


Immigration and Customs Enforcement (ICE) Top 10 Most Wanted Fugitive Management and Reporting Instructions

Standardizes the management and post capture reporting of each case on the ICE Top 10 Most Wanted Crim

 2004_11_02 ICE Top 10 Most Wanted Fugitive Criminal Aliens Case Management and Reporting 1

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**U.S. Immigration
and Customs
Enforcement**

NOV - 2 2004

MEMORANDUM FOR: Field Office Directors

FROM:

b6 & 7c

SUBJECT: Immigration & Customs Enforcement (ICE) Top 10 Most Wanted Fugitive Criminal Aliens Case Management and Reporting Instructions

Purpose

To standardize the management and post capture reporting of each case on the ICE Top 10 Most Wanted Criminal Alien list.

Background

The ICE Top 10 Most Wanted Fugitive Criminal Aliens poster program was developed as a tool to make those criminal aliens that have been determined to be the worst of the worst visible to the public and to encourage liaison between field offices and other agencies with an interest in seeing these fugitives apprehended and eventually removed from the United States. The list has been featured on "America's Most Wanted" and is available on the ICE website at www.ice.gov. Making this program's existence known to local law enforcement agencies and other governmental agencies should be part of each field office's liaison activities. This creates the best atmosphere for the success of this program and the overall ICE mission.

Policy

In order to make the Top 10 Most Wanted Fugitive Criminal Alien cases more visible in the Deportable Alien Control System (DACS), a new banner will be placed at the top of each DACS page identifying the alien as being on the Top 10 list. The banner will also direct the reader to immediately notify the LESC and DCO if the alien has been captured or if there is any new information on the case.

All field offices will submit a Top 10 candidate case to HQFOU for inclusion on the list as the result of a capture and case closure. The case will include a complete work folder with photos available in

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“jpeg” format for ease of use and manipulation. These cases should involve crimes of a serious nature. Operation Predator cases are of particular interest at this time.

When a new case is added to the Top 10 List, the field office with responsibility for the case will be notified by HQFOU. Effective immediately, those field offices that have cases on the 10 Most Wanted list will follow these case management and reporting instructions:

Case Management:

1. Print a copy of the “Most Wanted Fugitive Criminal Aliens” poster and place in A-file with your target highlighted or otherwise identified on the poster.
2. Assign a specific officer as the case officer for the Top 10 Case. Notify HQFOU of the officer’s name and 24hr. per day contact information.
3. Make continuous efforts to locate and arrest the target alien. Always complete and update an I-166c to be kept in the file delineating what actions have been taken on the case and when those actions were taken. At a minimum, monthly updates will be made to the comments field in DACS. An electronic version will be forwarded to the Headquarters, Fugitive Operations Unit (HQFOU) to be included in the work file maintained at Headquarters. The I-166c and updates can be sent electronically via e-mail to HQDRO, FUGOPS or [REDACTED] b6 & 7c [REDACTED] If an electronic copy is not available, the updated I-166c can be faxed to HQFOU at (202) [REDACTED] b6 & 7c [REDACTED]

If the targeted alien is believed to be in the “area of responsibility” of another field office, the fugitive team responsible for the DCO office will contact the appropriate fugitive team and forward the A-file or a work file along with all pertinent data and any new lead information. The receiving team will make all efforts to follow-up on these leads and will provide an update to the fugitive team from the responsible DCO. If there is enough information and concurrence to merit the transfer of a case from one DCO to another, the case will be transferred. Any case transferred to another DCO will be reported to the HQFOU with HQFOU acknowledging transfer.

Apprehension Reporting:

1. If target is apprehended, immediately contact the LESC and send a SIR to HQFOU with a synopsis of the apprehension. The header on the SIR should read “MOST WANTED CAPTURED”
2. As soon as possible after the apprehension follow-up with a phone call and report apprehension to any member of HQFOU.
3. If the apprehension is made “after hours” contact the ICE Operations Center at (202) 616-5000 and ask them to notify DRO senior leadership.

HQFOU will run periodic electronic records checks and review comments in DACS to ensure that the cases are being worked on a frequent basis. When cases will be featured on America’s Most

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Wanted, those offices will be notified so that a stand-by task force can be set up in case Hot Leads are developed from the airing of the show. Members of HQFOU will be present during the airing of the show to coordinate operations in the field based on immediate action leads.

The current Most Wanted Fugitive Criminal Aliens list with DCO and responsible field office is available on the ICE website.

This memo is considered a supplement to DDFM Chapter 19.9. If you should have any questions regarding this policy, contact Chief, Fugitive Operations Unit at (202) 353-(b)(7)(C).

Attachment



U.S. Department of Homeland Security
Bureau of Immigration and Customs Enforcement

HQDRO 50/12.8

Office of the Director

801 I Street NW
Washington, DC 20536

MEMORANDUM FOR ALL FIELD OFFICE DIRECTORS
DEPUTY ASSISTANT DIRECTOR FOR FIELD OPERATIONS

FROM: Anthony S. Tangeman
Director
Office of Detention and Rem

b6 & 7c

SUBJECT: Addition of Chapter 19, Section 9 (Bureau of Immigration and Customs Enforcement (ICE) Most Wanted Program] of the Detention and Deportation Officer's Field Manual (DDFM)

The DDFM is changed to reflect the addition of Section 9, Chapter 19 [Bureau of Immigration and Customs Enforcement (ICE) Most Wanted Program]. Accordingly, the DDFM is changed as follows:

19.9 Bureau of immigration and Customs Enforcement (ICE) Most Wanted Program

I. POLICY

All Field Offices shall create Wanted Posters for aliens designated as fugitives. Appendix 19-13 contains information on how to complete a Wanted Poster. Only the Wanted Poster (M 551) authorized by Headquarters, Fugitive Operations Branch (HQFOB) and Regulations and Forms Services Division is authorized for use. No changes or deviations are to be made to this form. Earlier formats and locally customized formats are no longer authorized. The only 'Most Wanted' Poster authorized is the ICE Most Wanted Program administered by HQFOB. Field Offices desiring to nominate a target for inclusion to the 'Most Wanted' program should forward a copy of the target's folder to HQFOB.

II. GENERAL PROCEDURES

The purpose of creating and distributing "wanted posters"¹ relating to targeted fugitive aliens is to ensure the greatest likelihood of locating and apprehending these aliens. The use of wanted posters is a *proactive* approach in conducting fugitive operations as opposed to placing cases into the NCIC system, which is *reactive* in nature. However, both should be used when conducting fugitive operations. It is recommended that wanted posters only be used in cases that are actually being worked; as they can be distributed to the appropriate agencies as the case continues to progress and additional leads and information are developed. When starting to work the case, verification should be made that it has been entered into NCIC. This is important so that any contact between the absconder and another Law Enforcement Agency (LEA) can lead to apprehension for or by ICE.

Distribution

Copies of wanted posters should be distributed to various federal, state and local law enforcement agencies, as well as, other agencies such as the department of motor vehicles, parole and probation offices, bank security divisions and any other agency which may be of assistance. Examples of other agencies and/or entities are correctional facilities, District Attorney's offices, state insurance fraud bureaus, and state bureaus of special investigations, airline security divisions and Confidential Informants².

Distribution List

The following is a list of agencies with a brief description of how the particular agency may be of assistance with this program in a FOT's jurisdiction. It is important that, practical, personal liaison be established with "key" personnel assigned to each agency where wanted posters are distributed in your jurisdiction, along with a brief explanation of the ICE's mission. One of the most important points to stress is that these fugitives have already completed the hearing process and have outstanding Warrants of Deportation/Removal, which means their removal can be expeditiously accomplished subsequent to apprehension. This will increase the likelihood of other agencies proactive participation and assistance in attempts to locate wanted fugitives. It should also be explained that these cases have been entered into NCIC, if applicable. Distribution of wanted posters should be limited to fugitive cases in your operational area.

When a fugitive is apprehended, it is important to contact the personnel that you previously made contact with in order to make them aware of the apprehension. This

¹ Wanted Posters' have been around as long as there have been criminals. Indeed early U.S. Marshals used wanted posters to spread information about fugitives. As time went by sketches and eventually photographs were attached. The modern success stories in poster programs are the FBI's Top Ten and the Marshals Service Top 15 Program.

² If the decision is made to provide a copy of a "wanted Poster" to a Confidential Informant, they should be warned to keep them in a secure location.

can be easily accomplished by listing these agency personnel as "leads" on form G-176 during the course of your fugitive investigation. This will save these agencies unnecessary time and effort attempting to locate the fugitive for ICE and will enhance the rapport between agencies.

Oftentimes, when conducting liaison with personnel from other law enforcement agencies; the question is asked by what authority they can apprehend ICE fugitives. It is recommended that ICE personnel instruct them to consult with their own legal department regarding this matter. Advise them that ICE is only seeking information that they may be able to provide as to the whereabouts of wanted ICE fugitives.

FEDERAL AGENCIES

U.S. DEPARTMENT OF HOMELAND SECURITY

Wanted posters should be distributed to the various agencies or bureaus that make up the Department of Homeland Security. A partial list of these agencies and bureaus includes:

- Bureau of Immigration and Customs Enforcement, Office of Investigations
- Transportation Security Administration
- Federal Air Marshals
- Office of Air and Marine Interdiction (ICE)
- Federal Protective Service³
- Bureau of Customs and Border Protection (Inspections)
- U.S. Border Patrol
- United States Secret Service
- Bureau of Citizenship and Immigration Services

U.S. Passport Office/Bureau of Diplomatic Security⁴

Wanted posters may be distributed to the local office in the event the alien attempts to obtain a U.S. passport. This has proven to be extremely helpful when dealing with fugitives using fraudulent Puerto Rican birth certificates as proof of citizenship.

Drug Enforcement Administration (DEA)

³ HQ Fugitive Operations Branch (FOB) is currently working with FPS. The "Most Wanted" poster is distributed in their daily newsletter

⁴ Should problems arise, contact HQFOB.

Because most of the wanted posters contain information relating to convicted drug traffickers, it is possible that DEA may have information on their whereabouts. DEA may also have ongoing investigations relating to these individuals, which may prove to be of interest in the area of officer safety. Additionally, these individuals may be acting as Confidential Informants for DEA. ***Although ICE is sometimes aware of this information, this is not always the case.***

Internal Revenue Service (IRS)

The amount of information that the IRS can provide is very limited due to disclosure constraints. Virtually no information can be provided without a court order. However, IRS receives many anonymous calls from people who lodge complaints about aliens not paying taxes, which may prove to be beneficial.

Alcohol, Tobacco & Firearms (ATF)

Because many of the aliens wanted by ICE have been arrested and/or convicted of a firearm offense, it is possible that the local ATF office may have information on them. If you are attempting to locate an individual who is known or believed to carry firearms, ATF may provide an agent to assist with the apprehension, depending on the rapport that you have established with the local office. Additionally, if an ATF agent is working with you when an apprehension is made of an alien who has a firearm at the time of the arrest, ATF may want to take custody of the alien and prosecute him/her criminally. In those instances, you will need to lodge an ICE detainer (Form I-247) with the arresting agent or the U.S. Marshals Service.

U.S. Marshals Service

Many of the local U.S. Marshals offices have established Fugitive Units. If you receive information that a wanted ICE fugitive was on federal parole or probation and has violated that status, the U.S. Marshals may also be attempting to locate that individual. They may have useful information for ICE or ICE may have information useful to their case/operation.

Federal Bureau of Investigation (FBI)

Wanted posters may be distributed to local FBI Foreign Counter Intelligence and Drug Units⁵. The FCI Unit may be interested in aliens from hostile countries and may have information regarding them. The Drug Unit may have information on aliens involved in drug trafficking. Also, many FBI agents are assigned to various local, state and county task forces, and information/wanted posters should be provided to them. It is also important to contact the FBI regarding these cases as the FBI has a large network of Confidential Informants, some of which may be the targets of your investigation.

⁵ ICE Most Wanted information will be sent from HQFOB. The Custody Review Unit (CRU), which is part of HQFOB, can assist by coordinating with ICE's National Security Unit (NSU).

Contact should be made with the controlling FBI agent and local ICE management should also be apprised of the situation.

Department of Labor (DOL)

The DOL may be a useful point of contact as the fugitive may be receiving some form of workman's compensation, possibly as the result of an industrial accident. Also, the fugitive may be in the process of applying for certain benefits from the DOL.⁶

Social Security Administration (SSA)

The Social Security Administration can be an outstanding source of information in providing employer information relating to wanted fugitives. ***Section 290 of the Immigration and Nationality Act requires that the SSA provide employer information to ICE when requested.***⁷

STATE/OTHER AGENCIES/ENTITIES

Bureau of Special Investigations (BSI)

Many states may have agencies such as these. In some states, the BSI provides information relating to individuals who are collecting state benefits such as welfare, unemployment, food stamps, etc. The BSI may provide personnel to assist by sending a "call-in" letter to the wanted fugitive in order to assist ICE in effecting their arrest. ***It is important to remember that most drug dealers do not work and many are collecting state benefits!***

Financial/Insurance Fraud Associations

Some states have agencies that combat financial and insurance fraud. Many times these may be private agencies funded by state government. It is extremely important to initiate liaison with local personnel from these agencies, as they tend to have extensive financial and insurance related databases. You should remember that, quite often, their investigations involve aliens, and they may be in need of your assistance as much as ICE needs them.

State Police

Wanted posters should be provided to State Police Departments. They should be provided to both the uniformed and non-uniformed troopers (detectives). You should also find out if State Police officers are assigned to local drug task forces and provide

⁶ HQFOB is working with DOL to coordinate the exchange of information. HQFOB will send any information it receives to the field as 'Hot Leads'.

⁷ HQFOB is working with SSA to coordinate the exchange of information. HQFOB will send any information it receives to the field as 'Hot Leads'.

them with information/wanted posters on ICE fugitives. When you provide copies of the wanted posters to the State Police, you should also include any known vehicles that the fugitives are known to use. This will assist the State Police in determining the identity of an individual or individuals in the vehicle.

Correctional Institutions

Wanted posters should be placed in all correctional facilities, including ICE Service Processing Centers, within your respective area of responsibility. The most effective area for placement would be the inmate processing area. It is particularly important that all aliases be noted on the wanted poster.

Department of Motor Vehicles (DMV)

In addition to information that DMVs can provide concerning aliens, they also can be another force multiplier in looking for a fugitive. Should the target not have a driver's license for his current residence⁸, providing a wanted poster to driver's license examiners or their investigative units could result in an easy apprehension.

Local Police Departments

Local police departments are probably the most useful of all agencies. You should always communicate with the detective units, however you may also want to communicate with the uniformed officers as well. When communicating with police departments, you must ensure that personnel on all shifts are aware of the information. The local police are more likely to come into contact with fugitives than any other agency and they have proven to be a necessary source of information. You should also find out if the department has its own drug unit and housing unit. Many fugitives are found residing in public subsidized housing and the housing police units can get information discreetly through local contacts. In large metropolitan areas, there may be transit police departments. Wanted posters should be given to these departments, especially if the fugitive does not possess a valid driver's license.

Probation Offices

When dealing with probation officers, you must remember that, unfortunately, some officers are sympathetic to their clients and may not provide you with as much information as you may like. In extreme circumstances, they may even contact the alien and inform them of ICE's interest. Experienced ICE officers will usually know the names and telephone numbers of reliable probation officers in the various district courts within their jurisdiction. Posters should only be placed with probation officers that you are sure will not alert the target to our interest.

⁸ Some power companies and agencies that provide financial assistance require proof of a local address.

Local banks

Most banks have a Director of Security. Liaison should be initiated with these officials, as they are often helpful in providing account information. Security officers frequently meet at regularly scheduled intelligence conferences to discuss problems and concerns. Usually, ICE officers are welcome to attend these meetings and information/wanted posters can be circulated among the attendees.

Airline Security Divisions

Liaison should be established with airline security officials of airlines that have direct flights to countries that fugitives are likely to travel to. Wanted posters may be given to these officials, but these officials should be briefed of the restrictions and prohibitions contained in Section 215 of the Immigration and Nationality Act regarding the departure from the United States of certain classes of aliens.

Confidential Informants

The use of wanted posters with Confidential Informants can reap enormous results, however, a certain amount of caution must be used when doing so. Prior to allowing Confidential Informants to view Service wanted posters, you must be extremely confident in their ability and reliability. These may be Confidential Informants from ICE or other agencies. In any event, you should be thoroughly familiar with all ICE policies and regulations regarding their use. Once again, Confidential Informants should not be given a copy of the poster or if given one, warned to keep them in a secure location. See Chapter 19.7 – Confidential Informants.

CLOSING ACTIONS FOR FUGITIVES APPREHENDED

Fugitive cases apprehended using a wanted poster should be immediately reported to all agencies/personnel on the wanted poster distribution list. This will foster good liaison and not waste the time of other agencies in looking for fugitives that have already been apprehended and removed. Also make sure that the case is removed from NCIC or transferred into the Deported Felon File (DFF), if applicable. TECS and DACS should be properly updated as well.

Bond Pending Report

Indicates that the Bond Pending Report obtained from the DACS shows open bonds pending (breached or c

 2004_11_12_Bond_Pending_Report_dro.pdf — PDF document, 55Kb

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Next Review:	Nov 12, 2008
Signatory:	b6 & 7c

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**U.S. Immigration
and Customs
Enforcement**

NOV 12 2004

MEMORANDUM FOR: Field Office Directors

FROM:

b6 & 7c

SUBJECT: Bond Pending Report

Purpose

Correct deficiencies found in the Reports of Bonds Pending.

Background

The Bond Pending Report obtained from the Deportable Alien Control System (DACS) shows open bonds pending for each Docket Control Office (DCO). It is a tool for use by Field Office Directors to help determine what bonds need to be breached or canceled. A review of this report shows that there are significant bonds listed that are either listed in error or have potential problems.

Policy

Field Offices will promptly review the attached list and take appropriate action. The list includes cases identified in DACS as a fugitive (5B, 8E or 81) and that have open bonds associated with their case. Field Offices can obtain a more complete report listing all open bonds pending for your respective field office by requesting a Bond Call-Up Report on the CRPT screen in DACS. It is strongly suggested that each field office completes this on a regular basis.

Review each file from the attached list and determine if the case category listed in DACS is accurate and that the alien identified is actually a fugitive. In some cases, while the cases category does not designate the case as being a fugitive, the docket identifies it as such. Regardless, the case category must reflect the true status of the case, as should the docket to which it is assigned.

If the case officer determines that the case is, in fact, a fugitive, the officer must then determine the proper status of the bond. There should not be a case where a fugitive alien has an open delivery bond. If a demand has not already been made, and the bond is otherwise enforceable, the case officer must make a determination whether it is appropriate to either make a demand or simply effect

Orders of Supervision

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arrest of the alien. The officer's decision on the proper course of action will be the determining factor or whether the bond must be either breached or cancelled.


Each Field Office must submit progress reports identifying the action taken for those cases under their area of responsibility within thirty (30) days of receipt of this notice with subsequent reports every 30 days. The entire process should be complete within six months from receipt of this notice.

All questions and issues regarding the procedures concerning the completion and submission of reports should be directed to Shirley Parfitt, who can be reached at (802)660-5010. All other questions regarding policy issues should be directed [REDACTED] Chief, Fugitive Operations Unit at (202) 35 [REDACTED]

Attachments.

Alternatives to Detention Recovery Procedures

Notifies that ICE has developed two programs dealing with alternative to physical detention-EMD and the IS

 2004_12_10_Alt_to_Detent_Recov_Proced_dro.pdf — PDF document, 43Kb

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Related content

- Guidance: Alternative to Detention (ATD) Case Management Guidance (Dec 17, 2008)

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**U.S. Immigration
and Customs
Enforcement**

DEC 10 2004

MEMORANDUM FOR: Field Office Directors

FROM:

b6 & 7c

b6 & 7c

SUBJECT: Alternative to Detention Recovery Procedures

Purpose

Make available the use of National Fugitive Operations Program resources in assisting in the recovery of alternative to detention violators.

Background

ICE has developed two distinct programs that deal directly with controlling aliens outside of the physical detention arena. The Electronic Monitoring Device (EMD) and the Intensive Supervision Appearance Programs (ISAP) have been developed and are being operated under contract as alternatives to physical detention. While contractors monitor both programs, they have different levels of reporting regarding the violations of their specific programs. Once violations have occurred, it falls upon Detention and Removal Operations (DRO) to enforce any sanctions regarding those violations.

Discussion

When DRO is notified that an alien who has been enrolled in either program has violated his/her status, it falls upon the case deportation officer to verify if, in fact, a violation has occurred. Once the deportation officer has determined that the case requires the termination of the contractual monitoring of the individual and their return to physical custody, the case will be referred to the local fugitive unit for immediate action. The case officer will continue to work with the fugitive unit to locate and apprehend the subject. Field Office Directors (FODs) should also consider prosecution under Title 8 U.S.C §1253(b), for those violating the conditions of their release.

Pursuant to the definition of fugitive in the National Fugitive Operations Program policy and procedure document, this type of individual clearly fits the description of a fugitive for programmatic purposes. As such, the fugitive operations teams can be used as a tool in the recovery of aliens who


Subject: Alternatives to Detention Recovery Procedures
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violate the conditions of their participation in the alternatives to detention programs. However, FODs are cautioned that they should use this asset *only* to recover aliens who violate the conditions of their release. They are not to be used as case officers to control aliens under the program or to be used to verify if violations have occurred.

If you have any questions concerning this issue, direct your call to [REDACTED] Chief, National Fugitive Operations Program, Office of Detention and Removal Operations via e-mail at HQDRO,FUGOPS or via phone at (202) 35 [REDACTED]

Placement of Fugitive Cases into the National Crime Information Center's Ir

Restates the requirement of placing fugitive cases into the NCIC IVF found in the "Absconder apprehension

 2005_08_28_National Crime Information Center_Violator_dro.pdf — PDF document, 82Kb

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Related content

- Policy Memo: Absconder Apprehension Initiative Standard Operating Procedure (SOP) for National Wanted Persons File (Aug 29, 2002)


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Pages 20 through 25 redacted for the following reasons:

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b6 & 7c, 7e

ARCHIVED: Fugitive Case Management System Reporting and the 1,000 Arrest Operations Teams

This Directive establishes Fugitive Operations alien arrest goals.

 FCMS_FOT_Goals.pdf — PDF document, 251Kb

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Superseded By

- Dec 08, 2009 , National Fugitive Operations Program: Priorities, Goals, and Expectations on D

Related content

- Delegation: ARCHIVED: (LES)Delegation of Authority and Standardization of the National Fug Operational Plans (Aug 03, 2007)
- Directive: ARCHIVED: Case Load Priority with Fugitive Operations (Jan 22, 2004)
- Directive: ARCHIVED: Fugitive Operations Case Priority and Annual Goals (Jan 31, 2006)
- Policy Memo: Utilization of DRO Assets to Conduct Fugitive Operations (Jun 16, 2008)
- Policy Memo: ARCHIVED: Prioritized Monthly Fugitive Operations (Feb 04, 2009)
- Policy Memo: Clarification of Utilization of Fugitive Operations Team (FOT) Members (Apr 04,
- Policy Memo: Utilization of Fugitive Operations Team Members (Dec 03, 2003)
- Policy Memo: Field Advisory Deviation from the Escort Policy (Feb 03, 2006)

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U.S. Immigration
and Customs
Enforcement

MEMORANDUM FOR: Assistant Directors SEP 29 2006
Deputy Assistant Directors
Field Office Directors

FROM:

b6 & 7c

SUBJECT: Fugitive Case Management System Reporting and the 1,000 Arrests
Annual Goal for Fugitive Operations Teams

Purpose

This memorandum sets forth Office of Detention and Removal Operations (DRO) requirements for Field Office recordkeeping under the Fugitive Case Management System. It also clarifies the existing Field Office Fugitive Operation Team average annual goal of 1,000 fugitive alien cases per team.

Discussion

In order to accurately track the NFOP's efforts to reduce the fugitive alien population in the United States, DRO began development of a comprehensive fugitive alien tracking system in April 2005. That system, which became operational in August 2006, is known as the Fugitive Case Management System (FCMS). This new system will serve as a critical tool for DRO statistical tracking in furtherance of the ICE and Department of Homeland Security mission.

In light of the recent FCMS rollout and expanded NFOP operational capability, it is more important than ever that Field Offices accurately track their Fugitive Operations Teams' performance and that NFOP resources be focused on the arrest of fugitive aliens. To this end, each Field Office should now set its Fugitive Operations Team average, annual, per-team production target at 1,000 fugitive alien arrests. Furthermore, in meeting this goal, each Field Office is now required to differentiate between arrests and other actions resulting in the resolution of fugitive alien cases, such as discovering that a fugitive alien has already departed the United States or attained lawful immigration status. Each of these requirements is explained in further detail below.

The 1,000 Fugitive Alien Arrest Target

Efforts to reduce the fugitive alien population, including administrative efforts to close cases, are important and often resource-intensive. Fugitive Operations Team resources must remain

Subject: Fugitive Case Management System Reporting and the 1,000 Arrests Annual Goal for Fugitive Operations Teams

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focused on arresting fugitive aliens. Thus, the prior guidance issued by this office on January 31, 2006 (attached as Appendix B), which established a target goal of 1,000 "fugitive apprehensions/cases closed" per Fugitive Operations Team, is hereby superseded. Effective for Fiscal Year 2007, each Field Office should seek to achieve a goal of at least 1,000 arrests per team. An arrest is the restraint and seizure of a person by an officer acting under authority of the Immigration and Nationality Act (INA) for the purpose of executing a warrant or charging the person with violations of the INA; it is conducted in such a manner that it is reasonable under the circumstances for the person to believe that he or she is not free to leave. For instance, a Field Office with three teams will need to work toward the goal of arresting at least 3,000 fugitive aliens. If the three teams collectively apprehend more than 3,000 such individuals, the Field Office will have met this goal, even if one of the three teams apprehends fewer than 1,000.

Other efforts are already underway to assist Field Offices in achieving this goal and reducing the fugitive alien population on other fronts. For example, the Fugitive Operations Support Center (FOSC) in Burlington, Vermont will begin an extensive electronic review of fugitive cases in the next few months. The FOSC will close appropriate cases and provide comprehensive leads to the Field Offices on many others, facilitating efforts to meet the goal of 1,000 arrests. As a component of the NFOP, the goal established for FOSC is to eliminate 26,000 cases from the fugitive population each fiscal year. In addition, two months ago, ICE established the Detention Operations Coordination Center (DOCC), which provides nationwide management of DRO detention assets. The DOCC will support Field Offices' efforts to meet their arrest goals by coordinating DRO assets nationwide to ensure the maximum availability of detention space for fugitive arrest operations.

Finally, two important caveats exist in calculating Field Offices' success in reaching the goal of 1,000 arrests. First, non-fugitive arrests may now be included in that total, but only where these arrests are made as part of a DRO Headquarters-approved operation. However, each Field Office must nevertheless average at least 500 fugitive arrests per Fugitive Operations Team. For instance, a Field Office with three teams that collectively apprehend 1,000 fugitive aliens and 2,000 non-fugitives during Headquarters-approved operations over the course of the Fiscal Year would not have met its goal. Second, Fugitive Operations Teams must continue to prioritize fugitive arrest activity under the standards set forth in the January 31, 2006 memorandum referenced above and attached as Appendix B.

Use of FCMS to Accurately Track NFOP Cases

In light of this clarified goal for DRO Field Office fugitive operations and the considerable public interest in ICE's efforts to reduce the fugitive alien population, it is absolutely crucial that cases are properly categorized in FCMS. Data entered into this system will serve as the basis for determining whether a Field Office has met its annual arrest target and for reporting on ICE's fugitive alien efforts to Department of Homeland Security management, Congress, and other stakeholders.

For these reasons, when entering fugitive information into FCMS, Field Offices must ensure that the data is entered correctly. Under the "Arrest" tab in FCMS, a drop-down menu provides the

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Page 3

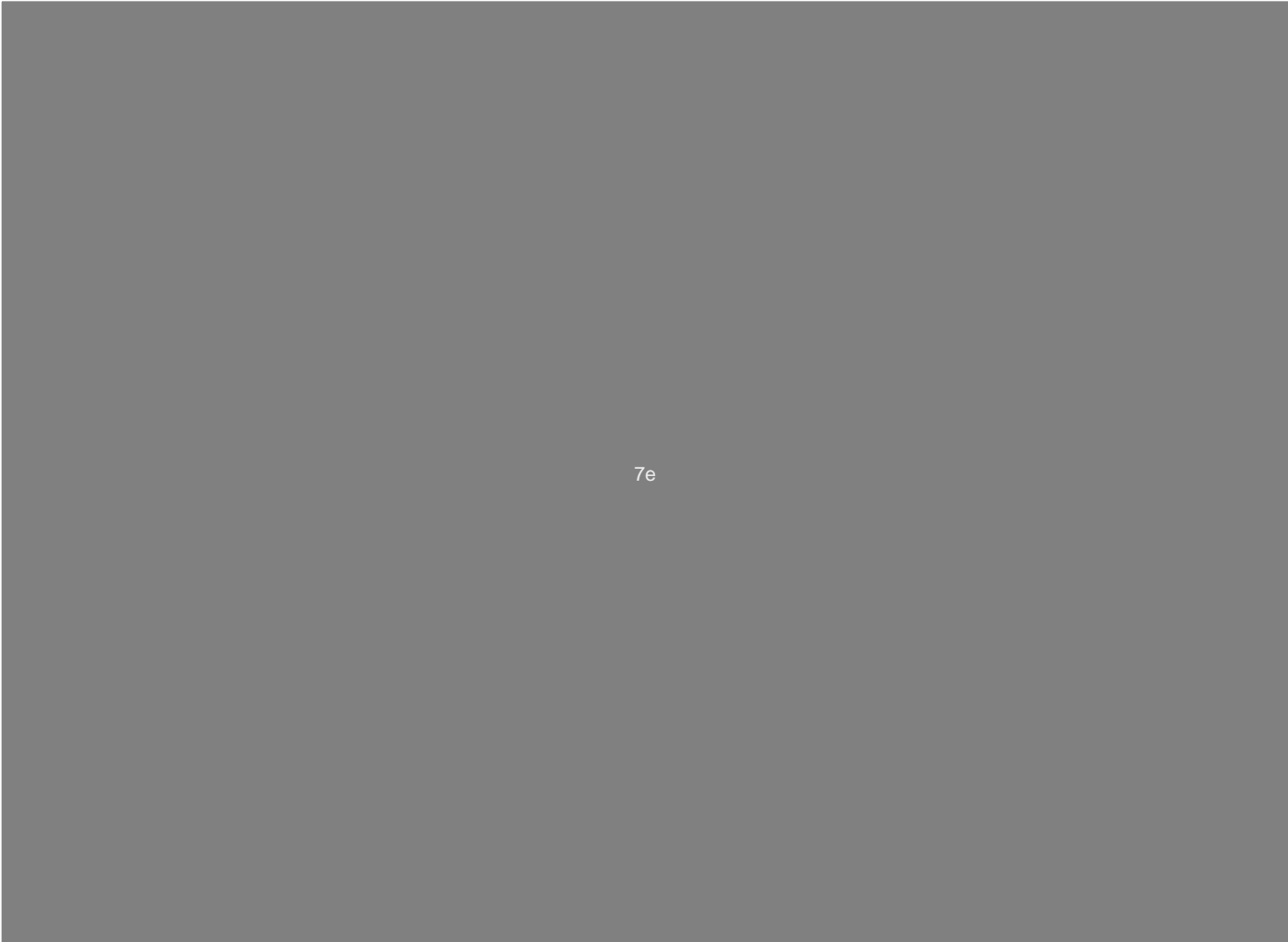
appropriate "Action" options for categorizing fugitive operations activity. These options include "Arrest," "Located/Detainer (I-247-Lodged)," "Case Category Changed," and "Case Closure." Field Office Fugitive Operation Team personnel are responsible for identifying the correct activity option when entering case information into FCMS. A detailed explanation of these "Action" categories is provided in Appendix A.

On October 1, 2006, DRO will begin issuing a new weekly report detailing NFOP activity. This report will contain a national and Field Office-by-Field Office breakdown of cases based on FCMS "Action" type.

If you have any questions concerning the guidance set forth in this memorandum, please contact b6 & 7c Deputy Assistant Director, Compliance Enforcement Division, at (202) 616 b6 & 7c

Attachments (2)

Appendix A



7e

U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



**U.S. Immigration
and Customs
Enforcement**

JAN 31 2006

MEMORANDUM FOR: All Field Office Directors

FROM:

b6 & 7c

SUBJECT: Fugitive Operation Case Priority and Annual Goals

Purpose

This memorandum supersedes the memorandum issued by Anthony S. Tangeman, dated January 22, 2004 that required that no less than seventy-five percent of all fugitive operation targets be classified as criminal aliens. Effective immediately, fugitive cases worked by the Fugitive Operations (FUGOPS) teams will be prioritized by threats posed by the fugitive alien. This memorandum also establishes a new target goal of 1,000 fugitive apprehensions/cases closed per FUGOPS team.

Discussion

The Office of Detention and Removal Operations (DRO) is responsible for apprehending and removing fugitive aliens from the United States. Apprehending fugitive criminal alien cases has always been, and will continue to be, one of the highest priorities for FUGOPS teams.

Policy

To further the enforcement mission of U.S. Immigration and Customs Enforcement, the FUGOPS teams will prioritize their fugitive cases according to the following standards:

- I. Fugitives that pose a threat to national security
- II. Fugitives that pose a threat to the community
- III. Fugitives convicted of violent crimes
- IV. Fugitives with criminal records
- V. Fugitives that are non-criminals

There will be no percentage quota for the types of cases to be worked. Fugitive cases at all priority levels are to be worked by the FUGOPS teams, but the higher priority cases take precedence.


HQDRO will work with Field Office Directors in identifying and implementing initiatives involving fugitive alien cases.

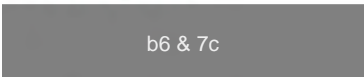
Additionally, the new annual target goal is 1,000 fugitive apprehensions/cases closed per FUGOPS team. Realizing that FUGOPS will make numerous collateral arrests of aliens in pursuing targeted fugitives, the collateral apprehensions will not count toward the target goal.

A policy directive regarding the memorandum will be forthcoming.

Clarification of Utilization of Fugitive Operations Team (FOT) Members

Indicates that FODs will limit collateral assignments to FOT members and ensure that positions funded for

 2007_04_04_FUGOPS_Utilize_dro.pdf — PDF document, 57Kb

Type:	Policy Memo
OPI:	Secure Communities and Enforcement (SCE)
Source:	Enforcement and Removal Operations
Status:	Current
Issued:	Apr 04, 2007
Next Review:	Apr 04, 2011
Signatory:	 b6 & 7c
Supersedes	

- Dec 03, 2003 , Utilization of Fugitive Operations Team Members on Apr 04, 2007

Related content

- Delegation: ARCHIVED: (LES)Delegation of Authority and Standardization of the National Fugitive Operational Plans (Aug 03, 2007)
- Directive: National Fugitive Operations Program: Priorities, Goals, and Expectations (Dec 08, 2007)
- Directive: ARCHIVED: Fugitive Operations Case Priority and Annual Goals (Jan 31, 2006)
- Directive: ARCHIVED: Case Load Priority with Fugitive Operations (Jan 22, 2004)
- Policy Memo: Utilization of DRO Assets to Conduct Fugitive Operations (Jun 16, 2008)
- Policy Memo: ARCHIVED: Prioritized Monthly Fugitive Operations (Feb 04, 2009)
- Policy Memo: ARCHIVED: Fugitive Case Management System Reporting and the 1,000 Arrests Teams (Sep 29, 2006)
- Policy Memo: Utilization of Fugitive Operations Team Members (Dec 03, 2003)

Close
Close
Close

U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

MEMORANDUM FOR: All Field Office Directors APR 04 2007

FROM: John P. Torres

A handwritten signature in blue ink, appearing to read "John P. Torres".

SUBJECT: Clarification of Utilization of Fugitive Operations
Team Member

Purpose

This memorandum enhances the guidance provided in the December 3, 2003 policy memorandum entitled "Utilization of Fugitive Operations Team Members" regarding the appropriate use of Fugitive Operations Team members.

Discussion

Field Office Directors (FODs) must ensure that positions funded for fugitive operations are utilized towards aggressively pursuing the primary mission of the National Fugitive Operations Program (NFOP); identifying, locating, arresting and removing fugitive aliens so as to reduce the fugitive alien population in the U.S. In order to further the NFOP mission, FODs must limit the collateral assignments assigned to Fugitive Operations Team (FOT) members.


However, as ICE must ensure that the Department of Homeland Security's primary mission of protecting the borders and preventing future terrorist attacks is accomplished; ICE/DRO field offices are responsible for effectively utilizing and allocating all of its resources, to include the use of Fugitive Operations Teams for non-fugitive operations assignments. The FOTs, although primarily called upon to reduce the fugitive alien population, are also available to assist, when necessary, in ensuring the overall effective implementation of ICE missions and responsibilities. Therefore, in the interest of national security, FODs may allocate needed resources, to include TOTs, in order to accommodate a fluid, national agenda or to meet existing circumstances.

Please ensure that this guidance is acted upon immediately and disseminated to all Field Office personnel. If you have any questions, please contact [redacted] b6 & 7c Deputy Assistant Director, Compliance Enforcement Division, at 202-616- [redacted] b6 & 7c

FOR OFFICIAL USE ONLY
LAW ENFORCEMENT SENSITIVE

Reporting Guidance for the Criminal Alien Program (CAP) (Follow-up to Director's Memorandum)

Provides procedural guidance to ensure compliance with manual and electronic CAP statistical reporting re

 2007_12_21_cap_manual_rpt.pdf — PDF document, 730Kb

Type: Policy Memo

OPI: Secure Communities and Enforcement (SCE)

Source: Enforcement and Removal Operations

Status: Current

Issued: Dec 21, 2007

Next Review: Dec 21, 2011

Signatory: b6 & 7c

Related content

- Guidance: Criminal Alien Program (CAP) Case Identification in ENFORCE (July 2006) (Jul 11,
- Handbook/Manual: (LES) Criminal Alien Program (CAP) Case Identification in ENFORCE (Oc

Close
Close
Close



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: Assistant Directors
Deputy Assistant Directors
Field Office Directors
Deputy Field Office Directors

DEC 21 2007

FROM: John P. Torres
Director

A handwritten signature in blue ink, appearing to read "John P. Torres".

SUBJECT: Reporting Guidance for the
Criminal Alien Program
(Follow-up to Director's July 11, 2006 Memorandum)

Purpose

This memorandum serves as continued guidance for all personnel assigned to the Criminal Alien Program (CAP) to ensure proper compliance with manual and electronic CAP statistical reporting requirements. A CAP case is defined as any removable alien identified in a Federal, state and local jail or prison, *regardless* of the status of conviction.

ICH Detention and Removal Operations assumed responsibility for the CAP on June 11 2007. In order to effectively track CAP cases, the following reporting procedures have been established and are to be implemented immediately.

The nine-core tracking and reporting metrics of the CAP are:

1. Identification/notification of foreign-born inmates
2. Inmate Screenings
3. Detainer lodged
4. Charging Document Issued (CDIs)
5. Transferred to ICE custody
6. Case status (EOIR/IJ hearing status)
7. CAP case outcome (Final Orders, STIPS, Appeal, POCR/OSUP-BOND, Relief/Benefit Granted, Prosecution, Removal/VR, etc.)
8. Removed from the United States
9. Criminal Prosecution presented/accepted

Procedures

Manual CAP Reporting Requirements

All Field Offices will submit the Manual CAP Report in Excel format by 12:00 PM EST every Monday following the previous reporting week (a reporting week is Saturday to Friday) via the 110 CAP mailbox. All line items must be populated with the appropriate data. The report will include-) individual prison/jail category tabs as follows:

1. Federal totals
2. State totals
3. Local totals
4. Consolidated totals

Electronic Reporting Requirements

In order for HQ to capture, maintain and retrieve statistical data electronically, all field offices will:

- Once a detainee is lodged, create and update all appropriate DACS (EARM/EADM) screens and fields;
- Continue to create and process all CAP Charging Documents in ENFORCE and ensure the appropriate G-23 and Method of Apprehension case codes are input;
- Continue to monitor and update case status in DACS (EARM/EADM);
- Continue to record and update all CAP Criminal Prosecutions cases in the Treasury Enforcement Communications System (TECS).

CAP data captured from all 24 Field Offices will be consolidated and routinely analyzed. HQ CAP will work with Field Offices to ensure that this information is inputted correctly.

Until such time an automated report becomes available, field offices will continue to provide the Manual CAP Report.

If you have any questions regarding these procedures, please contact [redacted] Unit Chief, Criminal Alien Program at 202-732- [redacted]

b6 & 7c

b6 & 7c

Attachment

Criminal Alien Program Report

Week Office		RATING PERIOD SATURDAY - FRIDAY			
POC and Title					
Phone					
AOR		Local	State	Federal	AOR Total
LINE	ACTION	Weekly Total	Weekly Total	Weekly Total	AOR Weekly Total
Part I: Facility Information					
1	Total Number of Incarcerated Foreign-Born Inmates at the first of Week				0
2	Total Number of New-Incoming Foreign-Born Inmates for the Week				0
Part II: Inmate Vetting					
3	Total Alien Inmates Screened for Amenability to Removal during the Week	0	0	0	0
	A. Screened by Record Checks Only (No Interview)	0	0	0	0
	(1) Lawful Permanent Resident / Conditional Resident Status				0
	(2) Non-Immigrants and Illegal Aliens (i.e. EWI, Overstay, Students, etc.)				0
	(3) United States Citizens (Naturalized / Derivative)				0
	(4) Other Status (i.e. Parolees, Refugees, Amnesty, etc.)				0
	B. Screened by Interview	0	0	0	0
	(1) Lawful Permanent Resident / Conditional Resident Status				0
	(2) Non-Immigrants and Illegal Aliens (i.e. EWI, Overstay, Students, etc.)				0
	(3) United States Citizens (Naturalized / Derivative)				0
	(4) Other Status (i.e. Parolees, Refugees, Amnesty, etc.)				0
Part III: Enforcement Action					
4	Released from Institution Prior to Processing				0
5	Not Subject to Removal				0
6	No Action/Prosecutorial Discretion Exercised				0
7	ICE Detainers (I-247) Lodged - ENFORCE generated				0
8	ICE Detainers (I-247) Removed				0
Part IV: Charging Documents					
9	NOTICE OF INTENT (I-851) - Admin Removal under INA 235(b)				0
10	NOTICE TO APPEAR issued (I-862) - Removal Proceedings under INA 240				0
Part V: Administrative/Alternative Removal					
11	ADMIN REMOVAL FINAL ORDER (I-851A) ISSUED - INA 235(b)				0
12	OUTSTANDING FINAL REMOVAL ORDER (Fugitive Located)				0
13	REINSTATED Removal Order (I-871) ISSUED - INA 241(a)(5)				0
14	VISA WAIVER - INA 217				0
15	JUDICIAL Removal Order - INA 238				0
16	OTHER Removal Order (ER, etc.)				0
Part VI: Removal Proceedings					
17	CREDIBLE/REASONABLE FEAR REFERRALS				0
18	NOTICE TO APPEAR (I-862) FILED with the EOIR - INA 240				0
19	Institutional Hearings for the Week				0
20	Full EOIR /J Hearing Orders of Removal Received for the Week				0
21	Stipulated Final Orders Received for the Week				0
Part VII: Detention and Removal					
22	Total Alien Inmates Released to ICE from Correctional Institution	0	0	0	0
	A. Inmates Released WITH a Final Removal Order				0
	B. Inmates Released WITHOUT a Final Removal Order				0
23	Total Number of Aliens Received from Institution Physically Removed from U.S., based on Order of Removal Received WHILE IN CUSTODY at Institution or WITHIN 24 HOURS of Release from Institution				0
24	Total Number of Aliens Received From an Institution where a Verified Removal under a Voluntary Departure (INA 240B) decision was received WITHIN 24 HOURS of Release from the Institution				0
25	Total Number of Aliens Received from an Institution that were Released from Custody due to Recognizance, Bond, Supervision, (etc.) during the Week				0

Form Revised 1/3/2008

Humanitarian Resolution Procedures for Elderly Fugitives

Establishes that the Fugitive Operation Support Center (FOSC) would place non-criminal fugitives 70 years

Humanitarian Resolution Procedures for Elderly Fugitives

Type:	Policy Memo
OPI:	Secure Communities and Enforcement (SCE)
Source:	Enforcement and Removal Operations
Status:	Current
Issued:	Jan 12, 2009
Next Review:	Jan 12, 2013
Signatory:	James T. Hayes, Jr.

Close

Close

Close



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: James T. Hayes, Jr.
Director
Office of Detention and Removal Operations

THROUGH:

b6 & 7c

THROUGH:

Compliance Enforcement Division

FROM:

(b)(6), (b)(7)(C)

**Unit Chief, FOCS
Compliance Enforcement Division**

SUBJECT:

Humanitarian Resolution Procedures for Elderly Fugitives

Purpose

This memorandum proposes a procedure for resolving fugitive cases where the fugitive is seventy years old or older and non-criminal. It is proposed that the Fugitive Operation Support Center (FOCS) would be authorized to place this group of fugitives in a final order case category and place, "Deferred Action/Humanitarian Consideration" in Case Comments.

Background

There are Humanitarian/Health concerns with fugitive aliens seventy years old or older that are non-criminal. Currently, this group of fugitive case remains in a fugitive cases category even if the Field has determined to utilize prosecutorial discretion. Leaving them in a fugitive case category skews the fugitive backlog number, as these cases should not be considered an active fugitive case.

Discussion

In furtherance of its mission, DRO's National Fugitive Operations Program's (NFOP) main responsibility is to promote public safety and national security by the continued pursuit of criminal fugitives; ensuring the location, arrest and case closure of all removable fugitive aliens through the fair enforcement of the nation's immigration laws.

The proposed removal of these cases (estimated 5,000 cases) from a fugitive case category to a final order case category will enhance the efficiency and effectiveness of the Fugitive Operations Teams by directing enforcement efforts towards more viable fugitive cases. This proposed procedure would provide a checklist for the FOCS staff to utilize as a guide in determining when an open fugitive case meets the criteria for placing it in a final order cases category. According to

Page 2 - Humanitarian Resolution Procedures for Elderly Fugitives

this procedure, FOSC supervisors will ensure compliance with the following requirements: (1) fugitive cases are seventy years of age or older and; (2) the fugitive is non-criminal.

It will be the responsibility of the FOSC supervisors to review and approve all cases that meet this case category change criteria. The following priorities will never be designated for Case Category Change:

- I. Fugitives that pose a threat to national security.
- II. Fugitives that pose a threat to the community.
- III. Fugitives that are convicted of violent felonies.

The FOSC staff assigned to the case will be responsible for updating EARM and the Fugitive Case Management System.

Recommendation

Approve the case category change procedure for non-criminal fugitives that are seventy years old or older, as described above.

Approve/date *[Signature]* Disapprove/date _____

Modify/date _____ Needs more discussion/date _____

b6 & 7c

From:

b6 & 7c

Sent:

Friday, February 10, 2012 6:00 PM

To:

b6 & 7c

Subject:

FW: FY12 Performance Measures

Attachments:

ERO Measure Summary for FY2012.xlsx

Follow Up Flag:

Follow up

Flag Status:

Completed

Look at the FY12 goals and then pay attention to the Q1 results.

There will be questions be prepared to respond based on your field offices.

Thank you,

b6 & 7c

*Criminal Alien Program, Unit Chief
Enforcement and Removal Operations*

202-73

b6 & 7c

ERO Performance Measures Summary

Count	Program	TYPE OF MEASURE	PERFORMANCE MEASURES	FY10		FY11		FY12	
				TARGETS	EOY	TARGETS	EOY	TARGETS	Q1/EOY
1	Alternatives to Detention	FYHSP	Number of ATD program participants who are removed or returned	New Measure for FY12				2,815	496
2	Criminal Alien Program	HPPG DHS MGMT	Number of aliens removed convicted of the most serious crimes (level 1 offenders)	56,724	64,466	63,000	75,086	80,050	16,917
3	Criminal Alien Program	HPPG GPRA	Number of convicted criminal aliens removed per fiscal year	160,000	195,772	180,000	216,698	220,350	43,881
4	Criminal Alien Program	FYHSP	Percent of foreign-born nationals encountered by Criminal Alien Program (CAP) resulting in the issuance of a charging document	New Measure for FY 11		35%	25.88%	37%	24%
5	Custody Operations	DHS MGMT	Average daily population of illegal aliens maintained in detention facilities	N/A	30,885	33,400	33,330	34,000	32,671
6	Custody Operations	HPPG GPRA	Average length of stay in detention of all convicted criminal aliens prior to removal from the United States	40 days	37 days	38 days	34.7 days	35 days	35 days
7	Custody Operations	HPPG DHS MGMT	Estimated average bed cost per day (OBPP Provides Cost)	\$120.86	\$116.88	\$119.50	\$112.83	\$122.00	OBPP
8	Custody Operations	GPRA FYHSP	Percent of detention facilities found in compliance with the national detention standards by receiving an inspection rating of acceptable or greater on last inspection	Revised Measure for FY 11		90%	95%	94.5%	94%
9	Fugitive Operations	FYHSP	Percent of fugitive alien backlog in the United States reduced annually	Revised Measure for FY 11		5%	5.25%	4%	0.87%
10	Secure Communities	HPPG GPRA	Percent of aliens arrested or charged who will be electronically screened through the Secure Communities	63%	63.8%	80%	75.57%	96%	76.5%
11	Transportation & Removal Management	HPPG FYHSP	Number of total removals and returns (includes criminal and non-criminal removals and voluntary returns)	400,000	392,862	404,000	396,906	Contextual	86,998

1	Alternatives to Detention	FYHSP	Appearance Rates for Immigration Hearings for Alternatives to Detention participants	58%	93.8%	94%	95.75%	RETIRED END OF FY11
2	Alternatives to Detention	FYHSP	Average cost to supervise removable aliens in the Alternatives to Detention Program	\$4,120	\$2,552.00	\$2,214	\$1,899.00	RETIRED END OF FY11
5	Criminal Alien Program	FYHSP	Number of foreign born nationals removed from the United States based on identification by the Criminal Alien Program	119,684	171,281	171,863	138,971	RETIRED END OF FY11
14	Transportation & Removal Management	FYHSP DHS MGMT	Percent of aliens removed within 90 days of final order issued (percentage of total removals only with final order issued)	New Measure for FY 11		75%	74.96%	RETIRED END OF FY11

From: [REDACTED] b6 & 7c
Sent: Tuesday, July 09, 2013 8:19 AM
To: [REDACTED] b6 & 7c
Subject: FW: FYI - CT. passes law against honoring ICE detainees on non-crim aliens

CONNECTICUT SETS LIMITS TO HONORING IMMIGRANT DETENTION REQUESTS. The [AP](#) (6/27, Christoffersen) reports, "Connecticut Gov. Dannel P. Malloy has signed a law setting limits on turning immigrants over to federal authorities for possible deportation." Under the act, the state will "detain only immigrants who have felony convictions, belong to gangs, show up on terrorist watch lists, are subject to deportation orders or meet other safety risks."

Link to the bill text: <http://openstates.org/ct/bills/2013/HB6659/documents/CTD00014066/>.

Notably, the bill *prohibits* state LEA honoring ICE detainer unless at least 1 of 2 exceptions applies (i.e., the alien has a criminal conviction, or the alien consents in writing to be turned over to ICE):

(b) A law enforcement officer shall not give effect to a civil immigration detainer by:

- (1) Holding an individual beyond the time when such individual would otherwise be released from the department's custody,
- (2) Notifying federal immigration authorities of such individual's release, or
- (3) Otherwise expending time or resources to facilitate the individual's transfer to United States Immigration and Customs Enforcement.

Also notable is the law's annual reporting requirement on the LEAs (including Dept. of Correction) to publish on their website the "amount of funding requested and received from the federal government with respect to the criminal alien program" of United States Immigration and Customs Enforcement or any successor program."

b6 & 7c

From:

b6 & 7c

Sent:

Friday, May 10, 2013 2:08 PM

To:

b6 & 7c

Subject:

FW: Guidance on procedures to identify detainees who may be mentally incompetent to represent themselves in removal proceedings

Attachments:

Guidance on procedures to identify detainees who may be mentally incompetent to represent themselves in removal proceedings

From: ERO Taskings
Sent: Friday, May 10, 2013 2:08 PM
Subject: Guidance on procedures to identify detainees who may be mentally incompetent to represent themselves in removal proceedings
Attachments: 11063.1_current_id_and_infosharing_detainess_mental_disorders.pdf

This message is sent on behalf of [REDACTED] Assistant Director for Custody Management, and is approved by [REDACTED] Assistant Director for Field Operations:

To: Assistant Directors, Field Office Directors, Deputy Field Office Directors, and Assistant Field Office Directors

Subject: Guidance on procedures to identify detainees who may be mentally incompetent to represent themselves in removal proceedings

In accordance with Director Morton’s memorandum titled, “*Civil Immigration Detention: Guidance for New Identification and Information-Sharing Procedures Related to Unrepresented Detainees With Serious Mental Disorders or Conditions*,” dated April 22, 2013, ERO is directed to develop procedures to identify detainees who may be mentally incompetent to represent themselves in immigration proceedings. It also calls for relevant mental health information to be shared with immigration court so that the immigration judge can make a ruling on a detainee’s competency and, if necessary, provide an alternative course of action.

The memo is attached for your review. ERO CMD in consultation with Field Operations and ICE Health Services Corps is developing a process to comply with this memo and more information will be forthcoming.

Questions regarding this broadcast message should be addressed [REDACTED] Deputy Assistant Director, Custody Management Division. He can be reached at (202) 732-[REDACTED] r by email at [REDACTED]

[REDACTED]

NOTICE: This communication may contain privileged or otherwise confidential information. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.




U.S. Immigration
and Customs
Enforcement

April 22, 2013

MEMORANDUM FOR: Thomas D. Homan
Acting Executive Associate Director
Enforcement & Removal Operations

Peter S. Vincent
Principal Legal Advisor

Kevin Landy
Assistant Director
Office of Detention Policy and Planning

FROM: John Morton
Director 

SUBJECT: Civil Immigration Detention: Guidance for New
Identification and Information-Sharing Procedures Related
to Unrepresented Detainees With Serious Mental Disorders
or Conditions

Purpose

This memorandum directs that procedures be in place to ensure that U.S. Immigration and Customs Enforcement (ICE) detainees who may be mentally incompetent to represent themselves in removal proceedings before the Department of Justice's Executive Office for Immigration Review (EOIR) are identified, that relevant information about them is provided to the immigration court so that an immigration judge (IJ) can rule on their competency and, where appropriate, that such aliens are provided with access to new procedures for unrepresented mentally incompetent detainees being implemented by EOIR.¹ In order to assist EOIR in identifying unrepresented individuals detained in ICE custody for removal proceedings who have serious mental disorders or conditions that may render them mentally incompetent to represent themselves in those proceedings, ICE personnel should immediately begin taking the following steps.²

¹ This policy directive supplements all previous guidance distributed by ICE pursuant to the Board of Immigration Appeals' decision in *Matter of M-A-M-*, 25 I. & N. Dec. 474 (BIA 2011).

² On this same date, EOIR issued a nationwide policy authorizing IJs to order competency exams for detained aliens where there are indicia of mental incompetency and the immigration judge believes that he or she cannot render a competency determination in the absence of an exam. When an IJ orders a

Identification and Assessment Procedures

For facilities that are staffed by the ICE Health Service Corps (IHSC) where screening procedures have not yet begun being implemented, Enforcement and Removal Operations (ERO) and IHSC personnel should immediately begin developing procedures to ensure that, absent emergency circumstances related to facility security or the health and safety of staff or detainees, all immigration detainees will be initially screened when they enter the facility and will receive a more thorough medical and mental health assessment within 14 days of their admission. For all other facilities, ERO and IHSC personnel should immediately begin working with the detention facilities' medical staff to develop procedures to identify detainees with serious mental disorders or conditions that may impact their ability to participate in their removal proceedings, including through use of a national telephone hotline for detainees and family members to report and provide information regarding detainees.

These procedures should provide that if a detainee is identified as having serious mental disorders or conditions, ICE will request that either a qualified mental health provider complete a mental health review report or the facility provide the detainee's medical records within the facility's possession to ICE for further review.

Information-Sharing Procedures

ERO and IHSC personnel should also immediately begin developing procedures to ensure that documents related to an unrepresented detainee's mental competency, including a mental health review report and mental health records in ICE's possession, are provided to the applicable Office of Chief Counsel (OCC). OCCs should begin developing procedures to ensure that relevant information in its possession that would inform the immigration court about the detainee's mental competency is made available to the IJ.

Timeline

Where these procedures have not yet begun being implemented, ICE personnel are directed to begin developing these procedures immediately and have the relevant procedures in place at all immigration detention facilities by December 31, 2013.

competency exam for a detained alien, ICE will ensure that the independent examiner has the necessary access to the detained alien to conduct the competency exam. EOIR's new policy also provides custody hearings to unrepresented detained aliens who were identified as having a serious mental disorder or condition that may render them incompetent to represent themselves and have been detained in ICE custody for six months or longer. ICE trial counsel shall participate in these custody hearings. EOIR's new nationwide policy also provides qualified representatives to detainees who are found to be mentally incompetent to represent themselves. ICE trial counsel will work with such qualified representatives, consistent with treatment afforded any respondent's representative-of-record, in removal proceedings before EOIR.

Pages 48 through 49 redacted for the following reasons:

b6 & 7c, 7e
b6 & 7c, 7e

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Thursday, December 15, 2011 4:44 PM
To: [REDACTED] b6 & 7c
Subject: FW: I-247 Detainer Form - Deployment Delayed - Emergency Meeting

Follow Up Flag: Follow up
Flag Status: Completed

FYI

Thank you,

[REDACTED] b6 & 7c

*Criminal Alien Division
Enforcement and Removal Operations
202-732 [REDACTED] b6 & 7c*

From: [REDACTED] b6 & 7c
Sent: Thursday, December 15, 2011 4:36 PM
To: [REDACTED] b6 & 7c
Subject: FW: I-247 Detainer Form - Deployment Delayed - Emergency Meeting

Go no go meeting tomorrow.

Thank you,

[REDACTED] b6 & 7c - *Deportation Officer*

*Enforce Alien Removal Module (EARM) Business Owner
DHS Enforce Integrated Database (EID) Change Control Board
Business Transformation IT, Law Enforcement Systems and Analysis Division
U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations
500 12th Street, SW (6), (b)(7) Washington, DC 20024
(Office) 202-73 [REDACTED] b6 & 7c Cellular) 202-27 [REDACTED] b6 & 7c*



From [redacted] b6 & 7c
Sent: Thursday, December 15, 2011 2:20 PM
To [redacted] b6 & 7c
Subject: RE: I-247 Detainer Form - Deployment Delayed - Emergency Meeting

No. As of right now we are GO as planned. However, we are researching the possibilities of a split release or postponed release with an emergency release outage as early as next week.

[redacted] b6 & 7c

[redacted] b6 & 7c
Law Enforcement Systems and Analysis
[redacted] b6 & 7c
Mobile: (202) 427-[redacted]
Office: (202) 732-[redacted] b6 & 7c

From [redacted] b6 & 7c
Sent: Thursday, December 15, 2011 2:12 PM
To: [redacted] b6 & 7c
Subject: Fw: I-247 Detainer Form - Deployment Delayed - Emergency Meeting

Has this been approved?

[redacted] b6 & 7c
Law Enforcement Systems and Analysis
Enforcement and Removal Operations
202-73 [redacted] office)
202-49 [redacted] cell)
Sent from my BlackBerry Wireless Handheld

From [redacted] b6 & 7c
Sent: Thursday, December 15, 2011 01:35 PM

[Large redacted block]

b6 & 7c

Subject: I-247 Detainer Form - Deployment Delayed - Emergency Meeting

Correct number is: [redacted] b6 & 7c

Thank [redacted] b6 & 7c

b6 & 7c

HP Enterprise Services
Mobile +1 202-40 [REDACTED]
Office +1 202-41 [REDACTED]
13600 EDS Drive, M/S A3N-E27
Herndon, VA 20171

b6 & 7c

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Tuesday, September 04, 2012 10:40 AM
To: [REDACTED] b6 & 7c
Cc:
Subject: FW: I-247 detainer

???

Thanks in advance!



**U.S. Immigration
and Customs
Enforcement**

[REDACTED] b6 & 7c

Criminal Alien Program
500 12th Street SW
Washington, DC 20536
Office: (202) 732- [REDACTED] b6 & 7c
Mobile: (202) 50 [REDACTED] b6 & 7c
Email: [REDACTED] b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Tuesday, September 04, 2012 10:19 AM
To: [REDACTED] b6 & 7c
Cc:
Subject: I-247 detainer

Gentlemen,

We are currently preparing for Arbitration on the upcoming I-247 Detainer case which is scheduled for October 23, 2012. Please provide me with any information which has been gathered and kept in reference to this case. We will also need a list of potential witnesses who we can speak with who have knowledge about this document and can explain the differences between the old version and the new. Thanks!

Respectfully,

[REDACTED] b6 & 7c

Employee & Labor Relations Specialist
Office of Human Capital
U.S. Immigration & Customs Enforcement
800 K Street, NW, Suit [REDACTED] b6 & 7c
Washington, DC. 20536

(202) 732- [REDACTED] b6 & 7c irect)
(202) 732-1354 (fax)
Email [REDACTED] b6 & 7c

b6 & 7c

From: [redacted] b6 & 7c
Sent: Wednesday, December 21, 2011 12:31 PM
To: [redacted] b6 & 7c
Subject: FW: I-247Detainer Guidance
Attachments: I-247 guidance 12-20-2011 (OPLA).doc

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Completed

Please address the OPLA comments

Thank you,

[redacted] b6 & 7c

*Criminal Alien Division
Enforcement and Removal Operations
202-73 [redacted] b6 & 7c*

From [redacted] b6 & 7c **n Behalf Of** OPLA Tasking
Sent: Wednesday, December 21, 2011 12:16 PM
To [redacted] b6 & 7c
Cc: OPLA Tasking
Subject: RE: I-247Detainer Guidance

[redacted] b6 & 7c

OPLA reviewed and has comments and edits. OPLA recommends [redacted] (b)(5)
[redacted] (b)(5). Cleared by [redacted] (b)(6), (b)(7)(C) Acting Director of Enforcement and
Litigation, ext. 2-5000.

Thank you,

[redacted] b6 & 7c

[redacted] b6 & 7c

Associate Legal Advisor

Executive Communications Unit
Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
Desk: (202) 732 [redacted] b6 & 7c
Mobile: (202) 3 [redacted] b6 & 7c
Email: [redacted] b6 & 7c

*** Warning *** Attorney/Client Privilege *** Attorney Work Product ***

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Fro [REDACTED] b6 & 7c
Sent: Monday, December 19, 2011 4:58 PM
To: OPLA Tasking
Cc [REDACTED] b6 & 7c
Subject: I-247Detainer Guidance

OPLAtaskings,

ERO ADSCE is requesting that the Enforcement Law Division please review the attached distribution to ERO's Field Offices for [REDACTED] (b)(5)

Please provide a response by December 22, 2011 at 1pm

Thank you,

[REDACTED] b6 & 7c
Criminal Alien Division
Enforcement and Removal Operations
202-732 [REDACTED] b6 & 7c

Pages 7 through 8 redacted for the following reasons:

b5

b6 & 7c

From: [REDACTED]
Sent: Wednesday, July 17, 2013 4:41 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: ICE Detainer Policy
Attachments: OPSO Policy 501.15_June 21 2013.pdf
Importance: High

FYSA!

Thanks in advance!



**U.S. Immigration
and Customs
Enforcement**

[REDACTED]
b6 & 7c

Section Chief - West
Criminal Alien Program
500 12th Street SW
Washington, DC 20536
Office: (202) 732-[REDACTED]
Mobile: (202) 500-[REDACTED]
Email: [REDACTED]

From: [REDACTED]
Sent: Wednesday, July 17, 2013 3:32 PM
To: [REDACTED]
Subject: FW: ICE Detainer Policy
Importance: High

FYI

Thanks,

[REDACTED]
b6 & 7c



**ORLEANS PARISH
SHERIFF'S OFFICE**

INDEX#: 501.15

PAGE: 1 of 1

UPDATED: 6/21/13

REVIEWED: 6/21/13

CHAPTER: Inmate Acceptance, Booking, Release and Records

SUBJECT: Immigration and Customs Enforcement (ICE) Procedures

POLICY:

It is the policy of the Orleans Parish Sheriff's Office to cooperate with the United States Immigration and Customs Enforcement (ICE) in accordance with the following procedures:

1. For purposes of this section, a voluntary Immigrations and Customs Enforcement ("ICE") detainer request shall be defined as any request, including but not limited to Form 1-247 (also known as a "48 hour hold"), which seeks continued detention of an inmate beyond expiration of municipal, state, or federal charges, or a finding of no probable cause, or a posting of bail or parole, or a completion of a sentence, or lifting of another jurisdiction or agency's detainer, or a court ordered release. ICE criminal warrants, or any court order for continued detention shall not be considered voluntary ICE detainer requests for purposes of this section.
2. The Orleans Parish Sheriff's Office shall decline all voluntary ICE detainer requests unless the individual's charge is for one or more of the following offenses: First Degree Murder (La. R.S. 14:30); Second Degree Murder (La. R.S. 14:30.1); Aggravated Rape (La. R.S. 14:42); Aggravated Kidnapping (La. R.S. 14:44); Treason (La. R.S. 14:113); or Armed Robbery with Use of a Firearm (La. R.S. 14:64.3). If a court later dismisses or reduces the individual's charge such that the individual is no longer charged with one of the above offenses or the court recommends declining the ICE hold request, OPSO will decline the ICE hold request on that individual.
3. OPSO officials shall not initiate any immigration status investigation into individuals in OPSO custody or affirmatively provide information on an inmate's release date or address to ICE.
4. Prior to any interview pertaining to an ICE criminal investigation, ICE must notify the subject inmate's attorney, provide a reasonable opportunity for counsel to be present during the interview, and certify to OPSO that this notice and opportunity has occurred. Absent a criminal warrant or court order transferring custody, no ICE agent shall be permitted into the secure area of the Intake and Processing Center. Absent a court order, OPSO shall not allow ICE to conduct civil immigration status investigations at OPSO or otherwise interview an inmate before the detainee's first appearance.
5. Any individual who alleges a violation of the policy set forth herein may file a written complaint for investigation with the Orleans Parish Sheriff's Director of Intake and Processing.

b6 & 7c


From: [REDACTED]
Sent: Wednesday, July 17, 2013 3:32 PM
To: [REDACTED]
Subject: FW: ICE Detainer Policy
Attachments: OPSO Policy 501.15_June 21 2013.pdf

Importance: High

FYI

Thanks,

[REDACTED]

	ORLEANS PARISH SHERIFF'S OFFICE	INDEX#: 501.15	PAGE: 1 of 1
		UPDATED: 6/21/13	REVIEWED: 6/21/13
CHAPTER: Inmate Acceptance, Booking, Release and Records			
SUBJECT: Immigration and Customs Enforcement (ICE) Procedures			

POLICY:

It is the policy of the Orleans Parish Sheriff's Office to cooperate with the United States Immigration and Customs Enforcement (ICE) in accordance with the following procedures:

1. For purposes of this section, a voluntary Immigrations and Customs Enforcement ("ICE") detainer request shall be defined as any request, including but not limited to Form 1-247 (also known as a "48 hour hold"), which seeks continued detention of an inmate beyond expiration of municipal, state, or federal charges, or a finding of no probable cause, or a posting of bail or parole, or a completion of a sentence, or lifting of another jurisdiction or agency's detainer, or a court ordered release. ICE criminal warrants, or any court order for continued detention shall not be considered voluntary ICE detainer requests for purposes of this section.
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5. Any individual who alleges a violation of the policy set forth herein may file a written complaint for investigation with the Orleans Parish Sheriff's Director of Intake and Processing.

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Tuesday, October 18, 2011 2:42 PM
To: [REDACTED] b6 & 7c
Subject: FW: Immigration Detainer Form I-247 Translation
Attachments: Immigration Detainer Form i247 (9 22 11).doc

Follow Up Flag: Follow up
Flag Status: Completed

FYI

Thank you,

[REDACTED] b6 & 7c

*Criminal Alien Division
Enforcement and Removal Operations
202-732 [REDACTED] b6 & 7c*

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER – NOTICE OF ACTION

File No: _____

Date: _____

TO: (Name and Title of Institution – OR Any Subsequent Law Enforcement Agency)

FROM: (Department of Homeland Security Office Address)

MAINTAIN CUSTODY OF ALIEN FOR A PERIOD NOT TO EXCEED 48 HOURS

Name of Alien: _____

Date of Birth: _____ Nationality: _____ Sex: _____

THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS) HAS TAKEN THE FOLLOWING ACTION RELATED TO THE PERSON IDENTIFIED ABOVE, CURRENTLY IN YOUR CUSTODY:

- Initiated an investigation to determine whether this person is subject to removal from the United States.
- Initiated removal proceedings and served a Notice to Appear or other charging document. A copy of the charging document is attached and was served on _____ (Date).
- Served a warrant of arrest for removal proceedings. A copy of the warrant is attached and was served on _____ (Date).
- Obtained an order of deportation or removal from the United States for this person.

(This action does not limit your discretion to make decisions related to this person's custody classification, work, quarter assignments, or other matters. ICE discourages dismissing criminal charges based on the existence of a detainer).

IT IS REQUESTED THAT YOU:

- Maintain custody of the subject for a period **NOT TO EXCEED 48 HOURS**, excluding Saturdays, Sundays, and holidays, beyond the time when the subject would have otherwise been released from your custody to allow DHS to take custody of the subject. This request flows from federal regulation 8 C.F.R. § 287.7, which provides that a law enforcement agency "shall maintain custody of an alien" once a detainer has been issued by DHS. **You are not authorized to hold the subject beyond these 48 hours.** As early as possible prior to the time you otherwise would release the subject, please notify the Department by calling _____ during business hours or _____ after hours or in an emergency. If you cannot reach a Department Official at these numbers, please contact the Immigration and Customs Enforcement (ICE) Law Enforcement Support Center in Burlington, Vermont at (802) 872-6020.
- Provide a copy to the subject of this detainer.
- Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- Notify this office in the event of the inmate's death, hospitalization or transfer to another institution.
- Consider this request for a detainer operative only upon the subject's conviction.
- Cancel the detainer previously placed by this Office on _____ (Date).

(Name and title of Immigration Officer)

(Signature of Immigration Officer)

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to the Department using the envelope enclosed for your convenience or by faxing a copy to _____. You should maintain a copy for your own records so you may track the case and not hold the subject beyond the 48-hour period.

Local Booking or Inmate # _____ Date of latest criminal charge/conviction: _____

Last criminal charge/conviction: _____

Estimated release date: _____

Notice: Once in our custody, the subject of this detainer may be removed from the United States. If the individual may be the victim of a crime, or if you want this individual to remain in the United States for prosecution or other law enforcement purposes, including acting as a witness, please notify the ICE Law Enforcement Support Center at (802) 872-6020.

(Name and title of Officer)

(Signature of Officer)

The Department of Homeland Security (DHS) has placed an immigration detainer on you. An immigration detainer is a notice from DHS informing law enforcement agencies that DHS intends to assume custody of you after you otherwise would be released from custody. DHS has requested that the law enforcement agency which is currently detaining you maintain custody of you for a period not to exceed 48 hours (excluding Saturdays, Sundays, and holidays) beyond the time when you would have been released by the state or local law enforcement authorities based on your criminal charges or convictions. **If DHS does not take you into custody during that additional 48 hour period, not counting weekends or holidays, you should contact your custodian** (the law enforcement agency or other entity that is holding you now) to inquire about your release from state or local custody. **If you have a complaint regarding this detainer or related to violations of civil rights or civil liberties connected to ICE activities, please contact the ICE Joint Intake Center at 1-877-2INTAKE (877-246-8253). If you believe you are the victim of a crime, please advise DHS by calling the ICE Law Enforcement Support Center at**

b6 & 7c

b6 & 7c

From: [redacted] b6 & 7c
Sent: Friday, December 14, 2012 8:49 AM
To: [redacted] b6 & 7c
Subject: FW: issuing a detainer
Attachments: DHS Form I-247 Revision - (11 28 12).doc

FYSA

Thanks in advance!



**U.S. Immigration
and Customs
Enforcement**

[redacted] b6 & 7c

Criminal Alien Program
500 12th Street SW
Washington, DC
Office: (202) 73

[redacted] b6 & 7c

[redacted] b6 & 7c

Fro [redacted] b6 & 7c
Sent: Friday, December 14, 2012 8:45 AM
To [redacted] b6 & 7c
Cc [redacted]
Subject: RE: issuing a detainer

Good morning,

Here is a copy of the form that was sent to us by ICE Policy and which we were asked to review. ICE Policy told me that the only changes are the addition of the sub-bullets at the top listing reasons why the person is subject to removal such as "has a prior a felony conviction or has been charged with a felony offense" and "has an outstanding order of removal."

I hope this helps.

[redacted] b6 & 7c

U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street, SW, Mail Stop 5004
Washington, DC 20536
T: 202-73
F: 202-73

[redacted] b6 & 7c

[redacted] b6 & 7c

Fro [redacted] b6 & 7c
Sent: Friday, December 14, 2012 8:38 AM
To: [redacted] b6 & 7c

C

b6 & 7c

Subject: RE: issuing a detainer

b6 & 7c

Can you please send me a copy of the detainer?

Thanks in advance!



**U.S. Immigration
and Customs
Enforcement**

b6 & 7c

**Section Chief - West
Criminal Alien Program
500 12th Street SW
Washington, DC 20536
Office: (202) 7
Mobile: (202) 5**

b6 & 7c

b6 & 7c

From

b6 & 7c

Sent: Thursday, December 13, 2012 8:27 PM

To

b6 & 7c

Cc

Subject: RE: issuing a detainer

b6 & 7c

b6 & 7c, 7e, b5

b6 & 7c

b6 & 7c

b6 & 7c

Thank you,

Detention and Deportation Office

b6 & 7c

Law Enforcement Systems, ICE E

moval Operations

500 12th Str

Washington

(Office) 202-

b6 & 7c

llular) 202-

b6 & 7c

"So shines a good deed in a weary world."

From

b6 & 7c

Sent: Thursday, December 13, 2012 10:31 AM

To

b6 & 7c

Subject: issuing a detainer

Hey

b6 & 7c

b5 7e

b6 & 7c

Privacy and Records Office
U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street, SW, Mail Stop 5004
Washington, DC 20536
T: 202-73
F: 202-73

b6 & 7c

b6 & 7c

Page 19 redacted for the following reason:

b5

DRAFT

b6 & 7c

From: [redacted] b6 & 7c
Sent: Wednesday, September 14, 2011 4:48 PM
To: [redacted]
Cc: [redacted] b6 & 7c
Subject: FW: JCART Statistical Performance Analysis 2010 and 2011

b6 & 7c

Please see the email below.

Thanks in advance!

[redacted] b6 & 7c

61218

500 12th Street SW
Washington, DC 20536
Office: (202) 732- [redacted] b6 & 7c
Mobile: (202) 501- [redacted] b6 & 7c
E: [redacted] b6 & 7c

From: [redacted] b6 & 7c
Sent: Wednesday, September 14, 2011 4:46 PM
To: [redacted] b6 & 7c
Subject: JCART Statistical Performance Analysis 2010 and 2011

b6 & 7c

CAP is conducting a JCART Statistical Performance Analysis of 2010 and 2011. The chart below reflects a decrease from FY10 to FY11. Can you provide any insight as to why there is a decline? These numbers were pulled from IIDS which has a 48 – 72 hour delay and FY11 is not yet complete, but the numbers still appear to low.

JCART Statistical Performance Analysis 2010 and 2011

Program	Arrests		Encounters		Detainers		CDI'S	
	FY2010	FY2011	FY2010	FY2011	FY2010	FY2011	FY2010	FY2011
Los Angeles	258	183	430	244	655	125	385	214

Thanks in advance!

[redacted] b6 & 7c

Washington, DC 20536
Office: (202) [redacted] b6 & 7c
Mobile: [redacted]
Email: [redacted] b6 & 7c

b6 & 7c

From:
Sent:
To:
Cc:
Subject:

b6 & 7c

9:41 AM

b6 & 7c

FW: JCART Statistical Performance Analysis 2010 and 2011

b6 & 7c

Can you please send me an update on this request?

Thanks in advance!

b6 & 7c

500 12th Street SW
Washington,
Office: (202)
Mobile: (202)
Em

b6 & 7c

b6 & 7c

From

b6 & 7c

Sent: Thursday, September 15, 2011 3:22 PM

To: b6 & 7c

Subject: RE: JCART Statistical Performance Analysis 2010 and 2011

b6 & 7c

Please be advised that I have forwarded the information to [redacted] who is responsible for the LAFO's JCART Unit [redacted] can be reached at 213-9 [redacted]

Thank you,

b6 & 7c

Fro

b6 & 7c

Sent: Wednesday, September 14, 2011 1:48 PM

To

b6 & 7c

Cc

Subject: FW: JCART Statistical Performance Analysis 2010 and 2011

b6 & 7c

Please see the email below.

Thanks in advance!

b6 & 7c

b6 & 7c

Criminal Alien Program
500 12th Street SW
Washington, DC 20536
Office: (202) [redacted]
Mobile: (202) [redacted]
Email: [redacted]

b6 & 7c

b6 & 7c

From: [redacted] b6 & 7c
Sent: Wednesday, September 14, 2011 4:46 PM
To: [redacted] b6 & 7c
Cc: [redacted] b6 & 7c
Subject: JCART Statistical Performance Analysis 2010 and 2011

[redacted] b6 & 7c

CAP is conducting a JCART Statistical Performance Analysis of 2010 and 2011. The chart below reflects a decrease from FY10 to FY11. Can you provide any insight as to why there is a decline? These numbers were pulled from IIDS which has a 48 – 72 hour delay and FY11 is not yet complete, but the numbers still appear to low.

JCART Statistical Performance Analysis 2010 and 2011

Program	Arrests		Encounters		Detainers		CDI'S	
	FY2010	FY2011	FY2010	FY2011	FY2010	FY2011	FY2010	FY2011
Los Angeles	258	183	430	244	655	125	385	214

Thanks in advance!

[redacted] b6 & 7c

500 12th Street SW
Washington, DC 20536
Office: (202) [redacted] b6 & 7c
Mobile: [redacted] b6 & 7c
Email: [redacted] b6 & 7c

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Tuesday, February 19, 2013 2:00 PM
To: [REDACTED] b6 & 7c
Subject: FW: Latest ICE Guidance on 287g
Attachments: Latest ICE Guidance on 287g

b6 & 7c

From: ERO Taskings
Sent: Tuesday, February 19, 2013 2:00 PM
To: ERO SC & ENFORCEMENT TASKINGS
Cc: ERO Taskings
Subject: Latest ICE Guidance on 287g

Good afternoon SC & Enforcement,

The new Chief of Staff at DHS OIA requested a copy of ICE latest guidance on 287g.

Thank you,

b6 & 7c

Enforcement and Removal Operations
Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street SW | Washington, DC 20024 | 202

b6 & 7c

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From: b6 & 7c
Sent: Tuesday, February 19, 2013 1:38 PM
To: ERO Taskings
Subject: FW: Latest ICE Guidance on 287g

Good afternoon ERO Taskings.

The new Chief of Staff at DHS OIA requested a copy of ICE latest guidance on 287g (below). Would you please be able to point me in the right direction on what is available/releasable to the Department?

Many thanks b6 & 7c

b6 & 7c

ICE Liaison/DHS Office of International Affairs
Tel: 202-2 b6 & 7c
Cell: 202-8

Unclass
HSDN: b6 & 7c

From: b6 & 7c
Sent: , 2013 11:43 AM
To: b6 & 7c
Subject: Latest ICE Guidance on 287g

Can you help me get a copy?

(b)(6), (b)(7)(C) | DHS Office of International Affairs | O: 202.28

b6 & 7c

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Friday, July 20, 2012 3:27 PM
To: [REDACTED] b6 & 7c
Subject: FW: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainers
Attachments: John Morton (7-17-12).pdf
Follow Up Flag: Follow up
Flag Status: Completed

Stand down

Thanks,

b6 & 7c

Fro [REDACTED] b6 & 7c
Sent: Friday, July 20, 2012 2:50 PM
To: [REDACTED] b6 & 7c
Cc: [REDACTED]
Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainers

The below is due back to me by 4 PM, July 23, 2012.

Please read attached and provide a draft response paragraph.

b6 & 7c

Criminal Alien Division (CAD)
500 - 12th Street SW
Washington, D
Office: (202) 7 [REDACTED] b6 & 7c
Mobile: [REDACTED]
Email: [REDACTED] b6 & 7c



Fr [redacted] b6 & 7c

Sent: Friday, July 20, 2012 2:39 PM

To [redacted] b6 & 7c

Subject: FW: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Please come up with a paragraph that they can insert in the letter... [redacted] (b)(5)

[redacted] (b)(5)

[redacted] b6 & 7c

Secure Communities and Enforcement Division
Enforcement and Removal Operations
500 12th [redacted] Washington, DC 20536
(202) 73 [redacted] b6 & 7c

Fr [redacted] b6 & 7c

Sent: Friday, July 20, 2012 2:31 PM

To: ERO SC & ENFORCEMENT TASKINGS; ERO Removal Taskings; ERO Operation Center; ERO Field Ops Taskings

Cc [redacted] b6 & 7c

Subject: FW: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Hello,

Please review the attached inquiry for Director Morton and provide input/commentary for an appropriate draft response. If your unit has no inherent interest/purview, please defer. Your input by 3pm on 07/25/2012, is appreciated.

Thank you in advance,

[redacted] b6 & 7c

Executive Information and Reporting Unit
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202.7 [redacted] b6 & 7c
[redacted] b6 & 7c

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From: oesims@sp.ice.dhs.gov [mailto:oesims@sp.ice.dhs.gov]

Sent: Friday, July 20, 2012 1:11 PM

To: [redacted] b6 & 7c

Subject: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Please do not reply to this e-mail. It is from an unmonitored system account. All action should occur within OESIMS.

Due Date:

7/25/2012 3:00:00 PM

Instructions:

To: ERO

From: OES

Due: July 25, 5pm

Please prepare a draft response for Director Morton's signature.

Thank you,

b6 & 7c

Original Message:

This message is part of an automated workflow, please do not change the text in the subject line when responding or forwarding the message.

Folder Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees

Folder Originator: Julie Kirchner, ED, FAIR

Due Date: 7/25/2012 3:00:00 PM

Workflow ID: (b)(7)e

Folder Location: 7e

Task ID: (b)(7)e

Workflow Task ID: (b)(7)e

Assignment ID: (b)(7)e

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EXECUTIVE DIRECTOR

Julie Kirchner

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The Hon. Walter D. Huddleston
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Frosty Wooldridge
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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest.



July 17, 2012

Mr. John Morton, Director
U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536

Dear Mr. Morton,

On behalf of the Federation for American Immigration Reform, I am writing to urge you to speak out decisively in opposition to the growing number of state and local governments that are refusing to honor detainers issued by your agency, Immigration and Customs Enforcement (ICE). This issue is critical to the ability of ICE to carry out its mission and protect the interests and security of the American people.

For decades, ICE and its predecessor agencies have, pursuant to federal statute and regulations, issued detainers on aliens who are in the custody of state and local law enforcement agencies. These detainers ask local law enforcement agencies to hold such individuals when they are eligible for release so that ICE may assume custody of them and conduct further investigation or begin the removal process.

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If California and Chicago pass anti-detainer laws, the impact on public safety could be severe. California has the nation's largest illegal alien population in the nation; Illinois has the fifth largest. If California and Chicago jails are ordered by law to ignore ICE detainers, these jails will have no choice but to release these criminals – criminals who have no right to be in the United States – back onto the street.

These legislative proposals pose a serious threat to public safety not only in California and Chicago, but nationwide. Criminals released by one jurisdiction can, and often do, victimize people in other parts of the

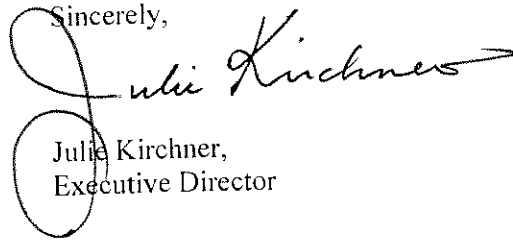


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FAIR therefore urges you to immediately speak out against all of these anti-detainer measures. We are grateful for your efforts in opposing the Cook County ordinance, but the number of local jurisdictions obstructing immigration enforcement is growing and the time to stop these ordinances is before they are adopted. As the Director of Immigration and Customs Enforcement – our nation’s second largest investigative agency – your leadership on this issue will no doubt have great influence with local lawmakers.

We at FAIR stand ready to assist you in this effort in any way possible.

Sincerely,

A handwritten signature in black ink that reads "Julie Kirchner". The signature is written in a cursive style with a long horizontal flourish at the end. The first letter "J" is large and loops around the word "Julie".

Julie Kirchner,
Executive Director

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Friday, July 20, 2012 2:53 PM
To: [REDACTED] b6 & 7c
Cc:
Subject: Fw: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees
Attachments: John Morton (7-17-12).pdf
Follow Up Flag: Follow up
Flag Status: Completed

Please have a response by Monday at noon.

b6 & 7c

From: [REDACTED] b6 & 7c
Sent: Friday, July 20, 2012 02:50 PM
To: [REDACTED]
Cc: [REDACTED] b6 & 7c
Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees

The below is due back to me by 4 PM, July 23, 2012.

Please read attached and provide a draft response paragraph.

Thank you

[REDACTED] b6 & 7c

Criminal Alien Division (CAD)
500 - 12th Street SW
Washington, DC 20536
Office: (202) 7 [REDACTED] b6 & 7c
Mobile: (202)
Em [REDACTED] b6 & 7c



Fro [redacted] b6 & 7c

Se
To [redacted] b6 & 7c

Subject: FW: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Please come up with a paragraph that they can insert in the letter... [redacted] (b)(5)
[redacted] (b)(5)

[redacted] b6 & 7c
[redacted] Enforcement Division
Enforcement and Removal Operations
500 12th Street SW, Washington, DC 20536
(202) 73 [redacted] b6 & 7c

Fro [redacted] b6 & 7c

Sent: Friday, July 20, 2012 2:31 PM

To: ERO SC & ENFORCEMENT TASKINGS; ERO Removal Taskings; ERO Operation Center; ERO Field Ops Taskings
C [redacted] b6 & 7c

Subject: FW: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Hello,

Please review the attached inquiry for Director Morton and provide input/commentary for an appropriate draft response. If your unit has no inherent interest/purview, please defer. Your input by 3pm on 07/25/2012, is appreciated.

Thank you in advance,

[redacted] b6 & 7c
Executive Information and Reporting Unit
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202.73 [redacted] b6 & 7c
[redacted] b6 & 7c

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From: oesims@sp.ice.dhs.gov [mailto:oesims@sp.ice.dhs.gov]

Sent: Friday, July 20, 2012 1:11 PM

[redacted] b6 & 7c

Subject: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Please do not reply to this e-mail. It is from an unmonitored system account. All action should occur within OESIMS.

Due Date:

7/25/2012 3:00:00 PM

Instructions:

To: ERO

From: OES

Due: July 25, 5pm

Please prepare a draft response for Director Morton's signature.

Thank you,

b6 & 7c

Original Message:

This message is part of an automated workflow, please do not change the text in the subject line when responding or forwarding the message.

Folder Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees

Folder Originator: Julie Kirchner, ED, FAIR

Due Date: 7/25/2012 3:00:00 PM

Workflow ID: (b)(7)e

Folder Location: 7e

Task ID: 324647

Workflow Task: (b)(7)e

Assignment ID:

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Daniel Stein

EXECUTIVE DIRECTOR

Julie Kirchner

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 U.S. Immigration and Customs Enforcement
 Department of Homeland Security
 500 12th Street, SW
 Washington, D.C. 20536

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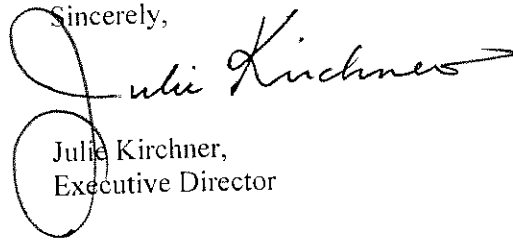


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Sincerely,

A handwritten signature in black ink that reads "Julie Kirchner". The signature is written in a cursive style with a long horizontal stroke at the end of the name.

Julie Kirchner,
Executive Director

b6 & 7c

From: [Redacted]
Sent: Friday, July 20, 2012 3:48 PM
To: [Redacted]
Subject: FW: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainers
Attachments: John Morton (7-17-12).pdf; 64013 - PROPOSED DRAFT FAIR response v1.docx
Follow Up Flag: Follow up
Flag Status: Completed

FYR

Thanks,

[Redacted]

From: [Redacted]
S [Redacted] **M**
T [Redacted]

Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainers

[Redacted]

Please review the attached (previously approved) draft language related to the attached incoming. Please provide clearance and/or edits/comments as warranted. If the draft is cleared by all appropriate units, it will be used as the response to the Director Morton incoming.

Thank you

[Redacted]

Criminal Alien Division (CAD)
500 - 12th Street SW
Washington, DC 20536
Office: (202) 73 [Redacted]
Mobi [Redacted]
Ema [Redacted]



From: [redacted] b6 & 7c

Sent: Friday, July 20, 2012 2:50 PM

T [redacted] b6 & 7c

C
Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees

The below is due back to me by 4 PM, July 23, 2012.

Please read attached and provide a draft response paragraph.

Thank you

[redacted] b6 & 7c

Criminal Alien Division (CAD)

500 - 12th Street SW

Washington, DC 20536

Office: (202) 7 [redacted] b6 & 7c

Mobile: (202) [redacted] b6 & 7c

Em [redacted] b6 & 7c



Fro [redacted] b6 & 7c

Sent: Friday, July 20, 2012 2:39 PM

To [redacted] b6 & 7c

Subject: FW: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID [redacted] (b)(7)e

Please come up with a paragraph that they can insert in the letter... [redacted] (b)(5)

[redacted] (b)(5)

[redacted] b6 & 7c

Secure Communities and Enforcement Division

Enforcement and Removal Operations

500 12th Street SW, Washington, DC 20536

(202) 73 [redacted] b6 & 7c

From [redacted] b6 & 7c

Sent: Friday, July 20, 2012 2:31 PM

To: ERO SC & ENFORCEMENT TASKINGS; ERO Removal Taskings; ERO Operation Center; ERO Field Ops Taskings

Cc: [redacted] b6 & 7c

Subject: FW: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID (b)(7)e

Hello,

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Thank you in advance,

b6 & 7c

Executive Information and Reporting Unit
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
202.732. b6 & 7c

b6 & 7c

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From: oesims@sp.ice.dhs.gov [mailto:oesims@sp.ice.dhs.gov]

Sent: Friday, July 20, 2012 1:11 PM

b6 & 7c

Subject: New task from HQEXS: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainees FolderID (b)(7)e

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Due Date:

7/25/2012 3:00:00 PM

Instructions:

To: ERO

From: OES

Due: July 25, 5pm

Please prepare a draft response for Director Morton's signature.

b6 & 7c

Original Message:

This message is part of an automated workflow, please do not change the text in the subject line when responding or forwarding the message.

Folder Subject: Letter from Federation of American Immigration Reform (FAIR) re state and local governments refusing to honor detainers

Folder Originator: Julie Kirchner, ED, FAIR

Due Date: 7/25/2012 3:00:00 PM

Workflow ID: (b)(7)e

Folder Location 7e

Task ID: 324647

Workflow Task

Assignment ID (b)(7)e

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Department of Homeland Security
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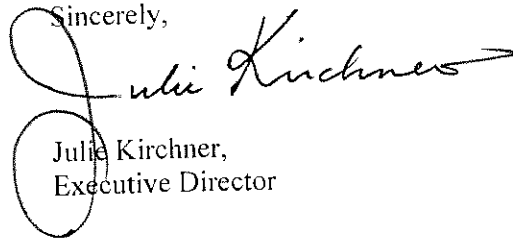


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Sincerely,

A handwritten signature in black ink that reads "Julie Kirchner". The signature is written in a cursive style with a long horizontal stroke at the end.

Julie Kirchner,
Executive Director

Pages 44 through 45 redacted for the following reasons:

b5

b6 & 7c

From:

b6 & 7c

Sent:

Monday, October 01, 2012 1:25 PM

To:

b6 & 7c

Subject:

FW: Local Detainer Policies for Juveniles

Attachments:

Local Detainer Policies for Juveniles

b6 & 7c

From: ERO Taskings
Sent: Monday, October 01, 2012 1:25 PM
Subject: Local Detainer Policies for Juveniles
Attachments: 10074.1-hd-interim_detainers_directive.pdf

The following message is sent on behalf of [redacted] Assistant Director for Custody Management, and approved by [redacted] Acting Assistant Director for Field Operations:

To: Field Office Directors and Deputy Field Office Directors

Subject: Local Detainer Policies for Juveniles

The purpose of this task is to collect local policies and/or procedures from Field Offices and sub-offices related to placing detainers on juveniles. A detainer (Form I-247) provides notice to Federal, State, and local law enforcement agencies (LEAs) that ICE intends to assume custody of an individual in the LEA's custody. Attached for your reference is the current ICE directive, issued in 2010, regarding issuance of detainers.

Because this directive does not specifically address juveniles, it appears that juvenile detainer practices vary widely across ERO. To standardize issuing detainers on juveniles using best practices already in place in the field, the Juvenile and Family Residential Management Unit (JFRMU) is collecting information on current policies throughout ERO that detail circumstances when detainers may or may not be placed on juveniles.

Please submit copies of established policies and/or procedures, to include informal field guidance that your office uses when determining whether to issue a juvenile detainer to [redacted] by close of business October 11, 2012. A negative response is required if no such policy exists.

[redacted] b6 & 7c

[redacted] b6 & 7c

JFRMU Chief at 202-7 [redacted] or at

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U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

INTERIM Policy Number 10074.1: Detainers

Issue Date: 08/02/2010

Effective Date: 08/02/2010

Superseded: LESC LOP 005-09 (September 23, 2009)

Federal Enterprise Architecture Number: 111-601-001-a

1. **Purpose/Background.** This directive establishes the interim policy of U.S. Immigration and Customs Enforcement (ICE) regarding the issuance of civil immigration detainers.
2. **Definitions.** The following definitions apply for purposes of this directive only.
 - 2.1. A **detainer** (Form I-247) is a notice that ICE issues to Federal, State, and local law enforcement agencies (LEAs) to inform the LEA that ICE intends to assume custody of an individual in the LEA's custody. An immigration detainer may serve three key functions—
 - notify an LEA that ICE intends to arrest or remove an alien in the LEA's custody once the alien is no longer subject to the LEA's detention;
 - request information from an LEA about an alien's impending release so ICE may assume custody before the alien is released from the LEA's custody; and
 - request that the LEA maintain custody of an alien who would otherwise be released for a period not to exceed 48 hours (excluding Saturdays, Sundays, and holidays) to provide ICE time to assume custody.
 - 2.2. An **Immigration officer** includes an officer or an agent who is authorized to issue detainers pursuant to 8 C.F.R. § 287.7(b), or who a state, local, or tribal officer or agent who is delegated such authority pursuant to § 287(g) of the Immigration and Nationality Act.
3. **Policy.**
 - 3.1. Only immigration officers may issue detainers.
 - 3.2. Immigration officers shall issue detainers only after an LEA has exercised its independent authority to arrest the alien for a criminal violation.
4. **Procedures.**
 - 4.1. Immigration officers shall not issue a detainer unless an LEA has exercised its independent authority to arrest the alien. Immigration officers shall not issue detainers for aliens who have been temporarily detained by the LEA (i.e., roadside or *Terry* stops)

but not arrested. This policy, however, does not preclude temporary detention of an alien by the LEA while ICE responds to the scene.

- 4.2.** If an immigration officer has reason to believe that an individual arrested by an LEA is subject to ICE detention for removal or removal proceedings, and issuance of the detainer otherwise comports with this policy and appears to advance the priorities of the agency, the immigration officer may issue a detainer (Form I-247) to the LEA.
- 4.3.** If the alien is the subject of an administrative arrest warrant, warrant of removal, or removal order, the immigration officer who issues the detainer should attach the warrant or order to the detainer, unless impracticable.
- 4.4.** Immigration officers are expected to make arrangements to assume custody of an alien who is the subject of a detainer in a timely manner and without unnecessary delay. Although a detainer serves to request that an LEA temporarily detain an alien for a period not to exceed 48 hours from the time the LEA otherwise would have released the alien (excluding Saturdays, Sundays, and holidays) to permit ICE to assume custody of the alien, immigration officers should avoid relying on that hold period. If at any time after a detainer is issued, ICE determines it will not assume custody of the alien, the detainer should be withdrawn or rescinded and the LEA notified.
- 4.5.** ICE shall timely assume custody of the alien if ICE has opted to lodge a detainer against an alien in any of the following categories—
- aliens who are subject to removal based upon certain criminal or security-related grounds set forth in INA § 236(c);
 - aliens who are within the “removal period,” as defined in INA § 241(a)(2); and
 - aliens who have been arrested for controlled substance offenses under INA § 287(d).
- 4.6.** Immigration officers shall take particular care when issuing a detainer against a lawful permanent resident (LPR) as some grounds of removability hinge on a conviction, while others do not [eg. removability pursuant to INA § 237(a)(4) and INA § 237(a)(1)(E).] Although in certain instances ICE may hold LPRs for up to 48 hours to make charging determinations, immigration officers should exercise such authority judiciously and seek advice of counsel for guidance if the LPR has not been convicted of a removable offense.
- 4.7.** Immigration officers should consult their supervisors or local chief counsel office with all inquiries, questions, or concerns regarding this policy.

5. Authorities/References.

- 5.1.** INA §§ 103(a)(3), 236, 241, 287.
- 5.2.** 8 C.F.R. §§ 236.1, 287.3, 287.5, 287.7, 287.8, 1236.1.

6. Attachments.

6.1. Form I-247: Immigration Detainer - Notice of Action.

7. **No Private Right Statement.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; contractors or any other person.



John Morton
Director

U.S. Immigration and Customs Enforcement

b6 & 7c

From:

b6 & 7c

Sent:

Friday, November 23, 2012 10:51 AM

To:

b6 & 7c

Subject:

FW: Local Law Enforcement Compliance with ICE Detainer Instructions

Attachments:

Local Law Enforcement Compliance with ICE Detainer Instructions

From: ERO Taskings
Sent: Friday, November 23, 2012 10:51 AM
Subject: Local Law Enforcement Compliance with ICE Detainer Instructions
Attachments: FOD LEA Detainer Outreach Spreadsheet.xlsx

The following message is being sent on behalf of Gary Mead, Executive Associate Director, Enforcement and Removal Operations:

To: Field Office Directors
Subject: Local Law Enforcement Compliance with ICE Detainer Instructions

While it appears that most detention facilities are complying with the guidance on our new detainer form, complaints from stakeholders indicate that some may not be. In order to determine if there is a problem, and if there is, its size, I need you to survey the facilities where you typically place detainees to obtain answers to the following questions:

- Do you release individuals subject to ICE detainees if ICE does not assume custody within 48 hours (excluding Saturdays, Sundays, and holidays)?
- Do individuals in your agency's custody with ICE detainees have access to telephones that permit them to call the 800 numbers listed on the "Notice to the Detainee" portion of the ICE detainer?
- Does your agency provide individuals in your custody with a copy of their ICE detainer form, including the "Notice to the Detainee?"

Please use the attached Excel spreadsheet to record the answers to these questions for the relevant jurisdictions. Return this spreadsheet with your completed tab [redacted] Senior Community Relations Officer, [redacted] by **Friday, December 7, 2012**. Should you have any questions you may contact [redacted].

NOTICE: This communication may contain privileged or otherwise confidential information. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.

State	Jurisdiction	ERO Field Office	ERO Sub- Office/ Outlying Office	Does the agency observe the 48 hour rule?
GA	Clayton	ATL	ATL	
GA	DeKalb	ATL	ATL	
GA	Gwinnett	ATL	ATL	
GA	Cobb	ATL	ATL	
GA	Fulton	ATL	ATL	
GA	Hall	ATL	ATL	
GA	Whitfield	ATL	ATL	
GA	Cherokee	ATL	ATL	
GA	Forsyth	ATL	ATL	
GA	Henry	ATL	ATL	
GA	Rockdale	ATL	ATL	
GA	Spalding	ATL	ATL	
GA	Barrow	ATL	ATL	
GA	Newton	ATL	ATL	
GA	Walton	ATL	ATL	
GA	Coweta	ATL	ATL	
GA	Fayette	ATL	ATL	
GA	Troup	ATL	ATL	
GA	Carroll	ATL	ATL	
GA	Douglas	ATL	ATL	
GA	Paulding	ATL	ATL	
GA	Bartow	ATL	ATL	
GA	Floyd	ATL	ATL	
GA	Polk	ATL	ATL	
GA	Clarke	ATL	ATL	
GA	Habersham	ATL	ATL	
GA	Jackson	ATL	ATL	
GA	Pickens	ATL	ATL	
GA	Monroe	ATL	ATL	
GA	Catoosa	ATL	ATL	
GA	Gordon	ATL	ATL	
GA	Murray	ATL	ATL	
GA	Walker	ATL	ATL	
GA	Baldwin	ATL	ATL	
GA	Banks	ATL	ATL	
GA	B bb	ATL	ATL	
GA	Burke	ATL	ATL	
GA	Butts	ATL	ATL	
GA	Chattooga	ATL	ATL	
GA	Columbia	ATL	ATL	
GA	Crawford	ATL	ATL	
GA	Dade	ATL	ATL	
GA	Dawson	ATL	ATL	
GA	E bert	ATL	ATL	

GA	Fannin	ATL	ATL	
GA	Franklin	ATL	ATL	
GA	Gilmer	ATL	ATL	
GA	Glascock	ATL	ATL	
GA	Greene	ATL	ATL	
GA	Hancock	ATL	ATL	
GA	Haralson	ATL	ATL	
GA	Harris	ATL	ATL	
GA	Hart	ATL	ATL	
GA	Heard	ATL	ATL	
GA	Jasper	ATL	ATL	
GA	Jefferson	ATL	ATL	
GA	Jenkins	ATL	ATL	
GA	Johnson	ATL	ATL	
GA	Jones	ATL	ATL	
GA	Lamar	ATL	ATL	
GA	Lincoln	ATL	ATL	
GA	Lumpkin	ATL	ATL	
GA	Madison	ATL	ATL	
GA	McDuffie	ATL	ATL	
GA	Meriwether	ATL	ATL	
GA	Morgan	ATL	ATL	
GA	Oconee	ATL	ATL	
GA	Oglethorpe	ATL	ATL	
GA	P ke	ATL	ATL	
GA	Putnam	ATL	ATL	
GA	Rabun	ATL	ATL	
GA	Richmond	ATL	ATL	
GA	Screven	ATL	ATL	
GA	Stephens	ATL	ATL	
GA	Ta bot	ATL	ATL	
GA	Taliaferro	ATL	ATL	
GA	Taylor	ATL	ATL	
GA	Towns	ATL	ATL	
GA	Union	ATL	ATL	
GA	Upson	ATL	ATL	
GA	Warren	ATL	ATL	
GA	Washington	ATL	ATL	
GA	White	ATL	ATL	
GA	Wi kes	ATL	ATL	
GA	Wi kinson	ATL	ATL	
SC	Charleston	ATL	CHL	
SC	Horry	ATL	CHL	
SC	Beaufort	ATL	CHL	
SC	Berkeley	ATL	CHL	
SC	Dorchester	ATL	CHL	
SC	Allendale	ATL	CHL	

SC	Bamberg	ATL	CHL	
SC	Barnwell	ATL	CHL	
SC	Colleton	ATL	CHL	
SC	Hampton	ATL	CHL	
SC	Jasper	ATL	CHL	
SC	Florence	ATL	CHL	
SC	Georgetown	ATL	CHL	
SC	Dillon	ATL	CHL	
SC	Marion	ATL	CHL	
SC	Williamsburg	ATL	CHL	
NC	Gaston	ATL	CLT	
NC	New Hanover	ATL	CLT	
NC	Cabarrus	ATL	CLT	
NC	Catawba	ATL	CLT	
NC	Cumberland	ATL	CLT	
NC	Mecklenburg	ATL	CLT	
NC	Brunswick	ATL	CLT	
NC	Columbus	ATL	CLT	
NC	Union	ATL	CLT	
NC	Davidson	ATL	CLT	
NC	Forsyth	ATL	CLT	
NC	Iredell	ATL	CLT	
NC	Lincoln	ATL	CLT	
NC	Bladen	ATL	CLT	
NC	Hoke	ATL	CLT	
NC	Moore	ATL	CLT	
NC	Alexander	ATL	CLT	
NC	Alleghany	ATL	CLT	
NC	Rockingham	ATL	CLT	
NC	Stokes	ATL	CLT	
NC	Surry	ATL	CLT	
NC	Wilkes	ATL	CLT	
NC	Yadkin	ATL	CLT	
NC	Anson	ATL	CLT	
NC	Davie	ATL	CLT	
NC	Guilford	ATL	CLT	
NC	Montgomery	ATL	CLT	
NC	Randolph	ATL	CLT	
NC	Richmond	ATL	CLT	
NC	Rowan	ATL	CLT	
NC	Scotland	ATL	CLT	
NC	Stanly	ATL	CLT	
NC	Pender	ATL	CLT	
NC	Robeson	ATL	CLT	
SC	Kershaw	ATL	COA	
SC	Lancaster	ATL	COA	
SC	Orangeburg	ATL	COA	

SC	Richland	ATL	COA	
SC	Calhoun	ATL	COA	
SC	Chesterfield	ATL	COA	
SC	Sumter	ATL	COA	
SC	Clarendon	ATL	COA	
SC	Fairfield	ATL	COA	
SC	Lee	ATL	COA	
SC	A ken	ATL	COA	
SC	Darlington	ATL	COA	
SC	Lexington	ATL	COA	
SC	Marlboro	ATL	COA	
SC	Greenville	ATL	GRR	
SC	York	ATL	GRR	
SC	Cherokee	ATL	GRR	
SC	Greenwood	ATL	GRR	
SC	Laurens	ATL	GRR	
SC	Oconee	ATL	GRR	
SC	Abbeville	ATL	GRR	
SC	Spartanburg	ATL	GRR	
SC	Chester	ATL	GRR	
SC	McCormick	ATL	GRR	
SC	Union	ATL	GRR	
SC	Anderson	ATL	GRR	
SC	Edgefield	ATL	GRR	
SC	Newberry	ATL	GRR	
SC	Pickens	ATL	GRR	
SC	Saluda	ATL	GRR	
NC	Buncombe	ATL	HEN	
NC	Henderson	ATL	HEN	
NC	Jackson	ATL	HEN	
NC	Transylvania	ATL	HEN	
NC	Cherokee	ATL	HEN	
NC	Clay	ATL	HEN	
NC	Graham	ATL	HEN	
NC	Haywood	ATL	HEN	
NC	Macon	ATL	HEN	
NC	Madison	ATL	HEN	
NC	Swain	ATL	HEN	
NC	Yancey	ATL	HEN	
NC	Burke	ATL	HEN	
NC	Caldwell	ATL	HEN	
NC	Cleveland	ATL	HEN	
NC	McDowell	ATL	HEN	
NC	Polk	ATL	HEN	
NC	Rutherford	ATL	HEN	
NC	Ashe	ATL	HEN	
NC	Avery	ATL	HEN	

NC	Mitchell	ATL	HEN	
NC	Watauga	ATL	HEN	
NC	Wake	ATL	RDU	
NC	Duplin	ATL	RDU	
NC	Orange	ATL	RDU	
NC	Harnett	ATL	RDU	
NC	Durham	ATL	RDU	
NC	Dare	ATL	RDU	
NC	Halifax	ATL	RDU	
NC	Lee	ATL	RDU	
NC	Alamance	ATL	RDU	
NC	Chatham	ATL	RDU	
NC	Edgecombe	ATL	RDU	
NC	Granville	ATL	RDU	
NC	Johnston	ATL	RDU	
NC	Nash	ATL	RDU	
NC	Bertie	ATL	RDU	
NC	Caswell	ATL	RDU	
NC	Martin	ATL	RDU	
NC	Person	ATL	RDU	
NC	Pitt	ATL	RDU	
NC	Sampson	ATL	RDU	
NC	Vance	ATL	RDU	
NC	Wayne	ATL	RDU	
NC	Franklin	ATL	RDU	
NC	Greene	ATL	RDU	
NC	Jones	ATL	RDU	
NC	Lenoir	ATL	RDU	
NC	Onslow	ATL	RDU	
NC	Warren	ATL	RDU	
NC	Wilson	ATL	RDU	
NC	Beaufort	ATL	RDU	
NC	Carteret	ATL	RDU	
NC	Craven	ATL	RDU	
NC	Hyde	ATL	RDU	
NC	Pamlico	ATL	RDU	
NC	Tyrrell	ATL	RDU	
NC	Washington	ATL	RDU	
NC	Camden	ATL	RDU	
NC	Chowan	ATL	RDU	
NC	Currituck	ATL	RDU	
NC	Gates	ATL	RDU	
NC	Hertford	ATL	RDU	
NC	Northampton	ATL	RDU	
NC	Pasquotank	ATL	RDU	
NC	Perquimans	ATL	RDU	
GA	Muscogee	ATL	STG	

GA	Chatham	ATL	STG	
GA	Glynn	ATL	STG	
GA	Houston	ATL	STG	
GA	Colquitt	ATL	STG	
GA	Lowndes	ATL	STG	
GA	Coffee	ATL	STG	
GA	Dougherty	ATL	STG	
GA	Grady	ATL	STG	
GA	Jeff Davis	ATL	STG	
GA	Appling	ATL	STG	
GA	Atkinson	ATL	STG	
GA	Bacon	ATL	STG	
GA	Baker	ATL	STG	
GA	Ben Hill	ATL	STG	
GA	Berrien	ATL	STG	
GA	Bleckley	ATL	STG	
GA	Brantley	ATL	STG	
GA	Brooks	ATL	STG	
GA	Bryan	ATL	STG	
GA	Bulloch	ATL	STG	
GA	Calhoun	ATL	STG	
GA	Camden	ATL	STG	
GA	Candler	ATL	STG	
GA	Charlton	ATL	STG	
GA	Chattahoochee	ATL	STG	
GA	Clay	ATL	STG	
GA	Clinch	ATL	STG	
GA	Cook	ATL	STG	
GA	Crisp	ATL	STG	
GA	Decatur	ATL	STG	
GA	Dodge	ATL	STG	
GA	Dooly	ATL	STG	
GA	Early	ATL	STG	
GA	Echols	ATL	STG	
GA	Effingham	ATL	STG	
GA	Emanuel	ATL	STG	
GA	Evans	ATL	STG	
GA	Irwin	ATL	STG	
GA	Lanier	ATL	STG	
GA	Laurens	ATL	STG	
GA	Lee	ATL	STG	
GA	Lberty	ATL	STG	
GA	Long	ATL	STG	
GA	Macon	ATL	STG	
GA	Marion	ATL	STG	
GA	McIntosh	ATL	STG	
GA	Miller	ATL	STG	

GA	Mitchell	ATL	STG	
GA	Montgomery	ATL	STG	
GA	Peach	ATL	STG	
GA	Pierce	ATL	STG	
GA	Pulaski	ATL	STG	
GA	Quitman	ATL	STG	
GA	Randolph	ATL	STG	
GA	Schley	ATL	STG	
GA	Seminole	ATL	STG	
GA	Stewart	ATL	STG	
GA	Sumter	ATL	STG	
GA	Tattnall	ATL	STG	
GA	Telfair	ATL	STG	
GA	Terrell	ATL	STG	
GA	Thomas	ATL	STG	
GA	Tift	ATL	STG	
GA	Toombs	ATL	STG	
GA	Treutlen	ATL	STG	
GA	Turner	ATL	STG	
GA	Twiggs	ATL	STG	
GA	Ware	ATL	STG	
GA	Wayne	ATL	STG	
GA	Webster	ATL	STG	
GA	Wheeler	ATL	STG	
GA	Wilcox	ATL	STG	
GA	Worth	ATL	STG	

U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

MEMORANDUM FOR: Assistant Directors
Deputy Assistant Directors
Field Office Directors
Deputy Field Office Directors
DEC 21 2007

FROM: John P. Torres
Director

SUBJECT: Reporting Guidance for the
Criminal Alien Program
(Follow-up to Director's July 11, 2006 Memorandum)

A handwritten signature in blue ink, appearing to read "John P. Torres".

Purpose

This memorandum serves as continued guidance for all personnel assigned to the Criminal Alien Program (CAP) to ensure proper compliance with manual and electronic CAP statistical reporting requirements. A CAP case is defined as any removable alien identified in a Federal, state and local jail or prison, *regardless* of the status of conviction.

ICH Detention and Removal Operations assumed responsibility for the CAP on June 1, 2007. In order to effectively track CAP cases, the following reporting procedures have been established and are to be implemented immediately.

The nine-core tracking and reporting metrics of the CAP are:

1. Identification/notification of foreign-born inmates
2. Inmate Screenings
3. Detainer lodged
4. Charging Document Issued (CDIs)
5. Transferred to ICE custody
6. Case status (EOIR/IJ hearing status)
7. CAP case outcome (Final Orders. STIPS, Appeal. POCR/OSUP-BOND, Relief/Benefit Granted. Prosecution. Removal/VR. etc.)
8. Removed from the United States
9. Criminal Prosecution presented/accepted

Procedures

Manual CAP Reporting Requirements

All Field Offices will submit the Manual CAP Report in Excel format by 12:00 PM EST every Monday following the previous reporting week (a reporting week is Saturday to Friday) via the 110 CAP mailbox. All line items must be populated with the appropriate data. The report will include-) individual prison/jail category tabs as follows:

1. Federal totals
2. State totals
3. Local totals
4. Consolidated totals

Electronic Reporting Requirements

In order for HQ to capture, maintain and retrieve statistical data electronically, all field offices will:

- Once a detainer is lodged, create and update all appropriate DACS (EARM/EADM) screens and fields;
- Continue to create and process all CAP Charging Documents in ENFORCE and ensure the appropriate G-23 and Method of Apprehension case codes are input;
- Continue to monitor and update case status in DACS (EARM/EADM);
- Continue to record and update all CAP Criminal Prosecutions cases in the Treasury Enforcement Communications System (TECS).

CAP data captured from all 24 Field Offices will be consolidated and routinely analyzed. HQ CAP will work with Field Offices to ensure that this information is inputted correctly.

Until such time an automated report becomes available, field offices will continue to provide the Manual CAP Report.

If you have any questions regarding these procedures, please contact [REDACTED] nit Chief, Criminal Alien Program at 202-732-[REDACTED]

Attachment

Criminal Alien Program Report

Week		RATING PERIOD SATURDAY - FRIDAY			
Office					
POC and Title					
Phone					

AOR		Local	State	Federal	AOR Total

LINE	ACTION	Weekly Total	Weekly Total	Weekly Total	AOR Weekly Total
Part I: Facility Information					
1	Total Number of Incarcerated Foreign-Born Inmates at the first of Week				0
2	Total Number of New-Incoming Foreign-Born Inmates for the Week				0
Part II: Inmate Vetting					
3	Total Alien Inmates Screened for Amenability to Removal during the Week	0	0	0	0
	A. Screened by Record Checks Only (No Interview)	0	0	0	0
	(1) Lawful Permanent Resident / Conditional Resident Status				0
	(2) Non-Immigrants and Illegal Aliens (i.e. EWI, Overstay, Students, etc.)				0
	(3) United States Citizens (Naturalized / Derivative)				0
	(4) Other Status (i.e. Parolees, Refugees, Amnesty, etc.)				0
	B. Screened by Interview	0	0	0	0
	(1) Lawful Permanent Resident / Conditional Resident Status				0
	(2) Non-Immigrants and Illegal Aliens (i.e. EWI, Overstay, Students, etc.)				0
	(3) United States Citizens (Naturalized / Derivative)				0
	(4) Other Status (i.e. Parolees, Refugees, Amnesty, etc.)				0
Part III: Enforcement Action					
4	Released from Institution Prior to Processing				0
5	Not Subject to Removal				0
6	No Action/Prosecutorial Discretion Exercised				0
7	ICE Detainers (I-247) Lodged - ENFORCE generated				0
8	ICE Detainers (I-247) Removed				0
Part IV: Charging Documents					
9	NOTICE OF INTENT (I-851) - Admin Removal under INA 238(b)				0
10	NOTICE TO APPEAR Issued (I-862) - Removal Proceedings under INA 240				0
Part V: Administrative/Alternative Removal					
11	ADMIN REMOVAL FINAL ORDER (I-851A) ISSUED - INA 238(b)				0
12	OUTSTANDING FINAL REMOVAL ORDER (Fugitive Located)				0
13	REINSTATED Removal Order (I-871) ISSUED - INA 241(a)(5)				0
14	VISA WAIVER - INA 217				0
15	JUDICIAL Removal Order - INA 238				0
16	OTHER Removal Order (ER, etc.)				0
Part VI: Removal Proceedings					
17	CREDIBLE/REASONABLE FEAR REFERRALS				0
18	NOTICE TO APPEAR (I-862) FILED with the EOIR - INA 240				0
19	Institutional Hearings for the Week				0
20	Full EOIR IJ Hearing Orders of Removal Received for the Week				0
21	Stipulated Final Orders Received for the Week				0
Part VII: Detention and Removal					
22	Total Alien Inmates Released to ICE from Correctional Institution:	0	0	0	0
	A. Inmates Released WITH a Final Removal Order				0
	B. Inmates Released WITHOUT a Final Removal Order				0
23	Total Number of Aliens Received from Institution Physically Removed from U.S. based on Order of Removal Received WHILE IN CUSTODY at Institution or WITHIN 24 HOURS of Release from Institution				0
24	Total Number of Aliens Received From an Institution where a Verified Removal under a Voluntary Departure (INA 240B) decision was received WITHIN 24 HOURS of Release from the Institution				0
25	Total Number of Aliens Received from an Institution that were Released from Custody due to Recognizance, Bond, Supervision, (etc.) during the Week				0

Form Revised 1/3/2008

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



U.S. Immigration
and Customs
Enforcement

AUG 3 2010

MEMORANDUM FOR: James M. Chaparro
Executive Associate Director

THROUGH: [REDACTED] b6 & 7c
Deputy Executive Associate Director

FROM: [REDACTED] b6 & 7c
Division of Information, Policy and Communications

SUBJECT: ERO Quick Reference for Processing Guide, version 1.1

Purpose

The Enforcement and Removal Operations (ERO) Quick Reference for Processing Guide, version 1.0 has been revised to ensure data integrity and improve ERO's abilities to capture statistics. ERO Quick Reference Processing Guide version 1.1 supersedes the DRO Quick Reference for Processing Guide, dated February 23, 2010 and the Updated Directives for the Criminal Alien Program Case Identification in ENFORCE, dated September 1, 2009.

Background

ERO has the responsibility to provide data quality evaluations and ensure that measures are in place throughout the immigration lifecycle, from system data entry through the report development process. The Information, Policy and Communications Division is providing guidance in an effort to ensure that during the reporting phases these statistics can be captured accurately and correctly.

Discussion


The HRO Quick Reference for Processing Guide, version 1.1 provides more detailed instructions for processing subjects encountered by all ERO programs. This updated version addresses the feedback received from ERO employees and will clarify previous guidance.

Subject: ERO Quick Reference for Processing Guide, version 1.1

Page 2

Recommendation

I recommend approval of the ERO Quick Reference for Processing Guide, version 1.1.

Approve/date  8/3/2010 Disapprove/date _____

Modify/date _____ Needs more discussion/date _____

Attachment



U.S. Immigration
and Customs
Enforcement

Enforcement and Removal Operations

**QUICK REFERENCE
PROCESSING GUIDE**

*Version 1.1
(As of June 10, 2010)*



**U.S. Immigration
and Customs
Enforcement**

QUICK REFERENCE GUIDE
For ERO Processing

This Quick Reference Guide provides instructions for processing subjects encountered by all ERO programs.

Information contained herein is Law Enforcement Sensitive. Do not share this document in any form with anyone who does not have a need to know.

Pages 74 through 99 redacted for the following reasons:

7e



**U.S. Immigration
and Customs
Enforcement**

QUICK REFERENCE GUIDE
For ERO Processing

Guide Approved by:

Deputy Assistant Director, Information Resource Management Division

b6 & 7c

June 29, 2010

Date

Deputy Assistant Director, Criminal Alien Division

b6 & 7c

7/7/2010

Date

Deputy Assistant Director, Compliance Enforcement Division

b6 & 7c

6/30/2010

Date



U.S. Immigration and Customs Enforcement

QUICK REFERENCE GUIDE *For ERO Processing*

Guide prepared by:

Headquarters Enforcement and Removal Operations
Information Resource Management Division
Data Quality & Integrity (DQ&I) Unit
ERO Modernization and IT Unit

For questions, please contact the appropriate DQ&I POC listed below:

7e	T, HOU, NEW, PHI (202-732	7e
	P, NOL, PHO, SNA, SND, S	
	, BOS, MIA, SPM. WAS (20	
	L, LOS, NYC, SEA, SLC (2	

Any questions regarding CAP issues may be directed to Acting CAP Operations Chief
7e via email or at 202-77e

From: ICE-Broadcast
Sent: Friday, June 17, 2011 1:03 PM
Subject: A Message from Director Morton

Importance: High

A Message from Director Morton

To all ICE employees
June 17, 2011

Improvements to Secure Communities

ICE's Secure Communities program is one of the most effective strategies our agency has when it comes prioritizing our resources on identifying and removing people in our country who pose a threat to public safety. Between October 2008 – when Secure Communities was enacted – and October 2010, the number of convicted criminals that ICE removed from the United States increased by 71 percent, while the number of non-criminals removed dropped by 23 percent. Secure Communities has been a major factor in achieving those results, and I stand by the program. I am sure many of you have heard or seen recent news accounts about the program, and I wanted to take a moment to address some of the issues that have been raised.

In conjunction with the Department of Homeland Security, we initiated a top-to-bottom review of Secure Communities. As part of that review, I have personally been engaging in a broad dialogue with community groups, elected officials, and law enforcement agencies across the country to discuss approaches to Secure Communities that will further enhance its effectiveness. To help encourage and facilitate this dialogue we have taken several proactive steps including:

- Launching a new website for Secure Communities that includes frequently asked questions and links to training videos;
- Creating a new advisory committee that will evaluate the impact Secure Communities has on community policing;
- Issuing guidance to the field on how to handle cases involving victims of crime;
- Creating a new, easier to use and understand ICE detainer form that allows for added flexibility;
- Releasing new training materials, in conjunction with the department's Office for Civil Rights and Civil Liberties (CRCL), for state and local law enforcement regarding civil rights issues related to the program; and
- Creating a new protocol for the investigation of complaints under which CRCL will be notified of any complaints filed with ICE involving discrimination or other misconduct by jurisdictions in which Secure Communities has been activated.

I feel strongly that these reforms will ensure that this important program becomes even more effective in achieving its goals.

John Morton
Director
U.S. Immigration and Customs Enforcement

Pages 103 through 106 redacted for the following reasons:

7e



**Law Enforcement Support Center
Standard Operating Procedures (SOP)
for Handling Telephonic Inquiries from
Individuals Subject to a Detainer**

**Distributed for adoption by Law Enforcement Support
Center**

Updated: January 12, 2012

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Pages 109 through 115 redacted for the following reasons:

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7e, b6 & 7c



**U.S. Immigration
and Customs
Enforcement**

***CAP* QUICK REFERENCE
PROCESSING GUIDE**



This Quick Reference Guide is designed for the processing of undocumented aliens under the auspices of the CAP program.

Information contained herein is to be treated as Law Enforcement Sensitive. Do not share this document in any form with anyone who does not have a need to know. This includes officers in your agency who are not designated as CAP officers.

Pages 118 through 125 redacted for the following reasons:

7e

U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

MEMORANDUM FOR: Assistant Directors
Deputy Assistant Directors
Field Office Directors
Deputy Field Office Directors
DEC 21 2007

FROM: John P. Torres
Director

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5. Transferred to ICE custody
6. Case status (EOIR/IJ hearing status)
7. CAP case outcome (Final Orders. STIPS, Appeal. POCCR/OSUP-BOND, Relief/Benefit Granted. Prosecution. Removal/VR. etc.)
8. Removed from the United States
9. Criminal Prosecution presented/accepted

Procedures

Manual CAP Reporting Requirements

All Field Offices will submit the Manual CAP Report in Excel format by 12:00 PM EST every Monday following the previous reporting week (a reporting week is Saturday to Friday) via the 110 CAP mailbox. All line items must be populated with the appropriate data. The report will include-) individual prison/jail category tabs as follows:

1. Federal totals
2. State totals
3. Local totals
4. Consolidated totals

Electronic Reporting Requirements

In order for HQ to capture, maintain and retrieve statistical data electronically, all field offices will:

- Once a detainer is lodged, create and update all appropriate DACS (EARM/EADM) screens and fields;
- Continue to create and process all CAP Charging Documents in ENFORCE and ensure the appropriate G-23 and Method of Apprehension case codes are input;
- Continue to monitor and update case status in DACS (EARM/EADM);
- Continue to record and update all CAP Criminal Prosecutions cases in the Treasury Enforcement Communications System (TECS).

CAP data captured from all 24 Field Offices will be consolidated and routinely analyzed. HQ CAP will work with Field Offices to ensure that this information is inputted correctly.

Until such time an automated report becomes available, field offices will continue to provide the Manual CAP Report.

If you have any questions regarding these procedures, please contact [REDACTED] Unit Chief, Criminal Alien Program at 202-[REDACTED]

Attachment

Criminal Alien Program Report

Week		RATING PERIOD SATURDAY - FRIDAY			
Office					
POC and Title					
Phone					

AOR		Local	State	Federal	AOR Total

LINE	ACTION	Weekly Total	Weekly Total	Weekly Total	AOR Weekly Total
Part I: Facility Information					
1	Total Number of Incarcerated Foreign-Born Inmates at the first of Week				0
2	Total Number of New-Incoming Foreign-Born Inmates for the Week				0
Part II: Inmate Vetting					
3	Total Alien Inmates Screened for Amenability to Removal during the Week	0	0	0	0
	A. Screened by Record Checks Only (No Interview)	0	0	0	0
	(1) Lawful Permanent Resident / Conditional Resident Status				0
	(2) Non-Immigrants and Illegal Aliens (i.e. EWI, Overstay, Students, etc.)				0
	(3) United States Citizens (Naturalized / Derivative)				0
	(4) Other Status (i.e. Parolees, Refugees, Amnesty, etc.)				0
	B. Screened by Interview	0	0	0	0
	(1) Lawful Permanent Resident / Conditional Resident Status				0
	(2) Non-Immigrants and Illegal Aliens (i.e. EWI, Overstay, Students, etc.)				0
	(3) United States Citizens (Naturalized / Derivative)				0
	(4) Other Status (i.e. Parolees, Refugees, Amnesty, etc.)				0
Part III: Enforcement Action					
4	Released from Institution Prior to Processing				0
5	Not Subject to Removal				0
6	No Action/Prosecutorial Discretion Exercised				0
7	ICE Detainers (I-247) Lodged - ENFORCE generated				0
8	ICE Detainers (I-247) Removed				0
Part IV: Charging Documents					
9	NOTICE OF INTENT (I-851) - Admin Removal under INA 238(b)				0
10	NOTICE TO APPEAR Issued (I-862) - Removal Proceedings under INA 240				0
Part V: Administrative/Alternative Removal					
11	ADMIN REMOVAL FINAL ORDER (I-851A) ISSUED - INA 238(b)				0
12	OUTSTANDING FINAL REMOVAL ORDER (Fugitive Located)				0
13	REINSTATED Removal Order (I-871) ISSUED - INA 241(a)(5)				0
14	VISA WAIVER - INA 217				0
15	JUDICIAL Removal Order - INA 238				0
16	OTHER Removal Order (ER, etc.)				0
Part VI: Removal Proceedings					
17	CREDIBLE/REASONABLE FEAR REFERRALS				0
18	NOTICE TO APPEAR (I-862) FILED with the EOIR - INA 240				0
19	Institutional Hearings for the Week				0
20	Full EOIR IJ Hearing Orders of Removal Received for the Week				0
21	Stipulated Final Orders Received for the Week				0
Part VII: Detention and Removal					
22	Total Alien Inmates Released to ICE from Correctional Institution:	0	0	0	0
	A. Inmates Released WITH a Final Removal Order				0
	B. Inmates Released WITHOUT a Final Removal Order				0
23	Total Number of Aliens Received from Institution Physically Removed from U.S. based on Order of Removal Received WHILE IN CUSTODY at Institution or WITHIN 24 HOURS of Release from Institution				0
24	Total Number of Aliens Received From an Institution where a Verified Removal under a Voluntary Departure (INA 240B) decision was received WITHIN 24 HOURS of Release from the Institution				0
25	Total Number of Aliens Received from an Institution that were Released from Custody due to Recognizance, Bond, Supervision, (etc.) during the Week				0

Form Revised 1/3/2008

From: ICE-Broadcast
Sent: Friday, June 17, 2011 1:03 PM
Subject: A Message from Director Morton

Importance: High

A Message from Director Morton

To all ICE employees
June 17, 2011

Improvements to Secure Communities

ICE's Secure Communities program is one of the most effective strategies our agency has when it comes prioritizing our resources on identifying and removing people in our country who pose a threat to public safety. Between October 2008 – when Secure Communities was enacted – and October 2010, the number of convicted criminals that ICE removed from the United States increased by 71 percent, while the number of non-criminals removed dropped by 23 percent. Secure Communities has been a major factor in achieving those results, and I stand by the program. I am sure many of you have heard or seen recent news accounts about the program, and I wanted to take a moment to address some of the issues that have been raised.

In conjunction with the Department of Homeland Security, we initiated a top-to-bottom review of Secure Communities. As part of that review, I have personally been engaging in a broad dialogue with community groups, elected officials, and law enforcement agencies across the country to discuss approaches to Secure Communities that will further enhance its effectiveness. To help encourage and facilitate this dialogue we have taken several proactive steps including:

- Launching a new website for Secure Communities that includes frequently asked questions and links to training videos;
- Creating a new advisory committee that will evaluate the impact Secure Communities has on community policing;
- Issuing guidance to the field on how to handle cases involving victims of crime;
- Creating a new, easier to use and understand ICE detainer form that allows for added flexibility;
- Releasing new training materials, in conjunction with the department's Office for Civil Rights and Civil Liberties (CRCL), for state and local law enforcement regarding civil rights issues related to the program; and
- Creating a new protocol for the investigation of complaints under which CRCL will be notified of any complaints filed with ICE involving discrimination or other misconduct by jurisdictions in which Secure Communities has been activated.

I feel strongly that these reforms will ensure that this important program becomes even more effective in achieving its goals.

John Morton
Director
U.S. Immigration and Customs Enforcement