

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, September 20, 2011 7:48 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: CAP Encounters Detainers and Arrests Report  
**Attachments:** FY2011 9.19 CAP Encounters Detainers Arrests LES-STU.xlsx; FY2011 9.19 CAP Encounters Detainers Arrests Methodology LES-STU.doc  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FYI.

[REDACTED] b6 & 7c

(A)Unit Chief  
HQ Staff Deportation and Detention Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-732 [REDACTED] sk)  
202-200 [REDACTED] b6 & 7c ll)

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, September 19, 2011 3:57 PM  
**To:** [REDACTED] b6 & 7c  
**Cc:** ICE LESA TASKING  
**Subject:** CAP Encounters Detainers and Arrests Report

Good afternoon,

Attached is the Weekly CAP Encounters, Detainers & Arrests report.



[REDACTED] b6 & 7c

**Enforcement & Removal Operations**  
**U.S. Immigration and Customs Enforcement**  
500 12th Street, SW  
Washington, DC 20024  
(202) 73 [REDACTED] (office)  
(202) 90 [REDACTED] b6 & 7c (mobile)

*Accept challenges, so that you may feel the exhilaration of victory*

## FY2010YTD Comparison to FY2011 CAP Statistics

Statistic	FY2010 YTD	FY2011 YTD	% Change
CAP Arrests	211,235	212,534	1%
CAP Detainers	230,434	256,198	11%
CAP Encounters	643,086	675,920	5%
CAP CDIs	215,842	205,164	-5%

Source: FY2011 data IIDS v.1.6 as of 09/19/2011 as provided by the STU. FY2010 data is historical and remains static.

For FY2011 data, CAP Arrests are identified with program codes ERO CAP, LEA, VCAS and JCART and Arrest Method of CST, CLC, CFD and NCA

For FY2011 data, CAP Detainers are identified with program codes ERO CAP, LEA, VCAS and JCART.

For FY2011 data, CAP Encounters are identified with program codes ERO CAP, LEA, VCAS and JCART and Lead Types CLC, CST, CFD and CA.

For FY2011 data, CAP CDIs are identified with program codes ERO CAP, LEA, VCAS and JCART.

For FY2010 data, CAP Arrests are identified with program codes DRO CAP, DDP, VCAS and JCART and Arrest Method of CST, CLC, CFD and NCA. FY2010 CAP arrests represent those with an arrest date < 09/18/2010.

For FY2010 data, CAP Detainers are identified with program codes DRO CAP, DDP, VCAS and JCART. FY2010 CAP detainers represent those with a prepare date < 09/18/2010.

For FY2010 data, CAP Encounters are identified with program codes DRO CAP, DDP, VCAS and JCART and Lead Types CLC, CST, CFD and CA. FY2010 CAP encounters represent those with an event date < 09/18/2010.

For FY2010 data, CAP CDIs are identified with program codes DRO CAP, DDP, VCAS and JCART. FY2010 CAP detainers represent those with a charging document create date < 09/18/2010.

Pages 3 through 5 redacted for the following reasons:

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b5

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, August 15, 2012 4:06 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] b6 & 7c  
**Subject:** FW: Cook County Detainers

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Completed

Per your request.

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, February 01, 2012 6:59 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** RE: Cook County Detainers

Good Evening [REDACTED] b6 & 7c

There has been no cooperation between ICE and Cook County Jail since the passing of the detainer ordinance back in September 2011. The Chicago Field Office has a meeting scheduled on Friday, Feb 3, 2012, with one of the Cook County Commissioners who is opposed to the current ordinance, and is trying to revise it.. We prepared an executive summary, and forwarded it through Field Ops. The FOD has been communicating with Field Ops and I believe he has a meeting scheduled for tomorrow with Executive Director Gary Mead.

Below is a quick synopsis addressing your questions:

ICE agents are not allowed in Cook County Jail except in the public access area. We are not given access to interview inmates at the facility. Our agents review a list of offenders who were arrested the day before and are awaiting their criminal bond hearing. The list of offenders is posted in the public access area of the Jail and contains the name of the offender and their IR # (Incident Response number). We run the IR# through a database (\*CLEAR—see below explanation of this database) that queries the arrest record for the current offense and any past offenses that occurred in Cook County. The arrest record contains the place of birth of the offender. We then run checks in various ICE databases for possible matches or prior encounters. We check NCIC and reviewing the entire criminal history, and also review the Central Index System (CIS) in an effort to corroborate alienage and avoid placing detainers on naturalized citizens.

We prepare detainers for those cases that fall under EROs priorities, and provide them to the facility, but the officials at Cook County have not honored any detainers since the passing of the September 2011 ordinance.

It is noteworthy to mention that Cook County is a Sanctuary County. The sanctuary ordinance was passed in 2006 prohibiting Cook County officials from disclosing information about immigration status and it is the policy of Cook County Sheriff's Office not to assist in the investigation of citizenship or



immigration status of any person unless they are investigating alien smuggling. Simply put, they will not cooperate with ICE on civil immigration matters.

\*The Chicago Police Department (CPD) is using GIS to supplement the department's CLEAR (Citizens Law Enforcement Analysis and Reporting) initiative. CPD has developed an extensive database of criminal information that is available through the web.

ICLEAR is a joint effort between ILEAS, the Illinois State Police, and the Chicago Police Department. The goal of this effort is to create a single data warehouse for all criminal activities within Illinois. The warehouse could then be access with business, analytical tools to find patterns and share information to all law enforcement officials. To date hundreds of thousands of reports and records have been incorporated into the warehouse with goals to import data from every police/sheriff department in the State.

ICLEAR was proposed within the Illinois Terrorism Task Force (ITTF) in 2005. ILEAS was given the task of overseeing the grant management for this project, while ISP took on the duties of project management. The ICLEAR project was modeled on the successful deployment of a simliar data warehouse by the Chicago Police Department, known as CLEAR

Thanks

b6 & 7c

DHS/ICE/ERO  
Chicago Field Office  
(312) 347- [redacted] sk)  
(312) 735- [redacted] ll)

~~*Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.*~~

---

**From:** [redacted] b6 & 7c  
**Sent:** Wednesday, February 01, 2012 4:42 PM  
**To:** [redacted] b6 & 7c  
**Subject:** RE: Cook County Detainers

Good Evening,

I am contacting you to obtain an update on the situation between ICE and Cook County Jail since its new Detainer Policy:

Is Cook County Jail cooperating in any way with ICE, since its new Detainer Policy?

How does your AOR know that there are foreign-born inmates in Cook County Jail?

Your prompt response to this matter would be greatly appreciated.

b6 & 7c

HQ Staff Detention and Deportation Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-732-b6 & 7c Desk)

b6 & 7c

**From:** b6 & 7c  
**Sent:** Monday, November 07, 2011 4:10 PM  
**To:** b6 & 7c  
**Cc:** b6 & 7c  
**Subject:** RE: Cook County Detainers

Prior to the current ordinance that passed in early September 2011, I had agents assigned to Cook County to pick up at that facility every day, Monday through Friday. Generally, we would pick up every morning by 10:00am and the vast majority of those inmates that posted their criminal bond and were ready for release were picked up by ICE agents within 24 hours of notification.

The \$43,000 a day that Cook County claims that it is costing is likely inclusive of those aliens we have detainers on who are ineligible for release from Cook County due to the nature of the offense, or are unable to raise the funds to post their criminal bond.

The cost of holding a subject at Cook County has been reported in various newspapers at 143 dollars a day. Using Cook County numbers provided below (\$43,000 daily) that would equate to 300 inmates with ICE detainers on record who are ready for pick up....that is simply inaccurate. Even during the busiest time of the year, the number of those Cook County inmates scheduled for release pursuant to an ICE detainer at most 10-15 a day—not 300 daily.

Thanks

b6 & 7c

DHS/ICE-Enforcement and Removal Operations  
Chicago, IL  
(312) 34-b6 & 7c (office)  
(312) 73-b6 & 7c (cell)

~~Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.~~

**From:** b6 & 7c  
**Sent:** Monday, November 07, 2011 2:17 PM  
**To:** b6 & 7c  
**Subject:** Cook County Detainers

Good Day,

I am contacting you in regards to Cook County's new policy on Immigration Detainers.

We are trying to figure out a way to possibly cut back on the costs associated with holding aliens on ICE Detainers.

Cook County is claiming that they have to pay out approximately, \$43,000 per day as a result of holding individuals on ICE Detainers.

Generally, how long does it take your AOR to retrieve an individual once a Detainer is lodged?

b6 & 7c

**Enforcement and Removal Operations  
HQ Criminal Alien Program**

202-732

b6 & 7c

sk)

202-696

ckberry)

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b6 & 7c

**From:** [redacted] b6 & 7c  
**Sent:** Wednesday, March 07, 2012 4:06 PM  
**To:** [redacted] b6 & 7c  
**Subject:** FW: Could you get me the amount of detainers we placed in 2011 and 2012 for DC?

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

[redacted] b6 & 7c requested me to get permission. Can you assist me, sir?

Norm

[redacted] b6 & 7c

Washington Field Office  
703-285 [redacted] (desk)  
202-200 [redacted] b6 & 7c (ll)

**From:** [redacted] b6 & 7c  
**Sent:** Wednesday, March 07, 2012 4:05 PM  
**To:** [redacted] b6 & 7c  
**Subject:** FW: Could you get me the amount of detainers we placed in 2011 and 2012 for DC?

Are you able to assist me in obtaining this information? I have access to BQY but [redacted] b6 & 7c explained that it has to do with windows 7.

Thanks,

[redacted] b6 & 7c

Washington Field Office  
703-28 [redacted] b6 & 7c (k)  
202-20 [redacted]

**From:** [redacted] b6 & 7c  
**Sent:** Wednesday, March 07, 2012 3:58 PM  
**T** [redacted] b6 & 7c  
**C** [redacted]  
**Subject:** Could you get me the amount of detainers we placed in 2011 and 2012 for DC?

I have access to BQY but it is not allowing me to sort or cut and paste.

[redacted] b6 & 7c

Washington Field Office  
703-285 [redacted] b6 & 7c (desk)



b6 & 7c

**From:** [REDACTED]  
**Sent:** Tuesday, November 08, 2011 1:23 PM  
**To:** [REDACTED]  
**Subject:** FW: Data Quality Detainer report

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

b6 & 7c

Could you please review the email below and provide your feedback?

**Fro** [REDACTED]  
**Sent:** Tuesday, November 08, 2011 1:02 PM  
**T** [REDACTED]  
**C** [REDACTED]  
**Subject:** FW: Data Quality Detainer report

Good afternoon [REDACTED]

Please give me your advice/thoughts regarding [REDACTED] concern below.

It is in reference to my proposed SNA Field Office broadcast located at the beginning of the string.

[REDACTED]  
b6 & 7c

*DHS/ICE/ERO  
8940 Fourwinds Drive  
San Antonio, Texas 78239  
210-889- [REDACTED] /  
210-967- [REDACTED] sk*

---

**From:** [REDACTED]  
**Sent:** Tuesday, November 08, 2011 11:33 AM  
**To:** [REDACTED]  
**Subject:** RE: Data Quality Detainer report

[REDACTED]  
b6 & 7c

[REDACTED]  
b5

b5

b6 & 7c

*Harlingen Resident Office  
San Antonio Field Office  
Office 956-389  
Cell 956-463*

b6 & 7c

b6 & 7c

**"There is nothing wrong with change, if it is in the right direction" Winston Churchill**

**From:** b6 & 7c

**Sent:** Tuesday, November 08, 2011 10:05 AM

**To:** b6 & 7c

**Subject:** RE: Data Quality Detainer report

b6 & 7c

b6 & 7c, b5

b6 & 7c

*DHS/ICE/ERO  
8940 Fourwinds Drive  
San Antonio, Texas 78239  
210-889-  
210-967*

ell

esk

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, April 04, 2012 11:34 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detained Alien Interview Program Standard Operating Procedure

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**From:** ERO Taskings  
**Sent:** Wednesday, April 04, 2012 11:33:57 AM (UTC-05:00) Eastern Time (US & Canada)  
**Subject:** Detained Alien Interview Program Standard Operating Procedure

*This message is being sent on behalf of [REDACTED] b6 & 7c Assistant Director for Field Operations:*

**To:** Field Office Directors and Deputy Field Office Directors  
**Subject:** Detained Alien Interview Program Standard Operating Procedure

The objective of the Enforcement and Removal Operations (ERO) Detained Alien Interview Program (DAIP) is to maintain an intelligence program at the ERO Field Office level that enables information to flow from the field through the ERO Operations Support and Coordination Unit (OSCU) to the HSI Office of Intelligence. This objective is achieved through the identification, collection, processing and dissemination of raw intelligence acquired from ICE detainees. The acquisition of this information furthers the intelligence and law enforcement missions of ICE, other law enforcement agencies and the Intelligence Community.

The DAIP Standard Operating Procedure (SOP) establishes and articulates guidance for all ERO personnel engaged in the DAIP. This SOP is not all-inclusive. Additional directives by ERO management may follow. The DAIP SOP is to be used by all ERO personnel involved in raw intelligence collection, to include ERO Field and HQ Management and all other personnel assigned intelligence related duties. The SOP may be viewed on the ERO Resource Library at the following link: <http://intranet.ice.dhs.gov/doclib/sites/ero/memos/pdf/alien-interview-program.pdf>

If you have any questions regarding this SOP, please contact OSCU Unit Chi [REDACTED] b6 & 7c via email at [REDACTED] b6 & 7c or telephonically at (202) 73 [REDACTED] b6 & 7c DAIP Program Manager [REDACTED] b6 & 7c via email at [REDACTED] b6 & 7c or telephonically at 202-732-6458.

~~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.~~



b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, September 20, 2011 5:42 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** Fw: Detainer Action Memo.doc  
**Attachments:** Detainer Action Memo.doc

Fyi

-----  
Sent using BlackBerry

Thanks in advance!

[REDACTED] b6 & 7c

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

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, September 20, 2011 03:53 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** Detainer Action Memo.doc

Pages 16 through 35 redacted for the following reasons:

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b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, November 02, 2011 2:12 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer COL

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This should answer your question.

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, November 02, 2011 1:36 PM  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED] b6 & 7c  
**Subject:** RE: Detainer COL

Hi [REDACTED] b6 & 7c

Please see below from IIDS:

7e

OOO O'Reilly only | External Dispute

[REDACTED] b6 & 7c

Contract Support to DHS / ICE / ERO  
Office: 202.732 [REDACTED] b6 & 7c  
Mobile: 443.570 [REDACTED] b6 & 7c

[REDACTED] b6 & 7c

b6 & 7c

-----  
From: [REDACTED] b6 & 7c  
Sent: Wednesday, November 02, 2011 1:29 PM  
To: [REDACTED] b6 & 7c  
Subject: Fw: Detainer COL

Can u please help with this?

b6 & 7c

-----Original Message-----  
From: [REDACTED]  
To: [REDACTED] b6 & 7c  
Cc: [REDACTED]  
Subject: Detainer COL  
Sent: Nov 1, 2011 4:41 PM

b6 & 7c

[REDACTED]  
7e

Thanks in advance!

b5

Criminal Alien Program  
500 12th Street SW  
Washington, DC 20536  
Office: (202) 732- [REDACTED] b5  
Mobile: (202) 500- [REDACTED]  
Email: [REDACTED] b5

b6 & 7c

To:  
Cc:  
Subject:

b6 & 7c

FW: Detainer COL

b6 & 7c

Can you assist CAP with these questions?

Thanks in advance!



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

b6 & 7c

**Criminal Alien Program  
500 12th Street SW  
Washington, DC 20536  
Office: (202) 732  
Mobile: (202) 50  
Email**

b6 & 7c

b6 & 7c

From: b6 & 7c

Sent: Tuesday, November 01, 2011 4:41 PM

To: b6 & 7c

Cc:  
Subject: Detainer COL

b6 & 7c

7e

Thanks in advance!



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

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

**Criminal Alien Program  
500 12th Street SW  
Washington, DC  
Office: (202) 73  
Mobile: (202) 5  
Ema**

b6 & 7c

b6 & 7c

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Thursday, October 27, 2011 1:03 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Guidance Field Distro  
**Attachments:** I247 guidance field distro.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

b6 & 7c

HQ Staff Deportation and Detention Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-732- [REDACTED] sk)  
202-200- [REDACTED] ll)

**From:** [REDACTED] b6 & 7c  
**Sent:** Thursday, October 27, 2011 11:40 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** Detainer Guidance Field Distro

For review. [REDACTED] (b)(5) Should I?

b5

Pages 40 through 44 redacted for the following reasons:

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b5  
b5, b6 & 7c

b6 & 7c

**From:** [REDACTED]  
**Sent:** Tuesday, January 08, 2013 4:17 PM  
**To:** [REDACTED]  
**Subject:** FW: Detainer Policy  
**Attachments:** Detainer Policy 12 21 12.pdf

**From:** [REDACTED]  
**Sent:** Monday, January 07, 2013 4:01 PM  
**To:** [REDACTED]  
**Subject:** FW: Detainer Policy

---

**From:** [REDACTED]  
**Sent:** Monday, January 07, 2013 3:50 PM  
**To:** [REDACTED]  
**Subject:** FW: Detainer Policy

As requested.

---

**From:** HQERO, FUGOPS  
**Sent:** Thursday, December 27, 2012 1:04 PM  
**To:** [REDACTED]  
**Subject:** FW:

---

**From:** [REDACTED]  
**Sent:** Thursday, December 27, 2012 1:03:46 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** HQERO, FUGOPS  
**Subject:**

b6 & 7c

National Fugitive Operations Program  
U.S. Immigration & Customs Enforcement  
202-732-5940 [REDACTED]

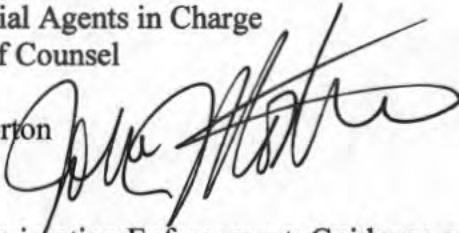




U.S. Immigration  
and Customs  
Enforcement

DEC 21 2012

MEMORANDUM FOR: All Field Office Directors  
All Special Agents in Charge  
All Chief Counsel

FROM: John Morton  
Director 

SUBJECT: Civil Immigration Enforcement: Guidance on the Use of Detainers  
in the Federal, State, Local, and Tribal Criminal Justice Systems

Purpose

This memorandum provides guidance on the use of U.S. Immigration and Customs Enforcement (ICE) detainers in the federal, state, local, and tribal criminal justice systems. This guidance applies to all uses of ICE detainers regardless of whether the contemplated use arises out of the Criminal Alien Program, Secure Communities, a 287(g) agreement, or any other ICE enforcement effort. This guidance does not govern the use of detainers by U.S. Customs and Border Protection (CBP). This guidance replaces Sections 4.2 and 4.5 of the August 2010 *Interim Guidance on Detainers* (Policy Number 10074.1) and otherwise supplements the remaining sections of that same guidance.

Background

In the memorandum entitled *Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens*, issued in June 2010,<sup>1</sup> ICE set forth clear priorities that guide its civil immigration enforcement. These priorities ensure that ICE's finite enforcement resources are dedicated, to the greatest extent possible, to individuals whose removal promotes public safety, national security, border security, and the integrity of the immigration system.

As ICE's implementation of these priorities continues, it is of critical importance that ICE remain focused on ensuring that the priorities are uniformly, transparently, and effectively pursued. To that end, ICE issues the following guidance governing the use of detainers in the nation's criminal justice system at the federal, state, local, and tribal levels. This guidance will ensure that the agency's use of detainers in the criminal justice system uniformly applies the

<sup>1</sup> As amended and updated by the memorandum of the same title issued March 2, 2011.

principles set forth in the June 2010 memorandum and is consistent with the agency's enforcement priorities.

### National Detainer Guidance

Consistent with ICE's civil enforcement priorities and absent extraordinary circumstances, ICE agents and officers should issue a detainer in the federal, state, local, or tribal criminal justice systems against an individual only where (1) they have reason to believe the individual is an alien subject to removal from the United States and (2) one or more of the following conditions apply:

- the individual has a prior felony conviction or has been charged with a felony offense;
- the individual has three or more prior misdemeanor convictions;<sup>2</sup>
- the individual has a prior misdemeanor conviction or has been charged with a misdemeanor offense if the misdemeanor conviction or pending charge involves—
  - violence, threats, or assault;
  - sexual abuse or exploitation;
  - driving under the influence of alcohol or a controlled substance;
  - unlawful flight from the scene of an accident;
  - unlawful possession or use of a firearm or other deadly weapon;
  - the distribution or trafficking of a controlled substance; or
  - other significant threat to public safety;<sup>3</sup>
- the individual has been convicted of illegal entry pursuant to 8 U.S.C. § 1325;
- the individual has illegally re-entered the country after a previous removal or return;
- the individual has an outstanding order of removal;
- the individual has been found by an immigration officer or an immigration judge to have knowingly committed immigration fraud; or
- the individual otherwise poses a significant risk to national security, border security, or public safety.<sup>4</sup>

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<sup>2</sup> Given limited enforcement resources, three or more convictions for minor traffic misdemeanors or other relatively minor misdemeanors alone should not trigger a detainer unless the convictions reflect a clear and continuing danger to others or disregard for the law.

<sup>3</sup> A significant threat to public safety is one which poses a significant risk of harm or injury to a person or property.

<sup>4</sup> For example, the individual is a suspected terrorist, a known gang member, or the subject of an outstanding felony arrest warrant; or the detainer is issued in furtherance of an ongoing felony criminal or national security investigation.



### Revised Detainer Form

To ensure consistent application of this guidance, ICE will revise the DHS detainer form, Form I-247. The revised detainer form, which should be used in all cases once it is issued, will specifically list the grounds above and require the issuing officer or agent to identify those that apply so that the receiving agency and alien will know the specific basis for the detainer. The changes to the form will make it easy for officers and agents to document the immigration enforcement priorities and prosecutorial discretion analysis they have completed leading to the issuance of the detainer.

### Prosecutorial Discretion

This guidance identifies those removable aliens in the federal, state, local, and tribal criminal justice systems for whom a detainer may be considered. It does not require a detainer in each case, and all ICE officers, agents, and attorneys should continue to evaluate the merits of each case based on the June 2011 memorandum entitled *Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens* and other applicable agency policies.

### Six-Month Review

ICE Field Office Directors, Chief Counsel, and Special Agents in Charge should closely evaluate the implementation and effect of this guidance in their respective jurisdictions for a period of six months from the date of this memorandum. Based on the results of this evaluation, ICE will consider whether modifications, if any, are needed.

### Disclaimer

This guidance does not create or confer any right or benefit on any person or party, public or private. Nothing in this guidance should be construed to limit ICE's power to apprehend, charge, detain, administratively prosecute, or remove any alien unlawfully in the United States or to limit the legal authority of ICE or its personnel to enforce federal immigration law. Similarly, this guidance, which may be modified, superseded, or rescinded at any time, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

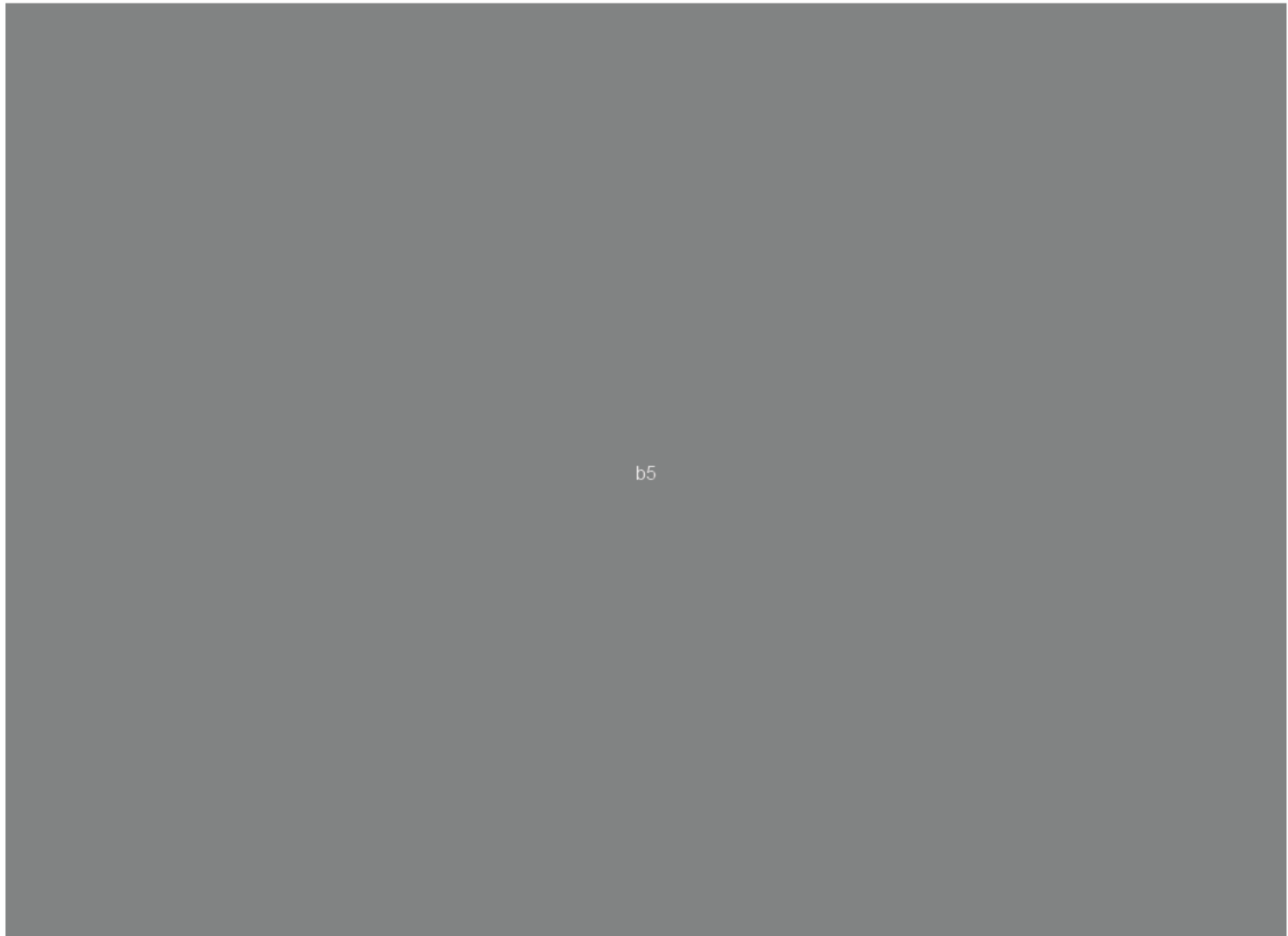
This guidance does not cover or control those detainers issued by officers and agents of CBP. Detainers issued by CBP officers and agents shall remain governed by existing CBP policy, and nothing in this guidance is intended to limit CBP's power to apprehend, charge, detain, or remove any alien unlawfully in the United States.

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, January 09, 2013 3:12 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer policy  
**Attachments:** Detainer Policy 12 21 12.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This is what everyone was talking about. We requested the FOD to talk to Gary Mead on the following issues:



b5

Thanks,

[REDACTED] (b)(6), (b)(7)(C)

Assistant Field Office Director (AFOD)  
Criminal Alien Program

Washington Field Office

703-285 [redacted] esk)

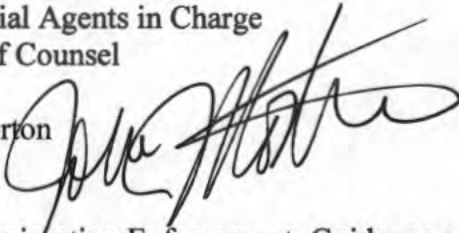
202-200 [redacted] ell)



U.S. Immigration  
and Customs  
Enforcement

DEC 21 2012

MEMORANDUM FOR: All Field Office Directors  
All Special Agents in Charge  
All Chief Counsel

FROM: John Morton  
Director 

SUBJECT: Civil Immigration Enforcement: Guidance on the Use of Detainers  
in the Federal, State, Local, and Tribal Criminal Justice Systems

Purpose

This memorandum provides guidance on the use of U.S. Immigration and Customs Enforcement (ICE) detainers in the federal, state, local, and tribal criminal justice systems. This guidance applies to all uses of ICE detainers regardless of whether the contemplated use arises out of the Criminal Alien Program, Secure Communities, a 287(g) agreement, or any other ICE enforcement effort. This guidance does not govern the use of detainers by U.S. Customs and Border Protection (CBP). This guidance replaces Sections 4.2 and 4.5 of the August 2010 *Interim Guidance on Detainers* (Policy Number 10074.1) and otherwise supplements the remaining sections of that same guidance.

Background

In the memorandum entitled *Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens*, issued in June 2010,<sup>1</sup> ICE set forth clear priorities that guide its civil immigration enforcement. These priorities ensure that ICE's finite enforcement resources are dedicated, to the greatest extent possible, to individuals whose removal promotes public safety, national security, border security, and the integrity of the immigration system.

As ICE's implementation of these priorities continues, it is of critical importance that ICE remain focused on ensuring that the priorities are uniformly, transparently, and effectively pursued. To that end, ICE issues the following guidance governing the use of detainers in the nation's criminal justice system at the federal, state, local, and tribal levels. This guidance will ensure that the agency's use of detainers in the criminal justice system uniformly applies the

<sup>1</sup> As amended and updated by the memorandum of the same title issued March 2, 2011.



principles set forth in the June 2010 memorandum and is consistent with the agency's enforcement priorities.

### National Detainer Guidance

Consistent with ICE's civil enforcement priorities and absent extraordinary circumstances, ICE agents and officers should issue a detainer in the federal, state, local, or tribal criminal justice systems against an individual only where (1) they have reason to believe the individual is an alien subject to removal from the United States and (2) one or more of the following conditions apply:

- the individual has a prior felony conviction or has been charged with a felony offense;
- the individual has three or more prior misdemeanor convictions;<sup>2</sup>
- the individual has a prior misdemeanor conviction or has been charged with a misdemeanor offense if the misdemeanor conviction or pending charge involves—
  - violence, threats, or assault;
  - sexual abuse or exploitation;
  - driving under the influence of alcohol or a controlled substance;
  - unlawful flight from the scene of an accident;
  - unlawful possession or use of a firearm or other deadly weapon;
  - the distribution or trafficking of a controlled substance; or
  - other significant threat to public safety;<sup>3</sup>
- the individual has been convicted of illegal entry pursuant to 8 U.S.C. § 1325;
- the individual has illegally re-entered the country after a previous removal or return;
- the individual has an outstanding order of removal;
- the individual has been found by an immigration officer or an immigration judge to have knowingly committed immigration fraud; or
- the individual otherwise poses a significant risk to national security, border security, or public safety.<sup>4</sup>

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<sup>2</sup> Given limited enforcement resources, three or more convictions for minor traffic misdemeanors or other relatively minor misdemeanors alone should not trigger a detainer unless the convictions reflect a clear and continuing danger to others or disregard for the law.

<sup>3</sup> A significant threat to public safety is one which poses a significant risk of harm or injury to a person or property.

<sup>4</sup> For example, the individual is a suspected terrorist, a known gang member, or the subject of an outstanding felony arrest warrant; or the detainer is issued in furtherance of an ongoing felony criminal or national security investigation.

### Revised Detainer Form

To ensure consistent application of this guidance, ICE will revise the DHS detainer form, Form I-247. The revised detainer form, which should be used in all cases once it is issued, will specifically list the grounds above and require the issuing officer or agent to identify those that apply so that the receiving agency and alien will know the specific basis for the detainer. The changes to the form will make it easy for officers and agents to document the immigration enforcement priorities and prosecutorial discretion analysis they have completed leading to the issuance of the detainer.

### Prosecutorial Discretion

This guidance identifies those removable aliens in the federal, state, local, and tribal criminal justice systems for whom a detainer may be considered. It does not require a detainer in each case, and all ICE officers, agents, and attorneys should continue to evaluate the merits of each case based on the June 2011 memorandum entitled *Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens* and other applicable agency policies.

### Six-Month Review

ICE Field Office Directors, Chief Counsel, and Special Agents in Charge should closely evaluate the implementation and effect of this guidance in their respective jurisdictions for a period of six months from the date of this memorandum. Based on the results of this evaluation, ICE will consider whether modifications, if any, are needed.

### Disclaimer

This guidance does not create or confer any right or benefit on any person or party, public or private. Nothing in this guidance should be construed to limit ICE's power to apprehend, charge, detain, administratively prosecute, or remove any alien unlawfully in the United States or to limit the legal authority of ICE or its personnel to enforce federal immigration law. Similarly, this guidance, which may be modified, superseded, or rescinded at any time, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

This guidance does not cover or control those detainers issued by officers and agents of CBP. Detainers issued by CBP officers and agents shall remain governed by existing CBP policy, and nothing in this guidance is intended to limit CBP's power to apprehend, charge, detain, or remove any alien unlawfully in the United States.



b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, November 14, 2011 4:28 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Q&A  
**Attachments:** Detainer Form Q As PAC -(DRLS).doc; Draft detainerTPs v2 -(DRLS).doc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Due as soon as humanly possible tomorrow. Please take the procedural memo and blend it into a Q&A format.

Thanks,

[REDACTED] b6 & 7c

HQ Staff Deportation and Detention Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-732 [REDACTED] esk)  
202-200 [REDACTED] b6 & 7c ell)

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, November 14, 2011 1:44 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** Detainer Q&A

These are the drafts . All I could get.

**Thank you,**

[REDACTED] b6 & 7c

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

Pages 55 through 59 redacted for the following reasons:

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b5

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, May 29, 2013 10:47 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Completed

b6 & 7c

I'm so fed up with this development team. At the moment I'm at the doctor with my son, he is sick.

I would send an email with flames coming out of it if I was at my desk right now.

b6 & 7c

I sent them exactly what we discussed on Friday regarding the detainer. Responses one and two from them is unbelievable to me.

b6 & 7c

-----Original Message-----

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, May 29, 2013 10:24 AM Eastern Standard Time  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

Hi [REDACTED] b6 & 7c

When you get a few minutes, can we discuss this?

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, May 24, 2013 1:37 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

[REDACTED] b6 & 7c

These are the notes they have on how to proceed. Let me know what you think:

[REDACTED] b5

b5

**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, May 24, 2013 1:25 PM  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

[REDACTED] b6 & 7c

We have documented our questions in JIRA, so we have record of this email thread...

Thanks.

-----Original Message-----

**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, May 24, 2013 12:43 PM Eastern Standard Time  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

[REDACTED] b6 & 7c, b5

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**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, May 24, 2013 11:10 AM  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

[REDACTED] b6 & 7c

[REDACTED] b6 & 7c, b5

b6 & 7c

WTS, Inc. | EAGLE Development  
Office of the Chief Information Officer  
U.S. Immigration and Customs Enforcement  
Department of Homeland Security  
Tel: 202.800. [b6 & 7c]  
Ema [b6 & 7c]

---

**From:** [b6 & 7c]  
**Sent:** Friday, May 24, 2013 10:25 AM  
**To:** [b6 & 7c]  
**Cc:** [b6 & 7c]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

[b6 & 7c]

---

**From:** [b6 & 7c]  
**Sent:** Friday, May 24, 2013 10:15 AM  
**To:** [b6 & 7c]  
**Cc:** [b6 & 7c]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

So can you update the JIRA item to reflect this? And just to be crystal clear, list the fields in the JIRA issue.

-----Original Message-----

**Fro** [b6 & 7c]  
**Sent:** Friday, May 24, 2013 09:47 AM Eastern Standard Time  
**To:** [b6 & 7c]  
**Cc:** [b6 & 7c]  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

[b6 & 7c]

Sorry for the confusion. After further discussion, this is what was agreed upon.

**Fro** [b6 & 7c]  
**Sent:** Friday, May 24, 2013 9:44 AM  
**To:** [b6 & 7c]  
**Cc:** [b6 & 7c]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

[b6 & 7c]

-----Original Message-----

**From:** [REDACTED] b6 & 7c  
[REDACTED] 8:53 AM Eastern Standard Time  
[REDACTED] b6 & 7c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

b6 & 7c

[REDACTED]  
b5

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**From:** [REDACTED] b6 & 7c  
**Sent:** Thursday, May 23, 2013 10:45 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

Please see the list below, and update JIRA with any removals/additions to the list.

Thanks.

[REDACTED] b6 & 7c

WTS, Inc. | EAGLE Development  
Office of the Chief Information Officer  
U.S. Immigration and Customs Enforcement  
Department of Homeland Security  
**Tel:** 202.800 [REDACTED] b6 & 7c  
**Email:** [REDACTED] b6 & 7c

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Thursday, May 23, 2013 10:22 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

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**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 15, 2013 11:14 AM  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** Re: Detainer Streamline screen shot (EAGLE-432)

Once we get it in to Eagle ill go out to WAS and test it with Secure communities and see if anything is missing.

[REDACTED] b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 15, 2013 11:11 AM Eastern Standard Time  
**To:** [REDACTED]  
**Cc:** [REDACTED] b6 & 7c

**Subject:** Re: Detainer Streamline screen shot (EAGLE-432)

Detainer and processing an alien should have that same list of checks, all the main / basic checks as indicated below.

b6 & 7c

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**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 15, 2013 11:08 AM Eastern Standard Time  
**To:** [REDACTED]  
**Cc:** [REDACTED] b6 & 7c  
**Subject:** Re: Detainer Streamline screen shot (EAGLE-432)

Also "Detainer information holding facility"

b6 & 7c

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 15, 2013 11:02 AM Eastern Standard Time  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Sorry, I missed one field in my list Landmark. Now added to the list as number 11 (see below).

b6 & 7c

WTS | Software Developer, EAGLE  
Office of the Chief Information Officer  
U.S. Immigrations & Customs Enforcement  
Office: 202-800-[REDACTED] b6 & 7c  
Cell: 703-36-[REDACTED] b6 & 7c

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** [REDACTED]  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Here are the subset of fields you'll see from the Subject Booking Screen I've got for the Detainer Streamline. The Detainer Panel (from the Forms screen) has remain unchanged.

Please let me know if anything has been left off, or needs to be added.

b5. 7e

b5 & 7e



(b) (5)

Pages 67 through 69 redacted for the following reasons:

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b5 & 7e

b6 & 7c

WTS | Software Developer, EAGLE  
Office of the Chief Information Officer  
U.S. Immigrations & Customs Enforcement  
Office: 2  
Cell: 703

b6 & 7c

b6 & 7c

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**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 15, 2013 10:03 AM

**T** [REDACTED] b6 & 7c  
**C**

**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

b6 & 7c

Do you think you can put together a list that shows everything you are going to do based on [REDACTED] b6 & 7c request?

b6 & 7c

WTS, Inc. | EAGLE Development  
Office of the Chief Information Officer  
U.S. Immigration and Customs Enforcement  
Department of Homeland Security  
**Tel** [REDACTED]  
**Em** [REDACTED] b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 15, 2013 8:34 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

b6 & 7c

Do you think we can throw a list together?

Thanks,

b6 & 7c

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**From** [REDACTED] b6 & 7c  
**Sent:** Friday, April 12, 2013 4:18 PM  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED]  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

b6 & 7c

Can you provide a list of what conclusion you all came to in order to minimize confusion and so that I can get OCIO an official approval to proceed? I'm hesitant to just forward the email stream to CAP and [REDACTED] b(6), (b)(7) because I'm concerned it may cause more confusion than help. Please let me know if there is anything you need from me.

Thanks,

(b)(6), (b)(7)c

**From:** (b)(6), (b)(7)c  
**Se**  
**To:** (b)(6), (b)(7)c  
**Cc:**  
**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

Sorry, for leaving you guys out of the loop here, but please see the email trace we have been having with (b)(6), (b)(7)c

Can we confirm that we have agreement on these additions?

(b)(6), (b)(7)c

WTS, Inc. | EAGLE Development  
Office of the Chief Information Officer  
U.S. Immigration and Customs Enforcement  
Department of Homeland Security  
**Tel:** 20  
**Email:** (b)(6), (b)(7)c

**From:** (b)(6), (b)(7)c  
**Sent:** Friday, April 12, 2013 4:06 PM  
**To:** (b)(6), (b)(7)c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

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**From:** (b)(6), (b)(7)c  
**Sent:** Friday, April 12, 2013 2:31 PM  
**To:** (b)(6), (b)(7)c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

A few more questions. The following fields are required and we can't submit to EID without these values

(b)(5), (b)(7)e

Page 72 redacted for the following reason:  
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**From** (b)(6), (b)(7)c  
**Sent:** Wednesday, April 10, 2013 11:52 AM  
(b)(6), (b)(7)c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

I would say this looks like a fairly comprehensive basic list of the minimum you would do.

(b)(5), (b)(7)e

(b)(6), (b)(7)c

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To report suspicious activity, visit [www.ice.gov/tips](http://www.ice.gov/tips) or call (866) 347-2423

**From** (b)(6), (b)(7)c  
**Sent:** Wednesday, April 10, 2013 11:17 AM  
**To** (b)(6), (b)(7)c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

(b)(5), (b)(7)e, (b)(6), (b)(7)c

Office: 202-8 (b)(6), (b)(7)

(b)(6), (b)(7)c

---

**From:** (b)(6), (b)(7)c

**Sent:** Monday, April 08, 2013 2:55 PM

**To:** (b)(6), (b)(7)c

**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Hello again,

Yes (b)(7)e is just the name of the system when accessed by an external agency. It's (b)(7)e should be a value, we use it on almost every encounter (b)(7)e

Please let me know if I can be of any further assistance,

(b)(6), (b)(7)c

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To report suspicious activity, visit [www.ice.gov/tips](http://www.ice.gov/tips) or call (866) 347-2423

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**From:** (b)(6), (b)(7)(C)

**Sent:** Monday, April 08, 2013 2:47 PM

**To:** (b)(6), (b)(7)(C)

**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Thanks for the quick response David.

I did not see (b)(7)e as a current value in th (b)(7)e What does it stand for? I do see a (b)(7)e which is (b)(7)e

Is that what you meant?

I also do not see (b)(7)e

As for the other values you mentioned in the screen shot

Pages 75 through 76 redacted for the following reasons:

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(b)(5), (b)(7)e





Page 78 redacted for the following reason:

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(b)(5), (b)(7)e

(b)(6), (b)(7)c

WTS | Software Developer, EAGLE  
Office of the Chief Information Officer  
U.S. Immigrations & Customs Enforcement  
Office: 202-8 [REDACTED]  
Cell: 703-36 [REDACTED]

(b)(6), (b)(7)c

---

**Fro** [REDACTED] (b)(6), (b)(7)c  
**Sent:** Monday, April 08, 2013 2:31 PM  
**To** [REDACTED] (b)(6), (b)(7)c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Good afternoon,

Please see below:

[REDACTED]

(b)(5), (b)(7)e

Thank you,

[REDACTED] (b)(6), (b)(7)c

**Fro** [REDACTED] (b)(6), (b)(7)c  
**Sent:** Monday, April 08, 2013 2:22 PM  
**To** [REDACTED] (b)(6), (b)(7)c  
**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Could we have the list of all the system checks that we should have please

[REDACTED] (b)(7)e

I'd like to document all this i [REDACTED] (b)(7)e o nothing gets left off accidentally.

[REDACTED] (b)(6), (b)(7)c

WTS | Software Developer, EAGLE  
Office of the Chief Information Officer

U.S. Immigrations & Customs Enforcement

Office: 202 [REDACTED]

Cell: 703-3 [REDACTED] (b)(6), (b)(7)c

[REDACTED] (b)(6), (b)(7)c

**From:** [REDACTED] (b)(6), (b)(7)c

**Sent:** Monday, April 08, 2013 2:08 PM

**To:** [REDACTED] (b)(6), (b)(7)c

**Subject:** FW: Detainer Streamline screen shot (EAGLE-432)

[REDACTED] (b)(6), (b)(7)c

WTS, Inc. | EAGLE Development  
Office of the Chief Information Officer  
U.S. Immigration and Customs Enforcement  
Department of Homeland Security

Tel: 202.80 [REDACTED] (b)(6), (b)(7)c

[REDACTED] (b)(6), (b)(7)c

---

**From** [REDACTED] (b)(6), (b)(7)(C)

**Sent:** Monday, April 08, 2013 2:07 PM

**To:** [REDACTED] (b)(6), (b)(7)(C)

[REDACTED] (b)(6), (b)(7)(C)

**Cc** [REDACTED] (b)(6), (b)(7)(C)

**Subject:** RE: Detainer Streamline screen shot (EAGLE-432)

Good afternoon,

Thank you for the information. We need, site, Landmark and detainer information holding facility so we can add the jail name etc in where the detainer is being placed. For the detainer it should default with Inmate number, Query ID (interoperability), SID, FBI Number, A Number; It should have the basic numbers required when placing a detainer plus the check boxes. Plus the system checks should be added in as well, we will always do the basic checks: [REDACTED] (b)(7)e

[REDACTED] (b)(7)e

[REDACTED] (b)(6), (b)(7)(C)

Page 81 redacted for the following reason:

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(b)(5), (b)(7)e

(b)(5), (b)(7)e

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**From** (b)(6), (b)(7)(C)

**Sent:** Monday, April 08, 2013 10:41 AM

**To:**

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

**Cc:**

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

**Subject:** Detainer Streamline screen shot (EAGLE-432)

Team,

(b)(5), (b)(7)e

Thank you in advance for all of your help.

Page 84 redacted for the following reason:

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(b)(5), (b)(7)e





Page 86 redacted for the following reason:

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(b)(5), (b)(7)e



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, July 03, 2012 9:35 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detainer Subject Ids

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Important

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

I just received the below subject ID's from our team. (b)(7)e  
(b)(7)e  
(b)(7)e . This may be a larger issue, but we have not yet looked into it. Please advise on how you would like us to proceed.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, July 03, 2012 9:09 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Detainer Subject Ids

Prepare Date	Program	Subject Id
01/05/12	Joint Criminal Alien Response Team	(b)(6), (b)(7)(C), (b)(7)(e)
01/11/12	Joint Criminal Alien Response Team	
02/15/12	Joint Criminal Alien Response Team	
02/26/12	Joint Criminal Alien Response Team	
03/20/12	Joint Criminal Alien Response Team	
03/23/12	Joint Criminal Alien Response Team	
03/24/12	Joint Criminal Alien Response Team	

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

**Statistician**  
DHS/ICE/ERO Law Enforcement Systems Division, Statistical Tracking Unit

**Desk:** 202-732- (b)(6), (b)(7)(C)  
**Cell:** 202-246 (b)(6), (b)(7)(C)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, July 06, 2012 6:28 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detainer Subject Ids

FYI

Thanks in advance!



## U.S. Immigration and Customs Enforcement

(b)(6), (b)(7)(C)  
Criminal Alien Program  
500 12th Street SW  
Washington, DC 20536  
Office: (202) 732- (b)(7)  
Mobile: (202) 503- (b)(7)  
Email: (b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, July 03, 2012 9:35 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detainer Subject Ids

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

I just received the below subject ID's from our team. (b)(7)e  
(b)(7)e  
(b)(7)e. This may be a larger issue, but we have not yet looked into it. Please advise on how you would like us to proceed.

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, July 03, 2012 9:09 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Detainer Subject Ids

Prepare Date	Program	Subject Id
01/05/12	Joint Criminal Alien Response Team	(b)(6), (b)(7)(C), (b)(7)e
01/11/12	Joint Criminal Alien Response Team	
02/15/12	Joint Criminal Alien Response Team	
02/26/12	Joint Criminal Alien Response Team	
03/20/12	Joint Criminal Alien Response Team	
03/23/12	Joint Criminal Alien Response Team	
03/24/12	Joint Criminal Alien Response Team	

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

Statistician

DHS/ICE/ERO Law Enforcement Systems Division, Statistical Tracking Unit

Desk: 202-732

Cell: 202-246 (b)(7)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, July 26, 2013 4:09 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Detainer Tasking

FYSA!

I am not sure of the impact on 287(g).

Thanks in advance!



## U.S. Immigration and Customs Enforcement

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

Section Chief - West  
Criminal Alien Program  
500 12th Street SW  
Washington, DC 20536  
Office: (202) 732- (b)(7)  
Mobile: (202) 50 (b)(7)  
Email: (b)(6), (b)(7)(C)

---

**From:** ERO Taskings  
**Sent:** Friday, July 26, 2013 3:58 PM  
**Subject:** Detainer Tasking

*The following message is being sent on behalf of (b)(6), (b)(7)(C) Assistant Director for Secure Communities and Enforcement, with the concurrence of (b)(6), (b)(7)(C), Assistant Director for Field Operations:*

**To:** Field Office Directors, Deputy Field Office Directors  
**Subject:** Six-Month Detainer Policy Review

On December 21, 2012, Director Morton issued a policy entitled Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems. This memorandum provided national guidance on the use of detainers to ensure uniform adherence to ICE's Civil Immigration Enforcement Priorities. The policy requires a six-month review of the implementation and effect of this guidance to determine whether modifications, if any, are needed.

To effect this review each Field Office must respond to the below questions:

1. What, if any, challenges in implementing the new guidance and form have you experienced?
2. Since the issuance of the December guidance, have you created any local policies, procedures, supplemental guidance or training regarding the issuance of detainers? If so, please send a copy of the guidance or training

materials with this response. Please also send any written guidance issued previously if it remains operative in your field office.

3. Does your office routinely conduct interviews prior to issuing a detainer?
  - A. If interviews are routinely conducted, how are they completed, i.e., telephonically, in person, etc.?
  - B. If interviews are not routinely conducted prior to issuing a detainer, what impediments prevent your offices from doing so?
  - C. If interviews are not routinely conducted prior to issuing a detainer, when are they conducted?

Please submit your responses by July 31, 2013, to the CAP HQ mailbox at (b)(7)e

Questions regarding this message may be directed to your [CAP](#) point of contact.

~~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.~~



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, July 26, 2013 4:01 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detainer Tasking

All the field answers will need to be consolidated and an ES created. It will be due for review by 8/2 at 10 am. Any FODs not responding to the task should be forwarded to me by the afternoon of 8/1.

Thanks,

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

---

**From:** ERO Taskings  
**Sent:** Friday, July 26, 2013 3:58 PM  
**Subject:** Detainer Tasking

*The following message is being sent on behalf of (b)(6), (b)(7)(C) Assistant Director for Secure Communities and Enforcement, with the concurrence of (b)(6), (b)(7)(C) Assistant Director for Field Operations:*

**To:** Field Office Directors, Deputy Field Office Directors  
**Subject:** Six-Month Detainer Policy Review

On December 21, 2012, Director Morton issued a policy entitled Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems. This memorandum provided national guidance on the use of detainers to ensure uniform adherence to ICE's Civil Immigration Enforcement Priorities. The policy requires a six-month review of the implementation and effect of this guidance to determine whether modifications, if any, are needed.

To effect this review each Field Office must respond to the below questions:

1. What, if any, challenges in implementing the new guidance and form have you experienced?
2. Since the issuance of the December guidance, have you created any local policies, procedures, supplemental guidance or training regarding the issuance of detainers? If so, please send a copy of the guidance or training materials with this response. Please also send any written guidance issued previously if it remains operative in your field office.
3. Does your office routinely conduct interviews prior to issuing a detainer?
  - A. If interviews are routinely conducted, how are they completed, i.e., telephonically, in person, etc.?
  - B. If interviews are not routinely conducted prior to issuing a detainer, what impediments prevent your offices from doing so?
  - C. If interviews are not routinely conducted prior to issuing a detainer, when are they conducted?

Please submit your responses by July 31, 2013, to the CAP HQ mailbox at

(b)(7)e

Questions regarding this message may be directed to your [CAP](#) point of contact.

~~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.~~

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, November 07, 2011 3:39 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Fw: Detainer

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Current charge is transport of meth. Federal charges and she is with USMS in AZ.

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

----- Original Message -----

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, November 07, 2011 02:34 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Detainer

Can you do a check and send me a detainer asap:

(b)(6), (b)(7)(C) OB (b)(6), (b)(7)(C) FBI (b)(6), (b)(7)(C), (b)

She admits to being illegal. And it will be a good test to watch the encounter policy

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, September 19, 2012 3:36 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detainers  
**Attachments:** Copy of FY2012 Active Detainers\_09192012.xlsx  
**Importance:** High

Thanks,

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

---

**From:** Rapp, Marc A  
**Sent:** Wednesday, September 19, 2012 3:22 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** Homan, Thomas  
**Subject:** Detainers  
**Importance:** High

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

At the request of CAP, STU did a run on active detainers in ENFORCE that have a processing disposition of "Foreign Born USC" STU went further to identify active detainers that contained a POB or COC of United States. The results are attached. Can you call me to discuss this further.

Thanks

*Marc Rapp*

U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations

(o) 202-732- (b)(7) (m) 202-553- (b)(7)

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

## FY2012 Active Detainers with Processing Disposition of Foreign

FY2012 data as of 9/15/2012 (IIDS run date as of 9/17/2012; EID as of 9/15/2012)

Aor	Site
Boston Area of Responsibility	BOSTON, MA, DOCKET CONTROL OFFICE
Chicago Area of Responsibility	CHICAGO, IL, DOCKET CONTROL OFFICE
Dallas Area of Responsibility	DALLAS, TX, DOCKET CONTROL OFFICE
Dallas Area of Responsibility	DALLAS, TX, DOCKET CONTROL OFFICE
Dallas Area of Responsibility	DALLAS, TX, DOCKET CONTROL OFFICE
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Houston Area of Responsibility	DRO - Huntsville, TX IRP Sub-Office
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
Phoenix Area of Responsibility	PHOENIX, AZ, DOCKET CONTROL OFFICE
San Antonio Area of Responsibility	DRO - Laredo, TX Detention Center
San Diego Area of Responsibility	SAN DIEGO, CA, DOCKET CONTROL OFFICE
Seattle Area of Responsibility	PORTLAND, OR, DOCKET CONTROL OFFICE
Washington Area of Responsibility	WASHINGTON, DC, Docket Control Office

## gn-Born US Citizen

Citizenship	Alien File Number EID	Alien File Number ENC	Subject Id
UNITED KINGDOM			
MEXICO			
UNITED STATES			
MEXICO			
MEXICO			
UNITED STATES			
UNKNOWN			
UNITED STATES			
MEXICO			
UNKNOWN			
UNKNOWN			
UNKNOWN			
UNKNOWN			
UNITED STATES			(b)(6), (b)(7)(C)
UNITED STATES			
UNITED STATES			
GERMANY			
UNITED STATES			
UNITED STATES			
UNITED STATES			
GERMANY			
UNITED STATES			
MEXICO			
UNKNOWN			
HONDURAS			
SOUTH KOREA			

Subject Name	Active Yes No	Processing Disposition	Event Number
(b)(6), (b)(7)(C)	YES	Foreign Born USC	(b)(7)e
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	
	YES	Foreign Born USC	

<b>Prepare Date</b>	<b>Detention Location</b>	<b>Detention Location Name</b>	<b>Alert</b>
4/4/2012	WORCEMD	WORCESTER CO. JAIL	(b)(7)e
8/29/2012	ILPICKN	PICKNEYVILLE CORRECTIONAL CENT	
6/30/2012	DENTOTX	DENTON COUNTY JAIL	
6/14/2012	FTWHTX	FT WORTH POLICE DEPT.	
6/8/2012	BOPCRW	CARSWELL FED.MED.CTR	
4/27/2012	TXHUNTS	HUNTSVILLE STATE P.	
6/19/2012	TXHUNTS	HUNTSVILLE STATE P.	
3/8/2012	TXDCWOM	TDC/WOMENS	
1/12/2012	TXHUNTS	HUNTSVILLE STATE P.	
10/5/2011	TXHOLLI	HOLLIDAY TRANSFER UNIT	
6/15/2012	TXHUNTS	HUNTSVILLE STATE P.	
6/7/2012	TXHUNTS	HUNTSVILLE STATE P.	
3/28/2012	TXHUNTS	HUNTSVILLE STATE P.	
5/2/2012	AZSPPER	PERRYVILLE STATE PRISON	
12/5/2011	AZSPALH	ASPC ALHAMBRA	
8/30/2012	AZSPALH	ASPC ALHAMBRA	
11/23/2011	AZSPALH	ASPC ALHAMBRA	
8/10/2012	AZSPALH	ASPC ALHAMBRA	
12/7/2011	AZSPALH	ASPC ALHAMBRA	
2/3/2012	AZSPALH	ASPC ALHAMBRA	
12/27/2011	MCFAJAZ	MARICOPA COUNTY JAIL	
5/23/2012	AZSPALH	ASPC ALHAMBRA	
11/26/2011	WEBCOTX	WEBB COUNTY JAIL	
12/16/2011	CACFDON	RJ DONOVAN CORREC FAC	
12/13/2011	ORSPSAL	OREGON STATE PEN SALEM	
8/17/2012	PWILLVA	PRINCE WILLIAM	



Operation	Program	Officer Name
	ERO Criminal Alien Program	(b)(6), (b)(7)(C)
	ERO Criminal Alien Program	
Secure Community	ERO Criminal Alien Program	
Secure Community	ERO Criminal Alien Program	
	ERO Criminal Alien Program	
	ERO Criminal Alien Program	
	ERO Criminal Alien Program	
Secure Community	ERO Criminal Alien Program	
CAP SURGE	ERO Criminal Alien Program	
Secure Community	ERO Criminal Alien Program	
	ERO Criminal Alien Program	
Secure Community	ERO Criminal Alien Program	
Secure Community	ERO Criminal Alien Program	
YT0-287(G)	287G Program	
YT0-287(G)	287G Program	
YT0-287(G)	287G Program	
YT0-287(G)	287G Program	
YT0-287(G)	287G Program	
YT0-287(G)	287G Program	
YT0-287(G)	287G Program	
ARIZONA OPERATI	ERO Criminal Alien Program	
YT0-287(G)	287G Program	
	ERO Criminal Alien Program	
	ERO Criminal Alien Program	
	ERO Criminal Alien Program	
YT0-287(G)	287G Program	



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, December 21, 2011 9:43 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Detainers

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

For your review.

(b)(6), (b)(7)(C)  
HQ Staff Deportation and Detention Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-732- (b)(7) desk)  
202-200- (b)(7) cell)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, December 21, 2011 9:38 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: Detainers  
**Importance:** High

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

This should be coordinated through the Criminal Alien Program (CAP). I've cced (b)(6), (b)(7)(C) from CAP.

Thanks,

(b)(6), (b)(7)(C)  
**Detention and Deportation Officer**  
**Case Management Unit**  
**Headquarters - Enforcement and Removal Operations**  
**U.S. Immigration and Customs Enforcement**  
**(202) 732- (b)(7) Work**  
**(202) 271- (b)(7) Cell**

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, December 19, 2011 4:08 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Detainers

Good Afternoon – I have two prisoner witness cases where BOP has requested a detainer. Previously, I prepared them and (b)(6), (b)(7) signed off on them but now I understand that the detainers should come from ERO. What information do you need in order to issue the documents?

Thanks

(b)(6), (b)(7)(C) Management and Program Analyst  
U.S. Immigration and Customs Enforcement  
Homeland Security Investigations  
Division 4 - Investigative Support  
(o) 202-732  
(m) 202-200 (b)(6), (b)(7)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, February 06, 2012 9:36 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Draft 287g SOP  
**Attachments:** Draft OPR IU SOP-clean - 02062012.v1.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

Please see the below email string. I am acting today for (b)(6), (b)(7)(C). We have a document that needs to be properly formatted for ERO Policy review and Mr. (b)(6), (b)(7)(C) suggested perhaps you could assist.

Thank you,

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, February 06, 2012 9:29 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Draft 287g SOP

Did this go to ERO Policy before it went to Mr. (b)(6), (b)(7)(C)? If not, we will need to format it for ERO Policy review. I am not the expert on proper formatting; Mr. (b)(6), (b)(7)(C) can reach out to (b)(6), (b)(7)(C) in CAP or someone else in 287(g) and see if they can help out. Thanks.

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

(A) Deputy Assistant Director  
Criminal Alien Division

202-732 (b)(6), (b)(7)(C) Office  
612-290 (b)(6), (b)(7)(C) Cell

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, February 06, 2012 9:22 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Draft 287g SOP

(b)(6), (b)(7)(C) -- as discussed -- here is the clean draft of the SOP. Please have someone in your 287g unit let me know whether ERO Policy has reviewed to make sure that the format is consistent with the standard format currently in use. If it is -- I will deal with (b)(6), (b)(7)(C) -- if not -- it needs to be formatted correctly and returned to me ASAP so we can get it to OPLA.

(b)(6), (b)(7)(C) wants a final version by COB this Friday.

Thanks!

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

Office of the Assistant Director for Enforcement  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
500 12th Street SW, Room 2003  
Washington, DC 20536  
(202) 732- [REDACTED], (b)(7)(G) / (202) 732- [REDACTED], (b)(7)(F)

Pages 107 through 112 redacted for the following reasons:

-----

(b)(5)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, October 16, 2012 4:08 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: EAD Mead TPs - NGO Meeting on 10/23 (287g and Detainers)  
**Attachments:** EAD Mead TPs NGO Meeting 10.23.12.docx

Comments and track changes added.

Thanks,

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

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, October 16, 2012 3:49 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** EAD Mead TPs - NGO Meeting on 10/23 (287g and Detainers)

**The below is due back to me by 12 noon, October 18, 2012.**

Please see respond to Topic 3, # 3.

Thank you

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

**Office of the Deputy Assistant Director  
Criminal Alien Division (CAD)  
500 - 12th Street SW  
Washington, DC 20536  
Office: (202) 732-  
Mobile: (202) 42-  
Email:**



---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, October 16, 2012 3:11 PM  
**To:** (b)(6), (b)(7)(C)



**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: EAD Mead TPs - NGO Meeting on 10/23 (287g and Detainers)

10-4. I believe (b)(6), (b)(7) asked out earlier this morning. Easy lift.

(b)(6), (b)(7)(C)  
*Deputy Assistant Director, Criminal Alien Division*  
*ICE/Office of Enforcement and Removal Operations*  
*Office: (202) 732 (b)(6), (b)(7)*  
*Cell: (202) 271 (b)(6), (b)(7)*

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, October 16, 2012 3:09 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FW: EAD Mead TPs - NGO Meeting on 10/23 (287g and Detainers)  
**Importance:** High

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

Please review the attached. Topic 1 is 287(g) and I know you want to include the preferred language and Topic 2 is mostly for CAP and relates to detainers. Not due to (b)(6), (b)(7) until 2p on Friday.

Thanks,

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

(b)(6), (b)(7)(C)  
*Assistant Director for Secure Communities and Enforcement*  
*ICE - Office of Enforcement & Removal Operations*  
*(202) 732 (b)(6), (b)(7)*

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, October 16, 2012 10:23 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** EAD Mead TPs - NGO Meeting on 10/23 (287g and Detainers)  
**Importance:** High

Field Ops/Enforcement/LESA:

Mr. Mead will be meeting his Enforcement Working Group of NGO stakeholders at 1:00 pm on Tuesday, Oct. 23<sup>rd</sup>, 2012. To prepare him for this meeting please see attached draft NGO questions with some suggested responses from the Public Advocate team. Please review and make any edits/comments to the provided responses and please provide additional information where indicated.

We would like to have these back **by Friday at 2pm**. I will also be sending an invite for the meeting to you so that you can also be there w/Mr. Mead should he need additional follow-up or assistance during the Q&A. Please let me know if you have any questions.

Thanks!

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

Public Advocate

Office of Enforcement and Removal Operations

U.S. Immigration and Customs Enforcement

202.732 (b)(6), (b)(7) Direct

202.431 (b)(6), (b)(7) Cell

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

Direct Email

[EROPublicAdvocate@ice.dhs.gov](mailto:EROPublicAdvocate@ice.dhs.gov) – Public Advocate Intake Email

Pages 116 through 124 redacted for the following reasons:

-----

(b)(5)

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

**From:**

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

**Sent:**

Friday, May 17, 2013 11:18 AM

**To:**

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

**Subject:**

**Attachments:**

(b)(7)e

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

**From:** ERO Taskings  
**Sent:** Friday, May 17, 2013 11:18 AM  
**Subject:**

(b)(7)e

*This message is being forwarded on behalf of Marc Rapp, Deputy Assistant Director for Law Enforcement Systems & Analysis, and approved by Philip T. Miller, Assistant Director for Field Operations:*

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

(b)(7)e

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.

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, May 02, 2013 11:38 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: ERO Encounters Policy

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Completed

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

Hope all is well. Can you please confirm the information below as per the ERO Encounter Policy?

Thank you

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, May 02, 2013 11:35 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: ERO Encounters Policy

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

I just wanted to confirm that per our discussion and per the ERO policy we referenced (ERO Policy Number: ERO 11152.1 Enforcement and Removal Encounters, signed by EAD Mead on July 29, 2011), we are to create only one encounter per enforcement action. Meaning, if we obtain a NTA/WA prior to the arrest of the alien, and then we go and arrest that alien, it is still the same encounter.

There should not be multiple encounters for the same enforcement action even among enforcement groups (i.e. – CAP, FUGOPS, etc.). So if CAP encounters an alien detained in state/local custody, and creates a NTA/WA. The alien is subsequently released so CAP then refers the case to FUGOPS because the alien is at-large, FUGOPS works off the CAP event with the signed NTA/WA. There is no reason or need to create an additional encounter because it is the same enforcement action.

In both situations above, there is no need or reason to create an additional encounter, because it would contain the exact same information and would be a duplicate.

Thanks again for your assistance!

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

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

**Immigration Enforcement Agent**  
U.S. Immigration & Customs Enforcement  
Enforcement & Removal Operations  
Buffalo Field Office

Fugitive Operations Team

(716) 84 [redacted] office)  
(716) 70 [redacted] Phone)

[redacted] e-mail)

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

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, April 23, 2013 8:40 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: ERO Policy 11152.01

ERO Policy 11152.01 calls for Field POCs to manage EARM cases created for aliens identified through the 287(g) program.

IRCM?

Thanks,

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



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, December 12, 2011 4:56 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: ERO Proposed High Level Performance Measures for FY12.docx  
**Attachments:** ERO Proposed High Level Performance Measures for FY12.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Thank you,

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

Criminal Alien Division  
Enforcement and Removal Operations  
202-732 (b)(6), (b)(7)(C)

-----Original Message-----

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, December 12, 2011 4:54 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: ERO Proposed High Level Performance Measures for FY12.docx

As an FYI - this is the copy Gary is seeing.....

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

Office of the Assistant Director for Enforcement and Removal Operations U.S. Immigration and Customs  
Enforcement 500 12th Street SW, Room 2003 Washington, DC 20536  
(202) 732 (b)(6), (b)(7)(C) / (202) 732-4566 (F)

-----Original Message-----

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, December 12, 2011 4:51 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** RE: ERO Proposed High Level Performance Measures for FY12.docx

See attached.

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

Special Assistant  
Executive Associate Director  
Office of Enforcement and Removal Operations  
(202) 732 (b)(6), (b)(7)(C) Office)  
(202) 359 (b)(6), (b)(7)(C) BB)

-----Original Message-----

From: (b)(6), (b)(7)(C)  
Sent: Monday, December 12, 2011 4:40 PM  
To: (b)(6), (b)(7)(C)  
Subject: RE: ERO Proposed High Level Performance Measures for FY12.docx

(b)(6), (b)(7)(C) just verifying the last copy received for version control - do you have? If not - I'll ping (b)(6), (b)(7)(C)

thanks

(b)(6), (b)(7)(C)  
Office of the Assistant Director for Enforcement Enforcement and Removal Operations U.S. Immigration and Customs Enforcement  
500 12th Street SW, Room 2003  
Washington, DC 20536  
(202) 732- (b)(6), (b)(7)(C) / (202) 732-4566 (F)

-----Original Message-----

From: (b)(6), (b)(7)(C)  
Sent: Monday, December 12, 2011 4:16 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: ERO Proposed High Level Performance Measures for FY12.docx

Thank you.

(b)(6), (b)(7)(C)  
Special Assistant  
Executive Associate Director  
Office of Enforcement and Removal Operations  
(202) 732- (b)(6), (b)(7)(C) Office)  
(202) 359- (b)(6), (b)(7)(C) BB)

-----Original Message-----

From: (b)(6), (b)(7)(C)  
Sent: Monday, December 12, 2011 4:15 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: Re: ERO Proposed High Level Performance Measures for FY12.docx

10-4. I sent it to them about 15 minutes ago with it due today.

(b)(6), (b)(7)(C)  
Assistant Director for Secure Communities and Enforcement ICE - Office of Enforcement & Removal Operations  
(202) 732- (b)(6), (b)(7)(C)

----- Original Message -----

From: (b)(6), (b)(7)(C)  
Sent: Monday, December 12, 2011 04:04 PM  
To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)  
Subject: FW: ERO Proposed High Level Performance Measures for FY12.docx

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

Per Mr. Mead's below message, please clarify the first bullet dealing with (b)(5) nts and the bullet dealing with (b)(5). Please provide a response as soon as you can. He needs to provide our read ahead to Director Morton's office first thing in the morning.

Thanks

(b)(6), (b)(7)(C)  
Special Assistant  
Executive Associate Director  
Office of Enforcement and Removal Operations  
(202) 732 (b)(7)(C) (Office)  
(202) 359 (b)(7)(C) (BB)

-----Original Message-----

From: Mead, Gary  
Sent: Monday, December 12, 2011 3:45 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: RE: ERO Proposed High Level Performance Measures for FY12.docx

Ask (b)(6), (b)(7)(C) to clarify the first bullet dealing with (b)(5) and the bullet dealing with (b)(5) (b)(5). As (b)(6), (b)(7)(C) to provide something (b)(5) I will look at it first thing in the AM and then pass it on.

-----Original Message-----

From: (b)(6), (b)(7)(C)  
Sent: Monday, December 12, 2011 7:59 AM  
To: Mead, Gary  
Cc: (b)(6), (b)(7)(C)  
Subject: FW: ERO Proposed High Level Performance Measures for FY12.docx  
Importance: High

Hi Mr. Mead,

Did you have a chance to review the attached? (b)(6), (b)(7)(C) is asking for our read ahead for the meeting on Wednesday.

Thanks

(b)(6), (b)(7)(C)  
Special Assistant  
Executive Associate Director  
Office of Enforcement and Removal Operations  
(202) 732 (b)(7)(C) (Office)  
(202) 359 (b)(7)(C) (BB)

-----Original Message-----

From: (b)(6), (b)(7)(C)  
Sent: Friday, December 09, 2011 12:56 PM

To: Mead, Gary

Cc: (b)(6), (b)(7)(C)

Subject: FW: ERO Proposed High Level Performance Measures for FY12.docx

Importance: High

Attached are the consolidated ERO Proposed High Level Performance Measures for FY12 provided by the ADs. Tom has reviewed and concur. Your meeting with Director Morton is Wednesday, December 14th, so we should get your read ahead to (b)(6), (b)(7) by Monday, December 12th.

Thanks

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

Special Assistant

Executive Associate Director

Office of Enforcement and Removal Operations

(202) 732- (Office)

(202) 359- (b)(6), (b)(7)(BB)

-----Original Message-----

From: (b)(6), (b)(7)(C)

Sent: Wednesday, December 07, 2011 3:33 PM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: ERO Proposed High Level Performance Measures for FY12.docx

Importance: High

H (b)(6), (b)(7)

Attached is the consolidated ADs responses for our Proposed High Level Performance Measures for FY12. Please review and edit as you see fit and have Tom review and concur. I'd like to get this document to Mr. Mead by Friday morning. Our read ahead is due to (b)(6), (b)(7) by COB Friday.

Thanks

Pages 134 through 137 redacted for the following reasons:

-----

(b)(5)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, December 12, 2011 2:04 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Completed

Am I able to provide assistance?

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

HQ Staff Deportation and Detention Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-732- (b)(6), (b)(7)(C) desk)  
202-200- (b)(6), (b)(7)(C) cell)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, December 12, 2011 2:03 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Re: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

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

Is this the final memo. Long story but I need to train the LESC this week so they are prepared to use the new detainer on December 15. If not, could you or (b)(6), (b)(7)(C) send me the final version.

(b)(6), (b)(7)(C) would you be able to help with the training for the LESC's IEAs?

Kind regards,

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

-----  
Sent using BlackBerry

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, December 09, 2011 09:49 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Fw: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

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

Deputy Field Office Director

Detroit ICE

Enforcement and Removal Operations

Desk

313-446 (b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, December 08, 2011 11:36 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

I changed a few things

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, December 08, 2011 9:22 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

A tasking or a memo? I believe that the tasking should be first prefacing a memo that will provide some procedural guidance.

**Thank you,**

(b)(6), (b)(7)(C)  
*Criminal Alien Division*  
*Enforcement and Removal Operations*  
202-732 (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), (b)(5)

Page 140 redacted for the following reason:

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(b)(6), (b)(7)(C), (b)(5)



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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, December 09, 2011 9:30 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** Fw: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses  
**Attachments:** ERO Victims of a crime Implementation Memo 07 08 11(Revised - ATS).doc  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, December 08, 2011 11:41 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

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

Work with policy to make this a quick turnaround memo. (b)(7) made a few changes.

A good POC is (b)(6), (b)(7)(C) The turnaround would have to be the 14<sup>th</sup> so we can push it through to be signed in a day or so using (b)(6), (b)(7)(C)

Thank you,

(b)(6), (b)(7)(C)  
*Criminal Alien Division  
Enforcement and Removal Operations  
202-732-(b)(7)*

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, December 08, 2011 11:37 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

I changed a few things

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, December 08, 2011 9:22 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: Field Distro for Detainer Guidance on responding to the LESC emails on victims/witnesses

A tasking or a memo? I believe that the tasking should be first prefacing a memo that will provide some procedural guidance.

Thank you,

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

Pages 142 through 154 redacted for the following reasons:

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(b)(5)

(b)(5), (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), (b)(5)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, June 21, 2013 12:18 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: FOD CLEARED: 4th Amendment Training Policy (Folder (b)(7)e)  
**Attachments:** (b)(7)e MEMORANDUM - 04 30 12 - Approval Request - Fourth Amendment Training Policy 04-27-12-FOD comments.doc; 4th Amendment directive-with comments from FOD.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

(b)(6), (b)(7)(C) – attached is the 4<sup>th</sup> amendment trng policy with edits/comments from both FOD and myself.

I don't think any are substantive – more grammatical in nature or internal processes.

I have the folder on my desk.

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

Chief of Staff  
Secure Communities and Enforcement Division  
Enforcement and Removal Operations  
500 12th Street SW, Washington, DC 20536  
(202) 732 (b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, June 21, 2013 10:57 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** FOD CLEARED: 4th Amendment Training Policy (Folder (b)(7)e)

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

FOD comments are attached –cleared by (b)(6), (b)(7) Let me know if the folder hasn't been returned to you. Thanks! - (b)(6), (b)(7)(C)

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

Secure Communities and Enforcement  
202.732 (b)(6), (b)(7)(C) | 202.607 (b)(6), (b)(7)(C) (BB)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, June 21, 2013 10:54 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: 4th Amendment Training Policy (Folder (b)(7)e)

FOD comments are attached. Please send it to (b)(6), (b)(7) Thanks!

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Friday, June 21, 2013 9:22 AM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: 4th Amendment Training Policy (Folder (b)(7)e)

Here you go!!

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

Secure Communities and Enforcement  
202.732 (b)(7) (C) | 202.607 (b)(7) (BB)

---

**From:** (b)(6), (b)(7)(C)

**Sent:** Thursday, June 20, 2013 4:26 PM

**To:** (b)(6), (b)(7)(C)

**Subject:** FW: 4th Amendment Training Policy (Folder (b)(7)e)

Here we go...

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

Unit Chief

National Fugitive Operations Program

U.S. Immigration & Customs Enforcement

202-732 (b)(7) desk); 202-696 (b)(7)(cell)

---

**From:** (b)(6), (b)(7)(C)

**Sent:** Wednesday, June 19, 2013 11:28 AM

**To:** (b)(6), (b)(7)(C)

**Subject:** FW: 4th Amendment Training Policy (Folder (b)(7)e)

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

National Fugitive Operations Program

NFOP CLEAR Administrator

U.S. Immigration and Customs Enforcement

Office of Enforcement & Removal Operations

Fugitive Operations Division

500 12 Street SW

Washington, D.C. 20536

W: 202-732(6) (b)(7)

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

---

**From:** (b)(6), (b)(7)(C)

**Sent:** Monday, June 17, 2013 4:03 PM

**To:** (b)(6), (b)(7)(C)

**Subject:** RE: 4th Amendment Training Policy (Folder (b)(7)e)

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

National Fugitive Operations Program

NFOP CLEAR Administrator

U.S. Immigration and Customs Enforcement

Office of Enforcement & Removal Operations

Fugitive Operations Division  
500 12 Street SW  
Washington, D.C. 20536  
W: 202-732- (b)(6), (b)(7)(C)  
email (b)(6), (b)(7)(C)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, June 17, 2013 3:54 PM  
**To:** (b)(6), (b)(7)(C)  
**Subject:** FW: 4th Amendment Training Policy (Folder (b)(7)e)

Here you go..... thanks ☺

(b)(6), (b)(7)(C)  
Detention and Deportation Officer  
National Fugitive Operations Program  
U.S. Immigration & Customs Enforcement  
500 12<sup>th</sup> Street SW  
Washington, DC 20536  
202-732- (b)(6), (b)(7) desk); 703 856 (b)(6), (b)(7)(cell)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, June 17, 2013 2:07 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: 4th Amendment Training Policy (Folder (b)(7)e)

Comment form attached. -LP

(b)(6), (b)(7)(C)  
Secure Communities and Enforcement  
202.732 (b)(6), (b)(7) O | 202.607 (b)(6), (b)(7)(BB)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Monday, June 17, 2013 1:48 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** 4th Amendment Training Policy (Folder (b)(7)e)

FOD,

My apologies for the resubmission, but (b)(6), (b)(7)(C) handed me the correspondence folder for above title and I want to ensure all documents are sent for you to review. Below is the link to the OESIM SP folder, if you would like to review the folder notes. (b)(6), (b)(7)(C) is asking that all comments and feedback are submitted **no later than COB Wednesday**. If you have questions, let me know. Thanks! (b)(6), (b)(7)(C)

(b)(7)e

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

*Special Assistant*

Fugitive Operations Division

Secure Communities and Enforcement

Office of Enforcement and Removal Operations

500 12th St. SW |Washington, DC 20536-5014| (202) 73 (b)(6), (b)(7)

Pages 159 through 165 redacted for the following reasons:

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(b)(5)

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

**From:** (b)(6), (b)(7)(C)  
**Sent:** Tuesday, June 11, 2013 8:37 AM  
**To:** (b)(6), (b)(7)(C)  
**Cc:**  
**Subject:** FW: Fug Ops Policy Review  
**Attachments:** SCE Policy Review with Chiefs 6-6-13.docx; Other SCE Policy Review Documents.pdf; Fug Ops Policy Review Documents.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Completed

(b)(6), (b)(7)(C) – I have the folder here in my office for CAD to review and decide as well. Please come pick it up this morning so this can get done as close to the deadline as possible.

Thanks!

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

Chief of Staff  
Secure Communities and Enforcement Division  
Enforcement and Removal Operations  
500 12th Street SW, Washington, DC 20536  
(202) 732-6161, (b)(7)(G)

---

**From:** (b)(6), (b)(7)(C)  
**Sent:** Thursday, June 06, 2013 4:55 PM  
**To:**  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Fug Ops Policy Review

Hi Guys!

Following today's ERO policy review meeting, I put together a few quick notes (attached). In addition to these notes, existing FugOps policies documents from the ERO Resource Library are attached. We are asked to review and evaluate these policies and decide whether to maintain or archive. The deadline for this assignment is **COB Wednesday June 12<sup>th</sup>**. If you have questions, let me know. Thank you. (b)(6), (b)(7)(G)

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

*Special Assistant*  
Fugitive Operations Division  
Secure Communities and Enforcement  
Office of Enforcement and Removal Operations  
500 12th St. SW |Washington, DC 20536-5014| (202) 732-6161, (b)(7)(G)





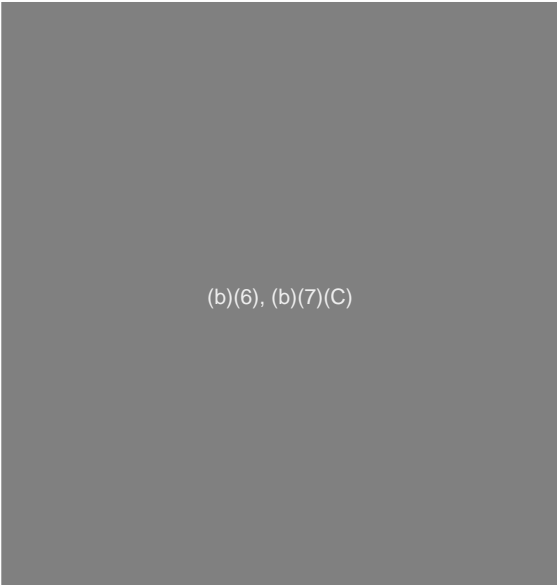
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**ERO Policy Documents Review w/Chiefs**

*Thursday June 6, 2013*

*3:00 PM ET*

**Teleconference Attendees:**



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

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The ERO Resource Library costs \$125K a year to maintain. Currently the ERO Policy team is evaluating whether to renew the contract. If the contract is not renewed all ERO policy documents will transfer to the existing ERO SharePoint site.

SCE was asked to review a binder consisting of all SCE policy documents and decide if the existing policies should be kept or archived.

The binder is divided into four (4) sections:

- 1) Criminal Aliens Program
- 2) 287(g)
- 3) Fug Ops
- 4) Other

### **(LES) Risk Assessment for State and Local Facilities (CAP)**


**Indicates that FODs must identify all state and local correctional or detention facilities not covered by the D Risk Assessment for State and Local Facilities (CAP)**

**Type:** Policy Memo  
**OPI:** Secure Communities and Enforcement (SCE)  
**Source:** Enforcement and Removal Operations  
**Status:** Current  
**Issued:** Apr 06, 2007  
**Next Review:** Apr 06, 2011  
**Signatory:** Gary E. Mead

Close  
Close  
Close

## Operations Matrix Worksheet for ICE Operations

Informs how to use of Operations Matrix to determine the practicable level of DRO support required for up

 Operations Matrix Worksheet for ICE Operations.pdf — PDF document, 162Kb

**Type:** Worksheet

**OPI:** Secure Communities and Enforcement (SCE)

**Source:** Enforcement and Removal Operations

**Status:** Current

**Issued:** Apr 04, 2007

**Next Review:** Apr 04, 2011

**Signatory:** Gary E. Mead

Close

Close

Close

Office of Detention and Removal Operation  
U.S. Department of Homeland security  
801 I Street, NW  
Washington DC 20536



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

APR 4 2007

MEMORANDUM FOR: Field Office Directors  
Deputy Field Office Directors

FROM: Gary E. Mead  
Assistant Director of Management

Subject: Operations matrix Worksheet for ICE operations

A handwritten signature in black ink, appearing to read "Gary Mead", with a stylized flourish at the end.

In the past year, the Office of Detention and Removal Operations (DRO) has assisted with ever-increasing Work Site Enforcement (WSE) operations conducted by the Office of Investigations (OI). These WSEs have included Operation Wagon Train, Operation United Front (Boston) and Operation Set Sail (Baltimore). In order to ensure the success of these operations and to track the workflow going into each operation, Headquarters (HQ) DRO has created an Operations (Ops) Matrix Worksheet.

The attached Ops Matrix, which is in Excel format, is a living document designed to identify areas that need to be addressed during all U.S. Immigration and Customs Enforcement (ICE) operations. The worksheet may be customized for individual operations or it may be used as a method to capture required information. The matrix is divided into two parts, a Field Office Ops Matrix and a HQDRO Ops Matrix. The HQDRO portion is provided to reflect on-going areas of concern and issues routinely tracked by HQDRO; however, it is password protected so that no alterations may be made to that document

Upon learning of upcoming OI and DRO operations, FODs must ascertain as soon as practicable the level of DRO support required. It is extremely important to notify HQDRO immediately of any required support that the Field Office Director (FOD) cannot support independently. Regardless of whether HQDRO support is required, the field must use this matrix to track the progress of all upcoming operations.

This document is a living document. As the use of this document increases, items may be added or deleted to reflect operation specific needs. It is the intention of HQDRO to provide field offices regular updates to reflect changes necessitated by other operations in the country.

**Subject: Operations Matrix for ICE Operations**  
**Page 2**

Questions in relation to either the matrix or this memorandum may be referred to  
(b)(6), (b)(7)(C) Chief, Air Transportation Unit at (202) 732-(b)(6), (b)(7)

**Attachments: (3)**  
**Electronic Operational Matrix**  
**Operational Matrix Instructions**  
**Printing Instructions**

Pages 172 through 179 redacted for the following reasons:


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(b)(7)e



## Accountability of Immigration Subpoenas

Requests FODs to account for all subpoenas issued within their AOR by maintaining both a log and copy of t

 2007\_07\_13\_Account\_of\_Immigration\_Subpoenas\_dro.pdf — PDF document, 74Kb

**Type:** Policy Memo

**OPI:** Secure Communities and Enforcement (SCE)

**Source:** Enforcement and Removal Operations

**Status:** Current

**Issued:** Jul 13, 2007

**Next Review:** Jul 13, 2011

**Signatory:** John P. Torres

Close

Close

Close



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

JUL 13 2007

MEMORANDUM      Field Office Directors  
FOR:                ICE Academy  
                         Detention and Removal Operations

FROM:              John P. Torres  
                         Director  
                         Office of Detention and Removal  
                         Operations

SUBJECT:           Accountability of Immigration Subpoenas

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

On behalf of ICE, the Office of Investigations is currently updating the legacy immigration subpoena directive and form. Until they are reissued, Detention and Removal Field Offices must continue using the legacy Immigration and Naturalization subpoena form (I-138). (See attached form)

Field Office Directors (FODs) are required to account for all subpoenas issued within their Area of Operational Responsibility (AOR) by maintaining both a log and copy of the subpoena issued. The log must contain, at minimum, the following information:

- 1) the title of proceedings, if any, for which the subpoena is issued;
- 2) the entity to whom the subpoena is served;
- 3) the issuing officer;
- 4) whether the subpoena was issued to compel the appearance of a witness to provide testimony, the production of books, papers or documents, or both appearance and production;
- 5) the date of service of the subpoena;
- 6) the means of service of the subpoena; and
- 7) a tracking number for each subpoena (tracked by fiscal year).

FODs must also ensure that all subpoenas are appropriately utilized and signed by the approved issuing authority. (See attached delegation order.)

Subpoenas that are sensitive in nature, or subpoenas requesting information that pertains to a large group of individuals, must be vetted through Headquarters



Memorandum for Field Office Directors  
Accountability of Immigration Subpoenas  
Page 2 of 2

Detention and Removal Operations (HQDRO) management. Examples of sensitive subpoenas include: a subpoena concerning a public official, a political candidate, the activities of a foreign government, the activities of a high foreign government official, the activities of a religious or political organization, or the activities of the news media.

If you have any questions or require additional information, please contact (b) (6), (b) (7) (b) (6), (b) (7) (c) Deputy Assistant Director, Compliance Enforcement Division, at 202-616- (b) (6), (b) (7)

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

Office of Detention and Removal Operations  
Delegation Order

ORDER NUMBER:  
DRO DO 07-001

ISSUE DATE:

MAR 13 2007

EFFECTIVE DATE:  
MAR 17 2007

SUBJECT:

Authority to Issue Immigration Subpoenas Within the Office of Detention and Removal Operations.

DELEGATED BY:

Director, Office of the Office of Detention and Removal Operations

DELEGATED TO:

See below.

SOURCE OF AUTHORITY BEING DELEGATED:

ICE Delegation Order 73003.1, dated February 6, 2007

SUPERSEDED ORDER(S):

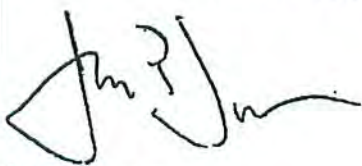
None.

DELEGATION:

By virtue of the authority granted to me by the Assistant Secretary in ICE Delegation Order 73003.1, dated February 6, 2007, I hereby delegate to Office of Detention and Removal Operations Assistant Directors, Deputy Assistant Directors, Field Office Directors, Deputy Field Office Directors, and Assistant Field Office Directors the authority to:

1. Issue immigration subpoenas requiring the person or entity to which they are addressed to attend and give testimony;
2. Require such persons or entities to produce records (books, papers, or other documents) for use in criminal or civil investigations;
3. Effect service of immigration subpoenas upon the persons or entities named therein;
4. Take testimony from such persons or entities under oath and examine, or cause to be examined, records produced by such persons or entities; and,
5. In the event that the person or entity named in a subpoena neglects or refuses to comply with the requirement to attend and give testimony or to produce records, request the United States Attorney for the district in which the subpoena was issued to report such neglect or refusal to the United States District Court and to request such court to issue an order requiring the witness to appear and testify and to produce the records designated in the subpoena.

This authority may not be redelegated.




John P. Torres  
Director, Office of Detention and Removal Operations

USE ADDITIONAL PLAIN BOND IF NECESSARY.

## Standard Format for Operation Plans

Informs how to develop Standard format for Operational Plans, including Situation, Necessity for LEA, Lim

 2003\_06\_23\_Standard Format for Operation Plans 03 (1)\_dro.pdf — PDF document, 68Kb

**Type:** Policy Memo  
**OPI:** Secure Communities and Enforcement (SCE)  
**Source:** Enforcement and Removal Operations  
**Status:** Current  
**Issued:** Jun 23, 2003  
**Next Review:** Jun 23, 2007  
**Signatory:** Anthony S. Tangeman

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

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425/ Street NW  
Washington, DC

JAN 23 2003

MEMORANDUM FOR: DEPUTY ASSISTANT DIRECTOR, FIELD OPERATIONS DIVISION  
BRANCH CHIEFS, FIELD OPERATIONS DIVISION  
FIELD OFFICE DIRECTORS  
DEPUTY FIELD OFFICE DIRECTORS  
OFFICERS IN CHARGE

FROM:



Anthony S. Tangeman  
Director  
Office of Detention and Removal Operations

SUBJECT: Standard Format for Operation Plans

The attached sample operation plan shall serve as the standard format for presenting operations plans to HQ for approval. This format is not exhaustive. When deciding what information to include, remember that a complete operation plan should answer all questions regarding the operation.

- Submit operation plans in this standard format when requesting approval for any type of enforcement operation/action that is outside DRO's routine duties [Any special operations that may be planned such as special fugitive ops (outside normal scope of duties) or any significant proposed operation plan relating to cases that would attract media attention, to cite a few examples]. Routine fugitive operations, for example, would not need to be proposed, reviewed and approved by Headquarters. Exercise discretion in terms of what enforcement actions should be proposed to HQ for review and approval. When there are cases in question, you are encouraged to direct them to the Field Operations Division of Headquarters DRO.
- Please ensure that discretion is exercised in naming operations, (i.e., the name of the operation should not pertain in any way to any portion of the operation.)
- Operations plans should be submitted well in advance for review and approval by Headquarters DRO.
- All operations plans must be approved in writing prior to any execution by the field.

Attachment

Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations

**OPERATIONAL ORDER / PLAN  
STANDARDIZED FORMAT**

The following shall serve as the standardized format for Operational Orders and Plans. Please follow this format when preparing enforcement operational plans for Headquarters review and approval.

DRO OPERATION ORDER (Insert #) (Insert Name of Operation)

**I. Situation.**

- a. **General.** Describe the situation that calls for action and provide additional background on the requirements that necessitate the enforcement action(s).
- b. **Local Situation.** Describe the local situation. Who at the local level will be involved in the operations order? Who is on already on board with the concept of operations? Who has committed resources?
- c. **Limitations on Operations.** What issues may arise as a result of the enforcement operation(s)? Are there logistical limitations? List any challenges to the success of the operation(s).
- d. **Target Deportable Alien Population.** What numbers are we targeting? Describe the target alien population and give an estimate of the targeted alien population numbers.
- e. **Supporting Agencies.** Who will participate locally in the operation? (i.e., ICE/DRO, other District Offices, LESC, CSCC, HQ Public Affairs, Counsel, Other Federal/State LEAs, etc.)

**II. Mission.**

Describe the primary mission of the enforcement operation. What will the operation ensure? Will it pave the way for similar operations of its kind nationwide?

**III. Execution.**

- a. **Directors Intent.** What missions of the Department of Homeland Security are being met by the operation? List them. What missions of ICE/DRO are being met? Are new partnerships at the local level being



**Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations**

developed with our new organization and technology? What lessons will be learned from this type of operation? Will this particular operation demonstrate where additional resources may be needed, or indicate where improvements can be made? What goals will ultimately be achieved?

- b. **Concept of Operations.** This operation will consist of (# how many) phases (include dates of each phase, even if approximate).

**Phase I: Operational Planning (Start Date through Completion Date)**

**Phase II, Phase III, etc.**

**Final Phase** shall include the preparation of an After Action Report and a final analysis of the enforcement action(s) taken.

- c. **Tasks.** List the tasks of each entity involved. For example:

(1) **HQ DRO.**

(a) Provide funding and operational support to this operation.

(b) Analyze data regarding effective use of resources and resource requirements.

(2) **LESC.** Provide additional support, as required.

(3) **CSCC.** Provide additional support, as requested.

(4) **HQ Public Affairs.** Provide public affairs and media support as required.

(5) **Local DRO Office(s).**

(6) **Participating LEAs.**

- d. **Coordinating Instructions.**

(1)

(b)(7)e

(2) **Mandatory Element: Emergency Medical Coordination** to include nearby medical facilities in the event of an emergency, routes/distances to these facilities, and where necessary, coordination with MedEvac.

**Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations**

- (3) List any planned media events or releases. Will events/releases be completed and executed from the ICE HQ Public Affairs Office? Is media interest expected to be high? To whom will media inquiries be forwarded for action?
- (4) Is any type of training required prior to executing the enforcement operation? When and where will any requisite training be held?
- (5) Where will the primary detention and processing site(s) be located?
- (6) Where will the secondary detention and processing site(s) be, if needed?
- (7) Who will coordinate the requests for additional staff to support the enforcement operation at all sites?
- (8) Reporting will be in accordance with Tab A.

(Attached Sample Tab 'A' describes daily/weekly/monthly reporting mechanisms in detail.) **In addition**, all participants will ensure that a Significant Incident Report (SIR) is submitted for any significant/adverse events via the chain of command with a copy forwarded to HQ DRO.

- (9) After action reviews and reports will be in accordance with attached Sample Tab C (Describes in detail all follow-up plans to develop after action reports, lessons learned, and recommendations for future operations, etc.)

**IV. Administration and Logistics.**

**a. Administration.** (See attached Sample Tab B describing in detail Staffing, Facilities, Assignments and Responsibilities, and Equipment.)

- (1) Detailed instructions will be published via separate correspondence.
- (2) Has notification to the Union been made in the form of a 9A notice? When was that action forwarded?

**Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations**

**b. Logistics.** (See attached Sample Tab B)

- (1) Who will coordinate funding? Will all participating organizations capture all cost data associated with this enforcement operation?
- (2) Is a Health & Safety inspection required for any facility or equipment being utilized for this operation?
- (3) Are there any contracts that need to be reevaluated during the course of the operation?
- (4) Who will coordinate such logistical requirements as computers, vehicles, and additional facility support?

**V. Command and Control.**

- a. Reporting will be in accordance with Tab A.
- b. Primary means of communication will be via telephone and E-mail.

Attach all Tabs for Reporting, Operations, and After Action Reporting. (See Attached Sample.)

**APPROVING OFFICIAL.**

Anthony Tangeman  
Director  
Office of Detention and Removal

**TABS:**

**TAB A: Reporting  
TAB B: Operations  
TAB C: After Action Reporting**

**DISTRIBUTION:**

**HQ ICE  
HQ Public Affairs  
HQDRO  
LESC**



**Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations**

**CSCC**

**'Local DRO Office'**

**'Any other participating DRO Office'**

**'Any other participating office, i.e., Counsel'**

**'Any other participating LEA, i.e., Dept. of Corrections'**

Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations

[S A M P L E T A B A:]

**TAB A: Reporting Instructions to DRO Operation Order (Insert # and Title of Enforcement Operation.)**

**1. Daily Reports.**

**Submitted to: HQ DRO**

**Via/Transmission:** E-mail with Fax backup copy.

**Due:** 0800 daily

**Period Covered:** Previous day dull 24-hour period (0001-2400 hours)

**2. Weekly Reports.**

**Submitted to: HQ DRO**

**Via/Transmission:** E-Mail with Fax backup copy.

**Due:** 1000 Monday.

**Period Covered:** Previous week (0001 Sunday through 2400 Saturday)

**3. Significant Incident Reports (SIR)** will be submitted for any significant/adverse events via the chain of command with a cop forwarded to this HQ.

**4. Report Format.** (Describe in detail what data elements the report will contain and what information will be tracked.)

-List variables

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Immigration and Customs Enforcement  
Detention and Removal Operations

**[SAMPLE TAB B:]**

**TAB B: Operations to Support DRO Operation Order (Insert # and Title of Enforcement Operation.)**

1. **Staffing.** The staffing for this operation will consist of [#] people s follows:

a  
b  
c  
d  
e  
f.

(b)(7)e

Please indicate when staff detailed from other offices to support the enforcement operation.

2. **Facilities.** Describe facilities where operation will be carried out. Will there be more than one location?
3. **Assignments and Responsibilities.** How will the staff be divided? In other words, who will do what?
4. **Equipment.**
- a. **On Hand.** What equipment is already available? Does the equipment require upgrades or enhancements in order to serve the mission of the operation?
  - b. **Upgrade Requirements.** What is needed to upgrade the facility and/or equipment at the site of the operation?

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Immigration and Customs Enforcement  
Detention and Removal Operations

[SAMPLE TAB C:]

**TAB C: After Action Reporting on DRO Operation Order (Insert # and Title of Enforcement Operation.)**

1. **Initial After Action Conferences (Hot Wash-Ups).** Initial after action conferences will be conducted as follows:
  - a. Key operational personnel involved in the final Phase(s) of the enforcement operation (Date TBD.)
  - b. Key leaders and HQ personnel within one week of the end of Phase III of Operations (Date TBD.)

2. **Format.** The format for issues will be:

Topic

Discussion

Recommendation(s)

3. **Formal After Action Report.** The formal after action report will be published within 30 days (give approximate date 30 days from the termination of the final phase of the operation). The format will be as follows:

Executive Summary

Background: Mission, Concept of Operations

Planning and Tasking

Deployment

Operations

Re-Deployment

Follow-up Actions

Significant Results

Tabs: Issues: Topic

Discussion

Recommendation(s)


4. **Data.** The data requirements to be used in the preparation of the after action report will be divided into quantitative and qualitative categories.

**Department of Homeland Security  
Immigration and Customs Enforcement  
Detention and Removal Operations**

- a. Quantitative data will be analyzed to develop case workloads and to develop workload planning factors for high target urban environments;
- b. Qualitative Data will be used to address the following areas:
  - (1) Command and Control:
    - (a) Chain of Command.
    - (b) DRO/District Coordination.
    - (c) ICE/State coordination issues.
    - (d) Liaison with local LEAs/personnel.
  - (2) Perceptions of supporting and supported law enforcement agencies.
  - (3) Media.
  - (4) Staff interaction and planning.
  - (5) Support from LESC/CSSC.
  - (6) Requirements (set aside) necessary to plan for quick surge operations.
  - (7) Detail Support (timeframes).
  - (8) Case Management (case flow).
  - (9) Communication Support (phones/data/ADP).
  - (10) Facilities (Adequacy).
  - (11) Life support functions.

## Response to Hot Leads of Fugitive Alien Cases

Establishes procedures for investigating and tracking fugitives based on hot leads

 2003\_07\_15\_Response to Hot Leads of Fugitive Alien Cases\_dro.pdf — PDF document, 43Kb

**Type:** Policy Memo  
**OPI:** Secure Communities and Enforcement (SCE)  
**Source:** Enforcement and Removal Operations  
**Status:** Current  
**Issued:** Jul 15, 2003  
**Next Review:** Jul 15, 2007  
**Signatory:** Anthony S. Tangeman

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Page 196 redacted for the following reason:

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(b)(7)e





## Command Boards for the National Fugitive Operations Program (NFOP) Teams

Explains how to use the “Command Board” during fugitive operations with photographs or wanted posters :

 2004\_04\_26\_Command\_Boards\_Ntl\_Fug\_Ops\_dro.pdf — PDF document, 26Kb

**Type:** Policy Memo  
**OPI:** Secure Communities and Enforcement (SCE)  
**Source:** Enforcement and Removal Operations  
**Status:** Current  
**Issued:** Apr 26, 2004  
**Next Review:** Apr 26, 2008  
**Signatory:** David J. Venturella

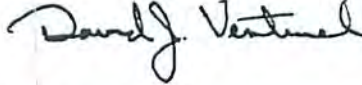
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**U.S. Immigration  
and Customs  
Enforcement**

APR 26 2004

MEMORANDUM FOR: ALL FIELD OFFICE  
DIRECTORS

FROM: David J. Venturella  
Acting Director 


SUBJECT: Command Boards for the National Fugitive Operations Program  
(NFOP) Teams

Headquarters Office of Detention and Removal, Fugitive Operations Branch (HQFOB) recently purchased "Command Boards" for use by the NFOP teams during fugitive operations. As outlined in Chapter 19.5 of the Detention and Deportation Officer Field Manual, "Officers shall begin each field operation with a briefing..." The "Command Board," which was originally brought to our attention through a suggestion from the field, will serve to assist in briefings conducted in the field. The board allows for the display of photographs or wanted posters and has two dry erase boards. The kit also includes a CD that contains forms that can be modified to suit the specific requirements of each team. HQFOB is also developing a CD that will eventually replace the one in the kit; it will contain all the materials the teams should need.

The kits were sent direct to the teams from the supplier. If your teams have not received this kit, or if you should have any suggestions or questions, please send them to the HQFOB via e-mail at HQDRO, FUGOPS.

## Fugitive Operations Weekly Reporting Requirements

Instructs how to complete the National Fugitive Operations Program spreadsheet required for the weekly fug

 2004\_10\_04\_Fugitive Operations Weekly Requirements — PDF document, 205Kb

**Type:** Policy Memo  
**OPI:** Secure Communities and Enforcement (SCE)  
**Source:** Enforcement and Removal Operations  
**Status:** Current  
**Issued:** Oct 04, 2004  
**Next Review:** Oct 04, 2008  
**Signatory:** Victor X. Cerda

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

OCT - 4 2004

MEMORANDUM FOR: Field Office Directors

FROM: Victor X. Cerda  
Acting Director

A handwritten signature in black ink, appearing to read "V. Cerda", written over the printed name.

SUBJECT: Fugitive Operations Weekly Reporting Requirements

Purpose

To standardize the reporting procedures required for the weekly fugitive operations report.

Background

The Office of Detention and Removal Operations (DRO) is responsible for reporting on its efforts in identifying, apprehending and removing aliens defined as fugitives. In the past, the Deportable Alien Control System (DACS) was the sole source of statistical data used in reporting the efforts of the National Fugitive Operations Program (NFOP). Following September 11, 2001, requests for information not readily available from DACS required the creation of a database that would provide the information requested. The National Fugitive Operations Program (NFOP) database was created to track all fugitive operations apprehensions reported by the field. The reports generated from this database have been extremely helpful in measuring the success of the program, however, there is room for improvement with regards to consistency when the report is submitted.

Discussion

Since the creation of the NFOP database, various changes have been made to the excel spreadsheet used by the field to report their statistics on a weekly basis. One of the changes designed to reduce errors and improve consistency was the addition of a "macro" to the spreadsheet distributed to the field. Utilizing this macro is imperative to collecting and reporting the required data in an appropriate format. Use of this macro will be discussed in the attached instruction sheet.

Action

Each office will utilize the report worksheet provided electronically via email. The weekly report will be submitted to HQFOB via email at HQDRO, FUGOPS not later than close of business (COB) on Wednesday of each week. Please note that the reports should not be sent in before noon on Wednesday to ensure that all arrests are counted for the reporting period. Please review the attached instruction sheet for detailed instructions on how to fill out each field on the spreadsheet.

## Fugitive Operations Weekly Reporting Requirements

Page 2

An enhanced version of the NFOP database will be made available directly to the field by the end of this calendar year. Arrest information will be placed directly into the national database by field offices. Additional guidance will be forthcoming discussing the protocols and procedures for placing information into the database. This tool will also allow field offices to run reports directly to gauge the performance of their respective fugitive operations teams. If there are any ideas or comments that you have on how to improve the functionality of the weekly report spreadsheet or have ideas for additional items that should be included and or tracked when the database is made available to the field, please forward them to the FUGOPS mailbox.

If you should have any questions, contact (b)(6), (b)(7)(C) Chief, Fugitive Operations Unit at (202) 353-(b)(7) or via email at HQDRO, FUGOPS.

Attachment

**Instructions for completing the National Fugitive Operations Program spreadsheet:**

The most recent version of the spreadsheet should have recently been forwarded to each Field Office Director via email. Please ensure that you have the most recent version of the spreadsheet before submitting your next report. Please note that a macro should be attached to the spreadsheet that allows for ease of data input.

Please use the following instructions for opening the spreadsheet:

1. Double click on the spreadsheet icon.
2. A box asking you to Disable macros or Enable macros should appear. If the box appears, select "Enable macros" and proceed to filling out the form.
3. If it does not appear then you need to change the security setting of the spreadsheet on your computer. To do this, left click on "Tools" on the tool bar, select Macro, then select security. This should be set at medium for the macro to work. Once this has been set, close the spreadsheet. Once it is closed, re-open it by double clicking the spreadsheet icon. It should now allow you to enable the macro.
4. With the macro enabled you should see a data entry page with 14 fields.

Please use the following instructions for filling out the spreadsheet.

1. Date Apprehended: Enter the date of apprehension. The drop down calendar should help you with the correct format.
2. Field Office: Please enter the DACS field office code for your field office. These are also included in a drop-down for ease of use and accuracy.
3. Sub-Office: Please enter the DACS code for the sub-office only if a sub-office made the apprehension.
4. A-Number: Enter the alien number in this field in the same format used to make entries into DACS (e.g. 012345678). If the arrestee is a USC, do not fill in this field. In case of a USC arrest (USMS assist) please note this in the comments section.
5. COB: Enter the country of birth as you would enter it into DACS. Again there is a drop down menu for ease of use.
6. Location: Use the drop down menu to fill in this field. If "other" is selected please explain in the "comments" field.
7. Fugitive?: Only mark this box if the arrested alien was a fugitive (5B, 8E, 8I). Note: The data from this field will be compared to DACS, please ensure that DACS is updated to match what is in this field.
8. Sex Offender?: Mark this box if the arrested alien has been convicted of a sex crime.
9. Crime Against Juvenile?: Mark this box if the arrested alien has been convicted of a crime against a juvenile.
10. Method: Use only the codes provided in the drop-down menu. FUGOPS covers any situation planned or unplanned where a fugitive is arrested. NCIC covers those arrests prompted by a hit in NCIC. OA (other agency) covers those fugitives that are found in jail or those arrested by another agency. OA also covers receiving an alien from BCBP or BCIS.
11. C/NC: Use only the choices provided in the drop-down menu. Please note that if you select "criminal" a crime code must be entered in field 12.

12. Fugitive crime code: Please select a crime code from the listed choices. The listed codes are taken from DACS.
13. OP Plan: HQFOU is cognizant of the many local plans being conducted and can't possibly list all operations here. Therefore, we have limited it to those operations where the operation will be conducted for an extended period of time. In most situations, the selection of one of these operations will be limited to a specific Field Office. Please remember to use the exact same name and spelling of the operation each time you report so that the apprehension can be extracted from the database in required for a report. If you are unsure whether your case meets the definition of one of the operations listed, seek advice from HQFOU.
14. Comments: Please include any miscellaneous information in this field. Keep it as concise as possible.

If there are any questions regarding the collection of data for the weekly report, please contact Chief, Fugitive Operations Unit at (202) 353-5500, (b)(7) or via email at HQDRO, FUGOPS.

Pages 205 through 207 redacted for the following reasons:

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





Page 209 redacted for the following reason:

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

## **(LES) Operation Front Line II Disruption Initiative**

**Requires FODs to coordinate with local OI SAC to utilize NFOP teams most effectively in support of this operation.**  
Operation Front Line II Disruption Initiative

**Type:** Policy Memo  
**OPI:** Secure Communities and Enforcement (SCE)  
**Source:** Enforcement and Removal Operations  
**Status:** Current  
**Issued:** Sep 27, 2004  
**Next Review:** Sep 27, 2008  
**Signatory:** Victor X. Cerda

Close  
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*Limited Official Use/Law Enforcement Sensitive*

Office of Detention and Removal Operations  
U.S. Department of Homeland Security  
425 I Street, NW  
Washington, DC 20536



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

**Sep 27 2004**

MEMORANDUM FOR Field Office Directors  
FROM: Victor X. Cerda  
Acting Director   
SUBJECT Operation "Front Line II" Disruption Initiative

Purpose

This memorandum serves to notify the field of a new Immigration and Customs Enforcement initiative, Operation Front Line II, that will commence October 4, 2004, and require Detention and Removal Operations support.

Background

Operation Front Line was conceived and implemented in May 2004 to support the government-wide Interagency Security Plan that is to remain in effect through the Presidential Inauguration in January 2005. Operation Front Line II, under the lead of the Office of Investigations (OI), will combine ICE resources, intelligence and authorities to detect, prevent and disrupt terrorist activities. As part of this operation, ICE will focus on a population of 150,000 open/pending potential immigration violator cases, with over 2,000 of those cases having been assigned and pending completion by the field. Attached is the OI field guidance for further background and detail.

Discussion

Through targeted enforcement and reassignment of resources, ICE will conduct a nationwide disruption operation beginning on October 4, 2004 and continuing to November 2, 2004, that is intended to detect, deter, and disrupt terrorist operations leading up to the Presidential Election. Headquarters, Office of Detention and Removal Operations, has committed the National Fugitive Operations Program (NFOP) teams to assist the Office of Investigations (OI) during this operation, utilizing fugitive operations personnel and resources to focus on Frontline II targets and potential threats.

<http://www.ice.gov>

Memorandum for Field Office  
Directors Operation Frontline II  
Page 2

Policy

Field Office Directors will coordinate with the local OI SAC to determine how to best utilize our NFOP teams in support of this important operation. Although OI has the lead on this operation, I am confident that, through our added support and the professional acumen of our fugitive officers, DRO will contribute greatly to the success of this operation.

If you should have any questions regarding this policy, contact (b)(6), (b)(7)(C) Chief, Fugitive Operations Unit at (202) 353-(b)(6), (b)(7)(C)

Attachment

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, September 11, 2012 10:42 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Diligent Record checks on Encountered Individuals  
**Attachments:** 2011\_07\_29\_Enforcement\_and Removal\_Encounters.pdf

FYSA

Thanks,

[REDACTED] b6 & 7c

---

**From:** ERO Taskings  
**Sent:** Monday, September 10, 2012 4:22 PM  
**Cc:** [REDACTED] b6 & 7c  
**Subject:** Diligent Record checks on Encountered Individuals

*The following message is sent on behalf of [REDACTED] b6 & 7c Assistant Director, Secure Communities and Enforcement; with concurrence of [REDACTED] b6 & 7c Acting Assistant Director of Field Operations:*

**To:** Field Office Directors and Deputy Field Office Directors  
**Subject:** Diligent Record checks on Encountered Individuals

Enforcement and Removal Operations (ERO) must be diligent in its screening of individuals prior to lodging a detainer or taking a person into custody. It is imperative all records are reviewed to ensure that the subject of an investigation is properly identified to determine a subject's status or removability.

FODs are reminded that since the implementation of the Encounter Policy (see attached) that all individuals identified must only have one ERO encounter in ENFORCE for the entire law enforcement action. Therefore, to prevent the creation of new encounters for those already identified, officers must search ENFORCE, as well as other routine ICE databases when checking an individual's status.

In addition to ensuring compliance with the above policy, a thorough search allows for the immediate identification of previously encountered naturalized or derivative citizens to prevent their placement into ICE custody, as well as managing cases of individuals previously arrested by a law enforcement agency that were not previously subject to removal. This ensures those individuals are re-investigated to determine removability.

For questions please contact CAP Unit Chief [REDACTED] b6 & 7c at 202-732 [REDACTED] b6 & 7c via email at [REDACTED] b6 & 7c

~~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.~~





**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT  
ENFORCEMENT AND REMOVAL OPERATIONS**

**Policy Number: ERO 11152.1 Enforcement and Removal Encounters**

**Issue Date:** 7/29/2011

**Effective Date:** 7/29/2011

**Review/Expiration Date:** 7/29/2015

**Superseded:** None

**Federal Enterprise Architecture Number:** 306-112-002b

1. **Purpose/Background.** This directive identifies requirements and provides general procedures for using the Enforcement Integrated Database (EID) as ERO's electronic system of records for administrative processing of foreign born nationals. EID is the U.S. Department of Homeland Security's (DHS) shared database repository for several DHS law enforcement and homeland security applications and is currently accessed through the Enforcement and Case Tracking System (ENFORCE) application.
  - 1.1 The purpose of the directive is to support the identification and arrest of individuals (both citizens and noncitizens) who commit violations of Federal criminal laws enforced by DHS.
2. **Policy.** All ERO law enforcement officers will document foreign born national encounters in the EID (e.g., using the ENFORCE application).
3. **Definitions.**
  - 3.1. *Encounter:* the interview, screening, and determination of citizenship, nationality, and legal rights of any person in the United States at any time.
  - 3.2. *Interview:* a formal meeting in which a law enforcement officer questions a person believed to be an alien about citizenship, nationality, and the legal right to be in the United States.
  - 3.3. *Screening:* the process of verifying the identity of a person through biographic and or biometric identifiers.
  - 3.4. *Biographic identifiers:* personal information obtained from a person or third party (e.g., name, address, social security number, driver's license).
  - 3.5. *Biometric identifiers:* identity analysis of physical samples obtained from a person or provided by a third party (e.g., fingerprints).



**3.6.** *Enforcement action:* a law enforcement activity (e.g., encounter, investigative detention, arrest, bond) taken by DHS to address criminal or administrative violations.

#### **4. Responsibilities.**

**4.1.** The *Criminal Alien Division* is the Office of Primary Interest and is responsible for managing and overseeing compliance to this Directive.

**4.2** All ERO law enforcement officers who encounter persons are responsible for documenting that encounter in the Enforcement Integrated Database (e.g., by using ENFORCE).

#### **5. Procedures.**

**5.1.** *Law enforcement officers:*

- 1) Document encounters in the Enforcement Integrated Database (e.g., by using ENFORCE).
- 2) Create only one encounter based on the same enforcement action for the same person. Enter any crime information necessary to correctly indicate a foreign born national's criminal offense level (e.g., in ENFORCE through the CRIME ENTRY SCREEN).
- 3) Input as an encounter subjects found through investigation to be derived or naturalized citizens.
- 4) If you determine that a person initially detained as a possible alien is a United States citizen, notate the record with your determination and state that no further action will be taken.
- 5) Do not enter information about U.S. citizens interviewed or screened unless being investigated or arrested for administrative or criminal immigration law violations.

#### **6. Authorities/References.**

**6.1.** 6 U.S.C. §§ 101- 103, 111-113

**6.2.** 8 U.S.C. § 1357

**6.3.** 40 U.S.C. § 1315

**6.4.** 8 C.F.R. § 287



(b) (5) & (7) (c)

**From:** (b) (5) & (7) (c)  
**Sent:** Thursday, September 13, 2012 11:31 AM  
**To:** (b) (5) & (7) (c)  
**Cc:** (b) (5) & (7) (c)  
**Subject:** FW: Federal Agency Activation by Secure Communities

FYI

Thanks in advance!



## U.S. Immigration and Customs Enforcement

(b) (5) & (7) (c)

Section Chief - West  
Criminal Alien Program  
500 12th Street SW  
Washington, DC 20536  
Office: (202) 732- (b) (5) & (7) (c)  
Mobile: (202) 500- (b) (5) & (7) (c)  
Email: (b) (5) & (7) (c)

---

**From:** ERO Taskings  
**Sent:** Thursday, September 13, 2012 11:11 AM  
**Subject:** Federal Agency Activation by Secure Communities

*The following message is being sent on behalf of Gregory J. Archambeault, Assistant Director for Secure Communities and Enforcement, with concurrence of Christopher Shanahan, Acting Assistant Director for Field Operations:*

**To:** Field Office Directors and Deputy Field Office Directors  
**Subject:** Federal Agency Activation by Secure Communities

On September 17, 2012, U.S. Immigration and Customs Enforcement (ICE) will activate Secure Communities (SC) IDENT/IAFIS interoperability to all Federal law enforcement agencies (LEA). It is anticipated that the activation of Federal LEAs will generate approximately 20,000 new leads per year.

Once SC is deployed to all Federal LEAs and their associated Originating Agency Identifiers (ORI), ICE Enforcement and Removal Operations (ERO) Field Offices will receive Immigration Alien Responses (IAR) resulting from a federal arrest or booking. The activation of Federal ORIs should not in any way change the local policies, procedures, or practices of ERO Field Offices, and you should continue reviewing Federal IARs in the same manner as state and local IARs.

Prior to taking any enforcement action, the Field Office should work closely with our Federal LEA partners to ensure that de-confliction is handled in accordance with ICE policy and with any locally established procedures. Officers and agents who determine that an individual identified through Secure Communities may be removable should work with the arresting Federal LEA when appropriate to ensure that the issuance of a detainer does not impact an ongoing federal investigation or criminal proceeding.

Please direct any questions to Secure Communities, Unit Chief [REDACTED] at 202-73 [REDACTED] or via email at

[REDACTED]  
b6 & 7c

**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.

b6 & 7c

**From:** [REDACTED]  
**Sent:** Friday, April 27, 2012 12:53 PM  
**To:** [REDACTED]  
**Subject:** FW: Secure Communities Advisory

FYI

b6 & 7c

**Assistant Field Office Director**  
**Newark Field Office**  
**Marlton Sub-Office**  
**406 Lippincott Drive Suite "Q"**  
**Marlton, NJ 08053**  
**(856) 810 [REDACTED] (office)**  
**(973) 332 [REDACTED]**  
**(856) 810-2895 (fax)**

**From:** [REDACTED]  
**Sent:** Friday, April 27, 2012 12:50 PM  
**To:** [REDACTED]  
**Subject:** FW: Secure Communities Advisory

Fyi

**From:** ERO Taskings  
**Sent:** Friday, April 27, 2012 12:46 PM

[REDACTED]  
b6 & 7c

**Subject:** Secure Communities Advisory

*The following message is being sent by Gary Mead, Executive Associate Director, Enforcement and Removal Operations.*

**To: Field Office Directors**

**Subject: Secure Communities Advisory**

On April 27, 2012, U.S. Immigration and Customs Enforcement (ICE) issued its official response to the Homeland Security Advisory Committee's Task Force on Secure Communities recommendations. In response to the recommendations of the Task Force, ICE is adopting a new policy regarding individuals arrested for minor traffic offenses. Under this policy, for individuals arrested solely for minor traffic offenses, who have not previously been convicted of other crimes and do not fall within any other ICE priority category, ICE will only consider making a detainer operative upon conviction for the minor criminal traffic offense. This new policy will help focus ICE

resources on those who pose a threat to public safety or national security, as well as repeat or egregious immigration law violators and recent border crossers.

If you have any questions, please feel free to contact me directly

The full text of the report can be found at [http://www.ice.gov/secure\\_communities/](http://www.ice.gov/secure_communities/) by close of business today.

~~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.~~

b6 & 7c

**From:** [REDACTED]  
**Sent:** Tuesday, July 23, 2013 3:51 PM  
**To:** [REDACTED]  
**Subject:** RE: memo  
**Attachments:** 10086.1\_current\_policy\_detainer\_policy.pdf

FYI.

**From:** [REDACTED]  
**Sent:** Tuesday, July 23, 2013 3:49 PM  
**To:** [REDACTED]  
**Subject:** memo

FYI.

[REDACTED] DDO  
Criminal Alien Program  
500 12th Street SW  
Washington, DC 20536  
Office: (202) 732-[REDACTED]  
Mobil [REDACTED]  
Email [REDACTED]



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

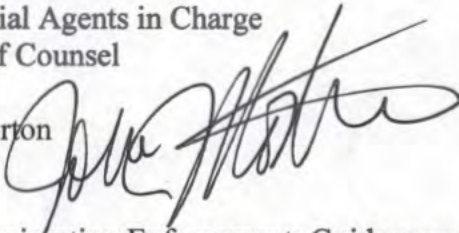




**U.S. Immigration  
and Customs  
Enforcement**

DEC 21 2012

MEMORANDUM FOR: All Field Office Directors  
All Special Agents in Charge  
All Chief Counsel

FROM: John Morton  
Director 

SUBJECT: Civil Immigration Enforcement: Guidance on the Use of Detainers  
in the Federal, State, Local, and Tribal Criminal Justice Systems

Purpose

This memorandum provides guidance on the use of U.S. Immigration and Customs Enforcement (ICE) detainers in the federal, state, local, and tribal criminal justice systems. This guidance applies to all uses of ICE detainers regardless of whether the contemplated use arises out of the Criminal Alien Program, Secure Communities, a 287(g) agreement, or any other ICE enforcement effort. This guidance does not govern the use of detainers by U.S. Customs and Border Protection (CBP). This guidance replaces Sections 4.2 and 4.5 of the August 2010 *Interim Guidance on Detainers* (Policy Number 10074.1) and otherwise supplements the remaining sections of that same guidance.

Background

In the memorandum entitled *Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens*, issued in June 2010,<sup>1</sup> ICE set forth clear priorities that guide its civil immigration enforcement. These priorities ensure that ICE's finite enforcement resources are dedicated, to the greatest extent possible, to individuals whose removal promotes public safety, national security, border security, and the integrity of the immigration system.

As ICE's implementation of these priorities continues, it is of critical importance that ICE remain focused on ensuring that the priorities are uniformly, transparently, and effectively pursued. To that end, ICE issues the following guidance governing the use of detainers in the nation's criminal justice system at the federal, state, local, and tribal levels. This guidance will ensure that the agency's use of detainers in the criminal justice system uniformly applies the

<sup>1</sup> As amended and updated by the memorandum of the same title issued March 2, 2011.



*The Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems*  
Page 2

principles set forth in the June 2010 memorandum and is consistent with the agency's enforcement priorities.

National Detainer Guidance

Consistent with ICE's civil enforcement priorities and absent extraordinary circumstances, ICE agents and officers should issue a detainer in the federal, state, local, or tribal criminal justice systems against an individual only where (1) they have reason to believe the individual is an alien subject to removal from the United States and (2) one or more of the following conditions apply:

- the individual has a prior felony conviction or has been charged with a felony offense;
- the individual has three or more prior misdemeanor convictions;<sup>2</sup>
- the individual has a prior misdemeanor conviction or has been charged with a misdemeanor offense if the misdemeanor conviction or pending charge involves—
  - violence, threats, or assault;
  - sexual abuse or exploitation;
  - driving under the influence of alcohol or a controlled substance;
  - unlawful flight from the scene of an accident;
  - unlawful possession or use of a firearm or other deadly weapon;
  - the distribution or trafficking of a controlled substance; or
  - other significant threat to public safety;<sup>3</sup>
- the individual has been convicted of illegal entry pursuant to 8 U.S.C. § 1325;
- the individual has illegally re-entered the country after a previous removal or return;
- the individual has an outstanding order of removal;
- the individual has been found by an immigration officer or an immigration judge to have knowingly committed immigration fraud; or
- the individual otherwise poses a significant risk to national security, border security, or public safety.<sup>4</sup>

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<sup>2</sup> Given limited enforcement resources, three or more convictions for minor traffic misdemeanors or other relatively minor misdemeanors alone should not trigger a detainer unless the convictions reflect a clear and continuing danger to others or disregard for the law.

<sup>3</sup> A significant threat to public safety is one which poses a significant risk of harm or injury to a person or property.

<sup>4</sup> For example, the individual is a suspected terrorist, a known gang member, or the subject of an outstanding felony arrest warrant; or the detainer is issued in furtherance of an ongoing felony criminal or national security investigation.



### Revised Detainer Form

To ensure consistent application of this guidance, ICE will revise the DHS detainer form, Form I-247. The revised detainer form, which should be used in all cases once it is issued, will specifically list the grounds above and require the issuing officer or agent to identify those that apply so that the receiving agency and alien will know the specific basis for the detainer. The changes to the form will make it easy for officers and agents to document the immigration enforcement priorities and prosecutorial discretion analysis they have completed leading to the issuance of the detainer.

### Prosecutorial Discretion

This guidance identifies those removable aliens in the federal, state, local, and tribal criminal justice systems for whom a detainer may be considered. It does not require a detainer in each case, and all ICE officers, agents, and attorneys should continue to evaluate the merits of each case based on the June 2011 memorandum entitled *Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens* and other applicable agency policies.

### Six-Month Review

ICE Field Office Directors, Chief Counsel, and Special Agents in Charge should closely evaluate the implementation and effect of this guidance in their respective jurisdictions for a period of six months from the date of this memorandum. Based on the results of this evaluation, ICE will consider whether modifications, if any, are needed.

### Disclaimer

This guidance does not create or confer any right or benefit on any person or party, public or private. Nothing in this guidance should be construed to limit ICE's power to apprehend, charge, detain, administratively prosecute, or remove any alien unlawfully in the United States or to limit the legal authority of ICE or its personnel to enforce federal immigration law. Similarly, this guidance, which may be modified, superseded, or rescinded at any time, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

This guidance does not cover or control those detainers issued by officers and agents of CBP. Detainers issued by CBP officers and agents shall remain governed by existing CBP policy, and nothing in this guidance is intended to limit CBP's power to apprehend, charge, detain, or remove any alien unlawfully in the United States.

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, April 30, 2012 2:08 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** RE: Secure Communities Advisory

Please ensure immediate compliance with this directive. If the subject only has a traffic offense (usually driving on the revoked list) WITHOUT a conviction then we will not issue a detainer. If the subject has been convicted of the traffic offense or falls into one of ERO's enforcement priorities then the Detainer will be issued. Please check any future jail rollover that fits this criteria to determine if the subject should be ROR'd.

Also, please advise your staff that if they receive an LEA call in response to a traffic violation, the subject must also fall into the ICE/ERO enforcement priorities in order to issue a detainer or respond to the scene. Please remember that Title 2C charges must be addressed with either a detainer or an officer roll-out.

Thanks,

[REDACTED] b6 & 7c

Assistant Field Office Director  
Newark Field Office  
Marlton Sub-Office  
406 Lippincott Drive Suite [REDACTED] b6 & 7c  
Marlton, NJ 08053  
(856) 810 [REDACTED] b6 & 7c e)  
(973) 332 [REDACTED]  
(856) 810-2895 (fax)

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, April 27, 2012 12:53 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Secure Communities Advisory

FYI

[REDACTED] b6 & 7c

Assistant Field Office Director  
Newark Field Office  
Marlton Sub-Office  
406 Lippincott Drive Suite [REDACTED] b6 & 7c  
Marlton, NJ 08053  
(856) 810 [REDACTED] b6 & 7c (office)  
(973) 332 [REDACTED]  
(856) 810-2895 (fax)

**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, April 27, 2012 12:50 PM  
**To:** [REDACTED] b6 & 7c  
[REDACTED] b6 & 7c  
**Subject:** FW: Secure Communities Advisory

Fyi

**From:** ERO Taskings

**Sent:** Friday, April 27, 2012 12:46 PM

b6 & 7c

**Subject:** Secure Communities Advisory

*The following message is being sent by Gary Mead, Executive Associate Director, Enforcement and Removal Operations.*

**To:** Field Office Directors

**Subject:** Secure Communities Advisory

On April 27, 2012, U.S. Immigration and Customs Enforcement (ICE) issued its official response to the Homeland Security Advisory Committee's Task Force on Secure Communities recommendations. In response to the recommendations of the Task Force, ICE is adopting a new policy regarding individuals arrested for minor traffic offenses. Under this policy, for individuals arrested solely for minor traffic offenses, who have not previously been convicted of other crimes and do not fall within any other ICE priority category, ICE will only consider making a detainer operative upon conviction for the minor criminal traffic offense. This new policy will help focus ICE resources on those who pose a threat to public safety or national security, as well as repeat or egregious immigration law violators and recent border crossers.

If you have any questions, please feel free to contact me directly

The full text of the report can be found at [http://www.ice.gov/secure\\_communities/](http://www.ice.gov/secure_communities/) by close of business today.

~~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.~~

**From:** b6 & 7c  
**Sent:** Tuesday, March 06, 2012 1:21 PM  
**Subject:** Reminder on Detention Policy Where an Immigration Judge has Granted Asylum, Withholding of Removal or CAT

*This message is being forwarded on behalf of John Tsoukaris, Field Office Director Newark, NJ.*

To All,

Please see below reminder on Detention Policy Where an Immigration Judge has Granted Asylum, Withholding of Removal, or CAT.

Respectfully yours,

b6 & 7c Mission Support Specialist  
Office of the Director  
Enforcement and Removal Operations  
Newark, New Jersey 07114

---

**From:** ERO Taskings  
**Sent:** Tuesday, March 06, 2012 12:15 PM  
**Subject:** Reminder on Detention Policy Where an Immigration Judge has Granted Asylum, Withholding of Removal or CAT

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

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

**Subject: Reminder on Detention Policy Where an Immigration Judge has Granted Asylum, Withholding of Removal or CAT**

This Field Guidance is sent as a reminder that the April 21, 2000 Immigration and Naturalization Service Memorandum by General Counsel Bo Cooper ([Detention and Release during the Removal Period of Aliens Granted Withholding or Deferral of Removal](#)) and the February 9, 2004 ICE Memorandum by Assistant Secretary Michael Garcia ([Detention Policy Where an Immigration Judge Has Granted Asylum and ICE Has Appealed](#)) are still in effect and should be followed.

The memorandum provides guidance that “[i]n general, it is ICE policy to favor release of aliens who have been granted protection relief by an immigration judge, absent exceptional concerns such as national security issues or danger to the community and absent any requirement under law to detain.” Protection relief includes asylum, withholding of removal under section 241(b)(3) of the Immigration and Nationality Act, and withholding or deferral of removal under the regulations implementing U.S. obligations under Article 3 of the U.N. Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment, *see* 8 C.F.R. § 1208.16(d) – 1208.18. This

policy applies at all times following a grant of protection, including during any appellate proceedings and throughout the removal period.

Per the April 21, 2000 and February 9, 2004 Memoranda, the Field Office Director must approve any decision to keep an alien who received a grant of any of the aforementioned protections in custody. This includes situations where the Office of the Chief Counsel (OCC) is appealing the grant of relief. Additionally, any decision to continue to hold an alien should be done in consultation with the local OCC.

Any questions should be directed to your local OCC.

~~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.~~



b6 & 7c

**From:** b6 & 7c  
**Sent:** Wednesday, February 22, 2012 9:03 AM  
**Subject:** Secure Communities Activation Feb. 22. 2012  
**Attachments:** SC SOP.pdf; Newark ERO SC 2012.pdf  
**Importance:** High

*This message is being forwarded on behalf of John Tsoukaris, Field Office Director Newark, NJ.*

To All,

Attached please find the local Secure Communities (SC) SOP effective Wednesday February 22, 2012. Please ensure all officers review and adhere to all items. Supervisors shall review the document with their staff, as there are action items that may impact several units as part of the SC response process. Also attached is the informational sheet provided to the Buffalo Field Office which will be receiving our SC hits from 4:00 p.m. to 8:00 a.m. each day and 24-hours on weekends and holidays. This does not change the established procedure involving LEA calls which are being taken by Buffalo from 6pm to 6am. The 24-hour number for Buffalo is (585) 344 b6 & 7c

Please ensure our office continues to respond timely to referrals to our duty phones or other requests from the Buffalo Command Center. Although SC falls under the responsibility of Criminal Alien Program, all programs within the field office are expected to assist as needed.

If you have any questions, please contact your supervisor.

Respectfully yours,

b6 & 7c

Mission Support Specialist

Office of the Director  
Enforcement and Removal Operations  
Newark, New Jersey 07114

## Newark Field Office

### ***SECURE COMMUNITIES STANDARD OPERATING PROCEDURES***

7e

(excluding holidays) SC CAP Shift

#### ***Review of After-hours Hits***

- Designated CAP IEA checks the SC-Newark e-mail box and records all previous Secure Communities (SC) activity by the Buffalo Field Office (BFO) from 7e 7e and weekend/holiday) on the SC Spreadsheet on Share Drive and prints hard copies of all SC hits and places in SC folder

7e

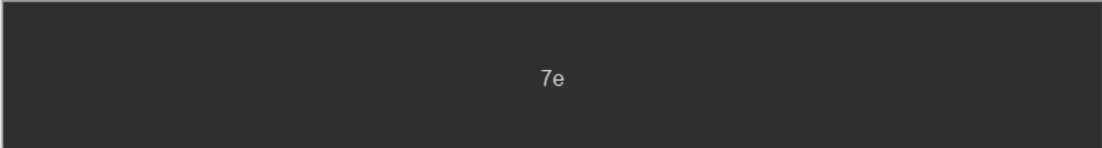
- All cases in which detainers were lodged will be forwarded to the IEA having responsibility over that geographical area along with a cc copy to the assigned SDDO. The receiving officer will create a work folder and order the A-file.
- Designated CAP IEA confirms that all actions have been taken on all hits from after-hours hits. All discrepancies shall be reported to the SDDO for follow-up action

#### ***Incoming SC Hits***

- Designated CAP IEA for the day monitors SC static IP messages every 15 minutes
- Hit comes in from SC static IP address
- Identify if it is a Fugitive, Marlton or CAP Newark. If it is a Fugitive or Marlton hit it will be referred to the Fugitive or Marlton SDDO with cc copy to the AFOD having area of responsibility
- All encounters must be listed as an SC lead source in ENFORCE
- (b)(6), (b)(7)(C) and Fugitive Unit will conduct record checks and contact the police department to lodge a detainer, if appropriate, and record the event and disposition in ENFORCE
- If hit is confirmed to belong to CAP Newark, the IEA for the day conducts all record checks to determine if the subject is amenable to removal



- If subject is not amenable to removal, the IEA for the day will create the event in ENFORCE and include the disposition
- If subject is amenable to removal, the IEA for the day will contact the police department and lodge a detainer
- The IEA will confirm whether the alien will remain in police custody to face criminal charges



- If the Police Department will not hold the alien for ICE, a CAP SDDO needs to be briefed immediately. It is paramount that the IEA ensures arrangements are made to transport, process subject and prepare a charging document on the subject
- Assigned SC IEA completes the end of shift SC spreadsheet (all fields) and uploads it onto the S:drive
- Print out all SC hits for the shift and place into the designated SC folder by MSS Truslow's desk

**SC After-hours [Redacted] 7e days per week and all Holidays/Weekends SOP**

- SC hits will be monitored by the Buffalo Field Office (BFO)
- All detainees for amenable cases will be lodged by BFO Officers and notification will be sent to the SC-Newark e-mail box
- BFO Officers will create an event in ENFORCE to include the disposition
- If a Police Department is unwilling to hold the alien, BFO will contact the NCIC Duty Officer
- The NCIC Officer must ensure the subject is transported, processed and a charging document initiated. The NCIC Officer must confirm an event was created in ENFORCE and input the disposition for all SC hits that they are contacted on by BFO
- The NCIC Officer will create a work folder with all the available documents and records checks for review by the CAP SDDO the next business morning
- Elizabeth Detention Facility will provide transportation (where operationally possible) and assist with processing [Redacted] 7e not including holidays. If

Elizabeth is unable to pick-up/transport, the NCIC officers must do so per the local NCIC policy.

- An incident report e-mail must be completed the next business day by the NCIC Officer involved and sent to AFOD [b6 & 7c] FOD [b6 & 7c] and AFOD [b6 & 7c] to initiate follow up action on the agency that did not honor the ICE detainer
- All SC hits that the NCIC Officer becomes involved in must be logged in on the NCIC logbook per the local NCIC policy. The notation should start with SC Hit
- A CAP SDDO shall be contacted if the SC hit case requires Supervisory guidance prior to enforcement action, to include aliens with USC claims, LPRs, U.S. military service, or other sensitive issues.



Newark Field Office Area of Responsibility – **Secure Communities** Contact Numbers for Buffalo Field Office Command Center:



**Newark Field Office (North)**

- Bergen
- Essex
- Hudson
- Hunterdon
- Middlesex
- Monmouth
- Morris
- Passaic
- Somerset
- Sussex
- Union
- Warren

**NCIC Duty Officer Cell (Primary):**  
(973) 332-██████ CELL

**SIEA After Hours (Secondary Only):**  
(973) 332-██████ CELL  
[SC-NEWARK@ice.dhs.gov](mailto:SC-NEWARK@ice.dhs.gov) (OutLook)

Fax: (973) 645-2237 - NEWARK

Weekdays - 1600hrs – 0800hrs  
Weekends & Holidays 24hrs

**Marlton Sub-Office (South)**

- Atlantic
- Burlington
- Camden
- Cape May
- Cumberland
- Gloucester
- Mercer
- Ocean
- Salem

**NCIC Duty Officer Cell (Primary):**  
(973) 332-██████ ELL

**SIEA After Hours (Secondary Only):**  
(973) 332-██████ CELL  
[SC-NEWARK@ice.dhs.gov](mailto:SC-NEWARK@ice.dhs.gov) (OutLook)

Fax: (856) 489-0945 - MARLTON

Weekdays - 1600hrs – 0800hrs  
Weekends & Holidays 24hrs

**Please contact the following officials if the primary and secondary phone numbers are not working properly or unavailable.**

Newark Field Office (North) :

SDDC ██████████ b6 & 7c  
SDDC ██████████  
SDDC ██████████  
AFOC ██████████

Marlton Sub Office (South):

SDDC ██████████ b6 & 7c  
SDDC ██████████  
AFOC ██████████



b6, b7c

**From:** [REDACTED]  
**Sent:** Wednesday, July 24, 2013 9:37 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Inactivity Report 287g User Access Report\_07/23/13  
**Attachments:** 287gUserLoginAge25DaysEnabled\_072313.xlsx  
**Importance:** High

Team,

Please review and take the appropriate action.

Thanks in advance!



## U.S. Immigration and Customs Enforcement

[REDACTED]  
b6, b7c

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:** Tuesday, July 23, 2013 3:22 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Inactivity Report 287g User Access Report\_07/23/13  
**Importance:** High

[REDACTED]  
b6, b7c

Please see attached the list of users and their time of inactivity. We have 14 users on the list that have not logged in for at least 25 days or more.

\*\*\*Please note that we have a single user at SAN BERNARDINO COUNTY SHERIFF'S that has not been disabled at this time.

Thank you.

[REDACTED]  
b6, b7c

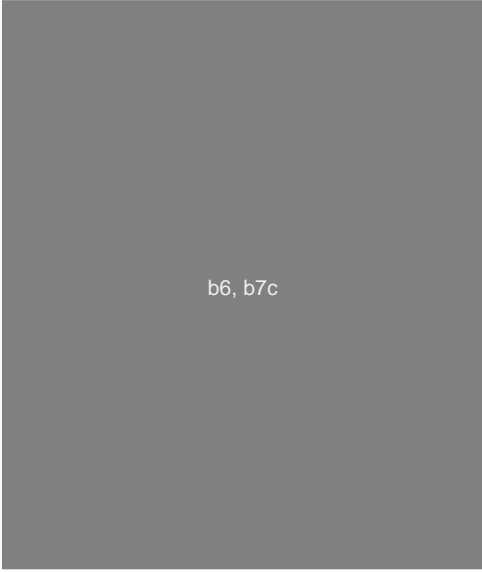
287g Program Manager, Operations Division (OPS)  
Office of the Chief Information Officer (OCIO)  
Immigration and Customs Enforcement (ICE)  
Department of Homeland Security (DHS)  
Office: 202-732-[REDACTED]

Mobile: 202-603-[REDACTED]

Email: [REDACTED]

ICE Service Desk: (888) 347-[REDACTED] or via the web [REDACTED]

**287g Users**

<b>Days</b>	<b>Last Name</b>	<b>First Name</b>
30	 A large grey rectangular redaction box covers the entire content of the table's body, obscuring all names and other data.	
38		
30		
35		
28		
45		
45		
27		
27		
34		
30		
33		
29		
30		

b6, b7c

**Pending de-Provision\_07/23/13**

<b>Office</b>
WDC - PRINCE WILLIAM COUNTY ADULT DETENTION CENTER
WCS - WHITFIELD COUNTY SHERIFF'S OFFICE
<b>SSB - SAN BERNARDINO COUNTY SHERIFF'S</b>
ETJ - ETOWAH COUNTY JAIL
FAD - FREDERICK COUNTY ADULT DETENTION CENTER
CCD - COLLIER OFFICE
BCD - BEAUFORT COUNTY DETENTION CENTER
ESD - EL PASO COUNTY SHERIFF'S OFFICE
MPD - MESA POLICE DEPARTMENT
GAS - GASTON COUNTY JAIL
ESD - EL PASO COUNTY SHERIFF'S OFFICE
MPD - MESA POLICE DEPARTMENT
HAI - HALL COUNTY JAIL
TSH - TULSA COUNTY SHERIFF'S OFFICE

b6, b7c

**From:** [REDACTED]  
**Sent:** Wednesday, July 31, 2013 1:52 PM  
**To:** [REDACTED]  
**Subject:** FW: Secure Communities statement/background

This talks about Secure Communities...More info.

**Thank you,**

b6, b7c

**Detention & Deportation Officer**  
**HQ-Criminal Alien Division**  
**(202)732- [REDACTED] -Desk**  
**(202)300- [REDACTED] - Cell**



---

**From:** [REDACTED]  
**Sent:** Thursday, May 10, 2012 6:15 PM  
**To:** [REDACTED]  
**Subject:** FW: Secure Communities statement/background

in the event any of this language can be used by you in responses to taskings.....

Below is the most recent DHS cleared on the record statement and background info in response to SC inquiries.  
Thank you

**ON-THE-RECORD:**

“Over the past three years, U.S. Immigration and Customs Enforcement (ICE) has dramatically changed the way it conducts immigration enforcement. ICE implemented clear priorities, enhanced the use of prosecutorial discretion, and implemented a sustained focus on the identification and removal of criminal aliens and other priority individuals. [Secure Communities](#) has proven to be the single most valuable tool in allowing the agency to eliminate the ad hoc approach of the past and focus on criminal aliens and repeat immigration law violators. In Fiscal Year 2011, for the first time ever, 55 percent of all of ICE’s removals were convicted criminals and over 90 percent of all removals clearly fell into one of [ICE's categories for priority enforcement](#).

“To date, more than 135,000 convicted criminal aliens were removed after an identification through Secure Communities, including more than 49,000 convicted of major violent offenses like murder, rape and the sexual abuse of children. Approximately 95% of the total Secure Communities removals fall within ICE’s civil enforcement priorities including convicted criminals, recent illegal border entrants and those who game the immigration system: immigration fugitives and repeat immigration law violators such as individuals who illegally re-enter the country after having been removed, a federal felony offense.”



## **ON-BACKGROUND:**

### **Changes to Secure Communities:**

- ICE is always looking to improve Secure Communities. Some of the enhancement and changes include:
  - In response to the recommendations of the Secure Communities Task Force, ICE is adopting a new policy regarding minor traffic offenders. Going forward, ICE detainers issued upon individuals arrested solely for minor traffic offenses, who have not been previously convicted of other crimes and do not fall within any other ICE priority category, will become operative only upon conviction.
    - This change builds upon other important changes that have been made to the Secure Communities program, including the issuance of the Prosecutorial Discretion memo, civil rights training for state and local law enforcement, a revised complaint system, a new detainer form and statistical monitoring by the DHS office of Civil Rights and Civil Liberties.
  - A [new memorandum](#) from ICE Director John Morton designed to assist ICE agents, officers, and attorneys in ensuring that our limited resources are expended on individuals who meet ICE's enforcement priorities by encouraging the exercise of discretion in appropriate cases that fall outside these priorities.
  - ICE and the DHS Office for Civil Rights and Civil Liberties (CRCL) created a new training program for state and local law enforcement agencies to provide more information about how Secure Communities works and how it relates to civil rights and aliens' rights in the criminal justice system.
  - Furthermore, ICE developed and released a new policy specifically designed to protect witnesses, domestic violence victims, and victims of other violent crime, and enhanced civil rights monitoring based on in-depth statistical analysis and a new civil rights complaint process. These measures will help guarantee that Secure Communities is operated in a manner that is fully consistent with all applicable civil rights and civil liberties laws and policies.
  - ICE has also expanded outreach efforts with key stakeholders at the national, state, and local levels related to Secure Communities participation. As Secure Communities activations continue, ICE is providing briefings to law enforcement agencies in States to ensure complete clarity about the program. Additionally, ICE continues to provide briefings upon request in States that have already been activated.
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### **Immigration Enforcement Efforts:**

- ICE's highest priority for removal is individuals who pose a danger to national security or a risk to public safety, including aliens convicted of crimes, with particular emphasis on violent criminals, felons, and repeat offenders. ICE also prioritizes those who have recently illegally entered the United States, individuals who have repeatedly violated our immigration laws and aliens who are fugitives.
- Through Secure Communities, ICE is transforming and modernizing immigration enforcement in a smart and effective manner. Secure Communities has proven to be a central tool in DHS's efforts to focus our limited immigration enforcement resources on high priority individuals.
- Under Secure Communities, the FBI, as mandated by statute, automatically sends these fingerprints to DHS to check against its immigration databases. If these checks reveal that an individual may be unlawfully present in the United States or otherwise removable due to a criminal conviction, ICE determines what, if any, enforcement action to take – prioritizing the removal of those individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history, and other factors, as well as those who have repeatedly violated immigration laws.

- Secure Communities imposes no new or additional requirements on state and local law enforcement. The federal government, not the state or local law enforcement agency, determines what immigration enforcement action, if any, is appropriate.
- Because Secure Communities is fundamentally an information sharing program between two federal partners, the federal government makes the determination on when and where to activate it, based on the availability of federal resources. ICE plans to reach complete nationwide activation by the end of 2013. In order to clarify that a memorandum of agreement between ICE and a state is not required to operate Secure Communities for any jurisdiction, in August 2011, ICE Director John Morton sent a letter to Governors terminating all existing Secure Communities memorandum of agreements to avoid further confusion.
- In Fiscal Year 2011, ICE removed 216,698 criminal aliens, an 89 percent increase in the removal of criminals from fiscal year 2008.
- To see what jurisdictions are activated, please visit: [REDACTED] b7e
- As of May 8, ICE is currently using the Secure Communities information sharing capability in 2,792 jurisdictions in 48 states and one U.S. territory (Puerto Rico). As of May 8, 40 states and one U.S. territory (Puerto Rico) have statewide activation with this enhanced federal information sharing capability.

[REDACTED] b6, b7c

Spokesperson/Public Affairs Specialist  
U.S. Immigration and Customs Enforcement (ICE)

202-732 [REDACTED] (office)  
786-387 [REDACTED] (cell)

[REDACTED] b6, b7c

[www.ice.gov](http://www.ice.gov)

b6, b7c

**From:** [REDACTED]  
**Sent:** Friday, July 05, 2013 12:18 PM  
**To:** [REDACTED]  
**Subject:** RE: 287g assistance  
**Attachments:** Copy of Copy of Frederick CSO.xlsx

Thank you,



b6, b7c

Detention & Deportation Officer  
IHS/HQ-Criminal Alien Division  
500 12<sup>th</sup> Street, SW  
Washington, DC 20536  
202-732- [REDACTED] Office  
202-300- [REDACTED] BB

---

**From:** [REDACTED]  
**Sent:** Friday, July 05, 2013 11:36 AM  
**To:** [REDACTED]  
**Subject:** FW: 287g assistance

b6, b7c

Section Chief – Criminal Alien Program  
ICE | Enforcement & Removal Operations  
500 12th Street SW | Washington, DC 20536  
(202) 732- [REDACTED] office | (202) 696- [REDACTED] cell |

b6, b7c



---

**From:** [REDACTED]  
**Sent:** Friday, July 05, 2013 10:10 AM

**To:** [REDACTED] b6, b7c

**Subject:** 287g assistance

Please look up the 22 people on this list and provide a comment as to why a DIO would have processed the person.

The front office is looking for this as soon as possible.

Thank You,

[REDACTED] b6, b7c

Criminal Alien Program, Unit Chief  
Enforcement and Removal Operations

202-732 [REDACTED] b6, b7c

~~CONFIDENTIALITY NOTICE: This document may contain confidential and sensitive U.S. Government information, and is not for release, review, retransmission, dissemination or use by anyone other than the intended recipient. Please notify the sender if this email has been misdirected and immediately destroy all originals and copies of the original. Any disclosure of this document must be approved by the Department of Homeland Security, U.S. Immigration and Customs Enforcement.~~

Removal C Family Name

Subject Id

Alien File Number    Fbi Number    cnt

b6, b7c

b7e

b6, b7c

b7e

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Processing Disposition	Citizenship_Combined	Gender_Co	Comment
Warrant of Arrest/Notice to Appear	MEXICO	Male	Previous ICE arrest that was bonded
Bag and Baggage	EL SALVADOR	Male	
Bag and Baggage	EL SALVADOR	Male	
Warrant of Arrest/Notice to Appear	EL SALVADOR	Male	
	GUATEMALA	Female	
	EL SALVADOR	Female	
	MEXICO	Male	
Warrant of Arrest/Notice to Appear	EL SALVADOR	Male	
	EL SALVADOR	Male	
	EL SALVADOR	Female	
	EL SALVADOR	Male	
Warrant of Arrest/Notice to Appear	NIGERIA	Male	
	GHANA	Female	
	MEXICO	Male	
	EL SALVADOR	Male	
	GUATEMALA	Male	
	ARGENTINA	Male	Encountered by 287(g) trained officer
	UNKNOWN	Male	Encountered by 287(g)-No info subject
	GHANA	Male	Proceedings terminated
REINSTATEMENT OF DEPORT ORD	GUATEMALA	Male	Reinstatement- previously removed or
Bag and Baggage	GUATEMALA	Male	B&B-IJ ordered removal in 02/18/199
Warrant of Arrest/Notice to Appear	EL SALVADOR	Male	Encountered by 287(g) trained officer
REINSTATEMENT OF DEPORT ORD	HONDURAS	Male	Reinstatement-previously removed or

and was arrested after being bonded out by ICE for DUI. Had previous DUI conv

at the Frederick County Detention Center. No prior criminal history-event was c  
it is a USC.

1 07/23/12- Encountered by 287(g) County Adult Detention Center  
7-in absentia (b)(6), (b)(7)(C) case. Encountered at Frederick County Adu  
at the Frederick County Adult Detention- for possession of cocaine, DUI, Fe  
1 11/16/2006. Encountered at the Frederick County Adult Detention, Frederick Co

iction of 300 days

generated and released based on prosecutorial discretion.

It Detention Center by 287(g) trained officer after arrest for -failure to stop at red signal and driving without a license  
failure to stop after accident  
for driving without license and suspended license



se.

b6, b7c

**From:** [REDACTED] b6, b7c  
**Sent:** Friday, July 26, 2013 5:12 PM  
**To:** [REDACTED] b6, b7c  
**Cc:**  
**Subject:** Six Month Detainer Policy Review Tasking

All,

The below tasking was sent out to all FODs today.

All staff must monitor the CAP HQ mailbox and retrieve the responses from your AOR field offices. Submit the responses to the lead DDO for this project: [REDACTED] b6, b7c

The due date for these responses from the field offices is July 31, 2013. Any FODs not responding to the task should be forwarded to your Section Chief [NLT: July 31, 2013; COB](#)

[REDACTED] b6, b7c *All field office responses will need to be consolidated and an Executive Summary created. It will be due for review by the Section Chiefs on: [August 1, 2013; NLT 10am](#)*

Thanks,

[REDACTED] b6, b7c

Section Chief – Criminal Alien Program  
ICE | Enforcement & Removal Operations  
500 12th Street SW | Washington, DC 20536  
(202) 732 [REDACTED] b6, b7c office | (202) 696 [REDACTED] b6, b7c cell |

[REDACTED] b6, b7c



---

**From:** [REDACTED] b6, b7c  
**Sent:** Tuesday, July 23, 2013 4:59 PM  
**To:** [REDACTED] b6, b7c  
**Subject:** FW: Detainer Review

*The following message is being sent on behalf of [REDACTED] b6, b7c Assistant Director for Secure Communities and Enforcement, with the concurrence of [REDACTED] b6, b7c Assistant Director for Field Operations:*

**To: Field Office Directors, Deputy Field Office Directors**

**Subject: Six-Month Detainer Policy Review**

On December 21, 2012, Director Morton issued a policy entitled Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems. This memorandum provided national guidance on the use of detainers to ensure uniform adherence to ICE's Civil Immigration Enforcement Priorities. The policy requires a six-month review of the implementation and effect of this guidance to determine whether modifications, if any, are needed.

To effect this review each Field Office must respond to the below questions:

1. What, if any, challenges in implementing the new guidance and form have you experienced?
2. Since the issuance of the December guidance, have you created any local policies, procedures, supplemental guidance or training regarding the issuance of detainers? If so, please send a copy of the guidance or training materials with this response. Please also send any written guidance issued previously if it remains operative in your field office.
3. Does your office routinely conduct interviews prior to issuing a detainer?
  - A. If interviews are routinely conducted, how are they completed, i.e., telephonically, in person, etc.?
  - B. If interviews are not routinely conducted prior to issuing a detainer, what impediments prevent your offices from doing so?
  - C. If interviews are not routinely conducted prior to issuing a detainer, when are they conducted?

Please submit your responses by July 31, 2013, to the CAP HQ mailbox at b6, b7c

Questions regarding this message may be directed to your [CAP](#) point of contact.

~~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.~~

b6 & 7c

**From:** [REDACTED]  
**Sent:** Tuesday, February 19, 2013 6:15 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 287g BQYs  
**Importance:** High

Ladies,

Please work together to create the four basic 287g reports; Encounters, Arrests, Detainers, CDIs and Removals.

Here is what I will want you to do in their creation.

[REDACTED]  
b5

I would like these reports to have a rough run completed by Thursday afternoon, and a live run to compare to current methodologies completed by Friday so that on Monday they can be used to report 287g numbers for the routine reports. Then the reports will be sent to Stu for validation and on 3/1 statistical reporting will belong to STU.

If you have any question I am out tomorrow but send them to me any way and I can call and walk you through it, also Adonnis was briefed.

Thank you,

[REDACTED]  
b6 & 7c

Criminal Alien Division, Acting Deputy Assistant Director  
Enforcement and Removal Operations

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Wednesday, July 18, 2012 6:38 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** CAP UPDATES  
**Importance:** High

With everyone on leave or detailed or being assigned tasks that take them from the Unit, I wanted to let you all know the direction of the Unit.

First let me say that you are all performing so well, the message from the new DAD should not be taken lightly. This is a terrific unit and the things that you all do to promote it and make it succeed is just a credit to the hard working people that you are.

I want to take this opportunity to thank [REDACTED] b6 & 7c for the great job he did as the acting Section Chief last week.

As most of you know we have had the second section chief [REDACTED] b6 & 7c EOD and he is sitting in the large cube next to [REDACTED] (b)(6), (b)(7)(d) If you have not introduced yourself please do. There will be [REDACTED] (b)(7)(f) more staff officers EOD within the next month, [REDACTED] (b)(7)(e) [REDACTED] (b)(7)(e) This will complete the hiring within CAP. So our unit will be staffed with 1 student intern, 2 support team members, [REDACTED] (b)(7)(f) staff officers, [REDACTED] (b)(7)(e) section chiefs and a unit chief. I am proud to say that all of you are part of CAP and I hope that you too realize the impact we have every day and the strength of this unit when we work as a team.

As a team we need to keep up on the progress of the program and ensure in the next fiscal year CAP is as strong as it could ever be. There is a lot on the horizon for ERO with the upcoming election, deployment of RCA, and the continued expansion of CHIS. You are the face of a great program and even though we are not chasing super cool things like new tech, know that the initiatives that we are doing, no one else is. That is what makes you great, that is what makes the unit the powerhouse that it is, we do things that make a difference and FODs see that. Remember that as you move through your days.

I asked the other day if there were any questions, no one asked and I was surprised because with a new supervisor there must be changes right? Well no. No one in the unit will see much of a difference with the addition of the new section chief. The administrative rules that were put in place through myself and [REDACTED] (b)(6), (b)(7)(f) are to be maintained but obviously the chain of command for some of you will be changed and that is it. The Section Chiefs will be responsible for specific parts of the unit, and maintaining a work flow. Although assigned to a section chief you are not limited to the duties that they are covering, staff officers are the unit subject matter experts and should be able to answer all aspects for their AORs.

The unit will maintain in an east coast/west coast format. No one will lose an AOR or gain one until the final staff officer arrives. The section chiefs will be in charge of custody and non-custody operations respectively. Everyone will continue as they were with the assignments that they have to include all aspects of their respective AORs.

[REDACTED] b6 & 7c

will be assigned to Luis.

[REDACTED] b6 & 7c

will be assigned to [REDACTED] b6 & 7c

We are one unit, so remember that any leave or training requests within the unit is based on the unit's manpower not a section chiefs specific staff.

b6 & 7c will be in charge of non-custody operations. His portfolio will include:

Fugitive operations liaison

Non-custody policy creation, review and implementation ( ie.. 4<sup>th</sup> amendment)

VCAS

JCART

Strategic planning

At large operations, to include surges, probation, NIVV criminals

Technological modernization (ie.. processing and possible equipment)

b6 & 7c will be in charge of custody operations, to include:

USMS Witness security

CHIS

CAPRA

Rapid Repat

Facility Surges

IRP/IRCM

DEPORT

Administrative issues (ie..514s, onboarding)

Custodial polices

If you have any questions come see me. Just remember that I expect that issues be brought through the chain, if you want to chat and brainstorm with me my door is open and I usually have candy.

Thank You,

b6 & 7c

Criminal Alien Program, Unit Chief

Enforcement and Removal Operations

202-732-6 & 7c

b6 & 7c

**From:** [REDACTED]  
**Sent:** Thursday, March 28, 2013 11:12 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: FO [REDACTED] ERO Encounters, Detainers, CDIs & Arrest Logic  
**Importance:** High

Ladies,

Please review the STU inform attached and provide me your thoughts. Are these queries ready to go?

Thanks,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, March 27, 2013 10:06 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: FO [REDACTED] ERO Encounters, Detainers, CDIs & Arrest Logic  
**Importance:** High

FYI here's the information that we will be working towards for Monday's reports!!!!

[REDACTED]

Chief, Statistical Tracking Unit  
DHS/ICE/ERO Law Enforcement Systems & Analysis  
Desk: 202-732 [REDACTED]  
iPhone: 202-253 [REDACTED]

When you see that you can find and enjoy new cheese you can change course!!!!

---

**From:** [REDACTED]  
**Sent:** Tuesday, March 26, 2013 5:07 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FOR [REDACTED] ERO Encounters, Detainers, CDIs & Arrest Logic  
**Importance:** High

Good Afternoon,

Here is the summary of the query changes, as requested by [REDACTED] to the Hyperion Server "Cap" queries that the IIDS developers will start running as of April 1:

I am saving this week's and last week's test queries in the IIDS folder [REDACTED]

(b)(7)e

Query Name	Query Change	Impact	Proposed New Query Name
ERO Encounters	7e, b5		ERO Encounters w/4/16
ERO Arrests			ERO Arrests w/4/16
ERO Detainers			ERO Detainers w/4/16
CAP CDIs			ERO CDIs w/4/16
R&R / R&R Case Lag Queries			R&R / R&R Case Lag Queries

b6 & 7c

DHS-ICE-ERO-LESA  
 Statistical Tracking Unit

Direct: (202) 73 b6 & 7c

BB: (202) 487 b6 & 7c

Cell: (412) 3 b6 & 7c

b6 & 7c



**From:** [REDACTED] b6 & 7c  
**Sent:** Thursday, May 10, 2012 6:15 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Secure Communities statement/background

in the event any of this language can be used by you in responses to taskings.....

Below is the most recent DHS cleared on the record statement and background info in response to SC inquiries.  
 Thank you

**ON-THE-RECORD:**

“Over the past three years, U.S. Immigration and Customs Enforcement (ICE) has dramatically changed the way it conducts immigration enforcement. ICE implemented clear priorities, enhanced the use of prosecutorial discretion, and implemented a sustained focus on the identification and removal of criminal aliens and other priority individuals. [Secure Communities](#) has proven to be the single most valuable tool in allowing the agency to eliminate the ad hoc approach of the past and focus on criminal aliens and repeat immigration law violators. In Fiscal Year 2011, for the first time ever, 55 percent of all of ICE’s removals were convicted criminals and over 90 percent of all removals clearly fell into one of [ICE's categories for priority enforcement](#).

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**ON-BACKGROUND:**

**Changes to Secure Communities:**

- ICE is always looking to improve Secure Communities. Some of the enhancement and changes include:
  - In response to the recommendations of the Secure Communities Task Force, ICE is adopting a new policy regarding minor traffic offenders. Going forward, ICE detainers issued upon individuals arrested solely for minor traffic offenses, who have not been previously convicted of other crimes and do not fall within any other ICE priority category, will become operative only upon conviction.
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- Under Secure Communities, the FBI, as mandated by statute, automatically sends these fingerprints to DHS to check against its immigration databases. If these checks reveal that an individual may be unlawfully present in the United States or otherwise removable due to a criminal conviction, ICE determines what, if any, enforcement action to take – prioritizing the removal of those individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history, and other factors, as well as those who have repeatedly violated immigration laws.
- Secure Communities imposes no new or additional requirements on state and local law enforcement. The federal government, not the state or local law enforcement agency, determines what immigration enforcement action, if any, is appropriate.
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- In Fiscal Year 2011, ICE removed 216,698 criminal aliens, an 89 percent increase in the removal of criminals from fiscal year 2008.
- To see what jurisdictions are activated, please visit: <http://www.ice.gov/doclib/secure-communities/pdf/sc-activated.pdf>.
- As of May 8, ICE is currently using the Secure Communities information sharing capability in 2,792 jurisdictions in 48 states and one U.S. territory (Puerto Rico). As of May 8, 40 states and one U.S. territory (Puerto Rico) have statewide activation with this enhanced federal information sharing capability.

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

Spokesperson/Public Affairs Specialist  
U.S. Immigration and Customs Enforcement (ICE)

202-732-b6 & 7c office)  
786-387-cell)

b6 & 7c

[www.ice.gov](http://www.ice.gov)

b6 & 7c

**From:** [REDACTED]  
**Sent:** Thursday, February 21, 2013 5:08 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 287g BQYs

Looking at the stats it does fall within an acceptable variance.

I need the methodologies changed. List old and then new. I see you made the changes in red but I would like you to list the old methods and then write it again showing the new one. I do not see where the filter is added for the officer title, make sure in the new write out this is included and if it was not in the run please do.

Please have it done tomorrow by noon and then provide the Monday reports to me for clearance as we discussed with the methods attached.

This was a great job in a short time and will be able to stand the test of time. I appreciate the work. Thank you all.

Thanks,

b6 & 7c

**From:** [REDACTED]  
**Sent:** Thursday, February 21, 2013 4:21 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 287g BQYs  
**Importance:** High

b6 & 7c

7e, b5

b6 & 7c

---

**From:** [REDACTED]  
**Sent:** Thursday, February 21, 2013 8:45 AM

**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 287g BQYs  
**Importance:** High

[REDACTED]  
b6 & 7c

[REDACTED]  
b6 & 7c ,b5, 7e

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**From:** [REDACTED]  
**Sent:** Thursday, February 21, 2013 7:58 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 287g BQYs

Please provide an update by 10am this morning on your progress.

Thank you,

[REDACTED]  
b6 & 7c

Secure Communities and Enforcement, Acting Assistant Director  
Enforcement and Removal Operations

---

**From:** [REDACTED]  
**Sent:** Tuesday, February 19, 2013 6:15 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 287g BQYs  
**Importance:** High

Ladies,

Please work together to create the four basic 287g reports; Encounters, Arrests, Detainers, CDIs and Removals.

b5, 7e

I would like these reports to have a rough run completed by Thursday afternoon, and a live run to compare to current methodologies completed by Friday so that on Monday they can be used to report 287g numbers for the routine reports. Then the reports will be sent to Stu for validation and on 3/1 statistical reporting will belong to STU.

If you have any question I am out tomorrow but send them to me any way and I can call and walk you through it, also Adonnis was briefed.

Thank you,

b6 & 7c

Criminal Alien Division, Acting Deputy Assistant Director  
Enforcement and Removal Operations

b6 & 7c

**From:** [REDACTED]  
**Sent:** Tuesday, July 16, 2013 2:13 PM  
**To:** [REDACTED]  
**Subject:** Re: Detainers

Yes

b6 & 7c

----- Original Message -----

**From:** [REDACTED]  
**Sent:** Tuesday, July 16, 2013 02:13 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Detainers

I assume you are looking for entire ERO numbers including CAP programs.

Thanks,

[REDACTED]

Criminal Alien Division  
Enforcement and Removal Operations

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Tuesday, July 16, 2013 2:11 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Detainers

Working on it and will let you know soon.

Thanks,

[REDACTED]

Criminal Alien Division  
Enforcement and Removal Operations

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Tuesday, July 16, 2013 2:04 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Detainers

Can you pull the COL levels for detainees placed in FY12 and 13.

How do each COL compare?

How does each office compare?

Break out by month.

b6 & 7c



b6 & 7c

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, January 29, 2013 2:58 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** RE: FY 2012 CAP Encounter Statistics for 287g Requests for Participation

Than you , good work.

What is the status of the NCIC codes?

Thanks,

b6 & 7c

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, January 29, 2013 2:54 PM  
**To:** [REDACTED] b6 & 7c  
**Cc:** [REDACTED] b6 & 7c  
**Subject:** RE: FY 2012 CAP Encounter Statistics for 287g Requests for Participation

Hi [REDACTED] b6 & 7c

Here is the update.

Thanks,

b6 & 7c

Criminal Alien Division  
Enforcement and Removal Operations

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, January 29, 2013 2:15 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** RE: FY 2012 CAP Encounter Statistics for 287g Requests for Participation

Are these CAP?

Thanks,

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, January 29, 2013 1:25 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** RE: FY 2012 CAP Encounter Statistics for 287g Requests for Participation

Hi [REDACTED] b6 & 7c

Here is the summary by AOR.

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, January 29, 2013 11:32 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: FY 2012 CAP Encounter Statistics for 287g Requests for Participation

I made this too hard, you did a great job.

Can you send me the FY12 encounters for the same AORs as before with the landmarks that match?

Thanks,

[REDACTED] b6 & 7c

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, January 28, 2013 5:13 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FY 2012 CAP Encounter Statistics for 287g Requests for Participation

[REDACTED] b6 & 7c

Can you run the FY 12 CAP encounters for the attached counties that have requested participation in the 287(g) program?

Thanks,

[REDACTED] b6 & 7c

Unit Chief  
287 (g) Program

[REDACTED] b6 & 7c

Office  
Cell

**From:** [REDACTED] b6 & 7c  
**Sent:** Monday, September 24, 2012 9:33 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** Detainer Policy  
**Attachments:** 10074.1-hd-interim\_detainers\_directive[1].pdf

### *Immigration Detainers*

ICE issues immigration detainers to federal, state, and local Law Enforcement Agencies (LEA) to provide notice of ICE's intent to assume custody of an individual presently in an LEA's custody. ICE's detainer authority, codified in 8 C.F.R. § 287.7 with additional provisions in INA § 287.7 and 8 U.S.C. 1357, arises from the Secretary's power under INA § 103(a)(3) to provide regulations "necessary to carry out [her] authority," and from ICE's general authority to detain individuals who are subject to removal or removal proceedings.

Detainers are a particularly important tool in helping ICE to satisfy Congressional mandates to take custody of criminal aliens. For example, INA § 241(a)(1)(B)(iii) requires ICE to take custody of aliens with final removal orders upon release from criminal detention or confinement. Similarly, INA § 236(c) requires ICE to take custody of certain criminal aliens subject to removal proceedings when they are released from criminal custody, including those who are inadmissible

Immigration detainers have three key functions: 1) to 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; 2) to request information from an LEA about an alien's impending release so ICE may assume custody before the alien is released from the LEA; and 3) to 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 if ICE cannot immediately assume custody. This third function allows ICE to take custody of aliens arrested in remote areas where ICE may not have personnel in place. Immigration detainers have been used in this fashion for several decades and are critical to ICE's mission and function.

Immigration officers shall issue detainers only after an LEA has exercised its independent authority to arrest an alien for a criminal violation. 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 appears to advance ICE's enforcement priorities, then the officer may issue a detainer.

Particular care is required when dealing with aliens that claim legal status (i.e., LPR, Lawfully Admitted for Permanent Residency, Asylee, Refugee, and Naturalized United States Citizen<sup>[1]</sup>) because they may not be removable unless convicted. Claims of legal status should be verified through ICE databases and if the alien is not currently removable, the officer should inform that LEA that ICE is not taking any action at this time. This notice should be provided in writing and should further request the LEA to notify ICE if the alien is convicted of the crime for which he or she is being held so that his or her removability can be re-evaluated.

Detainers are issued if the subject is determined to be an alien and not used to hold individuals to investigate their nationality. Detainers are used to hold aliens who are amenable to removal from the United States. Detainers should not be placed on individuals that make a legitimate claim to United States Citizenship to bide time to verify their claim.

Detention and Deportation Officer  
 DHS/ICE/ERO/CAD/CAP  
 500 12<sup>th</sup> Street, S.W., Room [REDACTED] b6 & 7c  
 Washington, D.C., 20004

Cell: (202)3

Office: (202

b6 & 7c

Fax: (202)732-4561

---

<sup>[1]</sup> DHS has authority to institute either administrative or judicial proceedings to denaturalize citizens whose criminal convictions disqualified them from citizenship as a matter of law. Whether the proceedings are administrative or judicial, DHS must establish the allegations in its complaint by clear, unequivocal, and convincing evidence. DHS has no authority to seek denaturalization if the examiner had discretion to find that an applicant was of good moral character, and in fact did exercise that discretion so as to find that the applicant was of good moral character, unless DHS establishes in its complaint by clear, unequivocal, and convincing evidence either that the applicant gave false testimony with the intention of obtaining an immigration benefit or that the examiner's decision resulted from the applicant's willful misrepresentation or concealment of a material fact. DHS may seek denaturalization if the applicant made a false oral statement under oath (regardless of whether the testimony is material) with the subjective intent of obtaining immigration benefits. Alternatively, DHS may seek denaturalization if the applicant procured naturalization by concealment or willful misrepresentation of a material fact. In either case, DHS must prove its complaint by clear, unequivocal, and convincing evidence.

## 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:** [REDACTED]  
**Sent:** Tuesday, July 23, 2013 5:00 PM  
**To:** [REDACTED]  
**Subject:** [REDACTED]

This is what cleared.

b6 & 7c

Section Chief – Criminal Alien Program  
ICE | Enforcement & Removal Operations  
500 12th Street SW | Washington, DC 20536  
(202) 732-[REDACTED] office | (202) 696-[REDACTED] ell |

b6 & 7c



*The following message is being sent on behalf of [REDACTED] Assistant Director for Secure Communities and Enforcement, with the concurrence of [REDACTED] Assistant Director for Field Operations:*

**To:** Field Office Directors, Deputy Field Office Directors

**Subject:** Six Month Detainer Policy Review

ICE Field Office Directors were to have closely evaluated the effects of the Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems memorandum signed December 21, 2012 over the first six months of implementation.

The Memorandum provided guidance on the use of ICE detainers regardless of the enforcement effort but does not govern the use of detainers by Customs and Border Protection. As ICE's implementation of the priorities set forth in the Civil Immigration Enforcement: Priorities for Apprehension, Detention, and Removal of Aliens memorandum issued in June of 2010 continues, it is of critical importance that ICE ensures that the priorities are uniformly, transparently, and effectively pursued.

FODs are required to submit a briefing paper containing any issues that have arisen in the implementation and execution of the new detainer to include but not limited to the following:

- Identify any issues resulting from the new form and policy;
- Identify any local policies or procedures that govern the issuance of detainers, in addition to the December guidance. If you provided any written guidance or training, please send a copy of anything provided to your officers;



- How frequently are interviews conducted prior to the issuance of a detainer? If frequently, how are you able to do so? If never, what are the hurdles that prevent an interview (by phone or in person) prior to the issuance of a detainer?
- Do you have a system in place to periodically review detainers for compliance with the memo?

Please submit your responses by August 7, 2013 to the CAP HQ mailbox at

b6 & 7c

Questions regarding this message may be directed to your [CAP contact](#) or [Field Operations](#) point of contact.

b6 & 7c

**From:** [REDACTED]  
**Sent:** Wednesday, August 15, 2012 4:04 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Cook County Detainers

**From:** [REDACTED]  
**Sent:** Thursday, February 02, 2012 8:17 AM  
**To:** [REDACTED]  
**Subject:** RE: Cook County Detainers

Thank you.

**From:** [REDACTED]  
**Sent:** Wednesday, February 01, 2012 7:12 PM  
**To:** [REDACTED]  
**Subject:** FW: Cook County Detainers

See email chain below pertaining to the information you requested:

[REDACTED] has expressed a concern about having access [REDACTED] This is pretty much the only reliable tool ICE has to work with since [REDACTED]  
[REDACTED]

If you need further information, feel free to reach out to [REDACTED] as he suggested.

Regards,

[REDACTED]  
**From:** [REDACTED]  
**Sent:** Wednesday, February 01, 2012 6:59 PM  
**To:** [REDACTED]  
**Subject:** RE: Cook County Detainers

Good Evening [REDACTED]

There has been no cooperation between ICE and Cook County Jail since the passing of the detainer ordinance back in September 2011. The Chicago Field Office has a meeting scheduled on Friday, Feb 3, 2012, with one of the Cook County Commissioners who is opposed to the current ordinance, and is trying to revise it.. We prepared an executive summary, and forwarded it through Field Ops. The FOD has been communicating with Field Ops and I believe he has a meeting scheduled for tomorrow with Executive Director Gary Mead.

Below is a quick synopsis addressing your questions:

ICE agents are not allowed in Cook County Jail except in the public access area. We are not given access to interview inmates at the facility. Our agents review a list of offenders who were arrested the day before

and are awaiting their criminal bond hearing. The list of offenders is posted in the public access area of the Jail and contains the name of the offender and their IR # (Incident Response number). We run the IR# through a database (b)(7)e see below explanation of this database) that queries the arrest record for the current offense and any past offenses that occurred in Cook County. The arrest record contains the place of birth of the offender. We then run checks in various ICE databases for possible matches or prior encounters. We check (b)(7)e and reviewing the entire criminal history, and also review the (b)(7)e (b)(7)e in an effort to corroborate alienage and avoid placing detainers on naturalized citizens.

We prepare detainers for those cases that fall under EROs priorities, and provide them to the facility, but the officials at Cook County have not honored any detainers since the passing of the September 2011 ordinance.

It is noteworthy to mention that Cook County is a Sanctuary County. The sanctuary ordinance was passed in 2006 prohibiting Cook County officials from disclosing information about immigration status and it is the policy of Cook County Sheriff's Office not to assist in the investigation of citizenship or immigration status of any person unless they are investigating alien smuggling. Simply put, they will not cooperate with ICE on civil immigration matters.

\*The Chicago Police Department (CPD) is using (b)(7)e to supplement the department's (b)(7)e (b)(7)e CPD has developed an extensive database of criminal information that is available through the web.

7e

7e

Thanks

b6 & 7c

Assistant Field Office Director  
DHS/ICE/ERO  
Chicago Field Office  
(312) 34 (b)(7)e desk)  
(312) 73 b6 & 7c cell)

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Fro b6 & 7c

Sent: Wednesday, February 01, 2012 4:42 PM

**To:** [REDACTED] b6 & 7c

**Subject:** RE: Cook County Detainers

Good Evening,

I am contacting you to obtain an update on the situation between ICE and Cook County Jail since its new Detainer Policy:

Is Cook County Jail cooperating in any way with ICE, since its new Detainer Policy?

How does your AOR know that there are foreign-born inmates in Cook County Jail?

Your prompt response to this matter would be greatly appreciated.

Regards,

[REDACTED] b6 & 7c

**HQ Staff Detention and Deportation Officer**

**Enforcement and Removal Operations**

**HQ Criminal Alien Program**

202-78 [REDACTED] esk)

202-69 [REDACTED] lackberry)

[REDACTED] b6 & 7c

**From:** [REDACTED] b6 & 7c

**Sent:** Monday, November 07, 2011 4:10 PM

**To:** [REDACTED] b6 & 7c

**Cc:** [REDACTED] b6 & 7c

**Subject:** RE: Cook County Detainers

Prior to the current ordinance that passed in early September 2011, I had agents assigned to Cook County to pick up at that facility every day, Monday through Friday. Generally, we would pick up every morning by 10:00am and the vast majority of those inmates that posted their criminal bond and were ready for release were picked up by ICE agents within 24 hours of notification.

The \$43,000 a day that Cook County claims that it is costing is likely inclusive of those aliens we have detainers on who are ineligible for release from Cook County due to the nature of the offense, or are unable to raise the funds to post their criminal bond.

The cost of holding a subject at Cook County has been reported in various newspapers at 143 dollars a day. Using Cook County numbers provided below (\$43,000 daily) that would equate to 300 inmates with ICE detainers on record who are ready for pick up....that is simply inaccurate. Even during the busiest time of the year, the number of those Cook County inmates scheduled for release pursuant to an ICE detainer at most 10-15 a day—not 300 daily.

Thanks

[REDACTED] b6 & 7c

Assistant Field Office Director

DHS/ICE-Enforcement and Removal Operations

Chicago, IL

(312) 347 [REDACTED] office)

(312) 735 [REDACTED] cell)

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**Fro** [REDACTED] b6 & 7c  
**Sent:** Monday, November 07, 2011 2:17 PM  
**To** [REDACTED] b6 & 7c  
**Subject:** Cook County Detainers

Good Day,

I am contacting you in regards to Cook County's new policy on Immigration Detainers.

We are trying to figure out a way to possibly cut back on the costs associated with holding aliens on ICE Detainers.

Cook County is claiming that they have to pay out approximately, \$43,000 per day as a result of holding individuals on ICE Detainers.

Generally, how long does it take your AOR to retrieve an individual once a Detainer is lodged?

[REDACTED] b6 & 7c

HQ Staff Detention and Deportation Officer  
Enforcement and Removal Operations  
HQ Criminal Alien Program  
202-73 [REDACTED] esk)  
202-69 [REDACTED] ackberry)

[REDACTED] b6 & 7c

b6 & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Tuesday, May 15, 2012 9:05 AM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: overall policy development process: re: Rapid REPAT

FYI

**Fro** [REDACTED] b6 & 7c  
**Sent:** Friday, May 11, 2012 11:50 AM  
**To** [REDACTED] b6 & 7c  
**Cc** [REDACTED]  
**Subject:** FW: overall policy development process: re: Rapid REPAT

This is good info to keep for future projects.

---

**From:** [REDACTED] b6 & 7c  
**Sent:** Friday, May 11, 2012 11:19 AM  
**To** [REDACTED] b6 & 7c  
**Cc** [REDACTED]  
**Subject:** overall policy development process: re: Rapid REPAT

H [REDACTED] b6 & 7c

This is a follow-up to our short meeting this morning regarding your Rapid REPAT project. Like always, it was a pleasure meeting with you.

As discussed, my office completed the formatting of the SOP. I note that this completes your request to ERO Policy. Here are the next steps:

Prior to OESIMS routing:

- Request ERO Policy to review your other documents that will be routed for AD or EAD signature. ERO Policy is responsible for policy document formatting and plain language requirements, as outlined in the Plain Writing Act of 2010, signed by President Obama on October 13, 2012. I note that you only asked ERO Policy to format the SOP.
- Regarding the ERO-wide review, provide ERO Policy with a copy of the comments received and your resolution of the substantive issues. If the document will affect other ICE components, an ICE-wide review is also necessary following the ERO-wide review. Usually, ERO Policy sets up the ERO review via the Directive Points of Contact and interactions with HQ Field Ops officers. ERO Policy also directly tasks the other ICE components when their input is determined to be necessary by the Principal Author (you). The comments and resolution are part of the permanent file that ERO Policy maintains.
- Request or complete de-confliction with the following ICE components: ICE OPLA, E&LR, Privacy, and HSI. OPLA and E&LR completes the Scorecard. OPLA also does a legal review. In accordance with the DRO Policy Framework Directive, signed 12-1-09, ERO Policy is responsible for these de-conflictions and is the ERO policy liaison with the ICE components. However, if you have already completed all or some of the de-conflictions, please provide ERO Policy the documentation for our files, and we will follow-up with the remaining ICE components.

- After ERO wide review and de-confliction with the other ICE components, it is time to route the final documents for concurrence and signature via OESIMS. Regarding the ICE components listed on the OESIMS routing slip, put the date of de-confliction with the ICE components and place the completed OPLA/E&LR Scorecard in the blue folder. The routing for initials and signature is internal, within ERO. The Principal Author manages the movement of the blue folder when forwarded for initialing and final signature.
- Provide ERO Policy with the signed original document. We add the tracking numbers and effective date and store the signed documents. The effective date is usually the date the signed doc is loaded in the Policy Resource Library. However, the Principal Author can delay the effective date (e.g., to first complete necessary training).

I hope this information explains the overall process. ERO Policy plans to publish a Handbook outlining this process real soon (I hope). It is almost ready for ERO-wide review and comment. Please do not hesitate contacting me if you have any questions or concerns.

R [redacted] b6 & 7c

Policy Analyst  
 Policy Resource Management Section  
 Executive Information & Reporting Unit  
 Office of Detention and Removal Operations  
 Immigration and Customs Enforcement  
 U.S. Department of Homeland Security  
 500 12th Street, SW, Room [redacted] b6 & 7c  
 Washington, D.C., 20004  
 (o) 202-73 [redacted] b6 & 7c  
 (c) 202-56 [redacted] b6 & 7c  
 [redacted] b6 & 7c

---

**From:** [redacted] b6 & 7c  
**Sent:** Thursday, May 03, 2012 6:58 AM  
**To:** [redacted] b6 & 7c  
**Cc:** [redacted]  
**Subject:** RE: Rapid REPAT SOP

H [redacted] b6 & 7c

Ok, all documents are attached now; I'll have them uploaded to share-point as well when my contact at Correspondence gets in this morning. DTB Scorecard is at the bottom.

[redacted] b6 & 7c

She's all yours 😊 The UC is fine with you taking over to complete the formatting according to your new guidance. Please let me know if I can be of assistance—I very much appreciate your efforts 😊

VR,

[redacted] b6 & 7c DDO  
 DHS, ICE HQ, ERO/CAD/CAP  
 500 12<sup>th</sup> Street S.W.  
 Washington, D.C.  
 Cell: 202-696 [redacted] b6 & 7c

Office: 202-732- [b6 & 7c]

Fax: 202-732-4561

[b6 & 7c]

**From** [b6 & 7c]

**Sent:** Wednesday, May 02, 2012 4:53 PM

**To** [b6 & 7c]

**Subject:** Re: Rapid REPAT SOP

O [b6 & 7c] hanks.

[b6 & 7c]

Recall assignment and track recall by ERO policy owner.

[b6 & 7c]

Office Number: 202-732- [b6 & 7c]

BB Number: 202-553- [b6 & 7c]

**From** [b6 & 7c]

**Sent:** Wednesday, May 02, 2012 04:01 PM

**To** [b6 & 7c]

**Subject:** FW: Rapid REPAT SOP

Good Afternoon [b6 & 7c]

After researching I've discovered that ALL Rapid REPAT documents need to be vetted back thru the channels for a final review, the new ones as well. I found an old email between you and [b6 & 7c] indicating that 9A Notice wouldn't be necessary, but I'll send everything to you anyway for final look over and decision. Policy just came out with a Standard format for SOP's so I'm redoing that and should have everything ready tomorrow, including the new Scorecard that reflects all the documents.

VR,

[b6 & 7c]

DDO

DHS, ICE HQ, ERO/CAD/CAP

500 12<sup>th</sup> Street S.W.

Washington, D.C.

Cell: 202-69- [b6 & 7c]

Office: 202-7- [b6 & 7c]

Fax: 202-732-4561

[b6 & 7c]

**From** [b6 & 7c]

**Sent:** Wednesday, May 02, 2012 10:11 AM

**To:** [b6 & 7c]

**Subject:** Rapid REPAT SOP

Good Morning [b6 & 7c]

Attached is a DTB Scorecard requesting approval/signature for the Rapid REPAT SOP, Notice of TD and Request for Removal Forms; these items were suggested by OPLA after the MOU, Acknowledgement Form and Application/Waiver Forms were approved. So, we're almost there. I wasn't sure that these would need to come thru ELR after the MOU was approved, but after speaking to Policy they told me that these documents would need a new Scorecard before being moved thru Privacy and OPLA.



The OESIMS folder Number is (b)(7)e Please have a look and let me know if you have any questions.

VR,

(b) & 7c DDO  
DHS, ICE HQ, ERO/CAD/CAP  
500 12<sup>th</sup> Street S.W.  
Washington, D.C.  
Cell: 202-696 (b) & 7c  
Office: 202-7  
Fax: 202-732-4561

(b) & 7c

**From:** [REDACTED] b6 & 7c  
**Sent:** Thursday, May 10, 2012 6:15 PM  
**To:** [REDACTED] b6 & 7c  
**Subject:** FW: Secure Communities statement/background

in the event any of this language can be used by you in responses to taskings.....

Below is the most recent DHS cleared on the record statement and background info in response to SC inquiries.  
Thank you

**ON-THE-RECORD:**

“Over the past three years, U.S. Immigration and Customs Enforcement (ICE) has dramatically changed the way it conducts immigration enforcement. ICE implemented clear priorities, enhanced the use of prosecutorial discretion, and implemented a sustained focus on the identification and removal of criminal aliens and other priority individuals. [Secure Communities](#) has proven to be the single most valuable tool in allowing the agency to eliminate the ad hoc approach of the past and focus on criminal aliens and repeat immigration law violators. In Fiscal Year 2011, for the first time ever, 55 percent of all of ICE’s removals were convicted criminals and over 90 percent of all removals clearly fell into one of [ICE's categories for priority enforcement](#).

“To date, more than 135,000 convicted criminal aliens were removed after an identification through Secure Communities, including more than 49,000 convicted of major violent offenses like murder, rape and the sexual abuse of children. Approximately 95% of the total Secure Communities removals fall within ICE’s civil enforcement priorities including convicted criminals, recent illegal border entrants and those who game the immigration system: immigration fugitives and repeat immigration law violators such as individuals who illegally re-enter the country after having been removed, a federal felony offense.”

**ON-BACKGROUND:**

**Changes to Secure Communities:**

- ICE is always looking to improve Secure Communities. Some of the enhancement and changes include:
  - In response to the recommendations of the Secure Communities Task Force, ICE is adopting a new policy regarding minor traffic offenders. Going forward, ICE detainers issued upon individuals arrested solely for minor traffic offenses, who have not been previously convicted of other crimes and do not fall within any other ICE priority category, will become operative only upon conviction.
    - This change builds upon other important changes that have been made to the Secure Communities program, including the issuance of the Prosecutorial Discretion memo, civil rights training for state and local law enforcement, a revised complaint system, a new detainer form and statistical monitoring by the DHS office of Civil Rights and Civil Liberties.
  - A [new memorandum](#) from ICE Director John Morton designed to assist ICE agents, officers, and attorneys in ensuring that our limited resources are expended on individuals who meet ICE's enforcement priorities by encouraging the exercise of discretion in appropriate cases that fall outside these priorities.

- ICE and the DHS Office for Civil Rights and Civil Liberties (CRCL) created a new training program for state and local law enforcement agencies to provide more information about how Secure Communities works and how it relates to civil rights and aliens' rights in the criminal justice system.
- Furthermore, ICE developed and released a new policy specifically designed to protect witnesses, domestic violence victims, and victims of other violent crime, and enhanced civil rights monitoring based on in-depth statistical analysis and a new civil rights complaint process. These measures will help guarantee that Secure Communities is operated in a manner that is fully consistent with all applicable civil rights and civil liberties laws and policies.
- ICE has also expanded outreach efforts with key stakeholders at the national, state, and local levels related to Secure Communities participation. As Secure Communities activations continue, ICE is providing briefings to law enforcement agencies in States to ensure complete clarity about the program. Additionally, ICE continues to provide briefings upon request in States that have already been activated.
- In February 2012, ICE created a Public Advocate position to serve as the agency's point of contact for individuals in immigration proceedings, non-governmental organizations, and advocacy groups that have concerns, questions, recommendations, or other issues to raise. This position will build constructive relationships with the community and help resolve concerns.

### **Immigration Enforcement Efforts:**

- ICE's highest priority for removal is individuals who pose a danger to national security or a risk to public safety, including aliens convicted of crimes, with particular emphasis on violent criminals, felons, and repeat offenders. ICE also prioritizes those who have recently illegally entered the United States, individuals who have repeatedly violated our immigration laws and aliens who are fugitives.
- Through Secure Communities, ICE is transforming and modernizing immigration enforcement in a smart and effective manner. Secure Communities has proven to be a central tool in DHS's efforts to focus our limited immigration enforcement resources on high priority individuals.
- Under Secure Communities, the FBI, as mandated by statute, automatically sends these fingerprints to DHS to check against its immigration databases. If these checks reveal that an individual may be unlawfully present in the United States or otherwise removable due to a criminal conviction, ICE determines what, if any, enforcement action to take – prioritizing the removal of those individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history, and other factors, as well as those who have repeatedly violated immigration laws.
- Secure Communities imposes no new or additional requirements on state and local law enforcement. The federal government, not the state or local law enforcement agency, determines what immigration enforcement action, if any, is appropriate.
- Because Secure Communities is fundamentally an information sharing program between two federal partners, the federal government makes the determination on when and where to activate it, based on the availability of federal resources. ICE plans to reach complete nationwide activation by the end of 2013. In order to clarify that a memorandum of agreement between ICE and a state is not required to operate Secure Communities for any jurisdiction, in August 2011, ICE Director John Morton sent a letter to Governors terminating all existing Secure Communities memorandum of agreements to avoid further confusion.
- In Fiscal Year 2011, ICE removed 216,698 criminal aliens, an 89 percent increase in the removal of criminals from fiscal year 2008.
- To see what jurisdictions are activated, please visit: <http://www.ice.gov/doclib/secure-communities/pdf/sc-activated.pdf>.
- As of May 8, ICE is currently using the Secure Communities information sharing capability in 2,792 jurisdictions in 48 states and one U.S. territory (Puerto Rico). As of May 8, 40 states and one U.S. territory (Puerto Rico) have statewide activation with this enhanced federal information sharing capability.

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