, 1984, and November 19, 2000, four Arizona law enforcement agencies charged Mr. DUARTE Rascon with crimes including burglary, theft, and drug possession.

On July 19, 2005, the Superior Court of Arizona, Maricopa County, in Phoenix, AZ, convicted Mr. DUARTE Rascon of attempted sexual contact with a minor-dangerous crime against children, and child molestation-dangerous crime against children and sentenced him to 20 years imprisonment and lifetime probation.

Synopsis of Events

On January 6, 2025, an FSF registered nurse (RN) completed Mr. DUARTE Rascon's prescreen and documented his history of Alzheimer's dementia, seizures, right kidney cancer, asthma, hypertension, hepatitis C, urinary retention suprapubic foley catheter in place, recent hospitalization for septic shock, urinary tract infection; his inability to walk, provide consent, or form coherent speech, and his need for full assistance with activities of daily living (ADLs), including feeding, toileting, grooming, dressing, ambulation, and bathing. Because FSF could not meet his level of care, emergency medical services (EMS) transported Mr. DUARTE Rascon's to HFMC's emergency room (ER), with a transfer plan to EDC upon hospital discharge.

On January 7, 2025, an EDC RN completed Mr. DUARTE Rascon's intake screen upon discharge from HFMC and documented normal vital signs, unchanged status, and a continuation of his current treatment plan from ADOC.

- **On the same day**, an advanced practice provider (APP) completed Mr. DUARTE Rascon's comprehensive health assessment, documented normal vital signs, and noted an incomplete exam due to Mr. DUARTE Rascon's agitation. Mr. DUARTE Rascon was admitted to the Medical Housing Unit (MHU), and ordered hourly wellness checks, routine bed change care, vital sign checks every eight hours, extensive ADL support, and a fall mat whenever in bed.

On January 11, 2025, an RN observed Mr. DUARTE Rascon had a seizure while he was in bed and medical staff transferred Mr. DUARTE Rascon to the floor, requested emergency medical services (EMS), and prepared to initiate cardiopulmonary resuscitation (CPR). Once transferred to the floor, Mr. DUARTE Rascon gained color, his breathing improved, and his pulse became palpable. Medical staff applied an oxygen mask and placed automated external defibrillator (AED) pads on his chest, but no shock was delivered prior to EMS personnel's arrival for transport to Banner Desert Medical Center's (BDMC) ER for further evaluation.

- **On the same day**, an APP evaluated Mr. DUARTE Rascon upon his return from the ER and documented a verbal report from a BDMC staff member of normal vital signs, his negative head computed tomography (CT) scan result, and no changes in medication.

Between January 12 and 15, 2025, an EDC RN and APP evaluated Mr. DUARTE Rascon, documented his unchanged status, and transferred him to Phoenix Specialty Hospital (PSH), for a higher level of care.



Between January 16 and February 22, 2025, EDC RNs documented daily reports from PSH staff that Mr. DUARTE Rascon was stable, his overall condition unchanged, no plan for discharge, and PSH physicians ordered medications and physical therapy.

Between February 23 and June 2, 2025, EDC RNs documented daily reports from PSH staff that Mr. DUARTE Rascon's condition was declining due to Alzheimer disease processes (e.g., increased agitation, loss of communication, difficulty swallowing, lack of awareness, aspiration pneumonia, loss of movement, pressure sores), and two observed seizures. PSH physicians treated Mr. DUARTE Rascon with medications for a fever of unknown origin, agitation, left foot pressure sores, and for comfort. Following a positive chest x-ray result for mild pneumonia and a bedside swallow test, the physicians ordered intravenous medication and a nasogastric tube placement.

Between June 3 and September 4, 2025, EDC RNs documented daily reports from PSH staff that Mr. DUARTE Rascon was stable. He had one observed seizure, and his overall condition and treatment plan continued with the addition of palliative care and medication for recurring pneumonia due to aspiration, additional pain relief, stomach acid, anemia, bacterial infection, bilateral feet swelling, and wound care for pressure sores.

On September 5, 2025, an EDC RN documented PHS staff reported Mr. DUARTE Rascon's transfer to Banner Desert Hospital (BDH) due to multi-organ failure, a bladder infection, and a lung infection.

Between September 6 and 7, 2025, an EDC RN documented BDH staff reported Mr. DUARTE Rascon's diagnoses of septic shock, hypoxia, renal disease, UTI, and pneumonia. BDH physicians ordered intubation with bilevel positive airway pressure, norepinephrine, and propofol. BDH physicians contacted Mr. DUARTE Rascon's family, and his family chose not to make decisions over his care. The BDH changed Mr. DUARTE Rascon's code status to Do Not Resuscitate (DNR) and Do Not Intubate (DNI).

On September 8, 2025, an EDC RN documented BDH staff reported Mr. DUARTE Rascon was pending transfer to comfort/hospice care.

- **At approximately 2:43 p.m.**, a BDH MD pronounced Mr. DUARTE Rascon dead. Preliminary reports indicate the cause of death was respiratory failure.