

## ***Immigrant Legal Resource Center v. Department of Homeland Security***

### **Overview of ILRC's Freedom of Information Act (FOIA) Request**

Since 2013, the Immigrant Legal Resource Center (ILRC) has been tracking policies dealing with the various ways in which state and local law enforcement is entangled with the Department of Homeland Security (DHS) in deporting members of immigrant communities. In November 2016, we received data from a FOIA request to DHS that provided details on local jail meetings with Immigration and Customs Enforcement (ICE) across the country and the levels of assistance state and local jurisdictions were willing to provide to ICE going forward.

Troubled by the Trump administration's commitment to further blur the line between ICE and state and local policing and to punish jurisdictions that limit their engagement in immigration enforcement, in June 2017 we filed a second FOIA request (click here to read our FOIA request to DHS). In December 2017, we received the results with updated information regarding the ways that counties are willing or unwilling to engage with ICE. Litigation in connection with this second FOIA request is ongoing and we anticipate receiving additional materials.

Because various advocates, academics, and other partners have found the information that we obtained useful for local campaigns, academic research, and getting an in-depth look at how DHS interacts closely with state and local jurisdictions and facilities, we wanted to provide a way to share these documents widely.

Below you can view a downloadable PDF with all of the documents that we received from DHS. The table of contents provides a brief description of each document.

To request the underlying raw data of a particular document in non-PDF form, you can email Krsna Avila at [kavila@ilrc.org](mailto:kavila@ilrc.org).

### **Table of Contents**

**I. Detainers, Notifications, and Access to Jails:** These documents pertain to ICE detainers, which are requests from ICE to state and local jurisdictions asking them to hold individuals for an extended time period to effectuate their transfer to ICE custody; ICE notifications, which are requests for state or local jurisdictions to notify ICE of their plans to release individuals; and ICE's access to various jail facilities in order to interrogate individuals. These documents include email discussions about the definition of 8 U.S.C. § 1373 and a series of sheets that ICE uses to track jurisdictions that limit compliance with detainers, notifications, and access to jails.

1. **Email exchange with subject "ERO Adequate Notification Tracker":** This email exchange lists jurisdictions that ICE has identified as not providing adequate notification.
2. **Email exchange with subject "Scope of 8 USC 1373."**
3. **Email exchange with subject "Adequate Notification and 1326 Tracker":** This document appears to be a list of jurisdictions that limit their compliance with detainer requests.
4. **Email exchange with subject "Uncoop Jurisdictions 2.7."**
5. **Lists of different jurisdictions that ICE and the Office of the Principal Advisor have identified as not providing adequate notification for purposes of 8 USC § 1373.**
6. **Tracking sheet of each jurisdiction and the different forms of cooperation with ICE:** This sheet includes various facilities and whether each facility provides ICE with access to the jail; accepts I-247(A) detainer forms; detains individuals; or provides notifications.

**II. 287(g):** The 287(g) program allows state and local jurisdictions to enter into agreements with ICE, allowing specific state and local agents to be deputized to perform immigration

enforcement functions. ICE gave the ILRC lists of jurisdictions that are interested in becoming part of the 287(g) program. The ILRC is still seeking more documents from ICE about this program.

7. **LEAs Expressing Interest:** This document, dated August 22, 2017, lists jurisdictions expressing interest in the jail, taskforce or hybrid models of the 287(g) program.
8. **Active MOAs:** This document, dated August 22, 2017, lists jurisdictions that are actively engaged in the 287(g) program. This information is also publicly available on the ICE website.
9. **ICE Delegation Order:** In this document, then ICE Director John Morton delegates ICE authority for entering into 287(g) agreements to the Executive Associate Director of Enforcement and Removal Operations.

**III. Immigration Detention:** The documents ICE provided the ILRC about detention include a facilities matrix and various protocols and procedures.

10. **Chapter 25 Detention Facilities:** This document contains a chapter and related appendices on the types of immigration detention facilities, how they should be managed, and standard agreements relating to each.
11. **Detention Facilities:** This document is a list of detention facilities categorized by type and tracks inspection standards and compliance as well as population demographics in each facility.

**IV. Enforcement Operations:** The documents ICE provided the ILRC about enforcement operations include internal discussions about using the probation system to effectuate more deportations; memos about courthouse arrests; policy guidance about entering information in the National Crime Information Center; and implementation of Trump's immigration-related executive orders.

## **12. Probation**

- a. **Email exchange with subject: Probation and Parole Memo.**
- b. **Morton Memo Titled:** Transition of Enforcement Responsibilities and Requisite Funding from Homeland Security Investigations to Enforcement and Removal Operations.
- c. **Email exchange with subject:** Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations.
- d. **Email containing memo from Gregory J. Archambeault with subject:** Probation and Parole (Information Gathering).
- e. **Email exchange with subject:** Probation and Parole. These messages discuss a Memorandum of Agreement between Homeland Security Investigations and Enforcement and Removal Operations to transfer funds appropriated to operationalize the probation and parole initiative.
- f. **Memo from Matthew Albence:** Dated July 28, 2014 titled Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations.
- g. **Memo from Peter Edge:** Titled Transition of Probation and Parole Enforcement Responsibilities from Homeland Security Investigations and Enforcement and Removal Operations.

- h. **Memo from Matthew Albence:** Dated July 31, 2014 titled Transition of Probation and Parole Responsibilities from Homeland Security Investigations and Enforcement and Removal Operations.
- i. **Email from Archenbeault to Homan with subject:** Probation & Parole.
- j. **Realignment of Immigration Workload from Homeland Security Investigations to Office of Enforcement and Removal Operations.**
- k. **List of probation detention centers:** Showing ICE's plans to target the probation system more deeply, along with demographic statistics for each facility and the number of ICE agents that would be required to oversee arrests and transfers of persons on probation.

### 13. Courthouse arrests

- a. **Email exchange with subject:** Reminder - Enforcement Actions at or Near Courthouses.
- b. **Memo from Jon Gurule:** Dated October 21, 2015 titled Enforcement Actions at or Near Courthouses.

### 14. National Crime Information Center (NCIC)

- a. **Memo dated March 14, 2017:** Titled Guidance for E-mailing Scanned Documents to the Law Enforcement Support Center for Entry into the National Crime Information Center.
- b. **Memo from John P. Torres:** Dated August 28, 2005, titled Placement of Fugitive Cases into the National Crime Information Center's Immigration Violator File.
- c. **ICE/NCIC Warrant Entry Requirements.**

### 15. ERO Procedures

- a. **Enforcement and Removal Operations:** Fugitive Operations Handbook, dated July 23, 2010 and reviewed July 23, 2014.
- b. **Enforcement Operations Property Protocols:** Dated December 3, 2012.
- c. **Memo from Thomas E. Feeley:** Dated April 14, 2017 titled Conducting At-Large Arrests and Using Restraints.
- d. **Memo from John P. Torres:** Dated January 22, 2007 titled Interim Guidance Relating to Officer Procedure Following Enactment of VAWA 2005.

### 16. Executive Order Implementation

- a. **Email exchange with redacted subject:** discussing how Trump's executive order on immigration impacts immigration enforcement practices.
- b. **Email exchange with subject:** End of Day: EO TF Get Backs and Status. This exchange contains information about ICE's view on the scope of the definition of 8 USC § 1373; providing a rationale to boost ICE hiring by 10,000 agents; references ICE's reporting requirements with relation to the March 6, 2017 executive order; and references a 287(g) paper setting forth long-term goals for the program.

## Chapter 25: Detention Facilities

### References:

Detention Management Control Program

Immigration and Naturalization Service Acquisition Procedures - INSAP-04-02,  
Appendix 25-1.

### Regulations:

Enforcement Standards; AM 4.1.500

<b>25.1 General.</b>	<b>2</b>
<b>25.2 Types of Detention Facilities.</b>	<b>3</b>
<b>25.3 Contract Jail Space.</b>	<b>4</b>
<b>25.4 Contract Detention Space.</b>	<b>5</b>
<b>25.5 Facility Detention Reviews.</b>	<b>6</b>
<b>25.6 Bed Space Management</b>	<b>8</b>
<b>25.7 Facility Detainee Tracking and Movement</b>	<b>13</b>
<b>25.8 Transportation Management</b>	<b>15</b>
<b>Appendix 25-1 INS Acquisition Procedures for Intergovernmental Service (Jail) Agreements (Added DD00-02)</b>	<b>19</b>
<b>Appendix 25-2 Standard Intergovernmental Service (Jail) Agreement (revised 10/9/98) (Added DD00-02)</b>	<b>27</b>
<b>Appendix 25-3 Detention Facility Addresses</b>	<b>38</b>

## **25.1 General.**

Enforcement of the Immigration and Nationality Act often involves detaining aliens subject to removal from the United States. The Service operates or uses several types of detention facilities for this purpose.

## 25.2 Types of Detention Facilities.

The following serve as detention facilities:

Service Processing Centers (SPCs), owned and operated by the Service.

Contract Detention Facilities (CDFs), contractor-owned; operated jointly with the Service.

Staging facilities owned and operated by the Service.

Federally owned; operated jointly with the U.S. Bureau of Prisons.

Contractor-owned; operated jointly with the U.S. Bureau of Prisons.

These facilities provide housing for persons taken into custody pending removal proceedings or release on bond or personal recognizance. The detention facility is responsible for the secure detention and personal welfare of the individual. This includes, among other things, food, housing, medical and dental care, clothing, and reasonable recreational facilities.

SPCs use contract guard services to perform basic custodial duties.

CDFs provide detention services under competitively bid contracts awarded by the INS. With the exception of facilities jointly operated with the Bureau of Prisons, all facilities used by INS for the detention of aliens must adhere to the INS National Detention Standards (NDS).

Staging Facilities are temporary housing facilities which serve as central collection points for the Detention and Removal program. Staging facility personnel receive or pick up aliens apprehended by DRO and other INS programs as well as other federal, state and local law enforcement agencies and correctional facilities. Staging facility personnel process detainees into Service custody, classifying and assigning them to detention facilities. DEOs from staging facilities transport detainees to EOIR, federal and state courts, and consulates. Some staging facilities have travel offices to prepare notifications and schedule removals, including escort arrangements. Staging facility supervisors coordinate all JPATS and interdistrict transfers.

## **25.3 Contract Jail Space.**

In addition to the detention facilities identified in section 25.2, above, the Service also houses detainees in state, county and local jails. The Service may use any jail that has signed an Intergovernmental Service Agreement (IGSA)\* with either the INS or the U.S. Marshals Service (USMS)\*. An IGSA is a contract between INS and a state, county or municipal government obligating the INS to reimburse the other agency for the costs of housing INS detainees. IGSA facilities house most of INS detainees. (See Immigration and Naturalization Service Acquisition Procedures - INSAP-04-02, Appendix 25-1.)

## **25.4 Contract Detention Space.**

The manager or warden of a state or local facility makes available to the INS a number of beds on a per diem basis. Although day-to-day custodial care and control is the manager or wardens responsibility, every facility housing INS detainees for more than 72 hours must comply with the NDS.

In some facilities, a permanent INS presence handles alien transportation and matters not strictly custodial in nature. In others, where INS use of the facility is intermittent or of such a low volume that a permanent Service presence would not be cost-effective, DRO handles administrative matters. See Appendix 25-2.



## 25.5 Facility Detention Reviews.

(a) Facility Reviews. DRO regularly monitors facilities that house INS detainees for compliance with the NDS. The Detention Management Control Program (DMCP) guides the review process, setting forth the requirements and responsibilities of Headquarters, Regional, District and facility staff charged with implementing the NDS. The DCMP maintains all jail inspections results along with the distribution and notification protocol.

INS will not enter into a new IGSA or piggyback on a USMS contract before conducting a detention review and evaluating the facility's compliance with the national standards.

Officers from Headquarters conduct the reviews of SPCs and CDFs. Each District must inspect the IGSA facilities under its jurisdiction for compliance with the NDS. Detention reviews for IGSA facilities fall into two categories: jails or other facilities used to house INS detainees for a period of 72 hours or more and jails or facilities used for less than 72 hours. Since the standards do not apply to under 72 hour facilities, this type of inspection is an abbreviated version that concentrates on the basic conditions of confinement.

The INS will not house detainees in any IGSA facility lacking an approved, current inspection report.

(b) Monitoring Instruments. Jail reviewers use the Review Guidelines that correspond to each detention standard to document their findings. They record the inspection results on Inspection Form, G-324a.

(c) Jail Inspections Procedures. The annual inspection cycle begins with a Management Assessment. During the Management Assessment, DRO Headquarters officials working with managers in the field base the priorities for the next year's inspections on operational developments and issues that have recently emerged. They then update the review guidelines that serve as guidance for individual facility reviews. At that point, the Review Authority (see paragraph d, below) establishes review teams and publishes a schedule of facility reviews. The review team prepares an inspection report on each facility providing the Officer in Charge (OIC) with a copy. The OIC must then address any deficiencies noted in the review. Minor deficiencies may be corrected through immediate action while other more complex deficiencies must be addressed through a Plan of Action. The file remains open until the reviewers find that all deficiencies have been corrected and HQDRO concurs.

(d) Review Teams. The Deputy Executive Associate Commissioner, Office of Detention and Removal, serves as the Review Authority (RA), who every year requests a list of potential jail reviewers from each regional director.

Every reviewer must complete the facilities inspection and standards training offered by HQDRO at regular intervals. Reviewers must attend refresher training at intervals of

three years or less to ensure consistency and uniformity among reviewers. The Director, Detention and Transportation Division, manages the reviewer training and is responsible for certifying reviewers qualifications and attendance at refresher programs.

## 25.6 Bed Space Management

Bed space management is a high-level process. It includes multiple sub-processes described in detail in subsequent sections. It is essential that all (Areas of Responsibility) AORs participate in bed space management to ensure that detainees can be placed in bed space as quickly as possible.

Process flow documentation is located in Appendix 16-7 - B.0.0 Bed Space Management, B.1.0 Assess Inventory, B.2.0 Assess Threat Classification, B.3.0 Assign Facility, B.4.0 Assign HU or POD, B.5.0 Assign Bed, B.6.0 Transfer Detainee (Inter-AOR), B.6.1 Submit DOCC Emergency Request and B.6.2 Barter Detainee Transfer.

### (a) Assess Inventory

The inventory of available beds is based on gender and criminal classification level. The availability of general population and specialty housing (i.e. medical beds) are considered. Some preconditions must be met prior to the Bed Space Coordinator (BSC) assessing the inventory levels. The population count from each facility within the AOR must be accurately completed and communicated. The number of expected releases/transfers scheduled for the day must be created and communicated, and the number of anticipated new arrivals per day must be forecasted.

When the need arises, the BSC (See Footnote 1) must assess bed space inventory by contacting appropriate jail (Points of Contact) POCs via email, telephone, or fax at facilities within the AOR. The BSC typically contacts the facilities they have previously used. The BSC will obtain available bed space inventory from various facilities and current detainee population roster. The available inventory can vary frequently throughout the day making it necessary to re-verify availability prior to transportation of detainees. Many facilities' available inventory can vary depending on their non-Detention and Removal Operations (DRO) inmate population resulting in an increase/decrease in the number of available beds throughout the day.

Based on available bed space, the BSC consolidates available inventory. Then, the BSC reviews daily detainee incoming or outgoing movements and updates available inventory. Due to unscheduled/unanticipated movements throughout the day, bed space inventory shall be re-verified continuously to assure that bed availability is maintained as accurately as possible. This is critical, as detainee movement into or out of a facility can be affected by a breakdown in transportation (air/conveyance) resources, which may further result in an unanticipated delay or cancellation of a detainee movement.

- Process flow documentation is located in Appendix 16-7 - B.1.0 Assess Inventory.

### (b) Assess Threat Classification

The Primary Assessment Form is intended to document the population data, aggregate the classification assessment, and determine the detainee's threat classification level. Detainees' criminal history must be reviewed to populate the assessment threat classification form. See ICE/DRO Detainee Classification System Detention Standard.

- Process flow documentation is located in Appendix 16-7 - B.2.0 Assess Threat Classification.

(c) Assign Facility

Criteria used to match a detainee to an available facility, housing unit/pod and specific bed can be based upon AORs bed space availability and nationality, gender and/or threat classification. Seasonality may also impact the approach.

To determine facility assignments, a preliminary evaluation of detainee characteristics (e.g., gender, nationality, threat level, special needs) must be made. This involves having knowledge of capabilities within AOR (e.g., medical services, ability to house females/males, ability to house Level 1, 2, 3 detainees), and knowledge of preferences within AOR (e.g., nationalities).

All facilities do not have the resources or capability to house all types of detainees; resources vary among AORs. Detainees will be assigned to the optimal facility based on proximity, location, availability and detainee characteristics. After the BSC identifies the optimal housing facility, the BSC must determine and verify bed availability; verify the receiving facility will accept the detainee; and allocate the bed to the detainee. This leads the BSC to update available inventory and create a transfer request if detainee will be transported to another site. If the optimal facility is unable to accept detainee, then the BSC should contact other possible facilities within AOR. If a bed is unavailable within the AOR, the BSC will arrange for inter-AOR transfer.

- Process flow documentation is located in Appendix 16-7 - B.3.0 Assign Facility.

(d) Assign Housing Unit or Pod

The Field Office (FO) BSC must receive acceptance by a facility to accept detainee. To assign optimal housing unit or pod, the Facility Housing Manager must assess housing unit/pod inventory and detainee characteristics. Once the Housing Manager identifies and determines the availability of optimal housing unit or pod, the Housing Manager will allocate the housing unit or pod space to the detainee. Conversely, if the optimal housing unit or pod is not available, then the detainee is assigned to the next housing unit. The Facility Housing Manager updates the housing unit or pod inventory and facility roster to reflect the new space allocation

- Process flow documentation is located in Appendix 16-7 - B.4.0 Assign HU or POD.

(e) Assign Bed

To assign a bed to detainees, the Facility Pod Officer (FPO) must quantify the housing unit or pod bed availability. Additionally, the FPO will review the Medical Summary for documented medical constraints and recommendations made by the medical provider. With this information, the FPO is able to assign the optimal bed and then update the inventory. For the facility housing units utilizing bunk beds, bottom bunks can be specifically assigned to detainees with medical conditions, or as prescribed by the medical provider.

- Process flow documentation is located in Appendix 16-7 - B.5.0 Assign Bed.

(f) Transfer Detainee (Inter-AOR)

Detainees may be moved between AORs to maximize bed space resources. Preconditions must be met to carry out a transfer. A determination must be made for the need to transfer a detainee, and no legal barriers must exist to prevent the transfer of a detainee. A detainee may not be removed from any facility, including Field Office detention areas, without the proper transportation documentation, including a Form G-391 authorizing movement. Refer to ICE/DRO Transfer of Detainees Detention Standard for further detail.

The BSC must qualify the need and determine if the bed need is immediate. Detainee transfers begin with a request from a field office for reasons including DRO special needs requirements, housing capacity requirements, and/or legal requirements. The next step is to contact the receiving/accepting field office, which reviews and approves the intended transfer(s). Transportation arrangements would then be made locally for ground transfers or through the Flight Operations Unit (FOU). The final step is to coordinate the transfer by establishing the time and location for the meet. Typically, field offices contact the (DOCC) in advance to request transportation support.

If there is an immediate need for bed space, the DOCC contacts AOR's nationwide to identify a location amenable to placing a detainee. The Daily Facility Capacity report is utilized to help determine the location and availability of bed space. However, there is usually a disparity between the report and the actual number of beds that are available nationwide, as the Daily Capacity Report does not take into account variables such as Fugitive Operations (FUGOPS)/Criminal Alien Program(CAP) surges and the need to keep additional bed space for those operations. In addition, the report is run daily using data from (ENFORCE).

If bed space can not be located, have been exhausted, the BSC creates a DOCC Emergency Request.\* The DOCC team sends the facility declinations up the chain of command and upper management will contact the Field Office Director (FOD)/ Deputy Field Officer Director (DFOD) directly.

\*(ICE)/DRO shall make all necessary notifications when a detainee is transferred. ICE/DRO must adhere to DRO/FOU/Justice Prisoner Alien Transportation System (JPATS) protocols when detainees are being transported. See ICE/DRO Transfer of Detainees Detention Standard and DROPPM Section 16.10 Justice Prisoner Alien Transportation System (JPATS) [Reserved]for further detail.

- Process flow documentation is located in Appendix 16-7 - B.6.0 Transfer Detainee (Inter-AOR).

(g) Submit DOCC Emergency Request

DOCC Emergency Transfers are used to maximize national bed space during bed space shortage. Emergency Transfers are only necessary if bed space is limited or unavailable within the AOR.

The sending FO BSC must quantify the bed need, and communicate the bed space request to DOCC. The DOCC team documents the request into the DOCC bed space request log and matches available allocations to the bed space request. Subsequently, the DOCC team contacts the receiving FO to obtain approval and allocated beds to the sending FO BSC. The sending FO BSC must barter the detainee transfer list; prepare appropriate documentation; and update the available inventory. Once these steps have been taken, a transport request is created.

- Process flow documentation is located in Appendix 16-7 - B.6.1 Submit DOCC Emergency Request.

(h) Barter Detainee Transfer List

Detainee cases are transferred inter-AOR to optimize bed space resources. This process occurs in the following scenarios:

- Sending AOR has limited or no bed space available;

and  Receiving AOR has available bed space; and

Receiving AOR agrees to accept transfers.

FOs that routinely transfer cases between each other must establish a means of communication so that receiving Fs provide sending FOs daily information regarding available bed space. Additionally, FOs must also provide the names and contact numbers of staff responsible for handling transfers. See ICE/DRO Transfer of Detainees Detention Standard for further detail.

The sending FO compiles the detainee transfer list and communicates the detainee transfer list to the receiving FO. The receiving FO evaluates the proposed detainee transfer list and communicates concerns about potential transfers to the sending FO.

Subsequently, the sending FO reviews and addresses concerns, and updates the detainee transfer list communicated to the receiving FO. The receiving FO reviews the transfer list and communicates detainee transfer list approval. The Sending FO prepares appropriate documentation for the transfer and creates the transport request.

The appropriate documentation consists of a completed Form I-216 including all gender, criminal charges, and status (i.e., Notice to Appear (NTA) transfer, FO transfer, or Removal). This documentation must be sent to the DOCC and to the receiving AOR. The receiving FO typically requests the medical documentation prior to the transfer. The receiving FO is usually able to accept the additional detainees as long as the sending FO has sent a completed Form I-216 with accurate information, the detainees are properly updated in EARM/EADM, and there are no overdue Post Order Custody Reviews (POCRs) or other problem cases.

- Process flow documentation is located in Appendix 16-7 - B.6.2 Barter Detainee Transfer.

## 25.7 Facility Detainee Tracking and Movement

(a) General. This section pertains to processes involved in tracking and recording the location of aliens while at staging centers or detention facilities.

(b) Book-in Detainees. If the detainee is moved from a hold room to begin the book-in process, record the detainee's exit from the hold room. Check the detention management system for the existence of the detainee record. If the record exists, update the detainee location otherwise enroll the detainee into the detention management system. Create the Detention file interview the detainee for classification, then assign the detainee to a facility (if the detainee is at a staging center) and bed. See ICE/DRO Admission and Release Detention Standard for additional information concerning detainee intake, screening, and book in procedures.

- Process flow documentation is located in Appendix 16-7 - L.5.0 Book-in Detainee and L.16.0 Book in to DRO Custody.

(c) Track Internal Facility Movement

Verify the identity of the detainee by checking the detainee's wristband or identification card, and log the detainee out of the location's log book. If the facility uses identification cards, return the card to the detainee.

- If the detainee is being moved from a housing unit, decrement the rolling count in the unit's log book. If the detainee is being moved to another housing unit, ensure that the escorting officer obtains the detainee's housing card.
- In certain facilities, if the destination is the cafeteria and the detainee refuses to eat, the detainee may be allowed to remain in the housing unit. The housing unit officer must document the detainee's refusal to eat, whether the detainee is moved to the cafeteria or remains at the housing location.

Escort the detainee to the destination.

- If the destination is a housing unit, deliver the housing card to the housing unit officer. Increment the rolling count in the housing unit's log book.
- If the facility issues identification cards, the housing unit officer obtains the detainee's identification card.
- Log the detainee into the location's log book.
- Process flow documentation is located in Appendix 16-7 - L.6.0 Track Internal Facility Movement.



(d) Conduct Population Count. See the ICE/DRO Population Counts Detention Standard for detailed procedures for conducting population counts.

- Process flow documentation is located in Appendix 16-7 - L.7.0 Conduct Population Count.

(e) Prepare Detainee. See the ICE/DRO Admission and Release Detention Standard for detailed procedures for preparing a detainee for release.

- Process flow documentation is located in Appendix 16-7 - Link to L.9.0 Prepare Detainee.

- Prepare Property and Provisions. See the ICE/DRO Admission and Release, Funds and Personal Property, and the Transfer of Detainee Detention Standards for detailed procedures to prepare a detainee for release.

- Process flow documentation is located in Appendix 16-7 - L.9.1 Prepare Property and Provisions.

(f) Book-out Detainee. See the ICE/DRO Admission and Release Detention Standard for detailed procedures for conducting preparations for detainee release, and the DROPPM Chapter 16 - Removal Process: Preparations for Travel Within 90 days of Final Order for detailed procedures for conducting preparations for detainee removal.

- Process flow documentation is located in Appendix 16-7 - L.10.0 Book-out Detainee.

## 25.8 Transportation Management

### (a) Managing the Transportation Request

A transportation request is needed in order to schedule transportation for a detainee between locations. The request to transport a detainee may come from a variety of different sources for a variety of different reasons. Factors that influence the transfer of a detainee include security, legal consultation, medical needs, and/or a need for a change in venue requested by the Executive Office for Immigration Review (EOIR). In the instances of a detainee being transferred to another location and/or the detainee being moved for a temporary basis (medical appointment, court appointment, consulate visit, etc...) the initiator of the transport request is many times the Bed Space Coordinator. However, these transfers may also begin with Deportation Officers, IEAs, Hub Coordinators, and other personnel. See DROPPM Section 25.6 Bed Space Management.

Upon receipt of the transport request, the Transportation Coordinator will review and ensure that all required forms and documentation are included and complete. Please see ICE/DRO Transfer of Detainees Detention Standard and DROPPM Section 16.3 Making Travel Arrangements. For the situations in which a group of detainees should be moved together, at least two officers must be assigned to the move. Please refer to DROPPM Section 16.9 Group Removal for more detail.

- Process flow documentation is located in Appendix 16-7 - T.1.0 Create Transport Request, T.2.0 Receive Transport Request, T.3.0 Validate Transport Request, T.3.1 Validate Removal Request, T.3.2 Validate Transfer Request, T.3.3 Validate Temp Out Request and T.3.4 Validate Non-Detained Request.

(1) Planning and Scheduling the Transport Order. The transport order is the generation, update, and completion of the Form I-216. Upon receipt of new transport request(s), the Transportation Coordinator will review existing transport orders for similar characteristics. If an existing Transport Order exists that is compatible, the Transport Request will be added to the current Transport Order. Based on available seating capacity and the request originating prior to the I-216 cutoff, the detained can be added to the existing Transport Order (I-216). This will be updated via the Office Scheduling Device. Otherwise, a new Transport Order will be created. See the ICE/DRO Land Transportation Detention Standard.

- Process flow documentation is located in Appendix 16-7 - T.4.0 Create Transport Order and T.4.2 Create New Transport Order.

Once the Transport Order is generated, the Transportation Coordinator needs to determine the appropriate transportation. Consideration for transportation is given based on the distance and carrier accessibility for the required destination, as well as, carrier capacity. Also, women and juveniles need to fly if the ground transportation time will exceed 10 hours. See ICE/DRO Transfer of Detainees Detention Standard.

- Process flow documentation is located in Appendix 16-7 - T.4.3 Assign Transport Request to Order, T.5.0 Plan Transport Order, T.5.1 Select a Transport Mode, T.5.2 Create Transport Route and T.5.3 Schedule Order.

In addition, changes may occur based on the priority level of the detainee. The Transportation Coordinator will determine if additional vehicles are available if seats are not available on the earliest departing vehicle. The Transportation Coordinator will also review any special conditions that require additional attention. If the transportation order can be accommodated, the Transportation Coordinator will reallocate seating and update the I-216. See the ICE/DRO Land Transportation Detention Standard and DROPPM Section 17.4.a Field Operations for additional detail.

#### (b) Transportation Execution

##### (1) Reserve Transportation

Upon receipt of the transfer files for the detainee, the Transportation Coordinator needs to ensure that they are complete before the detainee's departure. Before the physical transportation of the detainee is to occur, the designated officer will inform the receiving office concerning the departure and arrival time, the number of detainees, special handling cases, and notification of any expected delays.

- Ground Transportation
  - Vehicle selection and route planning is made by the Field Office Director (FOD) or designee. The HQDRO Vehicle Ordering Menu is used to select the appropriate vehicle for transportation. The Transportation Coordinator will determine the transportation requirements. Once the plan is devised the vehicle needs to be logged out based on procedures defined in DROPPM Section 32.2 Agency Vehicles and Section 32.4 Vehicle Usage and Reporting Procedures. At the time of departure, the CDL certified driver needs to perform the pre-departure vehicle and security check as defined in the ICE/DRO Land Transportation and Transfer of Detainees Detention Standard.
  - Process flow documentation is located in Appendix 16-7 - T.6.1 Assign Driver, T.6.2 Select Vehicle and T.6.3 Check Out Vehicle.
- Air Transportation
- See DROPPM Section 16.3 Making Travel Arrangements.

##### (2) Prepare Escort Team

No detainee shall be removed without a properly executed Form G-391. The receiving facility can not receive the detainee without the proper documentation, such as the "A"

file. The "A" file will accompany the detainee to the receiving AOR. The sending Field Office will ensure that ENFORCE is completely updated and accurate. The receiving Field Office will update ENFORCE upon 'accepting' the detainee. Based on the information in the G-391 will dictate the necessity of an escort. See ICE/DRO Transfer of Detainees Detention Standard for further detail.

- Process flow documentation is located in Appendix 16-7 - T.6.4 Prepare Driver-Escort Team and T.6.7 Assign Escort.

For the decision points for when an escort is required, officer-detainee ratios, and other aspects of escort duty, see the ICE/DRO Land Transportation and Enforcement Standard on Use of Restraints and Escorts Detention Standard.

### (3) Execute Transportation

Prior to the detainees and their property transferring to the vehicle, the officers will make an inspection of the vehicle and the staging area to ensure the area is clear of contraband. In particular, the officers will ensure that all weapons are secure. See ICE/DRO Land Transportation Detention Standard.

- Process flow documentation is located in Appendix 16-7 - T.6.6 Position and Secure.

At the time of departure from the sending facility, the officer/escort will provide a transportation status to the receiving facility via fax, email, or phone. Included in this initial status update should be the estimated time of departure and arrival, the number of detainees in each category, the total number of detainees, special-handling cases, and any expected delays.

The receiving office is responsible for monitoring the vehicle's schedule. Any in-transit changes will require updates to the I-216 and a transportation status update to the receiving office. The receiving office will initiate tracing procedures as dictated in the ICE/DRO Land Transportation Detention Standard for overdue vehicles.

- Process flow documentation is located in Appendix 16-7 - T.6.5 Notify Transport Status, T.7.0 Execute Transport Order, T.7.1 Execute Ground Transit, T.8.1 Conduct Escort Detainee to Court, Medical or Consulate Move, T.8.2 Conduct ATD-Release Move, T.10.0 Complete FOU Run, T.11.0 Implement Revised Transport Order, L.11.0 Exit Facility, L.1.0 Load Property and Provisions and L.2.0 Load Detainee.

Upon reaching the destination, the detainee will be received. In some situations such as medical visits and court sessions, the driver/escort will remain to reassume custody of the detainee and returned them to their originating facility See ICE/DRO Transfer of Detainees Detention Standard for further detail.

Upon completion of the mission, the Transport Provider will return the vehicle to Mission

Operation Base (MOB) and check in the vehicle by updating the log book. Finally, the Drive/Escort Status will be updated and the required documents returned to the Originating DO. Additional information is located in the ICE/DRO Land Transportation Detention Standard.

- Process flow documentation is located in Appendix 16-7 - T.9.0 Close Transport Order, T.9.1 Check In Vehicle, L.15.0 Enter Facility, L.3.0 Unload Property and Provisions, and L.4.0 Unload Detainee.

#### Footnote

1. The term "Bed Space Coordinator (BSC)" is used throughout this document to identify the individual responsible for assessing inventory and reserving bed space. The term "BSC" encompasses the Bed Space Manager, Supervisory Detention Deportation Officer (SDDO), Supervisory Immigration Enforcement Agent (SIEA), and Deportation Officers (Dos) because they all have the authority to reserve bed space.

# **Appendix 25-1 INS Acquisition Procedures for Intergovernmental Service (Jail) Agreements (Added DD00-02)**

Immigration and Naturalization Service Acquisition Procedures

INSAP-04-02

ACQUISITION PROCEDURES FOR  
INTER-GOVERNMENTAL SERVICE  
(JAIL) AGREEMENTS

See Distribution Procurement Division

References: (a) The Immigration and Nationality Act 103(a)(9)(A), 8 USC 1103(a)(9)(A)

(b) OMB Circular A-87, as amended

(c) Jail Inspection Standards

Attachments: Standard Inter-Governmental Service Agreement

Cost Schedule

U.S. Marshals Service Listing

## **1. PURPOSE**

To establish uniform and consistent guidance and procedures for the Immigration and Naturalization Service (INS) when entering into an Inter-Governmental Service Agreement (IGSA) with a State or political subdivision of a State for the temporary housing and care of adults detained by the INS, in its enforcement of the immigration laws of the United States.

## **2. DEFINITIONS**

A. Assistant District Director for Detention and Deportation. This position, also known as the ADDD, is the highest ranking employee responsible for detention services in an INS District Office.

B. Inter-Governmental Service Agreement. This INS document, also known as the IGSA or jail agreement, contains standard, written terms and conditions. Under an IGSA a Service Provider agrees to provide detention services for persons awaiting immigration court proceedings or final order of removal under the authority of the Immigration and Nationality Act. Detention Services normally include shelter, supervision, food, clothing, and basic medical care as well as guarantees of access to phones, legal services, pro bono groups, family, and the courts. Provisions for translator services, transportation, and administrative space for INS and Executive Office for Immigration Review staff to service detainees cases may also be included. Detention service excludes construction or alteration of buildings or areas. Construction, renovation, or facility upgrades may be provided for under the terms of the Cooperative Agreement Program (CAP). Jail agreements are signed by the Service Provider and by an INS Senior Warranted Contracting Officer. Jail agreements are firm fixed-price contracts subject to OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments rather than the Federal Acquisition Regulation (FAR).

C. Inter-Governmental Agreement. This United States Marshals Service (USMS) document is also known as the IGA, contains standard, written terms and conditions under which a State (or political subdivision of a State) agrees to incarcerate Federal prisoners on a temporary basis. The Federal prisoners are incarcerated on behalf of the U.S. Marshals Service (USMS) or other Federal agencies that USMS has cited in the agreement. The IGA is not subject to the FAR but is a cost reimbursement vehicle subject to OMB Circular A-87.

D. Jail. This is the generic term for a detention facility operated by a State, Commonwealth, or a political subdivision thereof.

E. U.S. Marshal. This position is in charge of one of the 94 U.S. Marshal Districts throughout the United States.

F. Senior Warranted Contracting Officer. This position, also known as the SWCO, has the authority to bind INS with jails through delivery orders, purchase orders, BPAs or IGSA action. The SWCO has authority to negotiate terms and price, sign, modify, and terminate jail agreements.

G. Service Provider. This entity is the State or Political Subdivision of a State (i.e., State, County or City government.) Most IGSA's are between INS and county governments.

H. Location Control Report. A report that lists the detainee name, A#, date booked into facility and date booked out of facility. Currently the Man Day report from EARM serves is used to verify invoices.

### 3. BACKGROUND

The INS, Bureau of Prisons (BOP), and USMS rely on the use of jails to house prisoners and detainees temporarily. The INS usually handles long-term detention needs in either

facilities we own and operate, or in facilities a contractor owns and operates. Over the past several years, the demand from the Detention and Deportation program (D&D), Border Patrol, Investigations, and Inspections for jail space has increased.

Historically State and local governments have rejected FAR restrictions to procure jail space. In 1982, the Office of Management and Budget Director, David Stockman, recognized the unique nature of the federal detention marketplace. In a memorandum to the Department of Justice he authorized the BOP, USMS, and INS to process jail agreements outside of the FAR. Eventually, BOP and USMS received their own statutory authority to acquire temporary detention services for federal prisoners. However, INS was forced to rely upon the Stockman memo as its authority to acquire temporary detention services for over a decade.

In 1993, the Office of General Counsel drafted statutory language for INS to have its own authority to enter into IGSA's. In 1996, this statutory language was added to the Illegal Immigration Reform and Immigrant Responsibility Act. The Act was renamed the Immigration and Nationality Act. This Act authorizes INS to pay any State or political subdivision thereof for "administrative" detention of aliens. [See INA 103(a)(9)(A), 8 USC 1103(a)(9)(A)].

#### 4. GUIDANCE

Commissioner Meissner has agreed with the Department of Justice that INS shall first use an existing USMS agreement if one exists with that jail. The USMS has over 1200 IGAs throughout the country. The INS has approximately 500 IGSA's. If no IGA exists, INS must write and IGSA. (The Department does not require INS to use BOP agreements first as the BOP agreements are significantly different in nature from those of USMS and INS.)

The component within INS that coordinates detention services is the ADDD. Authority for executing delivery orders against IGAs as well as INS procurement instruments for jail space lies in Administrative Center Procurement Offices. The INS use of jails requires coordination among operational staff, Procurement, G-104 clerks, Finance, and the Office of General Counsel.

#### 5. PROCEDURES

A. The requesting ADDD will contact the Marshal for the USMS District where the jail is located. (Border Patrol, Inspections, and Investigations will notify the servicing ADDD concerning their need for jail space.) The ADDD either will receive a copy of the existing IGA or the U.S. Marshal will respond that USMS does not have an existing IGA. If there is an IGA, the ADDD shall use the rates provided in the IGA. If the ADDD experiences difficulty in obtaining IGA information, the ADDD should contact the INS Director of Detention Operations at (202) 514-1970. If additional detention services are required by INS above those provided for Marshals detainees, the ADDD should request local Marshals staff to prepare form USM-243 to modify the existing IGA.



B. If there is no IGA, the ADDD will then contact the Service Provider concerning the use of their jail. The ADDD queries the jail for availability of space and price, and completes the jail inspection report.

C. After the jail passes inspection, the ADDD submits a G-514 funded for the anticipated need to the SWCO. The anticipated need includes activities of all INS Enforcement Officers (Border Patrol, Investigations, Inspections, and D&D) in the locality for the fiscal year.

D. If the anticipated need is less than \$2500 and less than 60 days, the SWCO may issue a unilateral purchase order to the jail. If the anticipated need will be repetitive, exceeds \$2500, but is shorter than 60 days, the SWCO may issue a BPA to the jail listing specific enforcement officers as the authorized callers. This simplified acquisition establishes a relationship between INS and the jail. Headquarters Field Operations has limited the duration of a purchase order or BPA awarded to any given jail to 60 days within a 12-month period.

E. If the anticipated need is estimated to exceed 60 days within a 12-month period, INS must use an IGSA rather than a purchase order or BPA. The ADDD must submit a blank IGSA form plus attachments to the Service Provider. To maintain consistency and uniformity in the IGSA process, there is one basic IGSA format. The basic IGSA and cost schedule are provided as attachments to this INSAP.

F. The ADDD receives the IGSA information from the Service Provider. It is important that the Service Provider not sign the IGSA at this point. The ADDD submits the preliminary information to the Regional Office of D&D for concurrence. The Regional D&D Office submits the package to the Procurement Office at the Administrative Center. The following information must be included in the IGSA request package:

(1) Location of the facility, the name and telephone number of the contact point.

(2) The number of bed spaces. (If a guaranteed minimum is requested, the Regional Director of the requesting component must certify in writing that INS can consistently provide the number of detainees to support this guaranteed minimum). Normally, INS guarantees do not exceed 80% of the total number of bedspaces the Service Provider has agreed to make available for INS use.

(3) An unfunded requisition or a request memo from the ADDD. All agreements with guaranteed minimum number of bed spaces must have a requisition funded for the guaranteed usage from the anticipated execution date through the end of the current fiscal year.

(4) The period of performance. (It may be for an indefinite amount of time or a certain number of years).

(5) A copy of the INS jail inspection report. (A statement to proceed with the IGSA may accompany the report if the facility does not meet all of the standards and INS wants to proceed with using the jail.)

G. The SWCO verifies the cost information and negotiates the rates with the Service Provider. Additional clauses may be included, depending on the circumstances. If negotiating a new IGSA with a guaranteed minimum, the ramp-up of the guaranteed minimum must be implemented in stages. When the SWCO has concluded negotiation, (s)he submits the final IGSA to the Service Provider for signature.

H. Because this is a group (County Board) decision in most counties, INS cannot expect to obtain signatures immediately. After the Service Provider signs the IGSA, (s)he sends the IGSA to the SWCO. If the IGSA includes either a guaranteed minimum number of bed spaces that INS will automatically pay monthly, or other than standard conditions, the SWCO will submit the IGSA to Headquarters Procurement for review.

(Note: all IGSA's with a guaranteed minimum of bedspaces will have a variation of the IGSA standard format.

I. Headquarters Procurement will forward the document to the Office of General Counsel for final review and concurrence.

J. The agreed-upon IGSA should be reviewed by the requesting ADDD. After the ADDD, the SWCO, and the Service Provider agree upon the terms and pricing, the SWCO and the Service Provider sign the IGSA. The IGSA is now ready for use.

K. The SWCO shall send a copy of the signed IGSA to the servicing Finance Office and HQ Office of Field Operations Detention and Removals Branch.

L. On the first day of the month (e.g. January 1) the ADDD establishes a monthly obligation estimate of IGSA use and forwards such to the Approving Official. However, if there is a guaranteed minimum, the ADDD estimates only the amount that the ADDD anticipates will exceed the guaranteed minimum.

M. The Approving Official approves and sends the monthly obligation estimate to the Funding Officer.

N. The Funding Officer certifies funds and submits to the Districts G-104 clerk.

O. The G-104 clerk enters in the G-104 system.

P. The ADDD must amend the estimated obligation during the month if jail usage exceeds the estimate.

Q. At the end of the month the ADDD prepares the obligation report for the completed month if jail usage exceeds the estimate.

R. Upon receipt of the Service Providers invoice, the ADDD is to first determine whether the invoice is proper. (For discussion of "proper," see the IGSA document, Article XII, paragraph B.) If the invoice is not proper, the ADDD must return it to the Service Provider.

S. If the invoice is proper, the ADDD must reconcile any difference between the dollar amount of the obligation report and the jail invoice. Difference is usually due to use of the IGSA by non- D&D operations staff who have not communicated their use of the jail space to the ADDD. IF a difference cannot be worked out verbally with the Service Provider, the ADDD must return the invoice to the Service Provider. The INS forms I-203 and I-203 A are useful in verifying delivery of detention services.

(1) Where possible, have the IGSA submit a summary page along with the invoice that lists each date, and the total number of detainees housed for that date. Having that information available helps narrow down days where a discrepancy may be found.

(2) Print location control report. Obtain a list of detainees housed at the IGSA that correspond to the period of time identified on the invoice. Currently, the Man Day from EADM is utilized to verify invoices.

(3) Compare the number of days stayed by detainee on invoice to the location control report. Confirm that the number of detainees for each day of the invoice matches on the invoice and the location control report. If there is a discrepancy, review the records for each detainee on the day that the discrepancy is noted and determine the cause of the variation.

(4) Resolve discrepancies between documented duration of stay. If the variance is due to a discrepancy regarding the length of stay of a detainee and the detainee rosters are equivalent, contact the facility or review DRO paper documentation such as the I-203, I-216, or facility logbooks to determine the date that the detainee arrived at or was moved from the facility. Request that the facility adjust their invoice, if appropriate.

(5) Resolve discrepancies between detainee rosters. If the variance is due to a discrepancy between the detainee rosters (a detainee or a missing detainee), query ENFORCE by A# or alias to investigate the housing location for the detainee. If necessary, contact the facility or review DRO paper documentation such as the I-203, I-216, I-210, or I-205 to determine the date that the detainee arrived at or was moved from the facility. Request that the facility adjust their invoice, if appropriate.

- Process flow documentation is located in Appendix 16-7 - L.14.0 Reconcile IGSA Invoices.

T. The ADDD certifies the invoice and sends the invoice to the Finance Office

U. On the first Friday of the following month (e.g. February) the ADDD submits the obligation report and the detainee log through the Approving Official and the funding officer to the G-104 clerk.

V. The G-104 clerk enters the obligation in the system and sends the obligation report to the Finance Office.

W. When the Finance Office has the certified obligation report, the detainee log, and the approved invoice, they may pay the Service Provider.

X. The ADDD prepares a monthly estimate of usage for the next month (e.g. February) and submits it to the G-104 clerk. Steps L through W recur.

## 6. RESPONSIBILITIES

A. The requesting ADDD is responsible for:

- (1) Contacting the local Marshal to inquire whether there is an existing IGSA;
- (2) Obtaining a copy of the IGA, if there is one;
- (3) Performing annual inspections on IGSA jails in accordance with the INS Jail Inspection Standards;
- (4) Ensuring that all of the necessary documentation to enter into an IGSA is provided to the Senior Warranted Contracting Officer;
- (5) Completing an estimated obligation report to the G-104 clerk monthly;
- (6) Compiling a daily jail usage log;
- (7) Reconciling the obligation report with the Service Providers invoice and resolving disputed amounts with the Service Provider;
- (8) Certifying the Service Providers monthly invoice or rejecting it; and
- (9) Sending the invoice to Finance Office for payment.

B. The Office of General Counsel is responsible for determining legal sufficiency and approval/disapproval of non-standard IGSA actions and IGSA's with a guaranteed minimum number of bed spaces.

C. The Senior Warranted Contracting Officer is responsible for:

- (1) Ensuring that the necessary documentation is provided by the requesting ADDD;

(2) Negotiating the terms of the purchase order, BPA, IGSA or modifications of the IGSA for rate or usage charges;

(3) Signing the purchase order, BPA, or IGSA agreement; and

(4) Submitting signed purchase orders, BPAs and IGSA to the Finance Office.

#### 7. CANCELLATION

The INSAP cancels and supersedes any previous guidance, instructions, bulletins, etc., which address the IGSA procedures.

#### 8. EFFECTIVE DATE

THE INSAP is effective upon issuance.

#### 9. INFORMATION

Questions or inquiries concerning this INSAP should be directed to (b)(6);(b)(7)(C)  
Procurement Analyst, Headquarters Planning, Policy & Oversight Branch, telephone  
(202) 305-(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Bureau Procurement Chief

# **Appendix 25-2 Standard Intergovernmental Service (Jail) Agreement (revised 10/9/98) (Added DD00-02)**

Inter-Governmental

Service Agreements

Revised October 9, 1998

Contents

Inter-Governmental Service Agreement for Housing Federal Detainees (signature page)

IGSA Standards

Jail Inspection Report (Form G-324A)

Jail Services Cost Statement

DIHS Pre-authorization Form

ACH Vendor/Miscellaneous Payment Enrollment Form (SF 3881)

OMB Circular A-87: See Internet web site:  
[www1.whitehouse.gov/omb/circulars/a087.html](http://www1.whitehouse.gov/omb/circulars/a087.html)

IGSA Standards

Department of Justice

Immigration and Naturalization Service

Intergovernmental Service Agreement for Housing Federal Detainees

Article I. Purpose

A. Purpose. The purpose of this Intergovernmental Service Agreement (IGSA) is to establish an Agreement between the Immigration and Naturalization Service (INS), a component of the Department of Justice, and a state or local government agency (Service Provider) for the detention and care of persons detained under the authority of the Immigration and Nationality Act, as amended. The term "Parties" is used in this Agreement to refer jointly to INS and the Service Provider.

B. Responsibilities. This Agreement sets forth the responsibilities of INS and the Service Provider. The Agreement states the services the Service Provider shall perform satisfactorily to receive payment from INS at the prescribed rate.

C. Guidance. The Parties will determine the detainee day rate in accordance with OMB Circular A-87, Cost Principles for State, local, and Indian Tribal Governments (Attachment A) and the INS Cost Statement (Attachment B).

## Article II. General

A. Funding. The obligation of INS to make payments to the Service Provider is contingent upon the availability of Federal funds. The INS will, however, neither present detainees to the Service Provider nor direct performance of any other services until the INS has the appropriate funding.

B. Subcontractors. The Service Provider shall notify and obtain approval from the INS if it intends to house INS detainees in a facility other than that specified on the cover page of this document. If either that facility, or any future one, is operated by an entity other than the Service Provider, INS shall treat that entity as a subcontractor to the Service Provider. The Service Provider shall ensure that any subcontract includes all provisions of this Agreement, and shall provide INS with copies of all subcontracts in existence during any part of the term of this Agreement. The INS will not either accept invoices from, or make payments to, a subcontractor.

C. Consistent with law. Any provision of this Agreement contrary to applicable statutes, regulation, policies, or judicial mandates is null and void, but shall not necessarily affect the balance of the Agreement.

## Article III. Covered Services

A. Bed space. The Service provider shall provide up to \_\_\_ (male) \_\_\_ (female) beds in the \_\_\_\_\_ on a space available basis. The Service Provider shall house all detainees [in the same unit] [may spread the detainees throughout the population]. The INS will be financially liable only for the actual detainee days as defined in Paragraph C. of this Article.

B. Basic needs. The Service Provider shall provide adult INS detainees (gender as specified in Paragraph A of this Article) with safekeeping, housing, subsistence, medical and other services in accordance with this Agreement. In providing these services, the Service Provider shall ensure compliance with all applicable laws, regulations, fire and safety codes, policies, and procedures. If the Service Provider determines that INS has delivered a person for custody who is under the age of 18, the Service Provider shall not house that person with adult detainees, and shall notify the INS immediately. The types and levels of services shall be those the Service Provider routinely affords to other inmates.

C. Unit of service and financial liability. The unit of service will be a "detainee day" (one person per day). The detainee day begins on the date of arrival. The Service Provider may bill INS for the date of arrival but not the date of departure. For example: If a detainee is brought in at 1900 Sunday and is released at 0700 on Monday, the Service Provider may bill for 1 detainee day. If a detainee is brought in at 0100, Sunday and is released at 2359 Monday, the Service Provider may bill for only 1 detainee day. The INS shall be responsible to pay for only those beds actually occupied.

D. Interpretive services. The Service Provider shall make special provisions for non-English speaking, handicapped or illiterate detainees. The INS will reimburse the Service Provider for any costs associated with providing commercial written or telephone language interpretive services, and upon request, will assist the Service Provider in obtaining translation services. The Service Provider shall provide all instructions verbally (in English or the detainee's native language as appropriate) to detainees who cannot read. The Service Provider shall include the amount that the Service Provider paid for such services on their regular monthly invoice. The Service Provider shall not use detainees for translation services, except in emergency situations. If the Service Provider uses a detainee for translation service, it shall notify INS within 24 hours.

#### Article IV. Receiving and Discharging Detainees

A. Required activity. The Service Provider shall receive and discharge detainees only from and to either properly identified INS personnel or other properly identified Federal law enforcement officials with prior authorization from INS. Presentation of U.S. Government identification shall constitute proper identification. The Service Provider shall furnish receiving and discharging services twenty-four (24) hours per day, seven (7) days a week. The INS shall furnish the Service Provider with reasonable notice of receiving or discharging detainee(s). The Service Provider shall ensure positive identification and recording of detainees and INS officers. The Service Provider shall not permit medical or emergency discharges except through coordination with on duty INS officers

B. Restricted release of detainees. The Service Provider shall not release INS detainees from its physical custody to any persons other than those described in Paragraph A of this Article for any reason, except for either medical, other emergent situations, or in response to a federal writ of habeas corpus. If an INS detainee is sought for federal, state or local court proceedings, only INS may authorize release of the detainee for such purposes. The Service Provider shall contact INS immediately regarding any such requests.

C. Service Provider right of refusal. The Service Provider retains final and absolute right either to refuse acceptance, or request removal, of any detainee exhibiting violent or disruptive behavior, or of any detainee found to have a medical condition that requires medical care beyond the scope of the Service Provider's health provider. In the case of a detainee already in custody, the Service Provider shall notify the INS and request such removals, and shall allow the INS reasonable time to make alternative arrangements for the detainee.



D. Emergency evacuation. In the event of an emergency requiring evacuation of the Facility, the Service Provider shall evacuate INS detainees in the same manner, and with the same safeguards, as it employs for persons detained under the Service Provider's authority. The Service Provider shall notify INS within two hours of such evacuation.

#### Article V. Minimum Service Standards

The Service Provider shall:

A. house INS detainees in a facility that complies with all applicable fire and safety codes as well as ensure continued compliance with those codes throughout the duration of the Agreement.

B. provide guard personnel to ensure that there is a 24 hour visual supervision of detainees when housed in a dormitory type setting. The Service Provider shall visually and physically check detainees in individual cells at least hourly.

C. segregate detainees in custody by gender and by risk of violence to other detainees

D. provide a mattress, with a mattress cover, and when appropriate, a blanket to each detainee held overnight.

E. provide a minimum of three nutritionally balanced meals in each 24 hour period for each detainee. These meals shall provide a total of at least 2,400 calories per 24 hours. There will be no more than 14 hours or fewer than 4 hours between meals. The Service Provider will provide a minimum of two hot meals in this 24 hour period.

F. provide medical services as described in Article VI below.

G. provide a mechanism for confidential communication between INS detainees and INS officials regarding their case status and custody issues. The mechanism may be through electronic, telephonic, or written means, and shall ensure the confidentiality of the issue and the individual detainee.

H. afford INS detainees, indigent or not, reasonable access to public telephones for contact with attorneys, the courts, foreign consular personnel, family members and representatives of pro bono organizations.

I. permit INS detainees reasonable access to presentations by legal rights groups and groups recognized by INS consistent with good security and order.

J. afford each INS detainee with reasonable access to legal materials for his or her case. The INS will provide the required materials. The Service Provider will provide space to accommodate legal materials at no additional cost to INS.

(Note: The INS may waive this requirement where the average length of detention is 30 days or less.)

K. afford INS detainees reasonable visitation with legal counsel, foreign consular officers, family members, and representatives of pro bono organizations.

L. provide INS detainees with access to recreational programs and activities as described in the INS Recreation Standards (Attachment C) to the extent possible, under appropriate conditions of security and, supervision to protect their safety and welfare.

#### Article VI. Medical Services

A. Auspices of Health Authority. The Service Provider shall provide INS detainees with onsite health care services under the control of a local government designated Health Authority. The Service Provider shall ensure equipment, supplies, and materials, as required by the Health Authority, are furnished to deliver health care on site

B. Level of Professionalism. The Service Provider shall ensure that all health care service providers utilized for INS detainees hold current licenses, certifications, and/or registrations with the State and/or City where they are practicing. The Service Provider shall retain a registered nurse to provide health care and sick call coverage unless expressly stated otherwise in this Agreement. In the absence of a health care professional, non-health care personnel may refer detainees to health care resources based upon protocols developed by United States Public Health Service (USPHS) Division of Immigration Health Service (DIHS). Healthcare or health trained personnel may perform screenings.

C. Access to health care. The Service Provider shall ensure that onsite medical and health care coverage as defined below is available for all INS detainees at the facility for at least eight (8) hours per day, seven (7) days per week. The Service Provider shall ensure that its employees solicit each detainee for health complaints and deliver the complaints in writing to the medical and health care staff. The Service Provider shall furnish the detainees instructions in his or her native language for gaining access to health care services as prescribed in Article III, Paragraph D.

D. On site health care. The Service Provider shall furnish onsite health care under this Agreement. The Service Provider shall not charge any INS detainee an additional fee or co-payment for medical services or treatment provided at the Service Provider's facility. The Service Provider shall ensure that INS detainees receive no lower level of onsite medical care and services than those it provides to local inmates. Onsite health care services shall include arrival screening within 24 hours of arrival at the Facility, sick call coverage, provision of over-the-counter medications, treatment of minor injuries (e.g., lacerations, sprains, contusions), treatment of special needs and mental health assessments. Detainees with chronic conditions shall receive prescribed treatment and follow-up care.

E. Arrival screening. Arrival screening shall include at a minimum TB symptom screening, planting of the Tuberculin Skin Test (PPD), and recording the history of past and present illnesses (mental and physical).

F. Unacceptable medical conditions. If the service Provider determines that an INS detainee has a medical condition which renders that person unacceptable for detention under this Agreement (for example, contagious disease, condition needing life support, uncontrollable violence), the Service Provider shall notify INS. Upon such notification the Service Provider shall allow INS reasonable time to make the proper arrangements for further disposition of that detainee.

G. DIHS Pre-approval for non-emergent off site care. The DIHS acts as the agent and final health authority for INS on all off-site detainee medical and health related matters. The relationship of the DIHS to the detainee equals that of physician to patient. The Service Provider shall release any and all medical information for INS detainees to the DIHS representatives upon request. The Service Provider shall solicit DIHS approval before proceeding with non-emergency off-site medical care (e.g. off site lab testing, eyeglasses, cosmetic dental prosthetics, dental care for cosmetic purposes). The Service Provider shall submit supporting documentation for non-routine, off-site medical/health services to DIHS. (See Attachment D.) For medical care provided outside the facility, the DIHS may determine that an alternative medical provider or institution is more cost effective or more aptly meets the needs of INS and the detainee. The INS may refuse to reimburse the Service Provider for non-emergency medical costs incurred that were not pre-approved by the DIHS. The Service Provider shall send requests for pre-approval and all medical providers approved to furnish off-site health care of detainees shall submit their bills to:

DIHS

ATTN: Jail Management System

P.O. Box 50945

Washington, DC 20091

H. Emergency medical care. The Service Provider shall furnish 24 hour emergency medical care and emergency evacuation procedures. In an emergency, the Service Provider shall obtain the medical treatment required to preserve the detainee's health. The Service Provider shall have access to an off site emergency medical provider at all times. The Health Authority of the Service Provider shall notify the DIHS Managed Care Coordinator by calling: 1(888)718-8947 as soon as possible, and in no case more than seventy-two hours after detainee receipt of such care. The Health Authority will obtain pre-authorization from the DIHS Managed Care Coordinator for service(s) beyond the initial emergency situation.

I. Off site guards. The Service Provider shall, without any additional charge to INS, provide guards during the initial 8 hours detainees are admitted to an outside medical facility. If negotiated with INS, the Service Provider shall provide guards beyond the initial 8-hour period, at the regular hourly rate of those guards. Absent such an arrangement, INS will be responsible for providing the guards at the end of the initial 8-hour period. The Service Provider shall not, however, remove its guards until INS personnel relieve them. The Service Provider shall submit a separate invoice for guard services beyond the initials hours with its regular monthly billing.

J. DIHS visits. The Service Provider shall allow DIHS Managed Care Coordinators reasonable access to its facility for the purpose of liaison activities with the Health Authority and associated Service Provider departments.

#### Article VII. No Employment of Unauthorized Aliens

Subject to existing laws, regulations, Executive Orders, and addenda to this Agreement, the Service Provider shall not employ aliens unauthorized to work in the United States. Except for maintaining personal living areas, persons detained for INS shall not be required to perform manual labor.

#### Article VIII. Period of Performance

This Agreement shall remain in effect indefinitely or until terminated by either Party upon 60 days written notice, unless an emergency situation requires the immediate relocation of detainees, or the Parties agree to a shorter period under the procedures prescribed in Article X.

#### Article IX. Inspection

A. Jail Agreement Inspection Report. The Service Provider shall allow INS to conduct inspections of the facility, as required, to ensure an acceptable level of services and acceptable conditions of confinement as determined by the INS. No notice to the Service Provider is required prior to an inspection. The INS will conduct such inspections in accordance with the Jail Agreement Inspection Report, a copy of which is included as Attachment B to this Agreement. The Jail Inspection Report stipulates minimum requirements for fire/safety code compliance, supervision, segregation, sleeping utensils, meals, medical care, confidential communication, telephone access, legal counsel, legal library, visitation, and recreation. The INS will share findings of the inspection with the Service Provider's facility administrator to promote improvements to facility operation, conditions of confinement, and level of service.

B. Possible termination. If the Service Provider fails to remedy deficient service INS identifies through inspection, INS may terminate this Agreement without regard to the provisions of Articles VIII and X.

C. Share findings. The Service Provider shall provide INS copies of facility inspections, reviews, examinations, and surveys performed by accreditation sources.

#### Article X. Modifications and Disputes

A. Modifications. Actions other than those designated in this Agreement will not bind or incur liability on behalf of either party. Either party may request a modification to this agreement by submitting a written request to the other. A modification will become part of this Agreement only after the INS Regional Contracting Officer and the authorized signatory of the Service Provider have approved it in writing.

B. Disputes. The INS Regional Contracting Officer and the authorized signatory of the Service Provider are the parties to settle disputes, questions, and concerns arising from this Agreement. Settlement of disputes shall be memorialized in a written modification between the INS Regional Contracting Officer and authorized signatory of the Service Provider.

#### Article XI. Adjusting the Detainee Day Rate

The INS shall reimburse the Service Provider at the detainee day rate shown on the cover page of this document. The Parties may adjust that rate 12 months after the date of signing, and every 12 months thereafter. The Parties shall base the rate and adjustments on the principles set forth in OMB Circular A-87. Such adjustments shall be effective on the first day of the month following execution of the modification

#### Article XII. Enrollment, Invoicing, and Payment

A. Enrollment in electronic funds transfer. The Service Provider shall provide the INS office with the information needed to make payment by electronic funds transfer (EFT). As of January 1, 1999, INS will make all payments only by EFT. The Service Provider shall identify their financial institution and related information on Standard Form 3881, Automated Clearing House (ACH) Vendor/Miscellaneous Payment Enrollment Form, (Attachment F). The Service Provider shall submit a completed SF3881 to the INS payment office prior to submitting its initial request for payment under this Agreement. If the EFT data changes, the Service Provider shall be responsible for providing updated information to the INS payment office.

B. Invoicing. The Service Provider shall submit an original itemized invoice containing the following information: the name and address of the facility; the name of each INS detainee, his or her A-number, and his or her specific dates of detention, the total number of detainee days; the daily rate; the total detainee days multiplied by the daily rate; an itemized listing of all other charges; and the name, title, address, and phone number of the local official responsible for invoice preparation. The Service Provider shall submit monthly invoices within the first ten working days of the month following the calendar month when it provided the services, to:

ATTN: Deportation Unit

Phone:

Fax:

C. Payment. The INS will transfer funds electronically through either an Automated Clearing House subject to the banking laws of the United States, or the Federal Reserve Wire Transfer System. The Prompt Payment Act applies to this Agreement. The Act requires INS to make payments under this Agreement the 30<sup>th</sup> calendar day after the Deportation office receives a complete invoice. Either the date on the Government's check, or the date it executes an electronic transfer of funds, shall constitute the payment date. The Act requires INS to pay interest on overdue payments to the Service Provider. The INS will determine any interest due in accordance with the Act.

#### Article XIII. Government Furnished Property

A. Federal Property Furnished to the Service Provider. The INS may furnish federal property and equipment to the Service Provider. Accountable property remains titled to INS and shall be returned to the custody of INS upon termination of the agreement. The suspension of use of bed space made available to INS is agreed to be grounds for the recall and return of any or all government furnished property.

B. Service Provider Responsibility. The Service Provider shall not remove INS property from the facility without the prior written approval of INS. The Service Provider shall report any loss or destruction of such property immediately to INS.

#### Article XIV. Hold Harmless and Indemnification Provisions

A. Service provider held harmless. The INS shall, subject to the availability of funds, save and hold the Service Provider harmless and indemnify the Service Provider against any and all liability claims and costs of whatever kind and nature, for injury to or death any person(s), or loss or damage to any property, which occurs in connection with or incident to performance of work under the terms of this Agreement and which results from negligent acts or omissions of INS officers or employees, to the extent that INS would be liable for such negligent acts or omissions under the Federal Tort Claims Act 28 USC 2691 et seq.

B. Federal Government held harmless. The Service Provider shall save and hold harmless and indemnify federal government agencies to the extent allowed by law against any and

all liability claims, and costs of whatsoever kind and nature for injury to or death of any person or persons and for loss or damage to any property occurring in connection with, or in any way incident to or arising out of the occupancy, use, service, operation or performance of work under the terms of this Agreement resulting from the negligent acts or omissions of the Service Provider, or any employee or agent of the Service Provider. In so agreeing, the Service Provider does not waive any defenses, immunities or limits of liability available to it under state or federal law.

C. Defense of suit. In the event a detainee files suit against the Service Provider contesting the legality of the detainee's incarceration and/or immigration/citizenship status, INS shall request that the U.S. Attorney's Office, as appropriate, move either to have the Service Provider dismissed from such suit, to have INS substituted as the proper party defendant, or to have the case removed to a court of proper jurisdiction. Regardless of the decision on any such motion, INS shall request that the U.S. Attorney's Office be responsible for the defense of any suit on these grounds.

D. INS recovery right. The Service Provider shall do nothing to prejudice INS' right to recover against third parties for any loss, destruction of or damage to U.S. Government property. Upon request of the Contracting Officer, the Service Provider shall, at the INS' expense, furnish to INS all reasonable assistance and cooperation, including assistance in the prosecution of suit and execution of the instruments or assignment in favor of INS in obtaining recovery.

#### Article XV. Financial Records

A. Retention of records. All financial records, supporting documents, statistical records, and other records pertinent to contracts or subordinate agreements under this Agreement shall be retained by the Service Provider for at least three years for purposes of federal examinations and audit. The 3-year retention period begins at the end of the first year of completion of service under the Agreement. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the 3-year period, the records must be retained until completion of the action and resolution of all issues which arise from it or until the end of the regular 3-year period, whichever is later.

B. Access to records. The INS and the Comptroller General of the United States, or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers or other records of the Service Provider or its sub-recipients which are pertinent to the award, in order to make audits, examinations, excerpts, and transcripts. The rights of access must not be limited to the required retention period, but shall last as long as the records are retained.

C. Delinquent debt collection. The INS will hold the Service Provider accountable for any overpayment, or any breach of this Agreement that results in a debt owed to the Federal Government. The INS shall apply interest, penalties and administrative costs to a delinquent debt owed to the Federal Government by the Service Provider pursuant to the Debt Collection Improvement Act of 1982, as amended.

#### Article XVI. Provision of Space to INS and EOIR

A. Service Provider responsibilities. The Service Provider shall provide suitable support, office and administrative space, for use by INS. As necessary, the Service Provider will provide sufficient safe and secure storage space for all INS detainee baggage. In addition, the Service Provider agrees, if required, shall furnish acceptable office and administrative space to the Executive office of Immigration Review (EOIR). The Service Provider shall bear all costs associated with the use of jail and office space by INS and EOIR (e.g. those for preparing, operating and maintaining such facilities for INS and EOIR, and incurred for temporarily relocating the Service Provider's employees). The Service Provider shall equip the office and administrative space furnished to INS and EOIR with a telephone system compatible with the federal telephone network. The Service Provider shall furnish the security and janitorial services for this space. The Service provider shall include all costs associated with providing space or services under this Paragraph in the calculation of the detainee rate day rate.

(Note: The Service Provider shall have no obligation under this Paragraph unless the Parties negotiate specific terms for such space or services.)

B. Federal Government responsibilities. The INS will incur the costs of installing computer cabling, telephone lines and any additional telephone trunk lines and telephone switch equipment which may be required. The INS will be responsible for payment of INS long-distance telephone bills for INS staff.

End of document

Attachments:

A OMB Circular A-87

B. INS Cost Statement Form

C. INS Recreation Standards

D. DIHS Pre-authorization Form

E. Jail Agreement Inspection Report

F. SF3881, ACH Vendor/Miscellaneous Payment Enrollment Form



# Appendix 25-3 Detention Facility Addresses

Contract Facilities

Contractor Owned and Operated

Wackenhut Corrections Corporation

11901 E. 30th Avenue

Aurora (Denver), CO 80010

303-361-(b)(6);(b)(7)(C) (DEN)

(b)(6);(b)(7)(C) OIC

Wackenhut (Queens)

182-22 150th St

Jamaica., NY 11413

718-244-(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) OIC

Corrections Corporation of America

15850 Export Plaza

Houston, TX 77032

713-987-(b)(6);(b)(7)(C) (HOU)

(b)(6);(b)(7)(C) OIC

R.R. 4, Box 125-A

Highway 59 E.

Laredo, TX 78041

210-727-(b)(6);(b)(7)(C) (LAR)

(b)(6);(b)(7)(C) OIC

625 Evans Street

Elizabeth, NJ 07201

201-622-(b)(6);(b)(7)(C) (ELZ)

(b)(6);(b)(7)(C) OIC

INS Owned/Contractor Operated

CSC. Inc.

815 Airport Way, South

Seattle, WA 98134

206-467-(b)(6);(b)(7)(C) (SEA)

(b)(6);(b)(7)(C) OIC

INS Owned and Operated

Aguadilla SPC

Corner Belt and Gun Street

Former Ramey Base

Aguadilla, PR 00604

787-890-(b)(6);(b)(7)(C) (AGU)

(b)(6);(b)(7)(C) OIC

Boston SPC

US Coast Guard Support Center

427 Commercial Street

Building 8, Fourth Floor

Boston, MA 02109

617-223-(b)(6);(b)(7)(C) (BOS)

(b)(6);(b)(7)(C)

OIC

El Centro SPC

1115 North Imperial Avenue

El Centro, CA 92243

619-353 (b)(6);(b)(7)(C) (ECC)

(b)(6);(b)(7)(C)

OIC

El Paso SPC

8915 Montana Street

El Paso, TX 79925 (EPC)

915-540 (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

OIC

Florence SPC

3250 North Pinal Parkway Av.

Florence, AZ 85232

520-868 (b)(6);(b)(7)(C) (FLO)

(b)(6);(b)(7)(C)

OIC

Krome North SPC

18201 S.W. 12th Street

Miami, FL 33194

305-552 (b)(6);(b)(7)(C) (KRO)

Vacant

Port Isabel SPC

Buena Vista Road

Route 3, Box 341

Los Fresnos, TX 78566

210-233-(b)(6);(b)(7)(C) (PIC)

(b)(6);(b)(7)(C) OIC

San Pedro SPC

2001 Seaside Avenue

Terminal Island

San Pedro, CA 90731

310-732-(b)(6);(b)(7)(C) (SPP)

(b)(6);(b)(7)(C) OIC

Varick Street SPC

201 Varick Street

New York, NY 10014

212-620-(b)(6);(b)(7)(C) (VRK)

Vacant, OIC

Joint Federal Facilities

Federally Owned and Operated

(With Bureau of Prisons)

Federal Detention Center

(Oakdale II)

1010 East Whatley Road

Oakdale, LA 71463

318-335-(b)(6);(b)(7)(C) (OAK)

(b)(6);(b)(7)(C)

OIC

Contractor Owned and

Operated (With Bureau of

Prisons) Corrections

Corporation of America 4465

East Hanna Road Eloy, AZ

85231(EAZ) 520-466

(b)(6);(b)(7)(C)

Vacant, OIC

<b>LEA Expressing Interest</b>	<b>City State</b>	<b>Model (TFO, JEM, Both)</b>
Armstrong County Jail	Kittanning, Pennsylvania	JEO
Beaufort County Sheriff's Office	Beaufort, South Carolina	TFO
Bensalem PD	Bensalem, Pennsylvania	TFO
Berks County Sheriff's Office	Reading, Pennsylvania	TFO
Bethlehem PD	Bethlehem, Pennsylvania	TFO
Borough of Castle Shannon PD	Castle Shannon, Pennsylvania	TFO
Borough of McKees Rocks PD	McKees Rocks, Pennsylvania	TFO
Burnet County Sheriff's Office	Burnet, Texas	JEO
Butler County Prison	Butler, Pennsylvania	JEO
Butler County Sheriff's Office	Hamilton, Ohio	TFO
Cambria County Prison	Ebensburg, Pennsylvania	JEO
Carroll County Sheriff's Office	Westminster, Maryland	JEO
Chester County Prison	West Chester, Pennsylvania	JEO
Cleveland County Sheriff's Office	Norman, OK	JEO
Collegeville PD	Collegeville, Pennsylvania	TFO
Collier County Sheriff's Office	Collier County, Florida	TFO
Collin County Sheriff's Office	Mckinney, Texas	JEO
Collindale Borough PD	Collindale, Pennsylvania	TFO
Dakota County Sheriff's Office	Dakota City, Nebraska	JEO
Douglas County Sheriff's Office	Lawrence, Kansas	JEO

<b>LEA Expressing Interest</b>	<b>City State</b>	<b>Model (TFO, JEM, Both)</b>
Ellis County Sheriff's Office	Waxahachie, Texas	JEO
Erie Police Department	Erie, Pennsylvania	TFO
Franklin County Prison	Chambersburg, Pennsylvania	JEO
Georgia Department of Corrections	Jackson, GA	JEO
Gilmer County Sheriff's Office	Ellijay, Georgia	JEO
Glenolden Borough PD	Glenolden, Pennsylvania	TFO
Gregg County Sheriff's Office	Longview, Texas	JEO
Gurdon Marshals Office	Gurdon, Arkansas	TFO
Hellertown PD	Hellertown, Pennsylvania	TFO
Jackson County Sheriff's Office	Holton, Kansas	BOTH
Malvern Police Department	Malvern, Pennsylvania	TFO
Millbourne Borough PD	Milbourne, Pennsylvania	TFO
Milwaukee County Sheriff's Office	Milwaukee, Wisconsin	BOTH
Montgomery County Sheriff's Office	Dayton, Ohio	JEM
Millbourne Borough PD	Milbourne, Pennsylvania	JEM
Milwaukee County Sheriff's Office	Milwaukee, Wisconsin	JEO
Montgomery County Sheriff's Office	Dayton, Ohio	TFO
Morgan County Sheriff's Office	Somerville, Alabama	JEO
Morris County Sheriff's Office	Morristown, New Jersey	TFO
Muhlenberg PD	Reading, Pennsylvania	TFO
Navarro County Sheriff's Office	Corsicana, Texas	JEO

<b>LEA Expressing Interest</b>	<b>City State</b>	<b>Model TFO, JEM, Both</b>
Norristown PD	Norristown, Pennsylvania	TFO
Northampton PD	Northampton, Pennsylvania	TFO
Pennsylvania State Police - Avondale	Avondale, Pennsylvania	TFO
Pennsylvania State Police - Gettysburg	Gettysburg, Pennsylvania	TFO
Perry County Prison	Bloomfield, Pennsylvania	JEO
Plumsteadville PD	Plumsteadville, Pennsylvania	TFO
Pocono Mountain Regional PD	Pocono Summit, Pennsylvania	TFO
Polk County Sheriff's Office	Cedartown, Georgia	JEO
Radnor Township PD	Radnor, Pennsylvania	TFO
Rockwall County Sheriff's Office	Rockwall, Texas	JEO
Rutherford County Sheriff's Office	Murfreesboro, Tennessee	JEO
Sevier County Sheriff's Office	DeQueen, Arkansas	JEO
Scott County Sheriff's Office	Davenport, Iowa	JEO
Scranton PD	Scranton, Pennsylvania	TFO
Sharon Hill PD	Sharon Hill, Pennsylvania	TFO
Shelby County Sheriff's Office	Memphis, Tennessee	TFO
Tennessee Highway Patrol	Nashville, Tennessee	TFO
Upper Darby PD	Upper Darby, Pennsylvania	TFO
Virginia Department of Motor Vehicles	Virginia State	TFO
Walton County Sheriff's Office	De Funiak Springs, Florida	JEO
Warminster PD	Warminster, Pennsylvania	TFO



<b>LEA Expressing Interest</b>	<b>City State</b>	<b>Model TFO, JEM, Both</b>
Warrington PD	Warrington, Pennsylvania	TFO
Waukesha County Sheriff's Department	Waukesha, Wisconsin	BOTH
Westmoreland County Prison	Greensburg, Pennsylvania	JEO
Wilkes Barre PD	Wilkes-Barre, Pennsylvania	TFO
Williamson County Sheriff's Office	Georgetown, Texas	BOTH
York County Prison	York, Pennsylvania	JEO

**ACTIVE MOA****8/22/2017****<https://www.ice.gov/287g#signedMOA>**

<b>STATE</b>	<b>LAW ENFORCEMENT AGENCY</b>
AL	Etowah County Sheriff's Office
AZ	Arizona Department of Corrections
AZ	City of Mesa Police Department
AZ	Pinal County Sheriff's Office
AZ	Yavapai County Sheriff's Office
AZ	Benton County Sheriff's Office
AZ	Washington County Sheriff's Office
CA	Orange County Sheriff's Office
FL	Clay County Sheriff's Office
FL	Collier County Sheriff's Office
FL	Jacksonville Sheriff's Office
GA	Cobb County Sheriff's Office
GA	Gwinnett County Sheriff's Office
GA	Hall County Sheriff's Office
GA	Whitfield County Sheriff's Office
LA	East Baton Rouge Parish Sheriff's Office
MD	Anne Arundel County

<b>STATE</b>	<b>LAW ENFORCEMENT AGENCY</b>
MD	Frederick County Sheriff's Office
MD	Harford County Sheriff's Office
MA	Bristol County Sheriff's Office
MA	Massachusetts Department of Corrections
MA	Plymouth County Sheriff's Department
NV	Las Vegas Metropolitan Police Department
NV	Nye County Sheriff's Office
NJ	Cape May County Sheriffs Office
NJ	Hudson County Department of Corrections
NJ	Monmouth County Sheriff's Office
NJ	Salem County Sheriff's Office
NC	Cabarrus County Sheriff's Office
NC	Gaston County Sheriff's Office
NC	Henderson County Sheriff's Office
NC	Mecklenburg County Sheriff's Office
NC	Wake County Sheriff's Office
OH	Butler County Sheriff's Office
OK	Tulsa County Sheriff's Office
SC	Charleston County Sheriff's Office

<b>STATE</b>	<b>LAW ENFORCEMENT AGENCY</b>
SC	Horry County Sheriff's Office
SC	Lexington County Sheriff's Office
SC	York County Sheriff's Office
TN	Knox County Sheriff's Office
TX	Aransas County Sheriff's Office
TX	Calhoun County Sheriff's Office
TX	Carrollton Police Department
TX	Chambers County Sheriff's Office
TX	DeWitt County Sheriff's Office
TX	Galveston County Sheriff's Office
TX	Goliad County Sheriff's Office
TX	Jackson County Sheriff's Office
TX	Lavaca County Sheriff's Office
TX	Lubbock County Sheriff's Office
TX	Matagorda County Sheriff's Office
TX	Montgomery County Sheriff's Office
TX	Refugio County Sheriff's Office
TX	Smith County Sheriff's Office
TX	Tarrant County Sheriff's Office

<b>STATE</b>	<b>LAW ENFORCEMENT AGENCY</b>
TX	Victoria County Sheriff's Office
TX	Walker County Sheriff's Office
TX	Waller County Sheriff's Office
TX	Wharton County Sheriff's Office
VA	Prince William-Manassas Regional Adult Detention Center

(b)(6);(b)(7)(C)

**From:**

(b)(6);(b)(7)(C)

**Sent:**

Tuesday, March 14, 2017 2:07 PM

**To:**

(b)(6);(b)(7)(C)

**Cc:**

**Subject:**

FW: ERO Adequate Notification Tracker

**Attachments:**

AN & 1373 Tracker 03142017.xlsx

(b)(6);(b)(7)(C)

We're still doing data quality on our responses, but the new locations that were added to our initial list are below (and also highlighted within the attached). We opted to leave the cities and towns even if the larger issue was with the jail as there may be 1373 issues.

Field Office	State	County	Jurisdiction	Adequate Notification
BOS	MA	Hampshire County	Amherst Police Department	No
BOS	MA	State of Massachusetts	State Courts	No
CHI	IL	DuPage	Du Page County Sheriff	No
CHI	WI	Oconto County	Oconto County Sheiff	No
DAL	TX	Dallas	Richardson Police Department	No
DAL	TX	Dallas	Irving Police Department	No
NOL	FL	Santa Rosa	Santa Rosa Sheriff's Office	No
NYC	NY	New York	Manhattan Central Booking	No
WAS	VA	City of Staunton	Middle River Regional Jail	No
WAS	VA	Abingdon	Southwest Virginia Regional Jail	No
WAS	VA	Town of Marion	Southwest Virginia Regional Jail	No
WAS	VA	Chilhowie	Southwest Virginia Regional Jail	No
WAS	VA	Town of Rustburg	Blue Ridge Regional Jail	No
WAS	VA	Town of Tazewell	Southwest Virginia Regional Jail	No
WAS	VA	Bristol SO	Bristol City Jail	No
WAS	VA	Gate City	Southwest Virginia Regional Jail	No
WAS	VA	Weber City	Southwest Virginia Regional Jail	No
WAS	VA	Town Pennington Gap	Southwest Virginia Regional Jail	No
WAS	VA	City of Jonesville	Southwest Virginia Regional Jail	No
WAS	VA	Town of Wise	Southwest Virginia Regional Jail	No
WAS	VA	City of Norton	Southwest Virginia Regional Jail	No
WAS	VA	Town of Saltville	Southwest Virginia Regional Jail	No
WAS	VA	Town of Pound	Southwest Virginia Regional Jail	No
WAS	VA	Big Stone Gap	Southwest Virginia Regional Jail	No
WAS	VA	City of Appalachian	Southwest Virginia Regional Jail	No
WAS	VA	Town of Bluefield	Southwest Virginia Regional Jail	No
WAS	VA	Town of Glade Springs	Southwest Virginia Regional Jail	No
WAS	VA	Town of Pocahontas	Southwest Virginia Regional Jail	No
WAS	VA	Town of Damacus	Southwest Virginia Regional Jail	No

WAS	VA	Town of Maron	Southwest Virginia Regional Jail	No
WAS	VA	Town of St. Paul	Southwest Virginia Regional Jail	No
WAS	VA	Town of Richland	Southwest Virginia Regional Jail	No
WAS	VA	Town of Chatham	Pittsylvania County SO	No
WAS	VA	City Halifax	Blue Ridge Regional Jail	No
WAS	VA	City of South Boston	Blue Ridge Regional Jail	No
WAS	VA	Town of Haysi	Southwest Virginia Regional Jail	No
WAS	VA	UVA Wise	Southwest Virginia Regional Jail	No
WAS	VA	Blue Ridge Community College	Blue Ridge Regional Jail	No
WAS	VA	City of Gretna	Pittsylvania County Jail	No
WAS	VA	Grundy	Southwest Virginia Regional Jail	No
WAS	VA	Rural Retreat	Southwest Virginia Regional Jail	No
WAS	VA	City of Norton Sheriff's Office	Southwest Virginia Regional Jail	No
WAS	VA	Town of Cedar Bluff	Southwest Virginia Regional Jail	No
WAS	VA	Town of Lebanon	Southwest Virginia Regional Jail	No
WAS	VA	City of Lynchburg	Lynchburg City Jail	No

Thanks,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Chief of Staff  
 Enforcement Division  
 Enforcement and Removal Operations  
 U.S. Immigration and Customs Enforcement  
 (202) 732-(b)(6);(b)(7)(C) / (202) 302-(b)(6);(b)(7)(C)

**From:** ERO Taskings  
**Sent:** Friday, March 10, 2017 1:16 PM  
**Subject:** ERO Adequate Notification Tracker

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

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

**Subject:** ERO Adequate Notification Tracker

In reviewing the information provided by your offices in February for the ERO Detainer Acceptance Tracker, the need for a final dataset was identified—whether or not ICE partners provide adequate notification of releases to ICE.

Please review and update the ERO Adequate Notification Tracker found on the Field Operations SharePoint page, by indicating whether or not the listed entities provide adequate notification of releases to ICE. **Determinations should be made by the Field Office Director based on their experience, local Standard Operating Procedures, and processes arranged with particular jurisdictions.**

As this tracker was built with Field Office input from the ERO Detainer Acceptance Tracker, and the previous PEP Tracker, certain entities may not be applicable (e.g., a state sheriff's association). For entities that are not applicable, since they do not hold cases with ICE detainees, with the drop-down option, mark them as "Delete." All other responses should be marked either "Yes" or "No." Completed updates are due by **noon EDT Tuesday March, 14, 2017.**

Please also use this opportunity to edit the specific jurisdiction titles. The jurisdiction should be the name of the office, department, or entity with which ICE lodges detainees (e.g., police department, sheriff's office, district court, state department of corrections).

The point of contact for this effort is **Acting Criminal Alien Division Deputy Assistant Director Douglas Henkel**. He can be reached via email at (b)(6);(b)(7)(C) or at (202) 732-(b)(6);(b)(7)(C)

Every office has access to the Notification Tracker, as they are the same accesses for the ERO Detainer Acceptance Tracker; however, if new or additional access is needed, please contact MSS (b)(6);(b)(7)(C) at (b)(6);(b)(7)(C) or DDO (b)(6);(b)(7)(C) a (b)(6);(b)(7)(C) or (202) 732-4529.

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:** Albence, Matthew  
**Sent:** 9 Oct 2013 08:58:48 -0400  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: Probation and Parole Memo  
**Attachments:** Draft Probation and Parole Memo (MA-10-8-13 Final).doc

fyr

---

**From:** Albence, Matthew  
**Sent:** Tuesday, October 08, 2013 5:11 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** RE: Probation and Parole Memo

Hey Mark:

Here you go. Take a look—any questions/concerns, let me know. We can set up a meet for later this week if need be.

Regards,

Matt

*Matthew T. Albence*  
*Assistant Director/Secure Communities and Enforcement*  
*ICE/Enforcement and Removal Operations*  
*Office: (202) 732- (b)(6);(b)(7)(C)*  
*Cell: (202) 271- (b)(6);(b)(7)(C)*

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, October 08, 2013 11:57 AM  
**To:** Albence, Matthew  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: Probation and Parole Memo

Hi guys. Any updates to this document that I can pass on to AD Winchell?

Thanks.

(b)(6);(b)(7)(C)

Operations Chief – East  
Homeland Security Investigations  
US Immigration and Customs Enforcement  
Washington DC  
202-732- (b)(6);(b)(7)(C) desk  
202-345- (b)(6);(b)(7)(C) cell

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**From:** Albence, Matthew  
**Sent:** Tuesday, September 24, 2013 11:42 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** [redacted]  
**Subject:** RE: Probation and Parole Memo

Ouch!!!! That's rough. Not much of a welcome to DC, was it?

No worries-we'll work through this as quickly as possible. Let me give it a read and I'll get back with you. Feel free to call if you have any questions/concerns, or want additional background.

Matt  
(202) 732- [redacted]  
(202) 271- [redacted]

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, September 24, 2013 11:39 AM  
**To:** Albence, Matthew  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: Probation and Parole Memo

See attached. It's very rough. And you're right, I don't know much about this transfer of responsibility, in fact I just found out about it yesterday – and incidentally, yesterday was my first day on the job here at HQ, I just transferred in from Mexico. Any suggestions you have to get this completed in a reasonable amount of time would be greatly appreciated.

(b)(6);(b)(7)(C)

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**From:** Albence, Matthew  
**Sent:** Tuesday, September 24, 2013 11:25 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** [redacted]  
**Subject:** RE: Probation and Parole Memo

(b)(6);(b)(7)(C)

The Unit Chief is (b)(6);(b)(7)(C) (cc'd here). However, if you have the memo, please forward now so I can begin the review. I don't believe you have been copied on all the email traffic on P&P, but I reached out to HSI in July to get this ball rolling. I know that the memo was tied up in OBPP for a while, but based on the email below, you guys have had it since August 23. I understand the urgency, but we do need time for a thorough review and approval through our EAD's office. Thanks.

Matt

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, September 24, 2013 11:07 AM  
**To:** Albence, Matthew  
**Subject:** RE: Probation and Parole Memo

I think it can wait until Thursday. I believe all the work, or decisions on the transfer rather, are complete. We just need to insert language into the memo to the Director that reflects the transfer of the function. Who is your Unit Chief, I'll get together with him/her and set up a meeting. We do have to have this done by the end of the week though, so please relay that to your Unit Chief.

Thanks.

(b)(6);(b)(7)(C)

---

**From:** Albence, Matthew  
**Sent:** Tuesday, September 24, 2013 10:42 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Re: Probation and Parole Memo

Hi (b)(6);(b)(7)(C)

Sorry for just getting back with you-I'm free from 1-3 this afternoon if you want to meet. However, my Unit Chief who will be responsible for this is out until Thursday-if it can wait, that would be preferable, but whatever works.

Regards,

Matt

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, September 23, 2013 05:23 PM  
**To:** Robbins, Timothy S  
**Cc:** Albence, Matthew; Miller, Philip T  
**Subject:** RE: Probation and Parole Memo

Hi Matt. Are you free tomorrow (Tuesday) to discuss this?

(b)(6);(b)(7)(C)

---

**From:** Robbins, Timothy S  
**Sent:** Monday, September 23, 2013 2:28 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Albence, Matthew; Miller, Philip T  
**Subject:** Re: Probation and Parole Memo

Let's start with Matt Albence...he might want to delegate this.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, September 23, 2013 02:08 PM Eastern Standard Time  
**To:** Robbins, Timothy S  
**Subject:** FW: Probation and Parole Memo

(b)(6);(b)(7)(C) just popped by my office and mentioned that you had a POC for me to work this with? Please advise who your POC is and I'll make contact with him/her.

Thanks,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, September 23, 2013 1:10 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Probation and Parole Memo

(b)(6);(b)(7)(C)

Let me know when you are free and I'll give you a call. We already have the budget information written in the draft so I'm only needed for context. I think you just need ERO to write their piece.

Thanks,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, September 23, 2013 12:25 PM  
**To:** (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Subject:** RE: Probation and Parole Memo

Of course!.

Hi Tim and (b)(6);(b)(7)(C) please let me know what your earliest availability is to get together to discuss this.

Thanks.

(b)(6);(b)(7)(C)

Operations Chief – East  
Homeland Security Investigations  
US Immigration and Customs Enforcement  
Washington DC  
202-732-(b)(6);(b)(7)(C) desk  
202-345-(b)(6);(b)(7)(C) cell

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, September 23, 2013 12:08 PM  
**To:** (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Subject:** FW: Probation and Parole Memo

(b)(6);(b)(7)(C)

Per our conversation, can you please get together with ERO on finishing this document as soon as possible? I have copied Tim Robbins on this email as well as (b)(6);(b)(7)(C) You will need to get everyone together to address the transfer of Probation and Parole responsibilities over to ERO. Most of this has already been done, (I think), but needs to be documented.

Thanks,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Assistant Director, Domestic Operations**  
**Homeland Security Investigations**  
**500 12th Street S.W.**  
**Washington, D.C. 20536**  
**202-732-(b)(6);(b)(7)(C) Office**  
**206-396-(b)(6);(b)(7)(C) Mobile**

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, August 26, 2013 9:20 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** Probation and Parole Memo

(b)(6);(b)(7)(C)

The basic outline for the Probation and Parole Memo is attached; however, we need HSI and ERO to fill out the specifics of the transfer. After HSI has added its input please disseminate to the ERO POCs for input. Please return the draft memo with HSI and ERO input to OBPP by September 13, 2013.

Thank you,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
Chief, HSI Programs Support  
OCFO/Office of Budget and Performance, PCN (b)(6);(b)(7)(C)  
DHS – U.S. Immigration and Customs Enforcement  
(b)(6);(b)(7)(C)  
(Ph) 202-732-(b)(6);(b)(7)(C)



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

[Date]

MEMORANDUM FOR:

FROM:

SUBJECT:

(b)(5)

Subject

(b)(5)

Background

(b)(5)

(b)(5)

(b)(5)

Discussion

(b)(5)

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(b)(5)

(b)(5)

(b)(5)

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(b)(5)



**From:** (b)(6);(b)(7)(C)  
**Sent:** 25 May 2012 13:18:53 +0000  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: Probation and Parole MOA  
**Attachments:** HSI-ERO Transition.pdf, PP Transition Plan - 031512.docx

(b)(6);(b)(7)(C)

Please see the attached and very important below message from the AD. None of the attached are final despite signature.

Thanks,

(b)(6);(b)(7)(C)

Deputy Chief of Staff  
Secure Communities and Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6) (O) / (202) 302-(b)(6) (C) / (202) 732-4561 (F)

---

**From:** Archambeault, Gregory J  
**Sent:** Friday, May 25, 2012 8:55 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Probation and Parole MOA

Need to correct the terminology. There has never been an MOA with HSI. ADSCE submitted the attached PP Transition Plan to the ERO front office and I don't know if any further edits were made. Andrea Rogers should know and have a copy if there were changes. I've also attached the memo signed by D1 but was in error; EAD Mead had a meeting with D1, at which time the decision was made that ERO would not assume responsibility for PP since HSI did not have the funding/resources to move to ERO.

*Gregory J. Archambeault*  
*Assistant Director for Secure Communities and Enforcement*  
*ICE - Office of Enforcement & Removal Operations*  
(202) 732-(b)(6);

**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.

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, May 25, 2012 7:39 AM  
**To:** Archambeault, Gregory J  
**Subject:** FW: Probation and Parole MOA

Greg,

I don't have a copy of the signed version. Could you please send it to me?

Thanks,

(b)(6);(b)(7)(C)

Deputy Chief of Staff  
Secure Communities and Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6)(O) / (202) 302-(b)(6)(C) / (202) 732-4561 (F)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, May 24, 2012 9:23 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: Probation and Parole MOA

Hi (b)(6)

I need your assistance, please.

Do you recall a signed Probation and Parole MOA between ERO and HSI? What I found in OESIMS is an old folder and the memo is outdated and not signed. Perhaps something came across your desk that isn't in OESIMS?? Any information you can provide is appreciated. Thanks! -LP

(b)(6);(b)(7)(C)

*Special Assistant (A)*  
Office of Chief of Staff  
Enforcement and Removal Operations  
(202) 732-(b)(6)(O)  
(202) 607-(b)(7)(BB)

---

**From:** Rogers, Andrea R  
**Sent:** Thursday, May 24, 2012 8:53 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Fw: Probation and Parole MOA

Here it is! If you can't find quickly (b)(6);(b)(7)(C) may have it.

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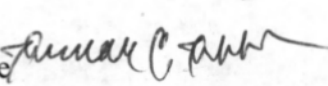
**From:** Mead, Gary  
**Sent:** Thursday, May 24, 2012 05:40 PM  
**To:** Ragsdale, Daniel H; (b)(6);(b)(7)(C)  
**Cc:** Rogers, Andrea R  
**Subject:** RE: Probation and Parole MOA

I will read it over again but I don't remember any LES info. Andrea, please find me a copy of this.



## U.S. Immigration and Customs Enforcement

MEMORANDUM FOR: John Morton  
Director

FROM: Kumar C. Kibble   
Deputy Director

SUBJECT: Transition of Enforcement Responsibilities and Requisite  
Funding from Homeland Security Investigations to Enforcement  
and Removal Operations

### Purpose

This memorandum outlines the proposed implementation plan for the realignment of the probation, parole and law enforcement agency response (LEAR) missions of U.S. Immigration and Customs Enforcement (ICE) from Homeland Security Investigations (HSI) to Enforcement and Removal Operations (ERO). To successfully effect this transition, the transfer of funds from HSI to ERO will be required for ERO to sustain this mission at its current level of execution.

### Background

On October 19, 2011, the ERO and HSI Executive Associate Directors (EADs) submitted a memorandum entitled, *Proposed Reassignment of HSI/ERO Responsibilities* to the Office of the Director. This memorandum recommended the realignment of certain enforcement responsibilities consistent with ICE's strategic plans and agency priorities.

The basis for this recommendation is that overall enforcement effectiveness could be greatly improved through reassignment of the following responsibilities to ERO:

- Identification, arrest, prosecution, and removal of criminal aliens on parole or probation;
- The arrest, prosecution, and removal of aliens with convictions for egregious crimes, referred to ICE by the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services; and
- LEAR, at currently supported levels excluding criminal investigations.

The joint ERO/HSI memorandum proposed a comprehensive evaluation of HSI's current resources, discussion of the scope of the resource transfer, and development of a national implementation strategy by ERO. This strategy would include both headquarters and field office transition plans.

In November 2011, HSI surveyed its field offices and determined that in most instances, these responsibilities are being conducted as a collateral duty by an HSI special agent. HSI estimated that

SUBJECT: Transition of Immigration Workload and Requisite Funding from Homeland Security Investigations to Enforcement and Removal Operations

Page 2

in fiscal year (FY) 2011, 205,633 hours were dedicated to immigration enforcement. Based on HSI's calculations, combined with the ICE calculation of 420,000 criminal aliens on probation and parole at any given time, ERO determined 138 law enforcement positions would be required to support this realignment.

Discussion

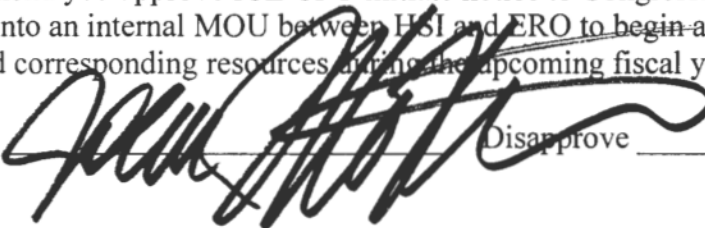
Assuming this plan receives favorable consideration from Congressional appropriators, the Office of Budget and Program Performance determined that if HSI transfers \$3M of FY 2012 funds to ERO, ERO could hire approximately 24 deportation officers this fiscal year. The funding includes associated start-up costs such as vehicles, telecommunications, etc. The realignment of funding should be accomplished in a manner that encourages the greatest success to the mission.

If this plan is approved, HSI will continue a phased transfer of funds to ERO during FY 2013 through a memorandum of understanding (MOU). The MOU will also outline the details of the transferred duties and responsibilities that will transition from HSI to ERO as resources are transferred to support the reallocated work. Additionally, as ICE formulates its upcoming budgets, ICE will realign these funds to an ERO program, project, or activity (PPA) that will fund these positions in the out years. The total out year costs for this plan is approximately \$25M. It is critical to note that as ICE formulates its budgets in FY 2014 and beyond, reductions to the ICE budget may impact the implementation of this plan.

Recommendation

I recommend you approve ICE CFO initiate notice to Congressional appropriators that ICE intends to enter into an internal MOU between HSI and ERO to begin a phased transfer of this enforcement work and corresponding resources during the upcoming fiscal years.

Approve



Disapprove

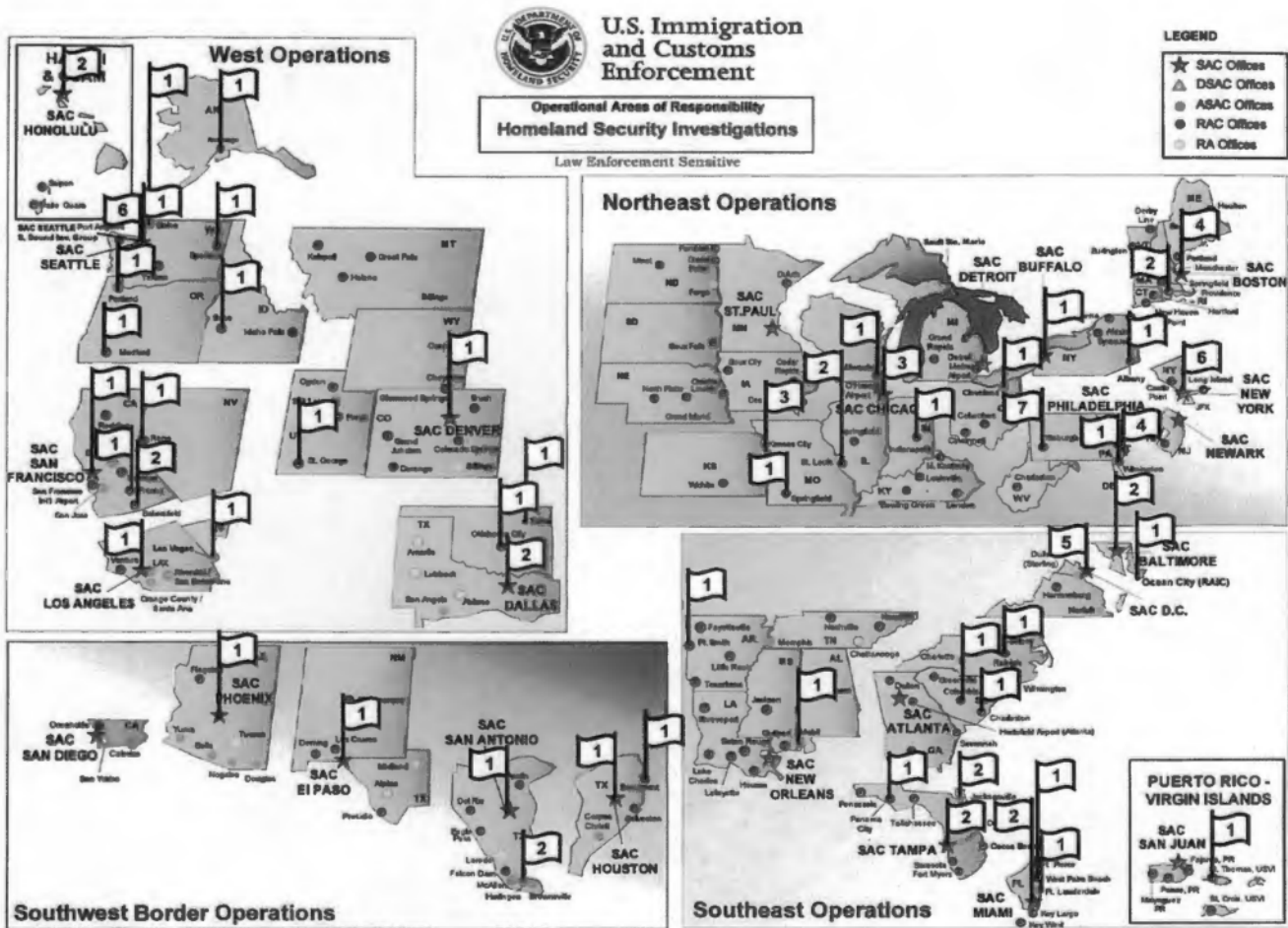
Modify

Needs more discussion

SUBJECT: Transition of Immigration Workload and Requisite Funding from Homeland Security Investigations to Enforcement and Removal Operations

Page 3

Map of HSI FTEs by Office



96 total FTEs in 56 offices.

SUBJECT: Transition of Immigration Workload and Requisite Funding from Homeland Security Investigations to Enforcement and Removal Operations  
Page 4

**Attachment B: HSI Field Positions FY 2012 and FY 2013**

OFFICE	CRIM INVSTGR - (FA)			CRIM INVSTGR - (L)				ERO REQ				
	FUNDED	ONBOARD	OPEN	FUNDED	ONBOARD	VACANT	POS AVAIL	FY 12		FY 13		
								ERO REQ	POS AVAIL	EXCESS AVAILABLE		
Atlanta	164	157	2	11	5	6	0	3	0		0	1
Baltimore	84	80	1	4	0	4	1	3	1		0	
Boston	146	138	3	5	1	4	2	6	2		0	1
Buffalo	110	103	3	1	0	1	3	2	2		1	
Chicago	283	271	10	18	2	16	8	11	8		0	
Dallas	149	140	7	9	0	9	7	4	4	1	2	1
Denver	113	109	2	9	1	8	1	2	1		0	
Detroit	162	159	-1	3	2	1	0	1	0		0	1
El Paso	267	254	8	9	1	8	7	1	1	2	4	
Honolulu	48	41	4	5	4	1	0	2	0		0	
Houston	213	203	5	11	1	10	4	2	2		2	1
Los Angeles	343	321	11	21	2	19	9	2	2	2	5	
Miami	288	279	5	19	0	19	5	4	4		1	1
New Orleans	180	172	4	7	2	5	2	2	2		0	1
New York	343	325	11	29	0	29	11	6	6	2	3	1
Newark	148	143	1	7	0	7	1	0	0		1	
Philadelphia	111	107	1	8	0	8	1	12	1		0	2
Phoenix	342	334	0	14	1	13	0	1	0		0	1
San Antonio	359	345	5	16	1	15	4	3	3		1	
San Diego	352	345	2	11	1	10	1	0	0		1	2
San Francisco	194	186	1	12	0	12	1	5			0	2
San Juan	34	31	2	7	0	7	2	1	1		1	
Seattle	191	177	7	14	0	14	7	13	7		0	
St. Paul	107	102	2	3	0	3	2	0	0	1	1	
Tampa	161	157	2	9	0	9	2	5	2		0	1
Washington, D.C.	131	120	6	8	0	8	6	5	2		1	
Total	5023	4799	104	270	24	246	87	96	52	8	24	16
Total = 100												

SUBJECT: Transition of Immigration Workload and Requisite Funding from Homeland Security Investigations to Enforcement and Removal Operations

Page 5

**Appendix C: ERO Analysis of Staffing Needs by FOD Office**

OFFICE	P&P population			100% of criminal alien population		35% of criminal alien population			Officers required to maintain the criminal alien pop within P&P
	Total	Criminal aliens	35% of criminal alien pop	Officers required to review criminal aliens on P&P	Criminal cases closed in a year	Officers required for 100% screening in one year	Cases closed in one year	Officers required to monitor docket based on closed case attrition	
Atlanta	568,142	51,133	17,897	85	10,115	30	3549	6	17
Chicago	551,669	49,650	17,378	83	9,877	29	3447	6	16
Detroit	469,029	42,213	14,775	70	8,330	25	2930	5	14
Philadelphia	294,991	26,549	9,292	44	5,236	15	1843	3	9
Boston	291,356	26,222	9,178	44	5,236	15	1820	3	9
New Orleans	278,509	25,066	8,773	42	4,998	15	1740	3	8
Miami	272,061	24,485	8,570	41	4,879	14	1700	3	8
St. Paul	186,641	16,798	5,879	28	3,332	10	1166	2	6
Seattle	176,736	15,906	5,567	27	3,213	9	1104	2	5
Dallas	165,856	14,927	5,224	25	2,975	9	1036	2	5
El Paso	156,062	14,046	4,916	23	2,737	8	975	2	5
Newark	139,532	12,558	4,395	21	2,499	7	872	1	4
San Antonio	132,819	11,954	4,184	20	2,380	7	830	1	4
Houston	132,819	11,954	4,184	20	2,380	7	830	1	4
San Francisco	125,315	11,278	3,947	19	2,261	7	783	1	4
Baltimore	118,283	10,645	3,726	18	2,142	6	739	1	4
Los Angeles	104,015	9,361	3,276	16	1,904	5	650	1	3
San Diego	104,015	9,361	3,276	16	1,904	5	650	1	3
Salt Lake City	102,732	9,246	3,236	15	1,785	5	642	1	3
Denver	95,051	8,555	2,994	14	1,666	5	594	1	3
Phoenix	86,452	7,781	2,723	13	1,547	5	540	1	3
Buffalo	84,804	7,632	2,671	13	1,547	4	530	1	3
New York City	84,804	7,632	2,671	13	1,547	4	530	1	3
Washington, D.C.	75,524	6,797	2,379	11	1,309	4	472	1	2
<b>Total</b>	<b>4,797,217</b>	<b>431,749</b>	<b>151,112</b>	<b>721</b>	<b>85,799</b>	<b>252</b>	<b>29971</b>	<b>50</b>	<b>145</b>

## **Appendix D: ERO Deployment Implementation Plan**

ERO has outlined a plan and resource requirements to transfer probation and parole efforts from HSI to ERO. The transition will be prioritized based on the population of foreign-born nationals on probation and parole as well as the available resources.

### **Phase I: Determine Requirements and Resources**

To determine the potential distribution of the 138 incoming positions, the ERO Criminal Alien Division (CAD) reviewed ERO probation and parole statistics through ICE Integrated Decision System (IIDS), together with statistics from HSI, to create national averages for both programs. The averages are based on the number of cases and case hours in FY09. CAD calculated that 420,000 criminal aliens were on probation and parole at any given time, which represents 9 percent of the overall probation and parole population of 4.7 million. CAD then ranked field offices based on this population, and ERO and HSI statistics were combined to determine the overall percentage of the population that was being identified and worked. These numbers were used to produce a preliminary assessment of which offices may be most affected by the transfer of the programs to ERO.

To further refine the deployment plan, CAD is working with ERO field offices to update the Criminal Alien Program Risk Assessment (CAPRA). CAD is also facilitating the creation of Landmark codes in ENFORCE. Upon receipt of input from ERO field offices, CAP will analyze the data and use the CAPRA to rank probation and parole in each field office.

In early March 2012, CAD and ERO field offices will begin to identify specific locations for deployment of individual FTEs and the resources required to absorb these new officers. Each field office will be asked to provide a strategic plan to cover probation and parole within that office's jurisdiction and identify the types of FTEs (DDO, IEA, MSS, other) needed in each location. After receiving feedback from field offices, CAD will create a final list of required positions by location and title.

### **Phase II: Laying the Groundwork**

ERO Mission Support will create Individual Personnel Numbers (IPNs) and assign them to the receiving offices. ERO field offices will then collaborate locally with the HSI field offices for transition of the program in each area of responsibility. Field Office Directors (FODs) will move journeyman deportation officers into the new probation and parole IPNs, backfilling the HSI officers as a priority.

The FOD and HSI Special Agent in Charge will jointly notify the federal, state, and local probation and parole offices of the transition. Notifications will include contact information for both programs to ensure continuity of coverage. CAD will work with FODs to prepare for the transition and may assist in coordinating outreach.

Throughout the transition, FODs will provide monthly reports on the percentage of the program successfully transferred to ERO, to include overviews of deployment of resource allocations. FODs



will also insure the CAPRA is updated to include probation and parole offices as well as the percentage and type of coverage. CAD's Criminal Alien Program (CAP) will provide a monthly update of the percentage of probation and parole offices transitioned from HSI to ERO to the ERO Executive Associate Director.

**Phase III: Commence Transition**

As more resources are deployed, ERO will increase its management of the probation and parole population until it assumes 100% screening of all probation and parole dockets. To monitor this effort, field offices will monitor all previously identified probation and parole offices in the CAPRA. To enhance program oversight, CAD will review updates to the CAPRA every month to ensure all identified Federal, State and local jails, prisons and corresponding probation and parole offices are 100% screened. CAP will evaluate the performance goals established in this transition plan and validate any additional requests for funding or changes in the overall performance objectives of the program.

### **Appendix E: ERO Milestones and Operational Timeline**

1. Create a working group to socialize the new probation and parole deployment and operational timeline, focus on the potential impact of the transfer of the probation and parole programs to ERO as a whole, address the impact on bed space and programs such as Alternatives to Detention, among other items, and serve as an ongoing effort continuing after deployment to ensure the best results.
  - February 3, 2012 to February 6, 2012
2. Gather information from the 24 field offices to identify all federal, state and local probation and parole offices and compile their contact information, docket population and estimated monthly intake. Create Landmarks in ENFORCE.
  - February 10, 2012 to March 12, 2012 (Field Tasking 1)
3. Research current probation and parole landmarks currently in the Enforcement Integrated Database (EID) and determine the current amount of probation and parole work currently performed within all 24 field offices.
  - March 12, 2012 to April 2, 2012
4. Update the CAPRA to include the all federal, state and local probation and parole offices nationwide and rank each location within the CAPRA.
  - March 12, 2012 to April 2, 2012
5. Identify the existing resources field offices have to absorb new officers and the office's strategic plan to accomplish the mission. Based on data received from the FODs, evaluate the probation and parole positions to determine whether to convert any to supervisory or administrative positions.
  - April 2, 2012 to April 10, 2012 (Field Tasking 2)
6. Determine the types of positions that will be created (supervisors, administrative, officers, others). Notify each field office of the number of positions they will receive and, based on FOD feedback, determine if additional resources are needed by affected offices, such as office space or equipment.
  - April 10, 2012 to April 18, 2012
7. Develop and finalize a Standard Operating Procedure for probation and parole.
  - April 18, 2012 to May 21, 2012
8. Begin the procurement process for the identified infrastructure resources (vehicles, etc.) and announce vacancies by drafting announcement, announcing the positions, and filling the positions.
  - April 18, 2012, to May 2, 2012



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

MEMORANDUM FOR:

FROM:

SUBJECT:

(b)(5)

Purpose

(b)(5)

Background

(b)(5)

(b)(5)

Discussion

(b)(5)

Recommendation

(b)(5)

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Modify \_\_\_\_\_ Needs more discussion \_\_\_\_\_

(b)(5)



(b)(5)



(b)(5)

(b)(5)

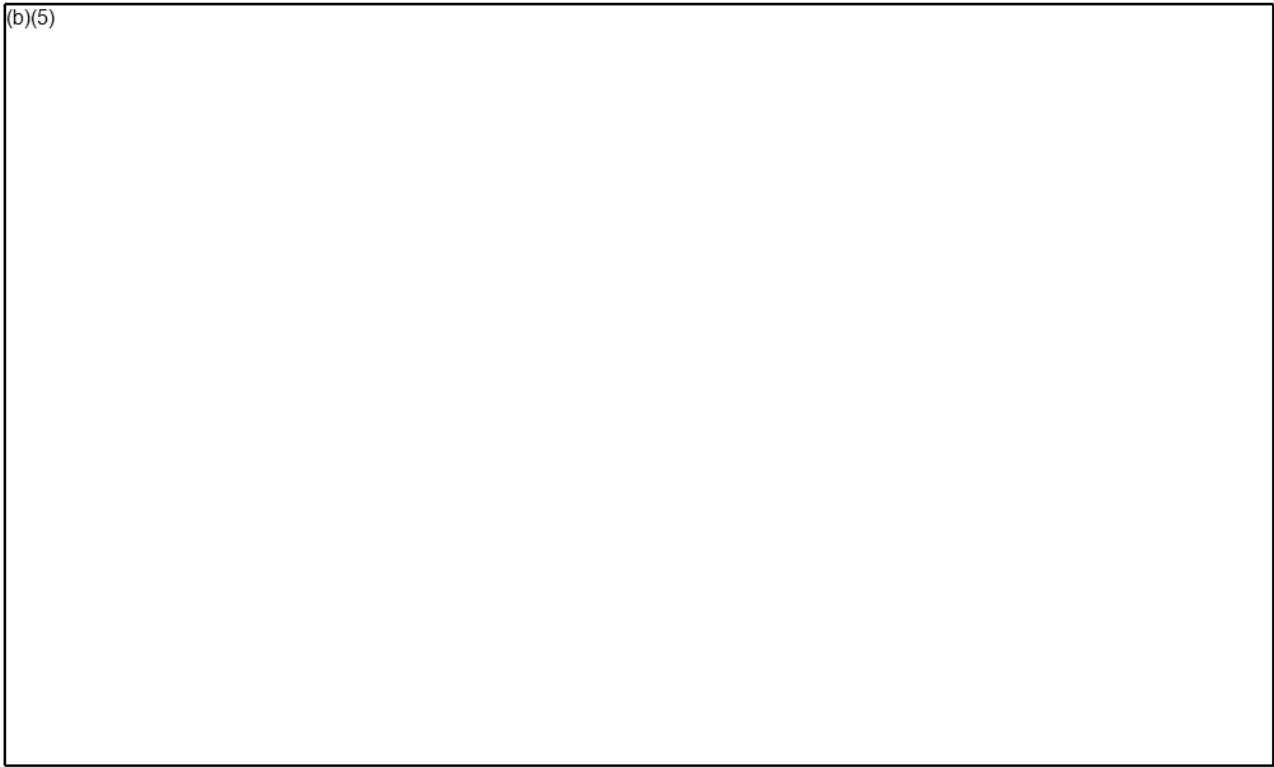
(b)(5)

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(b)(5)



(b)(5)



(b)(5)

**From:** (b)(6);(b)(7)(C)  
**Sent:** 18 May 2017 15:54:07 -0400  
**To:** (b)(6);(b)(7)(C) Feeley, Thomas E  
**Subject:** FW: Reminder: Enforcement Actions at or Near Courthouses

Message recalled per EAD

---

**From:** ERO Taskings  
**Sent:** Thursday, May 18, 2017 3:49 PM  
**Subject:** Reminder: Enforcement Actions at or Near Courthouses

*The following message is sent on behalf of Thomas E. Feeley, Acting Assistant Director for Enforcement, with the concurrence of Nathalie R. Asher, Acting Assistant Director for Field Operations:*

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

**Subject:** Reminder: Enforcement Actions at or Near Courthouses

This message serves as a reminder for important guidance concerning ERO enforcement actions at courthouses. **Please ensure immediate distribution to all ERO officers within your AOR.**

- Enforcement actions at or near courthouses will only take place against specific, targeted aliens predicated upon information that leads ERO officers to believe those individuals will be present at the location.
- Enforcement actions at or near courthouses will, wherever practicable: (1) take place outside public areas of the courthouse; (2) be conducted in collaboration with court security staff; and (3) utilize the court building's non-public entrances and exits.

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**From:** (b)(6);(b)(7)(C)  
**Sent:** 29 Jun 2017 20:11:17 +0000  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: Scope of 8 U.S.C. 1373  
**Attachments:** 1373 Enforcement Submission\_ERO Field Operations v2 (lbh)(V3) CAD.DOCX

(b)(6);(b)(7)(C)

Please see attached.

Thanks,

(b)(6);(b)(7)(C)

*Chief of Staff | Enforcement Division*  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(7)(C) / (202) 302-(b)(6)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, June 29, 2017 2:44 PM  
**To:** Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Subject:** FW: Scope of 8 U.S.C. 1373  
**Importance:** High

Please see EAD's comment below. Will need it back NLT 11AM tomorrow please.

Thanks.

---

**From:** Albence, Matthew  
**Sent:** Thursday, June 29, 2017 2:39 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Scope of 8 U.S.C. 1373

We don't answer the "why" as (b)(6) requested. We need to assume the reader (once it leaves ICE) is going to be unfamiliar with our operations.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, June 29, 2017 8:26 AM  
**To:** Albence, Matthew  
**Subject:** RE: Scope of 8 U.S.C. 1373

Did you want to review before it goes forward to (b)(6);(

I left Phil's comment in for now.

---

**From:** Albence, Matthew  
**Sent:** Thursday, June 22, 2017 1:10 PM  
**To:** #ERO CHIEFS OF STAFF

**Cc:** Miller, Philip T  
**Subject:** FW: Scope of 8 U.S.C. 1373

(b)(6);(b)(7)(C)

Please have Enf take the pen on this one, coordinating w Field Ops.

A couple off the top of my head include gang databases, jail rosters, and probation/parole lists.

Thanks!

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Jun 22, 2017, 8:42 AM  
**To:** Albence, Matthew <(b)(6);(b)(7)(C)>, Miller, Philip T <(b)(6);(b)(7)(C)>  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** Scope of 8 U.S.C. 1373

**\*\*\*ATTORNEY-CLIENT COMMUNICATION\*\*\*DELIBERATIVE\*\*\***

Matt/Phil-

Since you will both be traveling for the next week, and I will be on leave all next week, I am sending this inquiry by email as opposed to trying to set up a discussion.

As you know, we continue to work with DHS OGC and DOJ to finalize the government's interpretation of the scope of information covered by 8 U.S.C. § 1373. The provision prohibits a Federal, State, or local government entity or official from "prohibit[ing], or in any way restrict[ing], any government entity or official from sending to, or receiving from, [DHS] information regarding the citizenship or immigration status, lawful or unlawful, of any individual." 8 C.F.R. § 1373(a). Some have argued, but we strongly

(b)(5)

(b)(5)

If you all could get back to us early next week, that would be appreciated.

Thanks,

(b)(6);(b)(7)(C)

Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement

Desk: 202-732-(b)(6);

Iphone: 202-500-(b)(6)

(b)(6);(b)(7)(C)

~~--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---~~

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(b)(5)

**Purpose**

(b)(5)

**Background**

(b)(5)

**Classification Request**

(b)(5)

DRAFT/PRE-DECISIONAL

(b)(5)

[Redacted content]

(b)(5)

[Redacted content]

(b)(5)

[Redacted content]

(b)(5)

[Redacted content]

DRAFT/PRE-DECISIONAL



DRAFT

**From:** ERO Taskings  
**Sent:** 10 Mar 2014 18:12:01 -0400  
**Subject:** Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations

*The following message is sent on behalf of Matthew Albence, Assistant Director for Secure Communities and Enforcement and approved by Philip Miller, Assistant Director for Field Operations:*

**To:** Field Office Directors and Deputy Field Office Directors  
**Subject:** Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations

This tasking establishes standardized procedures to be used by ERO when processing Probation and Parole (PAP) aliens who have been arrested in a non-custodial capacity (e.g. by Fugitive Operations Teams (FOT) or other ERO units performing at-large arrests).

In order to standardize database input, ensure data integrity and capture necessary PAP statistics, specific codes shall be used in the EAGLE system. All processing of subjects should begin at the Booking screen/Encounter screen to ensure proper event creation.

ERO officers performing at-large arrests will select "PAP" under Method (Method of Arrest) when the subject arrested is on **active** probation or parole status.

- The arrest method PAP shall NOT be used for custodial arrests. It is only for non-custodial arrests.
- If the subject is not on active probation or parole status, the appropriate method of arrest shall be used ("L" for Locate or "NCA" for Non-Custodial Arrest).

The following EAGLE code will be used for all Probation and Parole arrests:

In the Booking screen/Encounter screen:

- The Lead type should indicate the program that initially encountered the subject(s) of the event created in EAGLE.
- The Event type should be the area of enforcement in which this event belongs (i.e. FOE, CAP).
- The Program code is to reflect the program presently issuing a document through the event.

In the ICE Arrest screen, under the Method tab (Method of Arrest), the code "PAP" will be used for all **active** Probation and Parole arrests.

(b)(7)(E)

(b)(7)(E)

This is effective immediately.

Field Office Directors will ensure that this information is disseminated to all ERO officers.

If you should have any questions regarding this policy, contact (b)(6);(b)(7)(C) Detention and  
Deportation Officer, NFOP at (202) 732-(b)(6);(b)(7)(C) Detention and Deportation  
Officer, NFOP at (202) 732-(b)(6);

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(b)(6);(b)(7)(C)

**From:** ERO Taskings  
**Sent:** Friday, February 10, 2012 6:16 PM  
**Subject:** Probation and Parole (Information Gathering)  
**Attachments:** Probation and Parole (Information Gathering) (CAPRA).xlsx

*The following message is being sent on behalf of Gregory J. Archambeault, Assistant Director for Enforcement with concurrence of David J. Venturella, Assistant Director for Field Operations:*

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

**Subject: Probation and Parole (Information Gathering)**

**Due Date: Friday, March 12, 2012, 4:00 PM EST**

In 2007, The Criminal Alien Division (CAD) through CAP created and developed the Criminal Alien Program Risk Assessment (CAPRA) database to help assess foreign born populations and prioritize the screening of foreign born inmates incarcerated in jails located throughout the nation.

The CAPRA is an important tool in the allocation and maximization of resources. To further maximize the use of the CAPRA, CAP is expanding the database to assess foreign born populations and to prioritize the screening of foreign born nationals that are currently on probation and parole.

CAP seeks to identify all federal, state and local probation and parole offices. Information on current docket population, estimated foreign born population and monthly intake for probation and parole is also needed. CAP is requesting that each field office update the attached CAPRA spreadsheet for analysis. This information will also assist in the allocation of Probation and Parole positions.

**Responses to this tasking must be submitted to the CAP HQ mailbox no later than close of business, Monday March 12, 2012.**

For any questions related to this task, please contact CAP Unit Chief (b)(6);(b)(7)(C) at (b)(6);(b)(7)(C) or (202) 732-(b)(6);(

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**From:** ERO Taskings  
**Sent:** 14 Apr 2016 13:21:27 -0400  
**Subject:** Probation and Parole Teleconference

*The following message is sent on behalf of Matthew T. Albence, Assistant Director for Enforcement, and approved by Jon Gurule, Assistant Director for Field Operations:*

**To:** **Field Office Directors, Deputy Field Office Directors, and Local Probation and Parole Points of Contact**

**Subject:** **Probation and Parole Teleconference**

A teleconference will be held on Wednesday April 20, 2016 at 2:00 PM EDT to discuss the Probation and Parole (P&P) Program. Topics of discussion will include both headquarters and field office roles and responsibilities, data integrity, and metrics.

The Call-in Number is (877) 596-(b)(6);(b)(7)(C)  
The Passcode is (b)(6);(b)(7)(C)

If you have any questions, please submit them in advance to the HQERO, FUGOPS mailbox. Alternatively, please call P&P Program Manager (b)(6);(b)(7)(C) at (202) 732-(b)(6), or National Fugitive Operations Program Unit Chief (b)(6);(b)(7)(C) at (202) 732-(b)(6);(b)(7)(C)

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**From:** Feeley, Thomas E  
**Sent:** 28 Feb 2017 12:35:27 -0500  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** RE: (b)(6);(b)(7)(C) Call Questions  
**Attachments:** Enforcement (b)(6);(b)(7)(C) Call Questions(tf).docx

Cleared as attached.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, February 28, 2017 11:50 AM  
**To:** Feeley, Thomas E  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: (b)(6);(b)(7)(C) Call Questions

For clearance

(b)(6);(b)(7)(C)  
Chief of Staff  
Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6) (O) / (202) 302 (b)(6)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, February 28, 2017 10:52 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** RE: (b)(6);(b)(7)(C) Call Questions

The below is cleared. Thanks! (b)(6)

1. In what ways, if any, does the executive order change the agency's priorities for detention and removal? And what is the specific timeframe for making alterations to previous guidance or authorities?

The executive orders change the priorities for detention and removal by directing the agency to faithfully execute the immigration laws of the United States against all removable aliens, and no longer exempt classes or categories of removable aliens from potential enforcement. The executive orders superseded previous guidance and were effective immediately upon issuance.

2. Does ICE interpret section 5 (c) *have committed acts that constitute a chargeable criminal offense* to mean that individuals who are in the U.S. unlawfully are priorities for removal?

The section cited refers to aliens with whom a criminal offense is associated. In addition, individuals who are in the U.S. unlawfully are priorities for removal, as defined in the executive

orders overall.

3. To date, how many individuals detained were targets of the enforcement actions vs. collateral detentions of individuals who were not targeted? And how many of those individuals have been detained and/or deported as a result of these ICE enforcement actions?

The agency does not distinguish or track who is detained as a target and who is detained as a non-target. Rather, arrests and detentions are based on removability as well as criminal prosecution. Enforcement actions are carried out on a daily basis.

4. Section 5 (b) list individuals who have been charged with any criminal offense, where such charge has not been resolved, as priorities for removal. How does ICE interpret the directive in instances where the court has not rendered a judgment?

If the court has not rendered a judgment, this is still a criminally charged offense. Please note that any enforcement action by ICE up to and including removal is based on removability, regardless of the action in criminal court.

5. Are enforcement actions happening at or near sensitive locations such as places of worship, healthcare centers & schools?

Enforcement actions occur in communities throughout the United States to fulfill the agency's mission in keeping the public safe. Sensitive locations as defined by ICE policy relate to enforcement actions focused at or near such sites. If an enforcement action occurs in proximity to or at a sensitive location, agency personnel will conduct their activities in accordance with policy. Generally, an enforcement action carried out at or near a sensitive location would involve exigent circumstances, such as imminent risk of death, violence, or physical harm to any person or property, a national security or terrorism matter, the immediate arrest or pursuit of a dangerous felon, terrorist suspect, or any other individual(s) who presents an imminent danger to public safety, or an imminent risk of destruction of evidence or material to an ongoing criminal case. The sensitive locations policy is intended to ensure that officers and agents exercise sound judgment when enforcing federal law focused at or near sensitive locations, and that substantial efforts are made to avoid unnecessarily alarming local communities.

6. What steps were taken by ICE to adhere to the Parental Interests Directive and ensure appropriate care for the detained individuals' minor children that may be at school during the enforcement actions?

In cases where a parent is taken into custody and another parent or guardian is unavailable to care for a minor, ICE officers will contact local child protection authorities for assistance.

7. Section 11. requires the Attorney General and DHS Secretary to ensure that adequate resources are devoted to the prosecution of criminal immigration offenses. To what extent, if any, does the section also grant detained individuals access to legal assistance?

This section deals with prosecution of criminal immigration offenses as noted, not access to legal assistance for detained individuals. However, aliens encountered by ICE who are taken into

custody are provided with a list of free legal services, and information is posted in all detention facilities that includes a list of foreign consulate phone numbers, toll free telephone service, and pro bono attorneys.

8. What steps are being taken to comply with 8 USC 1367 – which provides immigration relief to victims of domestic violence – in Virginia, and what actions are being taken to instruct ICE agents accordingly?

ICE complies with all legal and policy requirements including those related to eligibility for immigration relief and victims of domestic violence. The executive orders do not exempt or absolve the agency from these responsibilities and obligations.

9. For those individuals who may be subjected to expedited removal, what steps is ICE taking to verify that they are not entitled to a hearing before an immigration judge/that they have not been physically present in the United States for two years?

The agency applies existing processes to determine whether individuals are subject to expedited removal, or whether they are entitled to a hearing before an immigration judge. These processes are supported by interviews and record checks, and conducted in consultation with ICE attorneys, as appropriate.

(b)(6);(b)(7)(C)

*Special Assistant*

Fugitive Operations & Training Division  
Office of Enforcement and Removal Operations  
(202) 732-(b)(6) (202) 607-(b)(6)(c)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, February 27, 2017 2:57 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) Call Questions

Please review/edit my draft responses and also provide responses for 8-9. Due to (b)(6);(b)(7)(C) and me at 10am tomorrow.

ERO-T,

1. In what ways, if any, does the executive order change the agency's priorities for detention and removal? And what is the specific timeframe for making alterations to previous guidance or authorities?

(b)(5)

2. Does ICE interpret section 5 (c) *have committed acts that constitute a chargeable criminal offense* to mean that individuals who are in the U.S. unlawfully are priorities for removal?



(b)(5)

3. To date, how many individuals detained were targets of the enforcement actions vs. collateral detentions of individuals who were not targeted? And how many of those individuals have been detained and/or deported as a result of these ICE enforcement actions?

(b)(6);(b)(7)(C)

4. Section 5 (b) list individuals who have been charged with any criminal offense, where such charge has not been resolved, as priorities for removal. How does ICE interpret the directive in instances where the court has not rendered a judgment?

(b)(5)

5. Are enforcement actions happening at or near sensitive locations such as places of worship, healthcare centers & schools?

(b)(5)

6. What steps were taken by ICE to adhere to the Parental Interests Directive and ensure appropriate care for the detained individuals' minor children that may be at school during the enforcement actions?

(b)(5)

7. Section 11. requires the Attorney General and DHS Secretary to ensure that adequate resources are devoted to the prosecution of criminal immigration offenses. To what extent, if any, does the section also grant detained individuals access to legal assistance?

(b)(5)

8. What steps are being taken to comply with 8 USC 1367 – which provides immigration relief to victims of domestic violence – in Virginia, and what actions are being taken to instruct ICE agents accordingly?

9. For those individuals who may be subjected to expedited removal, what steps is ICE taking to verify that they are not entitled to a hearing before an immigration judge/that they have not been physically present in the United States for two years?

(b)(6);(b)(7)(C)

Chief of Staff  
Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(7)(C) / (202) 302-(b)(7)(C)

---

**From:** ERO Taskings  
**Sent:** Monday, February 27, 2017 2:27 PM  
**To:** ERO SC & ENFORCEMENT TASKINGS  
**Cc:** ERO Taskings; (b)(6);(b)(7)(C)  
**Subject:** FW:(b)(6);(b)(7)(C) Call Questions

Good afternoon,

Please see below.

**Assigned Unit (s):** Enforcement

Field Ops

CM

**From (Requesting Office):** ERO Front Office

**Task Due Date:** February 28, 2017 at 1345

**ERO Taskings Tracking No.:** (b)(6);(b)(7)(C) Call Questions

**Instructions:**

Please provide responses to the following;

1. In what ways, if any, does the executive order change the agency's priorities for detention and removal? And what is the specific timeframe for making alterations to previous guidance or authorities?
2. Does ICE interpret section 5 (c) *have committed acts that constitute a chargeable criminal offense* to mean that individuals who are in the U.S. unlawfully are priorities for removal?
3. To date, how many individuals detained were targets of the enforcement actions vs. collateral detentions of individuals who were not targeted? And how many of those individuals have been detained and/or deported as a result of these ICE enforcement actions?
4. Section 5 (b) list individuals who have been charged with any criminal offense, where such charge has not been resolved, as priorities for removal. How does ICE interpret the directive in instances where the court has not rendered a judgment?
5. Are enforcement actions happening at or near sensitive locations such as places of worship, healthcare centers & schools?
6. What steps were taken by ICE to adhere to the Parental Interests Directive and ensure appropriate care for the detained individuals' minor children that may be at school during the enforcement actions?
7. Section 11. requires the Attorney General and DHS Secretary to ensure that adequate resources are devoted to the prosecution of criminal immigration offenses. To what extent, if any, does the section also grant detained individuals access to legal assistance?
8. What steps are being taken to comply with 8 USC 1367 – which provides immigration relief to victims of domestic violence – in Virginia, and what actions are being taken to instruct ICE agents accordingly?
9. For those individuals who may be subjected to expedited removal, what steps is ICE taking to verify that they are not entitled to a hearing before an immigration judge/that they have not been physically present in the United States for two years?

**Background:**

VA Senator Warner is looking to have a call with Secretary Kelly; apparently, these questions were not resolved to the Senator's satisfaction during last week's rollout call regarding EO implementation.

Thank you,

(b)(6);(b)(7)(C)

Detention and Deportation Officer  
Executive Information Unit  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement

U.S. Department of Homeland Security  
202.732.(b)(7)(O) | 609.209.(b)(6)(C)

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1.

(b)(5)

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(b)(5)

9.

(b)(5)

(b)(5)

(b)(5)

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 16, 2017 3:29 PM  
**To:** Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Parrish, Norman L  
**Subject:** RE: Adequate Notification and 1326 Tracker  
**Attachments:** ICE AN 1373 Tracker (OPLA Submission).xlsx; Copy of Copy of AN 1373 Tracker 03162017 OPLA Combined DH MB.xlsx

Hi (b)(6);

The "combined" attachment now has all of the colors removed from the lines. The fonts for the "delete" lines remain orange for historical reference. Let me know if you need anything else. Thanks

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 16, 2017 2:37 PM  
**To:** Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Parrish, Norman L  
**Subject:** FW: Adequate Notification and 1326 Tracker

Tom (b)(6)

I went through (b)(6) list and found 5 additional duplicates. I deleted those from the list below as well as listed them as "delete" on the attached combined spreadsheet.

At this point I feel comfortable with this list as reported by the field and OPLA is correct. These cases are no/no on the spreadsheet and are in agreement with previously reported non-compliance and some with open source declarations of sanctuary protection.

I modified footnote #4 on the combined sheet as requested by OPLA. The final list is now 101 jurisdictions.

Let me know if you any additional information.

(b)(6);(b)(7)(C)

Field Office	State	County	Jurisdiction
ATL	NC	Guilford	Guilford County
BAL	MD	Montgomery	County Detention Center
BAL	MD	Prince George	County Detention Center
BAL	MD	St Marys	St Marys County Detention Center
BOS	CT	New Haven	East Haven Police Department
BOS	CT	New Haven	New Haven Police Department

BOS	CT	State of Connecticut	Connecticut Department of Corrections
BOS	CT	State of Connecticut	Connecticut Judicial Marshalls Office
BOS	MA	Middlesex	City of Somerville
BOS	MA	Middlesex County	Malden District Court
BOS	VT	Addison County	Addison County Sheriff's Department
BOS	VT	Bennington County	Bennington County Sheriff's Department
BOS	VT	Caledonia County	Caledonia County Sheriff's Department
BOS	VT	Chittenden County	South Burlington Police Department
BOS	VT	Chittenden County	University of Vermont Police Department
BOS	VT	Chittenden County	Williston Police Department
BOS	VT	Chittenden County	Burlington Police Department
BOS	VT	Chittenden County	Chittenden County Sheriff's Office
BOS	VT	Chittenden County	Hinesburg Police Department
BOS	VT	Chittenden County	Milton Police Department
BOS	VT	Essex County	Essex County Sheriff's Department
BOS	VT	Essex County	Essex Police Department
BOS	VT	Franklin County	Franklin County Sheriff's Office
BOS	VT	Grand Isle County	Grand Isle Sheriff's Office
BOS	VT	Lamoille County	Lamoille County Sheriff's Department
BOS	VT	Orange County	Orange County Sheriff's Department
BOS	VT	Orleans County	Orleans County Sheriff
BOS	VT	Rutland County	Rutland County Sheriff's Office
BOS	VT	State of Vermont	Vermont State Police
BOS	VT	Washington County	Washington County Sheriff's Department
BOS	VT	Windham County	Windham County Sheriff
BOS	VT	Windsor County	Windsor County Sheriff
CHI	IL	Cook	Cook
CHI	WI	Dane County	Madison Police Department
DAL	TX	Dallas	Irving Police Department
DAL	TX	Dallas	Richardson Police Department
ELP	NM	Dona Ana	Las Cruces
ELP	NM	San Miguel	San Miguel New Mexico
ELP	NM	Santa Fe County	Santa Fe. New Mexico (State Capital)
ELP	NM	Taos	Taos, New Mexico
NoL	LA	Orleans	Orleans Sheriff's Office
NYC	NY	Bronx	Bronx Central Booking
NYC	NY	Bronx	Rikers Island - NYC Dept. of Correction
NYC	NY	Kings	Brooklyn Central Booking
NYC	NY	New York	Manhattan Central Booking
NYC	NY	NYC	New York City Police Department
NYC	NY	Queens	Queens Central Booking
NYC	NY	Richmond	Staten Island Central Booking



PHI	PA	Philadelphia	Philadelphia County
SEA	OR	MultNomah	MultNomah
SEA	WA	King	King
SEA	WA	SNohomish	Snohomish
SFR	CA	Colusa	Colusa County
SFR	CA	San Francisco	San Francisco County
SFR	CA	San Joaquin	San Joaquin County
SFR	CA	Santa Clara	Santa Clara County
SPM	IA	Allamakee	Allamakee SD
SPM	IA	Benton County	Benton County Sheriff's Office
SPM	IA	Black Hawk	Black Hawk County Jail
SPM	IA	Cedar County	Cedar County Sheriff's Office
SPM	IA	Clinton County	Clinton County Sheriff's Office
SPM	IA	Des Moines County	Des Moines County Jail
SPM	IA	Dubuque	Dubuque County Jail
SPM	IA	Floyd	Floyd County Jail
SPM	IA	Johnson County	Johnson County Jail
SPM	IA	Keokuk	Keokuk County Jail
SPM	IA	Linn County	Linn County Sheriff's Office
SPM	IA	Lucas County	Lucas County Jail
SPM	IA	Mitchell	Mitchell County SO
SPM	IA	Polk County	Sheriff Bill McCarthy
SPM	IA	Scott	Scott County SO
SPM	IA	Sioux	Sioux County Jail, Orange City, IA
SPM	IA	Washington County	Washington County Jail
SPM	IA	Winneshiek	Winneshiek County Jail
SPM	MN	ANoka County	ANoka Co Sheriff
SPM	MN	Benton	Benton County Sheriff's Office
SPM	MN	Dakota County	Dakota County Sheriff's Office
SPM	MN	Fillmore	Sheriff Thomas Kaase
SPM	MN	Goodhue	Goodhue County Sheriff's Office
SPM	MN	Hennepin County	Sheriff Richard Stanek
SPM	MN	Houston County	Sheriff Mark Inglett
SPM	MN	Jackson	Sheriff Roger Hawkinson
SPM	MN	Kandiyohi	Kandiyohi Co Sheriff
SPM	MN	LeSueur	LeSueur County Sheriff's Office
SPM	MN	Lyon	Lyon County SO
SPM	MN	Meeker County	Meeker County Sheriff's Office
SPM	MN	Olmsted County	Sheriff Kevin Torgerson
SPM	MN	Ramsey	Sheriff Matt Bostrum
SPM	MN	Sibley	Sibley County Sheriff's Office
SPM	MN	Stearns County	Stearns County Sheriff's Office

SPM	MN	Swift	Swift County Sherriff's Office
SPM	MN	WiNona County	Sheriff Ron Ganrude
SPM	MN	Wright County	Wright County Sheriff's Office
SPM	NE	Boone County	Boone County Jail
SPM	NE	Butler County	Butler County Jail
SPM	NE	Kearney	Kearney County Jail
SPM	NE	Platte	Platte County Jail
SPM	NE	Saline County	Saline County Jail
SPM	NE	Sarpy County Jail	Papillion, Nebraska
SPM	NE	Seward	Seward County Jail
WAS	DC	District of Columbia	DC Jail

**From:** (b)(6);(b)(7)(C)  
**Sent:** 4 Apr 2017 12:46:25 +0000  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

(b)(6);(b)(7)(C)

(b)(5)

(b)(6)

(b)(6);(b)(7)(C)

*Chief of Staff | Enforcement Division*  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6);(b)(7)(C) / (202) 302-(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, April 03, 2017 4:27 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Subject:** FW: End of Day: EO TF Get Backs and Status  
**Importance:** High

FYI - will let you know if edits come down the pike.

Sent with BlackBerry Work ([www.blackberry.com](http://www.blackberry.com))

**From:** (b)(6);(b)(7)(C)  
**Date:** Monday, Apr 03, 2017, 4:17 PM  
**To:** Albence, Matthew <(b)(6);(b)(7)(C)>, Miller, Philip T <(b)(6);(b)(7)(C)>  
**Cc:** #ERO CHIEFS OF STAFF <(b)(7)(E)>  
**Subject:** FW: End of Day: EO TF Get Backs and Status

Hey guys –

I know this one has been a while coming. Attached is the “sanctuary cities” get-back we owe DHS. This document is to inform the conversation on the definition of a “sanctuary city” in terms of a limited scope 8 USC 1373 definition vs. a broader ICE-defined term. It will also make its way to FEMA to also inform the grant funding convo (so heads up).

The white paper was populated using non-compliance information provided and validated by the FODs, OPLA worked the 8 USC 1373 piece with their OCCs. (b)(6);(b)(7) has seen the 1373 data and cleared it prior to it making its way to me. Please note that the Excel spreadsheet contains the raw data whose totals are contained in the white paper.

That said, attached are both docs for review and clearance. Once you clear, I'll send these to EROLD for their records and to ICE Policy for submission in response to the below EO get-back:

Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [With ERO to update existing documents]

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 31, 2017 6:03 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)  
(b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [With ERO to update existing documents]
- 2) White paper to DOJ/ODAG for information pertaining to most egregious sanctuary jurisdictions to inform its decision on whether to take enforcement action against jurisdictions that have violated the statute. [OPLA submitted to DOJ today]
- 3) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 4) VOICE: Tick Tock. [Due to DHS OPA today. ICE OPA will contact DHS OPA directly].
- 5) ICE review and edits of DOS MOU as it pertains to 243(d). [ERO lead-OPLA/OP Due 3/31. With ERO for review and clearance. There may be an internal meeting to discuss edits next week].
- 6) DHS would like for ICE to address whether metric can be provided as to the new priorities. Understanding that we currently may not have the capabilities to capture or produce metrics as it pertains to certain of the priorities, we should be prepared to produce a matrix as to what we can/cannot produce and why. [ERO-Tentative Due date of next Wednesday if possible].

Note from today's ESC:

- AS2 impressed upon ICE the need to formulate our proposed detention standards. He asked us to justify why 30 days are needed. [ERO, OPLA, OP-need to convene and discuss].

- AS2 asked for metrics to measure the impact of the recent IJ surge. [OPLA-please provide a write up as to the potential metrics that can be utilized to report on results. Due by 2PM Tuesday]
- Civil Fines and Penalties: Whether legislation should be written to keep moneys collected. [OPLA, OP to discuss possibilities by COB Tuesday]

(b)(6);(b)(7)(C)

Assistant Director  
Office of Policy  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6);(b)(7)(C) office)  
(202) 270-(b)(7)(C) cell)

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

**Sent:** Thursday, March 30, 2017 8:46 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA will provide updates by Friday]
- 2) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 3) VOICE: DHS requested ICE provide completion dates for various VOICE related activities. [ICE submitted a portion of the dates to the TF today. Dates for additional activities will be provided tomorrow].
- 4) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [final version will be routed for FO review tomorrow AM. Due to DHS by 2PM tomorrow].
- 5) ICE review and edits of DOS MOU as it pertains to 243(d). [ERO lead-OPLA/OP Due 3/31].
- 6) DHS would like for ICE to address whether metric can be provided as to the new priorities. Understanding that we currently may not have the capabilities to capture or produce metrics as

it pertains to certain of the priorities, we should be prepared to produce a matrix as to what we can/cannot produce and why. [ERO-Tentative Due date of next Wednesday if possible].

- 7) Review and edit of existing Repatriations MOU between DHS/ICE and DOS/CA. [ERO lead-OPLA/OP Due 3/31].

(b)(6);(b)(7)(C)

Assistant Director

Office of Policy

U.S. Immigration and Customs Enforcement

(202) 732-(b)(6)(office)

(202) 270-(b)(7)(cell)

---

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

**Sent:** Wednesday, March 29, 2017 5:57 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)

(b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA will provide updates by Friday]
- 2) Private Immigration Bill Memo from D1 to S1. [Submitted to DHS]
- 3) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 4) VOICE: DHS requested ICE provide completion dates for various VOICE related activities. [Due COB Thursday].
- 5) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO's response with OP for review]
- 6) DDOR: make corrections to the previous report and publication of next second report. [Published]
- 7) 90-Day Status Report on EO 13767 and 13768. [Submitted to DHS]
- 8) ICE review and edits of DOS MOU as it pertains to 243(d). [ERO lead-OPLA/OP Due 3/31].

Notes from today's TF meeting:

- Privacy Policy is a priority for DHS. Many comments were provided from components. DHS Privacy was asked to convene a meeting. ICE Privacy has been informed.
- DHS PLCY will draft status updates in response to the Presidential Memo covering the Vetting EO. A draft will be sent via Exec Sec for review.

- DHS would like to convene a separate meeting to discuss the VOICE Roll Out
- DHS would like for ICE to address whether metric can be provided as to the new priorities. Understanding that we currently may not have the capabilities to capture or produce metrics as it pertains to certain of the priorities, we should be prepared to produce a matrix as to what we can/cannot produce and why. [ERO-Tentative Due date of next Wednesday if possible].

(b)(6);(b)(7)(C)

Assistant Director  
Office of Policy  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6) (office)  
(202) 270-(b)(6) (cell)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, March 28, 2017 9:13 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA has information and will provide comments by Friday]
- 2) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [Submitted to DHS]
- 3) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance]
- 4) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 5) Monthly Apprehension Report Mock-up. [Submitted to DHS WG]
- 6) VOICE: Need status as to whether the office is on track for roll out the first week of April. [Submitted to DHS]
- 7) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO's response with OP for review]
- 8) DDOR: make corrections to the previous report and publication of next second report. [Publication pushed to Wednesday. Pending FO review]
- 9) 90-Day Status Report on EO 13767 and 13768. [Pending FO review]

Thank you.

(b)(6);(b)(7)  
(C)

(b)(6);(b)(7)(C)

Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, Room (b)(6)  
New York, NY 10278  
(212) 264-(b)(6) or via SECTOR

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

**Sent:** Monday, March 27, 2017 6:49 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)

(b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvas field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA has information and will provide comments by COB Friday]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [Received from ERO/HSI/OPLA. With OP for review and consolidation].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [Memo with FO for review and clearance - Due to DHS prior to Wednesday 2pm].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detention Policy. [Met with DHS. ERO leading internal ICE working group to revise standards - DHS provided 30 day deadline].
- 6) Monthly Apprehension Report Mock-Up. [OP has reviewed and provided comments. Will continue to work with ERO].
- 7) VOICE [Need status as to whether the office is on track for roll out the first week of April. AS2 indicated that ICE had expressed doubts regarding meeting that roll out deadline due to training and SOP issues. Please provide expected timeline of completing necessary training and finalizing the SOP. Also, please come up with a plan that accounts for the volume of inquiries or requests for assistance



that may come in. Lastly, please work with OCFO and OPLA on the reprogramming issue. Wen Cheng working with OPA. Due COB Tuesday].

8) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO's responses with OP for review].

9) DDOR: make corrections to the previous report. [Next publication pushed to Wednesday. ERO working on revisions].

(b)(6);(b)(7)(C)

Acting Deputy EAD

Management & Administration

U.S. Immigration & Customs Enforcement

202-732-(b)(6);

---

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

**Sent:** Friday, March 24, 2017 6:49 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)

(b) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OP, ERO, OPLA meeting on Monday to discuss]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [Received from ERO/HSI/OPLA. With OP for review and consolidation].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [With OP for review-Due next Wednesday].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detention Policy. [Met with DHS. ERO leading internal ICE working group to revise standards-DHS provided 30 day deadline].
- 6) Monthly Apprehension Report Mock-Up. [ERO/OP-Due Monday].

Notes from today's ESC: Taskings will be sent to each program's COS, as appropriate.

- Vetting EO Section 5 and 2(b) Reports-S1 wants to identify immediate actions (no longer term options) that can be done to improve vetting. S1 briefing is scheduled for Monday. AS2 indicated that there will likely be a Sunday pre-brief, TBD. [HSI and ERO should provide ICE DD Staff with updates or TPs, if any, that may go towards immediate vetting efforts-Due by Noon on Saturday].

- 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO-Due Monday COB]
- DDOR: make corrections to the previous report. [ERO will post corrections. I've asked DHS whether we can push next publication to Wednesday].
- VOICE [OPA-Need status as to whether the office is on track for roll out the first week of April. AS2 indicated that ICE had expressed doubts regarding meeting that roll out deadline due to training and SOP issues. Please provide expected timeline of completing necessary training and finalizing the SOP. Also, please come up with a plan that accounts for the volume of inquiries or requests for assistance that may come in. Lastly, please work with OCFO and OPLA on the reprogramming issue. Due by COB Monday].

Have a good weekend,

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 23, 2017 5:49 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [With OP for review]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [ERO/HSI/OPLA for final review - due COB Friday].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [with OP for review].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detainer Policy. [FO sent draft policy to DHS for review and comment. Waiting for feedback].
- 6) ICE Detention Policy. [Meeting with DHS scheduled for tomorrow to discuss revisions].
- 7) Monthly Apprehension Report. [ERO-due Friday 2PM].

Have a good evening,

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 22, 2017 6:35 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [With OPLA for review, near completion]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [ERO/HSI/OPLA will be tasked tomorrow for final review].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [with OP for review].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detainer Policy. [Policy with FO for review and clearance].
- 6) ICE Detention Policy. [OP finalizing response to DHS PLCY comments-Meeting scheduled for this Friday].
- 7) Monthly Apprehension Report. [ERO-due Friday 2PM].

Have a nice evening,

(b)(6);(b)(7)(C)

~~\*\*\*\*\*This communication and any attachments may contain confidential and/or deliberative and/or law enforcement sensitive information. It 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. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of Policy, U.S. Immigration and Customs Enforcement.~~

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, March 21, 2017 6:08 PM

**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [With ERO and OPLA]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review due Wednesday].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due COB this Wednesday].
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due COB this Wednesday].
- 5) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 6) DHS Tracker. [OP inputting in DHS tracker tool].
- 7) ICE Detainer Policy. Provided to OP from OPLA and ERO today. [OP is reviewing and will task out tomorrow AM for quick turnaround response. Slated to be posted by this Friday].

Please note that as we get more organized with EO Taskings and Get Backs this function, as well as the recurring SharePoint updates will be transferred over to (b)(6);(b)(7)(C) and team in the near future. More information to come in that regard. Thank you for everyone's continued assistance.

Have a nice evening,

(b)(6);(b)(7)(C)

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---

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

**Sent:** Monday, March 20, 2017 6:21 PM

**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [With ERO and OPLA]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review due Wednesday].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due COB this Wednesday].
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due COB this Wednesday].
- 5) Private Immigration Bill Memo from D1 to S1. [OP is drafting the cover memo for FO's review and clearance].
- 6) DHS Tracker. [OP is finalizing updates and will submit to FO for review and clearance tomorrow].

Have a nice evening,

(b)(6);(b)

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**From:** (b)(6);(b)(7)

**Sent:** Friday, March 17, 2017 5:26 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)

(b)(6);(b) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) DDOR: Revisions made based on feedback from DHS. [Submitted to DHS]

- 2) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [With ERO and OPLA]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due by next Wednesday]
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due by next Wednesday]

Have a nice weekend,

(b)(6);(

~~\*\*\*\*\*This communication and any attachments may contain confidential and/or deliberative and/or law enforcement sensitive information. It 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. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of Policy, U.S. Immigration and Customs Enforcement.~~

**From:** (b)(6);(b)(7)(

**Sent:** Thursday, March 16, 2017 6:40 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)  
 (b)(6);( Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)  
 (b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO and OPLA input received]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due by next Wednesday]
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due by next Wednesday]

Have a good evening,

(b)(6);

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 15, 2017 9:24 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [with OP for review].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due by next Wednesday]
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due by next Wednesday]

Notes:

- As the agency POC for the Border Security and Interior Enforcement Working Group, (b)(6);(b)(7) will be proactively working with various ICE program offices in making sure that activities are being accomplished and milestones are met. I will continue to assist with taskings, get backs, and reporting.
- DHS has implemented a new tracking tool in a SharePoint environment. My office is adjusting the internal ICE tracker to better match the new tool and may need to change the deadline associated with the weekly recurring updates. More to come on this point.

Have a nice evening,

(b)(6);(b)(7)

~~\*\*\*\*\*This communication and any attachments may contain confidential and/or deliberative and/or law enforcement sensitive information. It 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. Furthermore do not print, copy, retransmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of Policy, U.S. Immigration and Customs Enforcement.~~

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**From:** OP EO Tasking  
**Sent:** Tuesday, March 14, 2017 6:59 PM  
**To:** (b)(6);(b)(7)(C) OP EO Tasking; Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) **DDOR:** Draft DDOR with actual data was provided to DHS for discussion.
  - Footnote stating that declined detainers are those that are identified by ICE. (Submitted to DHS)
  - List active detainers in non-compliant jurisdictions that will absolutely will not compromise on working with ICE. (Submitted to DHS)
  - Figuring out a way to add criminality to the active detainers associated with the above jurisdictions. (ERO longer-term issue)
  - Looking into adding Immigration status for each detainer (ERO longer-term issue)
  - Adding "reason for not honoring detainer" – we discussed adding back in the indicator that the jurisdiction has a public policy that limits or prohibits interaction with ICE and will add the appendix that lists those jurisdictions and their policies. (Submitted to DHS)
  - Adding all crimes – (ERO longer-term issue/discussion)
  - Additional questions posed by DHS OPA for the Q&A (Submitted to DHS)
  - Fact Sheet (Submitted to DHS)
- 2) **Sanctuary City:** Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 3) **Revised Vetting EO:** provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Responses Received.]

*Please note that the contents of this email are intended for ICE internal use only and should not be disseminated outside of the agency.*

Additional notes:

DHS plans to issue a new ESC briefing template. They will provide more details at tomorrow's TF meeting.

Have a nice evening,

(b)(6);  
(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 13, 2017 6:17 PM  
**To:** OP EO Tasking; Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)  
(b)(6);( Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)



(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Please find below the status of outstanding tasks.

- 1) Presidential Request for Update on Sanctuary Jurisdiction Enforcement Efforts. [Exec Sec: Submitted to DHS].
- 2) **DDOR:** Draft DDOR with actual data was provided to DHS for discussion. Below are get backs:
  - Footnote stating that declined detainers are those that are identified by ICE. (ERO Due by 2PM Tuesday)
  - List active detainers in non-compliant jurisdictions that will absolutely will not compromise on working with ICE. (ERO Due 2PM Tuesday)
  - Figuring out a way to add criminality to the active detainers associated with the above jurisdictions. (ERO longer-term issue)
  - Looking into adding Immigration status for each detainer (ERO identify options and associated timelines-Due 2PM Tuesday)
  - Adding "reason for not honoring detainer" – we discussed adding back in the indicator that the jurisdiction has a public policy that limits or prohibits interaction with ICE and will add the appendix that lists those jurisdictions and their policies. (ERO Due 2PM Tuesday)
  - Adding all crimes – (ERO longer-term issue/discussion)
  - Additional questions posed by DHS OPA for the Q&A (ERO/OPLA draft responses-we will send a separate tasking Due 2PM Tuesday)
  - Fact Sheet (OPA- Due 2PM Tuesday)
- 3) **Sanctuary City:** Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 4) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Due back by COB Tuesday 3/14].
- 5) OP requested a meeting with TF members to discuss a way forward on civil fines and penalties and will loop in all relevant ICE stakeholders to participate in that discussion.

Additional notes:

- DHS has transitioned to a new EO Implementation Tracker effective immediately. DHS provided a link and training for users today.

Have a great evening. Be safe in the snow.

(b)(6);(b)(7)(C)

---

**From:** OP EO Tasking

**Sent:** Friday, March 10, 2017 5:47 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO

Tasking; (b)(6);(b)(7)(C) OP EO Tasking  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Please find below the status of outstanding tasks.

- 1) Presidential Request for Update on Sanctuary Jurisdiction Enforcement Efforts. [Exec Sec: Submitted to DHS].
- 2) DDOR. [Privacy issues resolved. No further action needed].
- 3) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 4) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Due back by COB Tuesday 3/14].
- 5) OP requested a meeting with TF members to discuss a way forward on civil fines and penalties and will loop in all relevant ICE stakeholders to participate in that discussion.

Additional notes:

- Today's TF meeting was cancelled.
- Yesterday's TF meeting requests were focused on longer-term strategies that are listed in the DHS tracker/tool. As such, the TF asked for longer term plans as it pertains to Recalcitrant countries, 287(g) program, and increasing IJs. I will work with ERO and OPLA on more detailed taskings as appropriate.
- DHS is transitioning to a new EO Implementation Tracker. The system will go live on Monday, March 13.

Have a nice weekend,

(b)(6);

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 9, 2017 6:18 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) ICE Workforce Staffing Plan. [Submitted to DHS today].
- 2) Presidential Request for Update on Sanctuary Jurisdiction Enforcement Efforts. [Exec Sec: Submitted update on DDOR to ICE FO for approval].
- 3) DDOR. [IGP/OPLA resolve any privacy issues before 3/15. OP initiated conversation between OGC/DHS Privacy/OPLA/IGP].

- 4) Sanctuary City: Canvass field offices for the types of impediments that accompany detainee non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due Tuesday afternoon].
- 5) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Due back by 2PM Tuesday 3/14].

Additional notes:

- This afternoon's TF meeting requests were focused on longer-term strategies that are listed in the DHS tracker/tool. As such, the TF asked for longer term plans as it pertains to Recalcitrant countries, 287(g) program, and increasing IJs. I will work with ERO and OPLA on more detailed taskings as appropriate.
- EO Executive Steering Committee is scheduled for Friday.
- DHS is transitioning to a new EO Implementation Tracker. The system will go live on Monday, March 13.

Have a great evening,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 8, 2017 8:30 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [pending].
- 2) Priority Enforcement. Cases Declined by U.S. Attorney's Office. [Submitted to DHS today].
- 3) EO Milestone Target spreadsheet. [Submitted to DHS today].
- 4) Number of final orders of removal for each of the uncooperative countries. [Submitted to DHS today].

Note: the TF meeting is scheduled for tomorrow. I will be back in touch with any updates or tasks from that meeting. EO Executive Steering Committee is scheduled for Friday.

Have a great evening,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, March 7, 2017 6:31 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [M&A reviewing revised versions].
- 2) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [FO/Exec Sec has the lead].
- 3) Core Briefing Team draft talking points. [Submitted to DHS].
- 4) DDOR. ERO provided list of data elements required by the S1 guidance memo and EOs and identify which data elements can be provided and which cannot. [Submitted to DHS today].
- 5) VOICE Implementation Plan. [Submitted to DHS today].
- 6) ICE 287(g) update. [Submitted to DHS today].
- 7) ICE Uncooperative Countries Update. [Submitted to DHS today].
- 8) DHS Tracker. [Submitted to DHS today].

Please note that the *EO Protecting the Nation from Foreign Terrorist Entry into the U.S.* issued on March 06, 2017, contains data collection and reporting requirements that may involve ICE. Specifically section 11, "Transparency and Data Collection" on pages 14 and 15 section 11 (i): "information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation with or provision of material support to a terrorism-related organization, or any other national-security-related reasons." And (iv): "any other information relevant to public safety and security as determined by the Secretary of Homeland Security or the Attorney General, including information on the immigration status of foreign nationals charged with major offenses." Just flagging it for awareness. I will keep everyone updated as to any asks in this regard from the EO TF.

Have a great evening.

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 6, 2017 6:33 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [M&A reviewing revised versions].
- 2) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [FO/Exec Sec has the lead].
- 3) Core Briefing Team draft talking points. [Updates with OP for consolidation due COB Tuesday].
- 4) DDOR. ERO provided list of data elements required by the S1 guidance memo and EOs and identify which data elements can be provided and which cannot. [Tasked to OPLA/OPA/IGP for review. Due Tuesday at 10AM].
- 5) VOICE Office. [OPA provided phased implementation plan with detailed timeline. OP reviewing].

Have a great evening,

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 3, 2017 5:14 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)  
(b)(6);(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [MA/OCFO pending changes].
- 2) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [Exec Sec has tasked ERO and HSI to provide candidate cases for presentation to US Attorney Offices].
- 3) NLDC Plan. [Submitted to DHS].
- 4) Border Security and Interior Enforcement working group. [ERO has identified (b)(6);(b)(7) as POC to lead the working group. The working group may begin meeting as early as next week].
- 5) Core Briefing Team draft talking points. [ERO/HSI: to provide edits and updates to OP for consolidation by COB Monday March 6].
- 6) AS2 TPs for HSAC reviewed for meeting Monday 3/6. [Submitted ICE edits and comments to DHS today].
- 7) DDOR. [ERO: Provide list of data elements required by the S1 guidance memo and EOs and identify which data elements can be provided and which cannot. For data elements that cannot be provided include an explanation why they cannot be provided. Due COB Monday March 6].
- 8) VOICE Office. [OPA: Provide phased implementation plan with detailed timeline. Due COB Monday March 6].

Have a great evening,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 2, 2017 6:44 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)  
**Subject:** End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [MA/OCFO: Due by Friday. With MA/OCFO pending changes.]
- 2) DDOR. [DDOR mockup and Tick Tock/roll out pending review and clearance].
- 3) DHS is forming two working groups under the EO TF: the Reporting Working Group and the Metrics Working Group. [HSI's POC will be Unit Chief (b)(6);(b)(7)(C). ERO's POC will be (b)(6);(b)(7)(C). This information will be provided to the WG lead tomorrow].
- 4) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [Exe Sec has tasked ERO and HSI to provide candidate cases for presentation to US Attorney Offices. Due by 9AM Friday]
- 5) NLDC Plan. [HSI to draft memo due by Friday]
- 6) Border Security and Interior Enforcement working group. [ERO: Due Friday. Please provide a POC to lead the working group. The working group may begin meeting as early as next week.]
- 7) Core Briefing Team draft talking points. [ERO/HSI: to provide edits and updates to OP for consolidation by COB Monday March 6].

Have a great evening,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 1, 2017 6:31 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)  
**Subject:** EO TF Get Backs and Status

Hi all,

Please find below updates from today's EO TF meeting and status of outstanding tasks. I will task new items to your respective COS and EO POCs with responses due back to me and my EO team by the stated deadlines.

- 1) Rationale to support hiring 10,000 LEOs. [MA/OCFO: Due by Friday. With MA/OCFO pending edits and one comment.]

- 2) DDOR. **[ERO/OPA: Due by Thursday at Noon.** A mockup of the DDOR that would go live by March 15. The mockup does not need to have data if not ready. Just a mockup that DHS can comment upon. **OPA: Due by Thursday at Noon.** Full DDOR Tick Tock/roll out and engagement].
- 3) VOICE. DHS will discuss ICE's propose timeline contained in its tick toc, including the late March announcement. Plan to have ICE present on this topic at the TF Executive Steering Committee scheduled for Friday. **[OPA: Please begin work on a plan for the "Victimization by Criminal Aliens" quarterly report, which preferably will be ready by the time VOIC is announced. Due by Thursday at Noon.** Prepare talking points for the Friday briefing.].
- 4) DHS is forming two working groups under the EO TF: the Reporting Working Group and the Metrics Working Group. **[HSI: Due by Noon tomorrow.** A SME POC to be on each Working Group. ERO's POC will be Tadgh Smith].
- 5) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. **[Exe Sec has tasked ERO and HSI to provide candidate cases for presentation to US Attorney Offices.]**
- 6) IJ Matrix **[OPLA/FO: Due by COB today]**
- 7) NLDC Plan **[HSI: Due by Thursday at Noon.** Please provide a copy of your NLDC plan so that we can clear it with FO for submission to DHS].
- 8) Civil fines and penalties memo [Submitted to DHS today].

Additional notes:

- DHS is interested in learning more about ICE's progress with respect to identifying and rescinding policies that may be inconsistent with the EOs. They may request a separate meeting on this topic.
- DHS CHOCO will send out a template to components as a follow-on hiring plan.
- The TF is considering whether to have a Working Group focused on Border Security and Interior Enforcement. If so, they have not yet identified a lead for that WG. If ICE has input, this is a good time to raise it.
- **DHS is recommending that each components' principal or deputy principal (i.e. D1, D2) participate in the Executive Steering Committee (weekly on Fridays) to get the EOs off of the ground.**

Have a great evening,

**(b)(6);(b)(7)(C)**

Assistant Director

Office of Policy

U.S. Immigration and Customs Enforcement

(202) 732-**(b)(6)**(office)

(202) 270-**(b)(7)**(cell)

Issue Date: July 23, 2010  
Review Date: July 23, 2014



*Enforcement and Removal Operations*  
**Fugitive Operations Handbook**

Version One



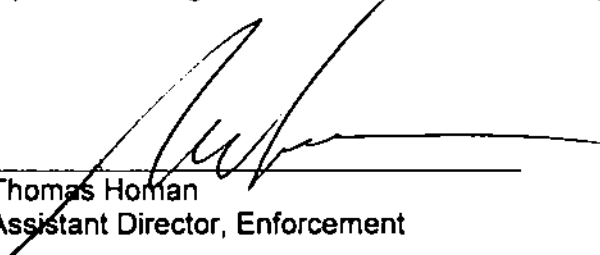
## FOREWORD

The Fugitive Operations Handbook compiles, for the first time, all current policies, procedures, and best practices established for the National Fugitive Operations Program within Enforcement and Removal Operations. It takes the place of the long-anticipated, never-issued Chapter 19 of the DRO Policy and Procedure Manual.

This compilation incorporates all current Fugitive Operations-specific processes and procedures, although the memoranda cited in the Handbook may contain more detailed information. The Handbook also includes templates for operational plans and operations worksheets. It is an operational guide for Fugitive Operations Teams.

Previously DRO- or ERO-issued documents that are fugitive operations-specific now take on the status of historical reference material or supplemental information. As a result, all such documents will move from "Current" to "Archived Documents" in the ERO Resource Library. When conducting a search for these documents in the Resource Library, remember to search under "Archived Documents."

Fugitive enforcement is guided by the June 30, 2010, ICE memorandum titled "Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens" (ICE Policy Number 10072.1) and the December 8, 2009, ICE memorandum titled, "National Fugitive Operations Program: Priorities, Goals, and Expectations" (ICE Policy Number 11001.1).



\_\_\_\_\_  
Thomas Homan  
Assistant Director, Enforcement

\_\_\_\_\_  
Date

2/23/10

# Table of Contents

FOREWORD .....	2
<b>PART 1: Fundamentals of the National Fugitive Operations Program (NFOP).....</b>	<b>5</b>
Introduction .....	5
Authority.....	5
Responsibilities .....	6
Priorities.....	6
Training.....	7
<b>PART 2: Fugitive Operations Team (FOT) Casework .....</b>	<b>8</b>
Lead Development.....	8
Case Management.....	8
Docket Management .....	8
EARM Update .....	9
A-File Review.....	9
Administrative Subpoenas.....	10
Referral to the Law Enforcement Service Center (LESC).....	10
Administrative Warrants: NCIC Entry Requirements.....	10
Criminal Warrants: NCIC Entry Requirements.....	11
Target Folder Creation .....	12
ICE "Wanted" Posters .....	12
Fugitives Located while Incarcerated .....	13
Operational Plans and Requirements.....	13
Juveniles .....	13
Field Office-initiated Op Plans .....	13
HQ-initiated Op Plans.....	14
<b>PART 3: Conducting Operations .....</b>	<b>15</b>
Surveillance .....	15
GPS Tracking Devices .....	15
Communications .....	15
Law Enforcement Identification .....	15
High-visibility operational environment .....	15
Low-visibility operational environment .....	15

Pre-operational briefing .....	16
Ruses .....	16
Consent .....	16
Travel Documents .....	17
Vehicle Stops and Pursuits .....	17
Arrests .....	17
Special Considerations for Arrest .....	18
Juveniles .....	18
USC/LPR Juveniles .....	18
Prosecutorial Discretion .....	19
Post-Operational Debrief .....	19
<b>PART 4: Processing Cases .....</b>	<b>20</b>
Reporting Requirements .....	20
FCMS .....	20
Exhausted Leads .....	21
Special Activities .....	21
ATD Violations .....	21
Escapes .....	21
Fugitive Alien Removal (FAR) Requests .....	21
Liaison and Task Forces .....	22
Media .....	22
<b>Appendices</b>	
Appendix 1: Field Operations Worksheet .....	23
Appendix 2: Wanted Poster (Sample) .....	25
Appendix 3: Operational Plan (Sample) .....	26
Appendix 4 Fugitive Report (DHS Form 59) .....	34
Appendix 5 Escape Reporting Worksheet .....	36
Appendix 6 NFOP Acronym List .....	37

# PART 1: Fundamentals of the National Fugitive Operations Program (NFOP)

## Introduction

The National Fugitive Operations Program (NFOP) identifies and arrests fugitive aliens, previously removed aliens, criminal aliens at large, and certain other fugitives in the United States. Fugitive aliens are aliens who have failed to comply with a final order of removal, deportation, or exclusion; or who have failed to report or appear as demanded by Immigration and Customs Enforcement (ICE). "Others" may include alien escapees; Alternatives to Detention (ATD) violators; fugitives wanted by other law enforcement agencies or countries; and immigration status violators, among others.

The main goal of the NFOP is the reduction of the national fugitive alien backlog using targeted operations based on the best available intelligence and investigative techniques. Additionally, NFOP assets bolster the integrity of the immigration system by targeting and arresting previously removed aliens who have re-entered the United States in violation of the law. NFOP assets are also utilized to provide security to America's communities by targeting at-large aliens with criminal convictions for arrest and removal.

## Authority

Pursuant to Section 287(a)(1) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1357(a)(1), as amended, an ICE officer has the authority, without a warrant, to interrogate any alien or person believed to be an alien as to his right to be or remain in the United States. INA § 287(a)(2) provides the authority to make an arrest of an alien who the officer/agent has reason to believe is in the United States in violation of the immigration laws and is likely to escape before an arrest warrant can be obtained. Further, INA § 287(a)(5) provides authority to make general arrests without a warrant for crimes recognized under federal law, to carry firearms, and to execute and serve any order, warrant, subpoena, summons, or other process issued under authority of the United States.

To detain an individual for further questioning, the ICE officer must have reasonable suspicion that the individual:

- Committed a crime, or
- Is unlawfully present in the United States, or
- Is an alien with status who is either inadmissible or removable, or
- Is a non-immigrant required to provide truthful information to DHS personnel upon demand (see 8 CFR 214.1(f)).

## Responsibilities

**Deputy Assistant Director (DAD), Compliance Enforcement Division.** Oversees NFOP, including the HQ Fugitive Operations Unit (FOU) and the Fugitive Operations Support Center (FOSC).

**Chief, Fugitive Operations Unit.** Leads NFOP; serves as main point of contact for all queries about the NFOP from higher level management and the Field Office Directors. Interprets directives of ICE upper management, DHS, Congress, and the Executive Branch and monitors field implementation and reporting of statistical data. Determines geographic locations of Fugitive Operations Teams (FOTs) nationwide.

**Chief, Fugitive Operations Support Center (FOSC).** Manages and directs the FOSC. Develops leads and analyzes data from multiple sources to support FOT enforcement operations; reviews and updates fugitive cases in the ENFORCE Alien Removal Module (EARM). Reports on the nature and characteristics of the fugitive backlog. Manages the Cold Case docket and is the system owner for the Fugitive Case Management System (FCMS).

**Field Office Director (FOD).** Oversees local implementation of Fugitive Operations-related policy. Meets NFOP performance goals. Sets policy on rotation and placement of FOT members (FOT locations are determined at headquarters). Fully staffs FOT positions; uses NFOP resources and funding solely to advance the NFOP mission.

**Assistant Field Office Director (AFOD).** Provides guidance and oversight to FOT SDDOs. Briefs FOD on FOT operations and concerns. During HQ-driven operations, is the main point of contact with the NFOP.

**FOT Supervisor.** Plans and implements team operations based on guidance and goals set by the NFOP and the FOD. Addresses administrative issues concerning FOT, including performance evaluations, training, leave, and disciplinary actions. Reviews and monitors all FOT processing work: Field Operations Worksheets (FOWs), Enforcement Case Tracking System (ENFORCE), Enforce Alien Removal Module (EARM), Alien-Files (A-Files), and Target Folders. Communicates and monitors compliance with the most recent processing guidance. Provides on-site leadership both in the field and in the office.

**Fugitive Operations Team (FOT).** Comprised of one Supervisory Detention and Deportation Officer (SDDO), four Deportation Officers (DOs), one Immigration Enforcement Agent (IEA), and one Detention and Removal Assistant (DRA), conducts enforcement activities based on the policies set by the NFOP and the FOD.

## Priorities

The FOT Supervisor assigns cases for review and preparation based on the priorities established under "Enforcement Priorities" in the ICE memorandum, "National Fugitive Operations Program: Priorities, Goals, and Expectations," dated December 8, 2009, in descending order of priority, as follows:

Tier 1 Fugitives aliens

- I. Who pose a threat to national security

- II. Convicted of violent crimes or who otherwise pose a threat to the community
- III. With a criminal conviction of other than a violent crime
- IV. With no criminal conviction.

Tier 2 Previously removed aliens

- I. Who pose a threat to national security
- II. Convicted of violent crimes or who otherwise pose a threat to the community
- III. With a criminal conviction of other than a violent crime
- IV. With no criminal conviction

Tier 3 Removable aliens convicted of crimes

- I. Aliens convicted of Level 1 offenses, as defined for purpose of Secure Communities.
- II. Aliens convicted of Level 2 offenses, as defined for purpose of Secure Communities.
- III. Aliens convicted of Level 3 offenses, as defined for purpose of Secure Communities.

For details, see the above-mentioned ICE NFOP memorandum. As priorities may change rapidly, FOT Supervisors should maintain an open dialogue with the NFOP to remain current.

## Training

ICE officers participating in fugitive operations must have successfully completed basic immigration law enforcement training (see 8 CFR 287.1(g)).

All Fugitive Operations Team (FOT) members must successfully complete the Fugitive Operations Training Program (FOTP) within two years of assignment to a FOT, or as soon as the training schedule permits. FOT members must obtain and maintain current certifications in Basic First Aid and Cardiopulmonary Resuscitation. FOT Supervisors will provide all officers participating in a fugitive operation with a copy of this handbook. FOT Supervisors will also provide the Senior Field Training Officer with a signed acknowledgment of receipt of this handbook from each permanently assigned FOT member. The Senior Field Training Officer will add these receipts to the officers' training files.

FOTs will receive Fourth Amendment training approved by the ICE Office of Principal Legal Advisor every six months.

FOT Officers are required to attend and pass all quarterly firearms and tactical qualifications consistent with the ICE Firearms Policy and the ICE Use of Force Policy.

Since officers carry different models of firearms, all team members should familiarize themselves with the weapons carried by other team members. For this reason, a second day of Advanced Firearms Training Exercises is considered a best practice to be adopted by the field offices. FOT Supervisors will work closely with the SFTOs to identify training that will improve the skill sets of FOT members, such as officer survival, emergency medical procedures, defensive tactics, and response coordination.

## **PART 2: Fugitive Operations Team (FOT) Casework**

### **Lead Development**

NFOP cases may come from docket management, leads from the Fugitive Operations Support Center (FOSC); the ICE Tip Line (888-DHS-2ICE); INTERPOL; and other FOTs, DHS entities, and law enforcement agencies (LEAs).

Once a case or investigative lead is identified as an NFOP case, it belongs with the FOT with geographical jurisdiction. The originating office will officially transfer the A-file, T-File(s), and Work Folder(s) through the National File Tracking System (NFTS) to the responsible FOT Supervisor. The originating office will then forward these files and folder(s) along with the Target Folder and any other lead information to the FOT.

FOTs may also develop leads for criminal aliens by working with probation and parole offices in their AOR. Consistent with local policy, FOTs may take an active role in the apprehension of criminal violators as identified by CIS Fraud Detection and National Security Units. (For background and clarification on this issue, see the memoranda "Benefits Fraud Units Transfer Of Criminal Alien Referrals from Office of Investigation to Office of Enforcement and Removal Operations" and "Charging Document Issuance and Processing by Enforcement and Removal Operations of Citizenship and Immigration Services Referral Cases," respectively dated April 8, 2005, and October 30, 2006.)

FOTs should use open sources such as television<sup>1</sup>, newspaper, and other media outlets that profile wanted individuals to identify and build Target Folders for high-priority fugitive aliens. However, NFOP must review and approve the target folder based on those sources before the FOT conducts an operation involving a high-priority fugitive.

ICE ERO does not have a confidential informant policy or training program established. FOT members can however use other tools to develop sources of information. An FOT Officer, with an FOT Supervisor's approval, may consider the use of prosecutorial discretion, or one of the variety of Alternatives to Detention as a possible means to continue an individual's productive cooperation.

Before making the decision to exercise prosecutorial discretion, the FOT Officer and Supervisor must carefully review the criminal background and the totality of the circumstances that surround the Subject.

The FOD should always be informed and consulted before anyone is given an incentive to provide information as described above.

### **Case Management**

#### **Docket Management**

The FOT Supervisor should divide the cases among the team in a fair and intelligent manner. Docket management includes the careful review of cases on each fugitive docket. This will lead to a systematic review and proper vetting of all cases.

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<sup>1</sup> Television programs such as Fox Networks "America's Most Wanted"

Proper docket management allows the FOD and FOT Supervisor to track progress made in reducing the fugitive backlog and make adjustments as needed. It also reduces the chances of unnecessary duplication of work. Fugitive cases in each AOR can be identified through EARM as well as with the assistance of the FOSC.

## EARM Update

Update EARM after receiving each investigative lead. Because cases are managed through EARM, updaters must take time to code fugitive cases properly. Anyone taking action or making a decision on a case will note it in clear, concise language in the Case Comments box under the Comments tab. Case officers will periodically review their cases to maintain EARM data quality and integrity.

## A-File Review

FOT members will:

- Verify NFOP case status by conducting **mandatory** checks of the following databases:
  - EARM
  - Central Index System (CIS)
  - TECS
  - Computer Linked Application Information Management System (CLAIMS)
  - Board of Immigration Appeals (BIA)
  - National Crime Information Center (NCIC).
- Avoid conflict with other law enforcement investigations by conducting **mandatory** checks of TECS (SQ11, SQAD, NN16) and state and local databases. FOTs should also liaise with local task forces such as the High Intensity Drug Trafficking Areas (HIDTA) Task Force, which may maintain a local deconfliction database.
- Supplement information from other sources by reviewing: Image Storage and Retrieval System (ISRS); Consular Consolidated Database (CCDI); Student Exchange Visitor Information System (SEVIS); United States Visitor and Immigrant Status Indicator Technology (US-VISIT); Public Access to Court Electronic Records (PACER); public utility records; telephone records; U.S. Postal Service mail covers and address information; state and local police department records; fish and game licenses; and records from departments of motor vehicles, clerks of court, probation and parole departments, correctional institutions, child support enforcement, employment and unemployment departments, financial institutions, insurance databases, educational institutions, state and local birth and death records, Internet data-mining and social-networking sites, the ICE Office of Intelligence, Automated Tracking System– Passenger (ATSP); trash runs; and local business records (e.g., shopper membership cards, video rentals, etc).
- If the fugitive appears to reside outside of the FOT's AOR, update EARM. Establish contact with the FOT with jurisdiction over the apparent new location to request a field investigation. If the alien is located in that jurisdiction, forward the case documents and information to that FOT, following the procedures for case assignment.



## **Administrative Subpoenas**

FOT members use Immigration Enforcement Subpoenas (DHS Form I-138) to compel the appearance and testimony of witnesses and the production of books, papers, and documents, consistent with 8 C.F.R. 287.4.

The NFOP collects data on subpoenas from all field offices, including the number of immigration subpoenas requested, the number issued, and the number served. Each FOD must submit these statistics to the HQNFOP mailbox HQDRO, FUGOPS by the close of business each Friday.

## **Referral to the Law Enforcement Service Center (LESC)**

By tapping the resources of other law enforcement agencies to help identify, locate, and arrest fugitives, NCIC acts as a force multiplier. Placing fugitive cases into NCIC via the LESL increases the probability of arrest, providing a service to ICE and the community.

### ***Administrative Warrants: NCIC Entry Requirements***

Timely submission of data is key to the effective working of the system. The DRO memorandum, "Placement of Fugitive Cases into the National Crime Information Center's Immigration Violator File," dated August 28, 2005, sets the goal for submission into NCIC at 120 days after the date the final order was issued.

1. Assigned ERO personnel will review the A-File and run all relevant checks to determine the viability of locating the subject.
  - a. If you do not find a viable address, confirm that the file contains:
    - Warrant of Removal (I-205);
    - FD-249 Fingerprint Card;
    - Photograph; and
    - Record of Deportable/Inadmissible Alien (I-213) or
    - Information for Travel Document or Passport (I-217).
  - b. Update the EARM Case Comments box under the Comments tab. Sample comments include:
    - "Case reviewed by [Field Office Name] Fugitive Operations. No leads found. Information forwarded to LESL for input into NCIC."
    - "Case reviewed by [Field Office Name] Fugitive Operations. Target Folder created. Information forwarded to LESL for input into NCIC."
    - "[Date], Attempted to locate Subject at [Street Address], [City, State]."
    - "[Date], Contacted grandmother [time] at [phone number]. She will bring passport to ERO office at [time]."

- "Negative Contact. No further leads. Information forwarded to LESC for input into NCIC."
- c. Present the A-File to the appropriate mission support personnel, referred to in this Handbook as the Detention Removal Assistant (DRA).
2. Using a color scanner, the DRA will scan the following documents in portable document format (pdf), with a minimum resolution of 600 dots per inch (dpi):
    - Warrant of Removal (I-205), both sides; and
    - FD-249 Fingerprint Card, both sides; and
    - Photograph; and
    - Record of Deportable/Inadmissible Alien (I-213) or
    - Information for Travel Document or Passport (I-217)
  3. The DRA will name the pdf document with the Alien number of the Subject (i.e., "A00 000 000 LAST NAME, First Name.pdf"). Save a copy of the pdf file to the local share drive in the folder designated by the FOT Supervisor.
  4. The DRA will then create an e-mail with a Subject line that reads "NCIC: A00 000 000, LAST NAME, First Name" and attach the scanned documents relating to that Subject. The body of the e-mail should read: "Please accept the attached documents that relate to the Subject referenced in the subject line of this e-mail for input into NCIC."
  5. The DRA will send the e-mail to (b)(7)(E) with a courtesy copy to the responsible docket officer; and place a copy of the e-mail in the A-file for recordkeeping.

### ***Criminal Warrants: NCIC Entry Requirements***

Criminal Warrant NCIC entries must include:

- A copy of the criminal Warrant for Arrest issued by a U.S. District or Magistrate Court, signed by either the Federal District Court Judge, a Magistrate, or other court official.
  - A DHS Form 59, Fugitive Report (see [Appendix 4](#)), which must include:
    - All pertinent information, including but not limited to the mandatory blocks highlighted in red, and;
    - The signature of the case officer and the approving SAIC/RAIC/FOD.
  - For an aggravated felon, criminal history documents such as judgment and conviction records providing sentencing information, qualifying the offense as an aggravated felony; and
  - Supporting documentation such as copies of the criminal complaint, indictment, photo, or fingerprints, if available.
1. Scan the Criminal Warrant, DHS Form 59, and the supporting documents.

2. Following the procedures outlined for Administrative Warrants, submit the Criminal Warrant, DHS Form 59, and supporting documents to the LESC within 24 hours of the issuance of the warrant. If the submission is delayed, state why in Block 32, Remarks.
3. If processing multiple defendants under the same case number, use the case number followed by each Subject's last name e.g., CR-1234-10-Jones, CR-1234-10-Smith.
4. Update EARM to reflect all actions taken in the case.

### **Target Folder Creation**

Compile a "target" folder containing the investigative information needed to locate and arrest an NFOP target. Do not take an A-file into the field. Target folders will contain copies of the following documents as they relate to the NFOP case:

- Signed Field Operations Worksheet (FOW)
- Signed Form I-205 (Warrant of Deportation/Removal)
- Final Order and BIA decisions
- Judicial decisions on removal
- Recent photographs
- Information about family members and known associates
- Fingerprint card
- Initial and subsequent I-213s (Record of Deportable Alien)
- Benefit applications (I-130, G-325A, I-485, etc.)
- Public record database queries
- Mandatory database checks (may be noted on FOW)
- Employment information
- G-166C (Memorandum of Investigation)
- Criminal search warrant
- Criminal arrest warrant
- Miscellaneous information, e.g., driver's license, vehicle registration, firearm registration, passport, travel documents, Social Security card, etc.

The FOT maintains the Target Folder pending completion of the investigation. Do not combine the target folder with the A-file. FOWs and other documents containing intelligence or sensitive information do not belong in the A-file.

### **ICE "Wanted" Posters**

In certain egregious cases, the FOT may create an ICE "wanted" poster (see [Appendix 2](#)). Before releasing it for circulation, however, the FOT Supervisor must confirm that the subject of the wanted poster has been entered into NCIC by the LESC (see NCIC warrant entry requirements, above). This action will enable other law enforcement agencies to arrest the wanted person.

Exceptions to NCIC warrant entry requirements include an escape, threat to national security, NFOP directive, or other exigent circumstances.

## **Fugitives Located while Incarcerated**

If a fugitive is located while incarcerated, file an immigration detainer with the detention facility (I-247) and prepare an I-213. Change the case category in EARM to reflect that the individual is no longer a fugitive (Case Category 5B to 3, 8E to 8C, 8I to 8G). Update EARM screens accordingly.

For statistical purposes, update the Fugitive Case Management System (FCMS) to read "Located/Detainer (I-247 Lodged)." The FOT member lodging the detainer will then refer the case to the field office section that processes detention releases and detainees.

## **Operational Plans and Requirements**

If the FOT's activities will extend beyond the normal scope of daily operations, prepare an NFOP Operational Plan (Op Plan) (see [Appendix 3](#)). Op Plans are required for operations including, but not limited to, those involving the arrest of a large number of targets or specific target groups; those expected to attract media attention; and those extending beyond the geographical boundaries of the FOT's Area of Responsibility (AOR). Op Plans can originate at either the Field Office or headquarters.

Note: Both HQ- and FOD-approved Operations have special statistical reporting requirements. FOT Supervisors coordinate with their assigned HQ NFOP staff officer and, if needed, the FOOSC, to meet these requirements.

### ***Juveniles***

As with other aspects of operational casework, preparation can solve or at least mitigate many problems. Preparatory planning for every operation should include the possibility that the FOT will encounter a juvenile, i.e., a child under the age of eighteen. Determine the local child protective services (CPS) protocol for referring children.

Involve the Field Office Juvenile Coordinator in the planning process when:

- Surveillance, file review, or any other activity leads you to expect a juvenile encounter during a particular operation; and
- The operation will be large scale.

If it appears that the juvenile(s) involved is a lawful permanent resident (LPR) or U.S. citizen (USC), contact CPS.

### ***Field Office-initiated Op Plans***

Use a Field Office-initiated Op Plan when:

- Conceived and driven at the local level;
- Taking place within the field office's AOR; and
- Targeting 10 or more NFOP cases per team per day.

Request the current NFOP Op Plan template and Target List template from your assigned NFOP staff officer.

The FOT Supervisor selects the approved enforcement initiative title (i.e., Cross Check, Return to Sender, Secure Streets, Media Ride-along, etc.) and forwards the Op Plan to the FOD for signature. The FOD returns the signed plan to the FOT Supervisor, who then forwards a copy to the Detention Operations Coordination Center (DOCC) mailbox, DOCC, and NFOP. DOCC notification must occur at least two weeks before the operation whether or not logistical assistance is sought.

At least seven business days before the operation, the FOT will notify NFOP of DOCC's response.

NFOP will notify the FOT of concurrence with the Op Plan.

### ***HQ-initiated Op Plans***

An HQ-approved Op Plan is required when:

- Targeted enforcement action(s) will extend beyond a field office's AOR; or
- A target or target list expected to draw significant media or departmental attention, including operations concerning sensitive targets, public officials, political candidates, or religious or political organizations, or requests made by foreign governments; or
- HQ NFOP initiates the enforcement action.

The FOT Supervisor will use the HQ-approved NFOP Operational Plan template and Target List template to generate the Op Plan.

In the case of an HQ NFOP-initiated enforcement action, the Op Plan may be generated from headquarters and sent to the FOT. The FOT Supervisor will prepare or update an Op Plan with guidance from HQ NFOP and forward the Op Plan to the FOD for signature. The FOD will return the signed plan to the FOT Supervisor, who will then forward a scanned copy to the DOCC and to HQDRO, FUGOPS. DOCC notification must occur at least two weeks before the operation whether or not logistical assistance is sought.

At least seven business days before the operation, the FOT will notify NFOP of DOCC's response.

NFOP will notify the FOT of approval of the Op Plan.

## **PART 3: Conducting Operations**

### **Surveillance**

Field surveillance should precede every operation. You must have a signed FOW before conducting field surveillance. When conducting static surveillance, notify the local LEA with jurisdiction.

### **GPS Tracking Devices**

[Forthcoming.]

### **Communications**

The FOT Supervisor or designated FOT member will notify local LEAs of FOT operations in their jurisdiction. Document notification on the FOW. The responsible officer will document the time of notification, point of contact, and a contact number, along with any issues or concerns raised by local LEAs.

Identify primary and secondary means of communication, e.g., (b)(7)(E) and synchronize communications among FOT members before commencing the enforcement action.

The primary point of contact for criminal and administrative records checks during operations should be the Law Enforcement Support Center (LESC) at 802-872-(b)(7)(E) The National Law Enforcement Support Center (NLESC, also known as Sector Communications, or C-100) at 1-800-X-(b)(7)(E) 1-800-973-(b)(7)(E) is also available to assist in conducting record checks and case workups. Contact both the LESL and NLECC before conducting field operations to verify that contact information and profiles are on record and properly inputted. Notify the LESL and/or NLECC in advance of large-scale operations so that they may adjust their staffing levels to better assist FOTs.

### **Law Enforcement Identification**

Teams should take environmental conditions into account when planning operations and deciding the level of officer visibility. Factors to consider include officer safety and public perception.

#### ***High-visibility operational environment***

When conducting High Visibility operations, acceptable means of identification include vest placards or clothing clearly identifying you as a law enforcement officer.

#### ***Low-visibility operational environment***

In certain situations, high visibility could hinder the operation or endanger officer safety. If environmental or operational concerns dictate a low-visibility approach, you may wear clothing that helps you blend into the environment.

Whenever your weapon is visible, your ICE badge must be visible. This means you must either wear the ICE badge on a chain/lanyard around your neck (recommended) or clipped to your belt, in plain sight--unobstructed by any clothing.

### **Pre-operational briefing**

An operational briefing will precede every enforcement action, absent exigent circumstances. Representatives from other LEAs involved in the operation should participate in the briefing.

The briefing will cover information in the target folder, including the type of warrant being executed (administrative arrest, criminal search, or criminal arrest). Explaining the scope of an ICE administrative warrant is particularly important for officers from other LEAs with limited or no experience participating in ICE administrative arrests.

During the briefing any other operational concerns will be addressed, to include medical, communications, and equipment issues.

### **Ruses**

A ruse is a tactic designed to control the time and location of a law enforcement encounter. The result is improved safety for the officers and the public by reducing the opportunity for the target to flee. FOT use of ruses will comply with the ICE memorandum, "Use of Ruses in Enforcement Operations," dated August 22, 2006.

A ruse involving the impersonation of a federal, state, local, or private-sector employee is contingent on permission from the proposed cover employer. Your point of contact must be an executive with the authority to grant permission for the impersonation. Generate a memorandum documenting the cover employer's concurrence with the plan, and place it in the target folder.

Within 48 hours of receiving a complaint or concern from the cover employer, the FOT Supervisor will notify the FOD and NFOP Chief, who will notify the Deputy Assistant Director for Compliance Enforcement.

The use of ruses involving misrepresentation as a religious worker, health and safety worker/inspector, or census takers is prohibited without approval from the ICE Assistant Secretary.

### **Consent**

Because neither a Warrant for Arrest of Alien (I-200) nor an administrative Warrant of Removal (I-205) authorizes you to enter the subject's residence or anywhere else affording a reasonable expectation of privacy, you must obtain voluntary consent before entering a residence. You may not coerce consent. (See "Documentation of Consent in Enter and Search," dated January 19, 2010.)

Consent is involuntary when it is the product of coercion or threat, express or implied. Other factors affecting voluntariness include: an officer's claim or show of authority, prior illegal government action, mental or emotional state of the person, cooperation or lack thereof, and custody. Officers need not advise the subject that consent may be refused, although whether such an advisory is given is a factor in determining the voluntariness of the consent. Do not

enter, search, or remain inside a residence without the consent of a person with apparent authority, who is at least 18 years of age.

When you request and receive consent, use the FOW to record the name of the person giving consent, the time and scope of the consent, and other relevant factors, such as the names of witnesses to the granting of consent. Also record the time you complete the search.

If an arrest is made, provide the consent information in the arrest narrative of the I-213, including the names of any witnesses to the consent.

If consent is denied, document the denial in the FOW, noting that the FOT departed without entering the residence. Likewise, if the FOT must leave the residence because consent is withdrawn before any FOT member sees the target, note the time consent was withdrawn on the FOW.

### **Travel Documents**

Try to obtain a travel document and birth certificate at the time of arrest. If not in plain view or on the alien's person, request consent to search in areas where documents may be found. Verbal consent in the presence of at least one other LEO is acceptable.

### **Vehicle Stops and Pursuits**

FOT members who have completed FLETC vehicle stop training may conduct vehicle stops. Vehicles used to perform these stops must have emergency equipment in compliance with state laws.

Do not follow a target who fails to pull over. ERO law enforcement officers are not authorized to engage in vehicular pursuits.

### **Arrests**

Planned arrests should take place between 6 a.m. and 10 p.m. You may proceed with an arrest after 10 p.m. and before 6 a.m. only with the FOD's approval. In such cases, record the FOD's approval on the FOW and in the I-213 narrative, the EARM Case Comments box under the Comments tab, and in FCMS.

Do not make an arrest at a funeral or other religious ceremony or in a sensitive area (place of worship, day-care center, school, hospital, nursing home, etc.), except under exigent circumstances (see ICE memorandum, "Field Guidance on Enforcement Activities At or Near Sensitive Community Locations," dated July 3, 2008). Arrests to be conducted at an institution of higher learning (community college, university, vocational school, etc.) must have the cooperation of campus authorities. Otherwise, await the target's departure from the campus before making the arrest.

A planned arrest requires at least two law enforcement officers, one of whom is an ICE Deportation Officer or SDDO. Always identify yourself as an ICE law enforcement officer at the time of arrest, if you have not already done so.



## Special Considerations for Arrest

Upon arrest, ask the Subject at least these questions:

- Do you have any medical issues or concerns?
  - If so, do you have medication or an assistive device to take with you?
- Do you have any children or other custodial responsibilities?
  - If so, are you the sole caregiver?
- Do you have a travel document?

## Juveniles

Upon encountering a juvenile, the FOT Supervisor or team leader will contact the Field Office Juvenile Coordinator (if not already on-site) for guidance. Regardless of the juvenile's citizenship, the FOT Supervisor or team leader will carefully weigh the circumstances of the encounter in deciding whether to exercise prosecutorial discretion. Discretionary release options include placing the custodial parent(s) or guardian(s) in the Alternatives to Detention (ATD) program; releasing on bond, Order of Recognizance, Order of Supervision, etc.

If uncertain about whether the young person in question is in fact a juvenile, refer the case to the Field Office Juvenile Coordinator.

In every case:

- Identify the parent(s), family member(s), or legal guardian(s) of each juvenile you encounter during an operation—regardless of the juvenile's citizenship. Document all actions taken.
- Obtain complete biographical information of everyone involved, including witnesses. Document this information on case-related forms (e.g., the I-213 and G-166) and databases (e.g., the Case Comments box under the Comments tab in EARM).
- Separate juveniles and family units from unrelated adults (*Flores settlement agreement*).

## USC/LPR Juveniles

If the fugitive alien parent or legal guardian asks that you release the USC/LPR juvenile to a specified **third party**, facilitate contact between the fugitive alien and the third party.

- Document the request—preferably in the fugitive alien's own handwriting.
- Verify the identity of the third party through government issued identity cards before releasing the USC/LPR juvenile into that person's care.

If the parent or legal guardian is subject to **mandatory detention** and the parent/legal guardian does not specify a custodial third party, contact CPS to arrange suitable placement of the USC/LPR juvenile.

- Seek guidance from the FOD if local CPS is unresponsive. It may be necessary to coordinate with local law enforcement to complete the transfer.
- If necessary, document the inability of local CPS to take timely custody of the juvenile in memorandum format.
- If the juvenile or any proposed third party caregiver is known or suspected to be involved in criminal activity (for example, trafficking), contact local law enforcement and/or CPS to review the suitability of placement decisions.
- Forward copies of relevant documents to local CPS for further processing.

### **Prosecutorial Discretion**

As a rule, FOT members will not take into custody aliens who are physically or mentally ill, disabled, elderly, pregnant, nursing, or the sole caretaker(s) of children or the infirm (see ICE NFOP memorandum dated December 8, 2009). FOT members may exercise discretion within the limits of agency authority and are expected to do so in a judicious manner throughout the enforcement process.

For more information on prosecutorial discretion, see ICE memorandum, "Prosecutorial and Custody Discretion," dated November 7, 2007.

### **Post-Operational Debrief**

The FOT Supervisor should hold a debriefing session after the enforcement action to address safety issues and evaluate the operation.

## **PART 4: Processing Cases**

FOTs will follow standard processing procedures for the removal of an alien with a final order (see the CAP/FUGOPS Quick Reference Processing Guide at <http://tinyurl.com/2faphzb>). FOT Supervisors are responsible for implementing any superseding or additional guidance sent out by the NFOP.

Officers will also update FCMS and EARM with criminal activity, case category changes, and case actions. Concisely note the arrest and any special circumstances surrounding the case in the Case Comments box under the Comments tab. If an A-file has to be requested from the National Records Center or another field office, the processing FOT officer will make the request and document it in the A- or T-file and EARM.

Review cases for prosecutability. Present amenable cases to the Assistant U.S. Attorney or refer them to the Violent Criminal Alien Section (VCAS) unit or prosecution officer. An officer will establish a case in TECS and complete a Report of Investigation (ROI). See the [DRO TECS Case Management User Guide](#).

When transferring a case to the detained docket, provide the travel document and birth certificate, if available, and, from the target folder copies of the signed I-205, final order of removal and BIA decisions and any judicial decisions on removal.

Do not place FOWs or investigative paperwork in the A-file. The Field Office must maintain Target Folders indefinitely, pending further guidance.

### **Reporting Requirements**

#### **FCMS**

Enter daily enforcement activities into FCMS as they occur, but no later than midnight Friday, as follows:

- **Arrest:** If applicable, select "Arrest" from the "Action" drop-down menu.
- **Located/Detainer (I-247 Lodged):** Select "Located/Detainer (I-247 Lodged)" from the "Action" drop-down menu after locating and placing a detainer on an individual detained by another agency.
- **Case Category Changed:** If the fugitive case category (5B, 8E, or 8I) is no longer appropriate, select "Case Category Changed" from the "Action" drop-down menu.
- **Case Closure:** If the alien is no longer a fugitive and the case should be closed, select "Case Closure – Self Removal," "Case Closure – Deceased," "Case Closure – Benefits REC'D," or "Case Closure – Removed" from the "Action" drop-down menu.

## **Exhausted Leads**

If all leads are exhausted, as confirmed by the Fugitive Alien Cold Case checklist, generate a Report of Investigation (Form G-166C) and give it to the FOT Supervisor for review. The FOT Supervisor will review the G-166C to verify that all investigative leads have been pursued.

NFOP has initiated a process for handling cold cases (see DRO memorandum, "Designation of Cold Case Fugitive Files," dated September 4, 2009). For information on this program, contact your FOSC staff officer.

## **Special Activities**

### **ATD Violations**

The FOT Supervisor should work closely with the Field Office's ATD unit to establish a local plan of action for an ATD violation.

ATD violations are often well-planned events that require immediate action to recover an ATD violator. Therefore, open communication between the FOT and ATD is crucial. The likelihood of recovery decreases substantially as the time between violation and referral to the FOT increases.

The ATD program has an established reporting procedure for ATD violations different from escapes. The ATD officer takes the lead on reporting unless the FOD decides otherwise.

### **Escapes**

In the event of an escape, the FOT Supervisor will be the officer in charge of the escape investigation. The FOT will be responsible for the investigation, tracking, and locating of the escapee. A number of very specific reporting actions need to take place in the event of an escape (see DRO memoranda, "Escape Reporting," dated July 14, 2006; and "Standard Operating Procedure, Escapes and Releases," dated December 11, 2006).

Complete and fax an Escape Worksheet (see Appendix 5) to the HQ ERO Detention Management Division within 24 hours of the escape.

### **Fugitive Alien Removal (FAR) Requests**

A FAR request concerns an international fugitive who has an outstanding Criminal Arrest Warrant issued under the authority of the criminal justice system in the country where the criminal activity took place, provided:

- the international fugitive's crime is also considered a crime within the United States;
- the requesting government has provided evidence of the existence of the arrest warrant through official correspondence such as the issuance of an INTERPOL Red Notice; INTERPOL Diffusion message; or actual, translated copy of the warrant; and

- the requesting government has agreed to expeditious issuance of travel documents to facilitate the target's return, if necessary.

When INTERPOL issues a FAR request (Red Notice, Diffusion Message, or Special Notice) for an international fugitive believed to be in the United States, NFOP will alert the FOT Supervisor with jurisdiction.

### **Liaison and Task Forces**

FOT members are encouraged to interact with other law enforcement agencies, task forces, and non-governmental organizations to foster cooperative relationships. Officers may, with approval from the FOD, serve on law enforcement task forces that share common goals with the NFOP and contribute to the ERO mission as a force multiplier. See the "Building Partnerships" section of ICE Directive 11001.1.

### **Media**

Do not interact with media representatives. Refer media inquiries to the FOD, who will coordinate with the ICE Office of Public Affairs.

Refer requests for "ride-alongs" to the FOD, who will coordinate with the Public Affairs Office, and HQ NFOP. The FOT Supervisor will submit an operational plan and target list to the FOD and HQ NFOP.

**Appendix 1: Field Operations Worksheet**

**Enforcement and Removal Operations**  
Field Operations Worksheet



U.S. Immigration  
and Customs  
Enforcement

Case Officer:							
Name:				AKA:			
Country of Citizenship:							
File Number:			Sex:			Date of Birth:	
Age:							
Height:		Weight:		Eyes:		Hair:	
Complexion:		Scars, Marks and/or Tattoos:					
(b)(7)(E)				Social Security Number:			SID:
Driver License Number:				Issuing State:			
Vehicles:					Spouse:		
Immigration History	EARM Updated:			EOIR Contacted:			
CIS:	NCIC WP:			IJ DEC/DATE:			
VD Exp Date:	BIA Dec/Date:			VD Exp Date:			
Other Litigation:	Benefits Checks						
	ABC	TPS	Family Unity	NACARA	DED	CAT	
	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	
<b>CRIMINAL HISTORY</b>					<b>PHOTO</b>		
1.							
2.							
3.							
4.							
5.							
6.							
<b>LAST KNOWN ADDRESS</b>							
Address:							
City:				State:			
Telephone Number:							
Secondary Address:							
Employment:							

**Appendix 1: Field Operations Worksheet**

<b>SITUATION / MISSION / INVESTIGATIVE LEADS</b>
<b>EQUIPMENT / CLOTHING</b>

<b>Team:</b>		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	
<b>Team:</b>		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	

<b>COMMUNICATIONS</b>			
Type:	Channel:	Frequency:	Team/Individual:

<b>LAW ENFORCEMENT NOTIFICATION AND CASE DECONFLICTED (SQ11/SQAD IN TECS)</b>			
Agency:	Name:	Telephone:	
Agency:	Name:	Telephone:	
Agency:	Name:	Telephone:	

<b>EMERGENCY MEDICAL SERVICES/TRAUMA CENTER</b>			
Name:	Telephone:		
Location:			
Name:	Telephone:		
Location:			

Date of Operation:	Time of Operation:	Justification for After Hours Operation:	
Supervisory Concurrence		FOD/DFOD/AFOD Approval	
<b>CONSENT</b>	Name of Consent Provider:	Scope of Consent:	Time Consent Granted:
<b>CONSENT</b>	Witness to Consent:	Time Search Completed:	Time If Consent is Withdrawn:
<b>RESULTS</b>	Date of Arrest:	Location of Arrest:	Additional Information:

U.S. Department of Homeland Security  
Immigration and Customs Enforcement (ICE)  
Field Office



# WANTED

## For Immediate Arrest and Deportation

**NOTICE TO ARRESTING AGENCY:** Before arrest, validate warrant through Immigration and Customs Enforcement, Washington Field Office, (202) 345-(b)(7) or call the ICE Law Enforcement Support Center at (802) 872-(b)(7)

**NAME:** LAST, First Middle

**ALIAS:** LAST, First Middle

(b)(6);(b)(7)(C);(b)(7)(E)

**Physical Description:**

Sex: Male

Race: Hispanic

Place of Birth: Peru

Date(s) of Birth: (b)(6);(b)(7)(C)

Height: 6'5"

Weight: 210

Eyes: Brown

Hair: Grey

Complexion: Medium

Scars, Marks, Tattoos: unk

Social Security Number: unk

(b)(6);(b)(7)(C)

Photo: 09/26/04 LACJ

Photo: 09/26/04 LACJ

### WANTED FOR: DEPORTATION

MISCELLANEOUS INFORMATION: **Convicted Annoy Molest Child**

If arrested or whereabouts known, notify the local ICE Enforcement and Removal Operations office telephone: (123) 456-(b)(7) or contact WAS Fug Ops at (123) 456-(b)(7)(E)



**XXXX Field Office**  
**Fugitive Operations Team**



**LIMITED OFFICIAL USE**

**HEADQUARTERS  
FUGITIVE OPERATIONS PLAN:  
ENFORCEMENT AND REMOVAL OPERATIONS**


Appendix 3: Operational Plan (Sample)

 FIELD OFFICE

(b)(5)

**I. Situation**

(b)(5)

**A) Targeted Fugitive Aliens –** 

(b)(5)

**B) Hours of Operation**

(b)(5)

**C) Local Situation**

(b)(5)

Appendix 3: Operational Plan (Sample)

**D) Operational De-Confliction**

(b)(5)

**E) Local Law Enforcement Agencies (LEAs)**

(b)(5)

**F) Community Issues or Politically Sensitive Issues**

(b)(5)

**G) Juveniles**

(b)(5)

Appendix 3: Operational Plan (Sample)

H) Prosecutions

(b)(5)

I) Gangs

(b)(5)

II. Mission.

(b)(5)

Execution.

A) Directors Intent

(b)(5)

B) Concept of Operations

(b)(5)

### Appendix 3: Operational Plan (Sample)

(b)(5)



#### C) Tasks

(b)(5)



#### D) Safety and Logistics

(b)(5)



### Appendix 3: Operational Plan (Sample)

(b)(5)

#### 4. Logistics.

(b)(5)

#### 5. Removal Efforts

(b)(5)

(b)(5)

(b)(5)

#### E) General Reporting Requirements

(b)(5)

Appendix 3: Operational Plan (Sample)

(b)(5)

**F) After Action Reporting Requirements**

(b)(5)

**G) Command and Control**

(b)(5)

AUTHORIZING OFFICIAL

\_\_\_\_\_  
Field Office Director  
Field Office

APPROVING OFFICIAL

\_\_\_\_\_  
Assistant Director, Enforcement  
Enforcement and Removal      Operations

### **Appendix 3: Operational Plan (Sample)**

#### **TABS:**

**TAB A: Operational Support**

**Attachment 1: CPS Contacts**

**Attachment 2: Supporting Agency Contact Information**

**Attachment 3: Other than normal operational hour's justification**

**Handout: Complete target list**

#### **DISTRIBUTION:**

**FOD**

**DFOD**

**Operations AFOD**



## Appendix 4: Fugitive Report (DHS Form 59)

 <p><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p><b>FUGITIVE REPORT</b></p> <p>Red fields are mandatory. (See instructions on back.)</p>		1. Date of Report (If date exceeds warrant date by 24 hours, enter reason for delay in REMARKS #32)			
		2. Originating Office	<input type="checkbox"/> HIDTA		
		3. Case Number	<input type="checkbox"/> OCDEF		
4. <input type="checkbox"/> Outstanding Arrest Warrant or Escape <input type="checkbox"/> Armed and Dangerous <input type="checkbox"/> Suicidal Tendencies <input type="checkbox"/> Supplemental <input type="checkbox"/> Cancel/Clear					
5. Name (Last, First, Middle)		6. Date of Birth	7. Birthplace	8. Race/Sex	
9. Height	10. Weight	11. Eye Color	12. Hair Color	13. Skin Tone	14. FBI Number
15. Fingerprint Classification (FPC)		16. Scars/Marks/Tattoos			
17. Operator License Number (OLN)		License State (OLS)		Year Expires (OLY)	
18. Warrant Number		19. Date of Warrant	20. Warrant Type		21. Bond
22. Charge		23. Court of Jurisdiction		24. Social Security Number	
25. Citizenship	26. Alien Registration Number	27. Passport Number		28. State Agency NBR (SID)	
29. Last Known Address/Other Miscellaneous Numbers		32. Remarks: (Include vehicle/family member data. Note: See instructions for entry requirements.)			
30. Alias(es)		33. Clearance Information (Fugitive apprehended)			
		Date			
		Place			
		Agency			
31. Photo (If available attach here)		Agency Case Number			
		34. Cancellation Information (Case Dismissal, Indictment Dismissed, etc.)			
35. TECS ID:		36. NIC:		37. OCA:	
38. Primary Apprehension Responsibility: <input type="checkbox"/> ICE <input type="checkbox"/> CBP <input type="checkbox"/> U.S. Marshals Service <input type="checkbox"/> Other					
39. Reporting Officer:		40. Approving Official:			
Office Phone #		Printed Name _____			
Cellular #		Signature _____ Date _____			
Printed Name _____		Signature _____ Date _____			
Signature _____ Date _____		Signature _____ Date _____			

**Distribution:** Original - National Law Enforcement Communications Center (NLECC) (for CBP); or Law Enforcement Support Center (LESC) (for ICE)  
 Copy 1 - HQ Manager  
 Copy 2 - Local Fugitive Coordinator  
 Copy 3 - Case File

DHS Form 59 (10/09)

### Appendix 3: Operational Plan (Sample)

## FUGITIVE REPORT INSTRUCTIONS

Red fields are mandatory.

<b>Block 1 - Date of Report</b>	Enter date of report. If date is more than 24 hours from the Date of Warrant, explain in Block #32.												
<b>Block 2 &amp; 3 - Originating Office/ Case Number</b>	Enter office name and case number. Check box if HIDTA or OCDETF investigation.												
<b>Block 4 - Check Boxes</b>	Check all that applies to Fugitive. In Block #32, explain why the Armed/Dangerous and/or Suicidal Tendencies block(s) were checked. Use additional pages if necessary.												
<b>Block 5 - Name</b>	Enter full name (Last, First, Middle). If subject has more names, use Block 30, Aliases.												
<b>Block 6 - Date of Birth</b>	Enter date of birth using 6 digits. If more, use Block 29.												
<b>Block 7 - Birthplace</b>	City or town, State and Country of birth.												
<b>Block 8 - Race/Sex</b>	<table style="width: 100%; border: none;"> <tr> <td colspan="2"><b>Race Codes</b></td> <td><b>Sex Codes</b></td> </tr> <tr> <td>W=White</td> <td>A=Asian or Pacific Islander</td> <td>M=Male</td> </tr> <tr> <td>B=Black</td> <td>U=Unknown</td> <td>F=Female</td> </tr> <tr> <td>I=American Indian</td> <td>(Note: Records for Hispanics should be entered with the race code most closely representing the individual)</td> <td>U=Unknown</td> </tr> </table>	<b>Race Codes</b>		<b>Sex Codes</b>	W=White	A=Asian or Pacific Islander	M=Male	B=Black	U=Unknown	F=Female	I=American Indian	(Note: Records for Hispanics should be entered with the race code most closely representing the individual)	U=Unknown
<b>Race Codes</b>		<b>Sex Codes</b>											
W=White	A=Asian or Pacific Islander	M=Male											
B=Black	U=Unknown	F=Female											
I=American Indian	(Note: Records for Hispanics should be entered with the race code most closely representing the individual)	U=Unknown											
<b>Block 9 - Height</b>	In feet and inches. Minimum is 4' to a max of 7'11". If the information is unknown, enter "Unknown" and an estimate in Box 32, "Remarks".												
<b>Block 10 - Weight</b>	In pounds. Minimum of 050 and maximum of 499. If the information is unknown, enter "Unknown" and an estimate in Box 32, "Remarks".												
<b>Block 11 - Eye Color</b>	Brown, Blue, Green, etc.												
<b>Block 12 - Hair Color</b>	Self-explanatory												
<b>Block 13 - Skin Tone</b>	Light, Medium, or Dark												
<b>Block 14 - FBI Number</b>	If known												
<b>Block 15 - Fingerprint Classification</b>	If known												
<b>Block 16 - Scars/Marks/Tattoos</b>	Self-explanatory												
<b>Block 17 - Operator License Number License State Year Expires</b>	Driver's License number State where license was issued Year license expires												
<b>Block 18 - Warrant Number</b>	Self-explanatory												
<b>Block 19 - Date of Warrant</b>	Date Warrant was issued												
<b>Block 20 - Warrant Type</b>	i.e., Arrest												
<b>Block 21 - Bond</b>	Amount in dollars, if known												
<b>Block 22 - Charge</b>	Describe charge or, if known, NCIC offense code.												
<b>Block 23 - Court of Jurisdiction</b>	Court where warrant was issued												
<b>Block 24 - Social Security Number</b>	Self-explanatory. If more, use Block 29.												
<b>Block 25 - Citizenship</b>	If known, country where citizen, not necessarily birth country												
<b>Block 26 - Alien Registration Number</b>	Self-explanatory, if known												
<b>Block 27 - Passport Number</b>	Self-explanatory; if more, use Block 29, Other Miscellaneous Numbers.												
<b>Block 28 - State Agency NBR (SID)</b>	If known, this is the identification number of a state criminal history record. Include state.												
<b>Block 29 - Last Known Address/ Other Miscellaneous Numbers</b>	Last known address: Other identification cards, identifications, or numbers of subject. Additional dates of birth. Other Social Security Numbers. List numbers of cell phones, pagers, associate phone numbers used by fugitive or family.												
<b>Block 30 - Aliases</b>	Other names and aliases of the subject												
<b>Block 31 - Photo</b>	Attach photo to DHS Form 59, if applicable.												
<b>Block 32 - Remarks</b>	Include here: Any additional data. Reason report date is 24 hours older than Warrant date, i.e., 'Sealed Indictment.' <b><i>When entering License Plate and/or Vehicle data, two (2) higher standards MUST be met, 1-Location of vehicle and/or license plate MUST be unknown, AND 2- the reporting officer has reasonable grounds to believe the subject is operating the vehicle or a vehicle with the license plate. Note: Mere knowledge or verification through a DMV that a vehicle and/or license plate is registered to the subject does not meet the criteria for entry!</i></b>												
<b>Block 33 - Clearance Information</b>	Use this block ONLY if the subject has been apprehended. Blocks are self-explanatory.												
<b>Block 34 - Cancellation Information</b>	Use this block to explain any reason why the warrant is no longer valid.												
<b>Block 35 - TECS ID</b>	TECS Record Identification number												
<b>Block 36 - NIC</b>	National Criminal Information Center (NCIC) number, if known; used for removing an NCIC record.												
<b>Block 37 - OCA</b>	OCA is an NLECC assigned number.												
<b>Block 38 - Primary Apprehension Responsibility</b>	Check one box to signify the agency which has primary apprehension responsibility.												
<b>Block 39 - Reporting Officer</b>	Print name, sign, and date. Include office telephone and cellular numbers.												
<b>Block 40 - Approving Official</b>	Print name, sign, and date.												

DHS Form 59 (10/09)

Appendix 5: Escape Reporting Worksheet

**Enforcement and Removal Operations  
Escape Reporting Worksheet**



U.S. Immigration  
and Customs  
Enforcement

Within 24 hours send to the Detention Management Division. Fax # (202) 732-5586 or scan and email to HQDMD@dhs.gov					
SIGNIFICANT EVENT NOTIFICATION #:					
TODAY'S DATE:		SPECIAL INTEREST CASE:		<input type="checkbox"/> Y <input type="checkbox"/> N	
ESCAPE DATE/TIME:					
DETAINED AS (CHECK ONE):					
<input type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> CRIMINAL <input type="checkbox"/> MATERIAL WITNESS <input type="checkbox"/> _____					
NUMBER OF ESCAPEES:			FIELD OFFICE:		
ESCAPE LOCATION NAME:					
TYPE OF FACILITY:					
ALIEN#:	A	SEX:	<input type="checkbox"/> M <input type="checkbox"/> F	CHECK ONE:	<input type="checkbox"/> ADULT <input type="checkbox"/> JUVENILE
SUBJECT'S NAME:			DOB:		
NATIONALITY:			IMMIGRATION STATUS:		
RESTRAINTS:			RE-ARRESTED? <input type="checkbox"/> Y <input type="checkbox"/> N		
COMMENTS:(i.e.) DISCIPLINARY ACTION, SIR #, PROSECUTED:					

## **Appendix 6: NFOP Acronym List**

<b>AOR</b>	<b>Area of Responsibility</b>
<b>ATD</b>	<b>Alternatives to Detention</b>
<b>BIA</b>	<b>Board of Immigration Appeals</b>
<b>CCF</b>	<b>Cold Case File</b>
<b>CPS</b>	<b>Child Protective Services</b>
<b>DOCC</b>	<b>Detention Operations Coordination Center</b>
<b>EARM</b>	<b>ENFORCE Alien Removal Module</b>
<b>FAR</b>	<b>Fugitive Alien Removal</b>
<b>FCMS</b>	<b>Fugitive Case Management System</b>
<b>FOSC</b>	<b>Fugitive Operations Support Center</b>
<b>FOT</b>	<b>Fugitive Operations Team</b>
<b>FOW</b>	<b>Field Operations Worksheet</b>
<b>HIDTA</b>	<b>High Intensity Drug Trafficking Area Task Force</b>
<b>LEA</b>	<b>Law Enforcement Agency</b>
<b>LESC</b>	<b>Law Enforcement Support Center</b>
<b>LPR</b>	<b>Legal Permanent Resident</b>
<b>NCIC</b>	<b>National Crime Information Center</b>
<b>NFOP</b>	<b>National Fugitive Operations Program</b>
<b>NFTTU</b>	<b>National Firearms and Tactical Training Unit</b>
<b>RAIC</b>	<b>Resident Agent in Charge</b>
<b>SAIC</b>	<b>Special Agent in Charge</b>
<b>USC</b>	<b>United States Citizen</b>
<b>VCAS</b>	<b>Violent Criminal Alien Section</b>

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

**ERO 11156.1                      Enforcement Operations Property Protocols**

**Issue Date:** 12/3/2012

**Effective Date:** 12/3/2012

**Review/Expiration Date:** 12/3/2016

**Superseded:** None.

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

**1. Purpose/Background.**

- 1.1. To establish protocols for the documentation and management of seized, abandoned, or forfeited items for the purpose of potential criminal prosecution or immigration proceedings.
- 1.2. Items subject to seizure may be evidence, contraband or other forfeitable property.
- 1.3. The Immigration and Nationality Act (INA) authorizes certain immigration officers who successfully completed basic immigration law enforcement training to conduct searches and make arrests, either with or without a warrant, depending on the specific circumstances of an encounter. Certain immigration officers may include Immigration Enforcement Agents and Deportation Officers as well as the supervisory and managerial personnel who are responsible for supervising the activities of those officers. INA § 287 authorizes the officers to make warrantless arrests for felonies committed in their presence and “execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States.”
- 1.4. During the course of duty, Office of Enforcement and Removal Operations (ERO) enforcement officers encounter evidence of criminal or administrative violations, contraband or other property, including abandoned property. The following policies are relevant to the seizure of property by ERO officers and agents:
  - Under U.S. Immigration and Customs Enforcement (ICE) protocols (i.e., the *DRO/OI Protocols* agreement), ERO coordinates law enforcement and intelligence gathering activities with Homeland Security Investigations (HSI). This includes case de-confliction and ensures referral to HSI any criminal investigation other than those for violations listed in the ICE protocols (i.e., 8 U.S.C. 1324, 8 U.S.C. 1546)
  - Regarding seized firearms, ERO officers are to coordinate with HSI in accordance with the above mentioned *Protocols* memo. If HSI is unable to assist with the seizure and forfeiture of a firearm, and/or if ICE does not possess the statutory authority for forfeiture, officers are to follow the Office of the Principal Legal Advisor (OPLA) Memorandum, *Disposition of seized*

*firearms that have not been abandoned or forfeited.* This memorandum directs ICE officers to pursue judicial forfeiture or promptly seek assistance from the Bureau of Alcohol, Tobacco, Firearms, and Explosives or state or local law enforcement. In addition, the OPLA Memorandum states that officers must document evidence, contraband, or other forfeitable property confiscated, seized or acquired by abandonment through search warrants, consent searches, grand jury subpoenas, administrative summonses, surveillances, trash runs, or other means.

## **2. Policy.**

ERO enforcement officers who seize property to be used as evidence *must* attempt to turn over seized property to HSI. If HSI is unable to accept said property, ERO officers may seek to transfer property to another law enforcement agency, or temporarily detain said property. If the seized item is a firearm, it must be handled in a manner consistent with Section 1.4 of this policy. At all times, ERO officers will document such seizures and transfers consistent with this directive. ERO may also store such property if the other agencies decline to accept the property (e.g., due to its de-minimus value) in accordance with current CBP and ICE policies.

## **3. Definitions.**

- 3.1.** Seizure is taking physical possession and/or control of property.
- 3.2.** Detention is withholding release of property pending a decision to seize.

## **4. Responsibilities.**

- 4.1. The Criminal Alien Division** is the Office of Primary Interest and is responsible for developing and updating this Directive and associated procedures.
- 4.2. ERO Officers** are responsible for following the procedures listed in this Directive.

## **5. Procedures.**

### **5.1. Officers:**

- 1)** Follow the procedures listed in established policies (see section 1.4 of this Directive).
- 2)** Document any seized, abandoned or detained items in the Enforcement Integrated Database (i.e., by using ENFORCE) on Form I-44, *Record of Apprehension or Seizure*.

- 3) Complete DHS Form 6051S, *Custody Receipt For Seized Property and Evidence*, or DHS Form 6051D, *Custody Receipt For Detained Property and Evidence*.
- 4) Provide a copy of DHS-6051S or DHS-6051D to the person from whom it was seized or detained, or from where the item was obtained.
- 5) Place the original DHS-6051S or DHS-6051D with the seized or detained item.
- 6) In the case of abandoned or forfeited property, complete DHS Form 4607 and attach it to the property.

## 6. Authorities/References.

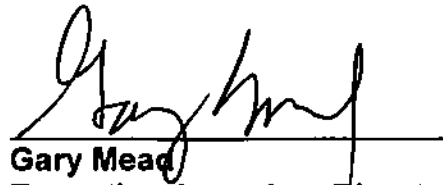
- 6.1. Immigration and Nationality Act § 287; 8 U.S.C. § 1357.
- 6.2. Michael Garcia, Assistant Secretary, ICE, *Interim ICE Use of Force Policy* (July 7, 2004).
- 6.3. Joseph Liberta, Deputy Chief, Enforcement Law Division, OPLA, *Disposition of seized firearms that have not been abandoned or forfeited* (September 16, 2009).
- 6.4. Marcy Forman, Director, Office of Investigations, and John P. Torres, Office of Detention and Removal Operations, *DRO/OI Protocols* (August 20, 2007).
- 6.5. Acting Commissioner for CBP and Assistant Secretary for ICE, *Guidance on Referral Coordination for U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement* (May 10, 2006).
- 6.6. CBP, Office of Field Operations, Fines, Penalties & Forfeitures Division, *Seized Asset Management and Enforcement Procedure Handbook* (July 2011)
- 6.7. Rafael Borrás, Under Secretary for Management, DHS Directive 119-03, *Personal Property Asset Management Program* (June 21, 2012)

## 7. Attachments.

- 7.1. Form I-44, *Report of Apprehension or Seizure* (August 1, 2007).
- 7.2. DHS Form 6051D, *Detention Notice and Custody Receipt for Detained Property* (August 2009).
- 7.3. DHS Form 6051S, *Custody Receipt for Seized Property and Evidence* (August 2009).

7.4 DHS Form 4607, *Notice of Abandonment and Assent to Forfeiture of Prohibited or Seized Merchandise* (June 2011).

8. **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.



**Gary Mead**  
**Executive Associate Director**  
**Enforcement and Removal Operations**  
**U.S. Immigration and Customs Enforcement**





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

MAR 14 2017

MEMORANDUM FOR: Field Office Directors  
Deputy Field Office Directors

FROM: Matthew T. Albence  
Executive Associate Director

SUBJECT: Guidance for E-mailing Scanned Documents to the Law  
Enforcement Support Center for Entry into the National Crime  
Information Center

Purpose:

This memorandum supersedes the March 10, 2015 guidance for “E-mailing Scanned Documents to the Law Enforcement Support Center (LESC) for Entry into the National Crime Information Center (NCIC).”

Background:

As outlined in the memorandum dated March 10, 2015, Enforcement and Removal Operations (ERO) personnel are currently required to scan and email documentation necessary for entering a U.S. Immigration and Customs Enforcement (ICE) fugitive into NCIC. To expedite the removal process, this superseding memorandum establishes the requirement that all previous removal orders (e.g., Immigration Judge (IJ) orders, administrative removal orders, and expedited removal orders) be included with submissions to the LESL for NCIC entry.

Procedures:

The field office submitting the aforementioned documentation to the LESL for submission into NCIC is responsible for ensuring that all required information, to include removal orders, is submitted.

**Scanning Requirements**

- Documents must be scanned in color, using a portable document format (.pdf) with a minimum resolution of 600 dots per inch (dpi)
- Scanned documents must be sent via email to the LESL at: (b)(7)(E)

ERO personnel are required to scan and email the following documents to the LESL to facilitate entries into the NCIC database:

### Civil Warrants

- Removal orders (i.e., Executive Office for Immigration Review (EOIR) Immigration Judge or Board of Immigration Appeals orders; administrative removal orders under INA 238(b) or judicial orders under INA 238(c); expedited removal orders; etc.)
- Warrant of Removal (Form I-205), both sides
- FD-249 Fingerprint card, both sides
- Photograph
- Record of Deportable / Inadmissible Alien (Form I-213) or Information for Travel Document or passport (Form I-217)

Additional documents required for deported aggravated felon entries include:

- Criminal history documents (i.e., judgment and conviction records) that include the sentencing information that renders the offense an aggravated felony

### Criminal Warrants

Both the Criminal Warrant and a DHS-59 (Customs Fugitive Report) must be submitted to the LESC for entry within 24 hours of the issuance of the warrant. If submission is outside of the 24-hour period, a reason for the delay must be annotated in the remarks section (Block 32).

Criminal Warrant NCIC entries must include:

- A copy of the Criminal Warrant for Arrest issued by a United States District or Magistrate Court signed by either the Federal District Court Judge, a Magistrate or other court official.
- A DHS-59 (Customs Fugitive Report), which must include:
  1. All pertinent information annotated in "red" on the form, and
  2. The signature of the case agent and the approving SAC/RAC/FOD

If available, additional supporting documentation (i.e., copies of the criminal complaint, indictment, photo, fingerprints) is helpful, but not required.

In the event that multiple defendants are processed under the same case number, the submitting officer should use the case number followed by the subject's last name (i.e., CR-1234-15-Jones; CR-1234-15-Smith).

The local ERO Field Office must notify the LESC immediately of any change in the ICE fugitive case category by communicating the change via email to: (b)(7)(E) This will allow the LESC to remove the ICE fugitive from the NCIC; minimizing the likelihood of detaining an alien that is not currently wanted, thus preventing potential violations of Department of Justice (DOJ) policies that govern the use of the NCIC system.

Any questions or concerns may be addressed to LESC Director (b)(6);(b)(7)(C) at (802) 872-(b)(6);(b)(7)(C)

**ORDER NUMBER:**  
ICE DO 13002.1

**FEA NUMBER:**  
306-112-002a

**ISSUE DATE:**  
OCT 23 2012

**EFFECTIVE DATE:**  
OCT 23 2012

**SUBJECT:**

Delegation of Authority to Extend, Suspend, or Terminate 287(g) Memoranda of Agreement

**DELEGATED BY:**

Director  
U.S. Immigration and Customs Enforcement

**DELEGATED TO:**

Executive Associate Director for Enforcement and  
Removal Operations

**SOURCE OF AUTHORITY BEING  
DELEGATED:**


- Homeland Security Act of 2002, P.L. No. 107-296, as amended;
- Immigration and Nationality Act § 287(g), 8 U.S.C. § 1357(g);
- Authority under section 103(a)(1) of the Immigration and Nationality Act of 1951, as amended, 8 U.S.C. § 1103(a)(1), to enforce and administer the immigration laws (as defined in section 101(a)(17) of the INA, 18 U.S.C. § 1101(a)(17)) with respect to matters within the jurisdiction of ICE;
- Department of Homeland Security Delegation No. 07402, "Delegation of Authority for Performance of Immigration Officer Functions by State Officers and Employees under Section 287(g) of the Immigration and Naturalization Act" delegating authority from the Secretary of Homeland Security to the Assistant Secretary for Immigration and Customs Enforcement.

**SUPERSEDED ORDER(S):**

None

**DELEGATION:**

By virtue of the authority delegated to me by the Secretary of the Department of Homeland Security (DHS) pursuant to DHS Delegation Order 7402, Delegation of Authority for Performance of Immigration Officer Functions by State Officers and Employees (Sept. 9, 2009), I hereby re-delegate to the Executive Associate Director for Enforcement and Removal Operations the authority to extend, suspend, or terminate Memoranda of Agreement entered into by U.S. Immigration and Customs Enforcement under the Immigration and Nationality Act § 287(g), 8 U.S.C. § 1357(g). The authorities delegated herein may not be re-delegated.

  
\_\_\_\_\_  
John Morton  
Director  
U.S. Immigration and Customs Enforcement

**From:** ERO Taskings  
**Sent:** 14 Apr 2017 15:04:25 +0000  
**Subject:** Conducting At-Large Arrests and Using Restraints

*This message is sent on behalf of Thomas E. Feeley, Acting Assistant Director for Enforcement, with the concurrence of Nathalie R. Asher, Acting Assistant Director for Field Operations:*

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

**Subject:** Conducting At-Large Arrests and Using Restraints

Several incidents that have occurred during recent Enforcement and Removal Operations (ERO) at-large arrests and detainee transports indicate an increased tendency by the arrest target to resist arrest or attempt to flee. Given this tendency, officers are reminded to follow established procedures for conducting at-large arrests and for transporting detainees at all times. In particular, at least two officers should be present to conduct an at-large arrest and officers should use restraints according to established policy in all unsecure areas. Officers are reminded that arrests conducted outside of the secure areas of law enforcement offices (e.g., in the parking lot of a jail or court house) are considered at-large arrests. Public areas in particular, given the potential presence of bystanders, may warrant more the presence of more officers to conduct an arrest than the minimum (b)(7)(C) required by policy.

When a subject or third party becomes combative, contact and cover principles are paramount. At a minimum, (b)(7) officers should focus on the direct threat as additional officers maintain the safety and integrity of the scene. Please note that the policy requirement for (b)(7) officers to make an arrest is not limited to ICE officers – a planned arrest with another law enforcement officer (e.g., sheriff's deputy, probation officer) is acceptable and a benefit of cooperation with other public safety agencies. When in doubt about a given situation, please take extra precautions in the interest of officer safety. Guidance on conducting at-large arrests can be found in the ERO Fugitive Operations Handbook at [https://insight.ice.dhs.gov/ero/policy/pages/policy%20statements/2010\\_07\\_23\\_fugitive\\_operations\\_hndbk.aspx#](https://insight.ice.dhs.gov/ero/policy/pages/policy%20statements/2010_07_23_fugitive_operations_hndbk.aspx#).

The November 19, 2012, ERO policy directive titled: *"Use of Restraints"* states that, except in exigent circumstances, *"ERO officers will use full restraints when transporting detainees."* Full restraints includes *"ICE-approved handcuffs, waist/belly chain, and leg irons."* Additionally, the policy directive instructs ERO supervisors to *"plan for additional officers, appropriate restraints, and/or make alternate arrangements"* when a detainee *"will be located in an unsecure area for an extended period of time, such as a hospital."* The Use of Restraints policy directive can be found at: [https://insight.ice.dhs.gov/ero/policy/pages/policy%20statements/2012\\_11\\_19\\_use\\_of\\_restraints.aspx#](https://insight.ice.dhs.gov/ero/policy/pages/policy%20statements/2012_11_19_use_of_restraints.aspx#).

Questions about conducting at-large arrests or about the use of restraints during transport or in unsecure areas should be directed to National Fugitive Operations Program Unit Chief (b)(6);(b) at (b)(6);(b)(7)(C) or 202-732-(b)(6);(b)

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(b)(6);(b)(7)(C)

---

**From:** Archambeault, Gregory J  
**Sent:** Friday, May 25, 2012 11:42 AM  
**To:** Rogers, Andrea R  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: Probation and Parole  
**Attachments:** Probation and Parole MOU; FW: Probation/Parole "Lanes in the Road"

All I have is the memo I sent you earlier which is the one I sent to Homan back in March (email attached). I've been looking for the final version that Gary took over to Jim but cannot locate anything though I did find an email from (b)(6);(b)(7)(C) to (b)(6);(b)(7)(C) on the subject. I can't imagine that it was changed. That's all I've got.

Gregory J. Archambeault  
Assistant Director for Secure Communities and Enforcement  
ICE - Office of Enforcement & Removal Operations  
(202) 732-(b)(6)

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---

**From:** Rogers, Andrea R  
**Sent:** Friday, May 25, 2012 11:29 AM  
**To:** Archambeault, Gregory J  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: Probation and Parole

I'm afraid I can't find a signed version in my email archives and I'm almost certain this was handled outside of taskings given the sensitivities. Do you have the signed version that went up?

---

**From:** Mead, Gary  
**Sent:** Friday, May 25, 2012 11:07 AM  
**To:** Rogers, Andrea R  
**Cc:** Archambeault, Gregory J  
**Subject:** RE: Probation and Parole MOA

Do we have the paper that Jim and I sent to (b)(6);(b)(7)(C)

---

**From:** Rogers, Andrea R  
**Sent:** Friday, May 25, 2012 9:29 AM  
**To:** Mead, Gary  
**Cc:** Archambeault, Gregory J  
**Subject:** RE: Probation and Parole MOA

Good morning sir,

There seems to be some confusion – no one in SC/E knows of any such MOA and a lengthy search in OESIMS did not locate one. Instead, Greg believes the attached are the controlling documents you are looking for, and, despite the

signature on the former, there has never been a signed agreement detailing the key transition terms: funding and personnel. Adding Greg in the event I've overlooked anything. Please let us know if we can further assist.

-Andrea

---

**From:** Mead, Gary  
**Sent:** Thursday, May 24, 2012 5:40 PM  
**To:** Ragsdale, Daniel H; (b)(6);(b)(7)(C)  
**Cc:** Rogers, Andrea R  
**Subject:** RE: Probation and Parole MOA

I will read it over again but I don't remember any LES info. Andrea, please find me a copy of this.

---

**From:** Ragsdale, Daniel H  
**Sent:** Thursday, May 24, 2012 3:04 PM  
**To:** Mead, Gary; (b)(6);(b)(7)(C)  
**Subject:** Re: Probation and Parole MOA

I assume this is not LES? If they could FOIA it, then I favor release.

---

**From:** Mead, Gary  
**Sent:** Thursday, May 24, 2012 01:44 PM  
**To:** Ragsdale, Daniel H; (b)(6);(b)(7)(C)  
**Subject:** FW: Probation and Parole MOA

Thoughts on releasing. If we don't release, I could just say we have an agreement to transfer responsibility but it is contingent upon funding becoming available which it is not at this time.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, May 24, 2012 12:05 PM  
**To:** Mead, Gary; Homan, Thomas; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** Probation and Parole MOA

Good afternoon,

Could you please provide a copy of the MOA that has been signed between ERO and HSI regarding Probation and Parole?

Thank you,

(b)(6);(b)(7)(C)  
Local President  
AFGE Local (b)(6);  
Women's Coordinator  
National ICE Council 118  
318-491-(b)(6)  
(b)(6);(b)(7)(C)

**From:** Giles, Thomas P  
**Sent:** 6 Apr 2012 08:43:03 -0400  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Archambeault, Gregory J  
**Subject:** Probation and Parole MOU

(b)(6);(b)

I am just following up on the MOU that ERO sent over to the Director's office last week for review regarding the Probation and Parole Program. This memo was regarding the transfer of funds to ERO from HSI for FY12. We briefly spoke about this yesterday and just wanted to follow up to see if it has been signed and /or reviewed.

If this is a duplicate message, I apologize.

Thank you again

Tom

Tom Giles  
Deputy Chief of Staff  
Enforcement and Removal Operations  
202-732-(b)(6)



**From:** Homan, Thomas  
**Sent:** 20 Mar 2012 12:53:16 -0400  
**To:** Archambeault, Gregory J  
**Subject:** FW: Probation/Parole "Lanes in the Road"  
**Attachments:** PP Transition Plan - 031512.docx

See me on this when you get a chance

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 15, 2012 3:02 PM  
**To:** ERO Taskings  
**Cc:** (b)(6);(b)(7)(C) Homan, Thomas; (b)(6);(b)(7)(C)  
**Subject:** FW: Probation/Parole "Lanes in the Road"

ERO Taskings, we need this back Monday COB

**Lead division:** ADSCE.

MSD must be tasked to concur with ADSCE changes relating to EOD procedures.

**Task:** Please update all affected milestones, all the way through the end of the document. There are changes made by ICE budget, which should be accepted and sent back clean. ERO is to update in track changes our operational milestones reflecting a new project start date.

#### **Background**

Project's targeted FTEs for ERO Deportation Officers: **138**

The assumption by ICE Budget is that the first EODs happen in Q3 of FY12.

This means after project is approved, all the preparatory work must be completed such as vacancy announcements, selections, background checks, PCS, etc. for the first EODs to happen NLT June 30, 2012. All EOD-related milestones must be worked backwards from the June 30<sup>th</sup> date. All operational milestones must be worked forward from the June 30<sup>th</sup> date.

#### **The Memo**

Has been cleared by:

-ERO EAD

-Deputy EAD

-ICE Deputy Director

Was sent to:

EAD Ragsdale

Subsequently to: ICE CFO / Budget, who reviewed for cost.



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

MEMORANDUM FOR:

(b)(5)

FROM:

SUBJECT:

(b)(5)

Purpose

(b)(5)

Background

(b)(5)

(b)(5)

Discussion

(b)(5)

Recommendation

(b)(5)

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Modify \_\_\_\_\_ Needs more discussion \_\_\_\_\_

(b)(5)

(b)(5)

(b)(5)

(b)(5)

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(b)(5)

(b)(5)

**Appendix D: ERO Deployment Implementation Plan**

(b)(5)

**Phase I: Determine Requirements and Resources**

(b)(5)

**Phase II: Laying the Groundwork**

(b)(5)

(b)(5)

**Phase III: Commence Transition**

(b)(5)



(b)(5)

## Appendix E: ERO Milestones and Operational Timeline

1. (b)(5)

2.

3.

4.

5.

6.

7.

8.

**From:** ERO Taskings  
**Sent:** 21 Oct 2015 11:04:01 -0400  
**Subject:** Reminder: Enforcement Actions at or Near Courthouses

*This message is sent on behalf of Jon Gurule, Assistant Director for Field Operations:*

**To:** Field Office Directors and Deputy Field Office Directors  
**Subject:** Reminder: Enforcement Actions at or Near Courthouses

This message serves as a reminder for important guidance concerning ERO enforcement actions at courthouses. **Please ensure immediate distribution to all ERO officers within your AOR.**

- Enforcement actions at or near courthouses will only be undertaken against:
  - Priority #1(a): aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security;
  - Priority #1(c): aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum;
  - Priority #1(d): aliens convicted of an offense classified as a felony in the convicting jurisdiction, other than a state or local offense for which an essential element was the alien's immigration history;
  - Priority #1(e): aliens convicted of an "aggravated felon," as that term is defined in section 101(a)(43) of the *Immigration and Nationality Act* at the time of the conviction.
- Enforcement actions at or near courthouses will only take place against specific, targeted aliens, rather than individuals who may be "collaterally" present, such as family members or friends who may accompany the target alien to court appearances or functions.
- Enforcement actions at or near courthouses will, wherever practicable: (1) take place outside public areas of the courthouse; (2) be conducted in collaboration with court security staff; and (3) utilize the court building's non-public entrances and exits.

Questions regarding this guidance may be directed to the Field Operations Staff Officer assigned to your AOR.

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**From:** ERO Taskings  
**Sent:** 28 Jul 2014 14:46:13 -0400  
**Subject:** Reminder on Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations  
**Importance:** High

*The following message is sent on behalf of Matthew Albence, Assistant Director for Enforcement, and approved by Philip Miller, Assistant Director for Field Operations:*

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

**Subject:** *Reminder on Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations*

This field guidance reminder is to provide clarification on the procedures to be used by ERO officers and agents when processing aliens who have been arrested in a non-custodial capacity and are **currently** fulfilling their sentences while on Probation or Parole.

ERO officers and agents are to follow the Tasking “*Guidance on the Tracking of Probation and Parole Arrests by Enforcement and Removal Operations*” sent on March 10, 2014, for processing procedures for all at-large arrests regardless of program (fugitive operations, CAP, etc.). These procedures are applicable to all at-large enforcement activities (i.e., arrest at a probation office, a residence, a place of employment, or on the street).

An alien is considered to be on probation or parole if encountered within the time frame of a current sentence, regardless of reporting status to a probation or parole authority.

Field Office Directors are requested to ensure that this information is disseminated to all ERO officers/agents.

If you should have any questions regarding this policy, please contact, (b)(6);(b)(7)(C) NFOP Detention and Deportation Officer at (202) 732-(b)(6);(b)(7)(C) or (b)(6);(b)(7)(C) NFOP Detention and Deportation Officer at (202) 732-(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

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U.S. Immigration  
and Customs  
Enforcement

MEMORANDUM FOR: Special Agents in Charge  
Field Office Directors

FROM: Peter T. Edge *Peter T. Edge*  
Executive Associate Director, Homeland Security Investigations

Thomas Homan *Thomas Homan*  
Executive Associate Director, Enforcement and Removal  
Operations

SUBJECT: Transition of Probation and Parole Enforcement Responsibilities  
from Homeland Security Investigations to Enforcement and  
Removal Operations

Subject

This memorandum memorializes the reassignment of enforcement responsibilities for the identification, arrest, prosecution, and removal of criminal aliens on parole or probation, and the transfer of Egregious Public Safety Case referrals, from HSI to ERO.

Background

In FY 2012, the ICE Director approved a memorandum that was submitted based on a proposal of the ERO and HSI Executive Associate Directors to improve enforcement effectiveness by reassigning the enforcement responsibilities for the identification, arrest, prosecution, and removal of criminal aliens on parole or probation from HSI to ERO. However, due to budgetary restrictions, this proposal was never implemented.

In FY 2013, Congressional appropriators directed that the transfer of the probation/parole function occur. Congressional direction listed in the House Report (P.L. 112-492) and the Senate Explanatory Statement that accompanied the Department of Homeland Security Appropriations Act, 2013, established that "a total of \$1,686,859,000 is provided for Domestic Investigations, reflecting a reduction of \$10,000,000 realigning responsibility for illegal aliens on parole and probation to Enforcement and Removal Operations (ERO)."

## Discussion

In accordance with the report language, the funding for the probation and parole function was removed from the Domestic Investigations Program /Project Activity (PPA) in FY 2013 and realigned to ERO.

*Transfer of Duties* – ERO Field Office Directors (FODs) have previously been instructed to coordinate the transfer of all duties related to probation and parole investigations with their Special Agent in Charge (SAC) counterpart. If there are any locations in which this transition has not yet been fully implemented, the respective FODs and SACs are directed to complete this handoff within thirty (30) days of the issuance of this memorandum. During this time, SAC offices currently conducting these investigations will maintain their existing level of engagement. By September 15, 2014, each FOD must submit a memorandum to the ERO Assistant Director for Enforcement confirming the full assumption of these duties.

In accordance with its public safety mission, ERO will also assume responsibility for the investigation of aliens having been convicted of, or suspected of being convicted of, egregious crimes referred to ICE by the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services (USCIS). A mechanism for the assignment, transmission, and tracking of these cases is currently being jointly examined by HSI, ERO, and USCIS, and further information will be forthcoming.

*Assignment of ERO Resources* –As ERO did not receive any personnel resources when acquiring these new responsibilities, each FOD will retain the discretion to decide the most appropriate and least disruptive approach for the incorporation of this caseload into their existing enforcement portfolios.

From a programmatic standpoint, the ERO Enforcement Division will provide Headquarters (HQ) oversight and direction to probation/parole and CIS casework. To strategically address this critical public safety mission, the National Fugitive Operations Program (NFOP) and the Fugitive Operations Support Center (FOSC) will work with each FOD to determine their individual support requirements and provide technical and analytical assistance.

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



U.S. Immigration  
and Customs  
Enforcement

MEMORANDUM FOR: ALL FIELD OFFICE DIRECTORS AUG 28 2005

FROM: John P. Torres  
Acting Director

SUBJECT: Placement of Fugitive Cases into the National Crime Information Center's Immigration Violator File

Purpose

This memorandum restates the requirement of placing fugitive cases into the National Crime Information Center's (NCIC) Immigration Violator File (IVF).

Background

In August 2002, headquarters, Office of Detention and Removal Operations (DRO), promulgated the *Absconder Apprehension Initiative, Standard Operating Procedure (AAI/SOP)* pursuant to the direction received from the issuance of the Absconder Apprehension Initiative (AAI), initiated by the Department of Justice, Deputy Attorney General in January<sup>1</sup> of 2002. A large part of the AAI was to utilize the NCIC as a means to utilize assets from other federal, state and local law enforcement agencies (LEAs) as a force multiplier in the identification, location and apprehension of absconders/fugitives.

Part of the AAI/SOP established the protocol for sending cases to the Law Enforcement Support Center (LESC) for entry into NCIC. While the protocol for placement of cases into NCIC may have changed, the need to do so in a timely manner has not. Section II, Paragraph A of the AAI/SOP states:

---

The AAI was divided into two separate and distinct phases. Phase One (AAI-1) was identified as that operation which dealt with an initial group of aliens from countries of special interest. The primary purpose of AAI-1 was to gather intelligence in the defense of our national security. AAI-1 was the responsibility of our Investigations Division. AAI, Phase Two (AAI-2) was the responsibility of DRO; its objective was to locate, apprehend and remove absconder aliens from the United States. AAI-2 was a part of the then INS' overall National Fugitive Operations Program which was designed to address the problem of locating, apprehending, prosecuting and/or removing aliens who have violated the nation's immigration laws. This includes the backlog of absconders, accrued over many years, of aliens with unexecuted deportation or removal orders.

Subject: Placement of Fugitive Cases into the National Crime Information Center's (NCIC) Immigration Violator File (IVF). Page 2

In order to avoid an increase in the backing of AAI cases, district DR-0 officers shall attempt to locate and apprehend all aliens for whom a final order is received. If field units are unsuccessful in locating and apprehending the alien within 120 days of the date of the final order, the alien will be considered an absconder and the case will be sent LO the LESC ("or NCIC entry in accordance with the procedures below. *Supervisors are reminded that the entry of a case into NCIC does not preclude officers from continuing attempts to locate the fugitive.*

A-Files should be shipped to the LESC as soon as 120 days have elapsed from the date of the final order. However, A-files may be held for up to a week for batch shipment. Other extension requests will be considered on a case-by-case basis by the AAIC. For such cases, the Assistant District Director (ADD") in charge of the program requesting the extension will prepare a memorandum to the, AATC setting forth the reasons for the request and specify a length of time required for the extension. An extension will only be granted by the AAIC for those cases in which the location and apprehension of the absconder is imminent. "Imminent" is to be interpreted as two weeks or less.

### Discussion

The purpose for placing cases into NCIC has not changed. There is still a need to utilize the resources of other federal, state and local law enforcement agencies to assist in the identification, location and apprehension of absconders and fugitives. Cooperation with other LEA's creates a higher probability of a successful apprehension rather than returning the A-file to the shelf in the local field office when the officer has no further actionable leads.

Field Office Directors (FODs) should be cautioned against keeping fugitive A-files beyond the recommended time period. Each team has a target of closing a minimum of 500 fugitive cases per year. For teams whose officers have become adept at locating fugitives, this number could double. However, maintaining several thousand cases, on site, per fugitive team, is not a good practice and hampers the AAI concept of using other LEA's as a force multiplier.

### Action

FODs will immediately conduct a review of all absconder/fugitive files in their offices in order to identify those cases that meet the requirements as indicated above in the AAI/SOP guidelines. The FODs will then determine based on the attached LESC "ICE7NCIC Warrant Entry Requirements," which A-files may be sent immediately to the LESC for entry into NCIC. Under no circumstances will an A-file be sent to the LESC that does not meet the attached requirements. Without exception, A-files will be up-to-date and complete prior to shipment. Additionally, for those cases where it is difficult to obtain the required information and documentation, the FODs will ensure that these cases do not languish. In these cases, the FODs may request assistance from the Fugitive Operations Support Center (FOSC)<sup>1</sup> for assistance by telephoning (802) 660-(b)(6). The FOSC may have access to databases and other resources, which can assist the FODs in this requirement. The FODs may

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<sup>1</sup> The ADD referred to in this quote has been redesignated as the Field Office Director (I-OD) under the current ICE/DR.0 organizational chart.

The FOSC is an operational component of the National Fugitive Operations Program, Headquarters, Fugitive Operations Unit. It is co-located with the LESC and will provide background and in-depth investigative checks for NFOP officers as well as any other ICE, C13P or outside law enforcement agency (LEA) officers who are conducting investigations or routine checks on suspected ICE fugitives. It also acts as a fusion center whereby analysts will combine leads from several sources and fuse them into workable field leads for the NFOP field teams.

Subject: Placement of Fugitive Cases into the National Crime Information Center's (NCIC) Immigration Violator File (IVF). Page 3

divert clerical/administrative help from other areas in order to accomplish this task and are encouraged to assign general docket deportation officers to assist in the review of old cases that were part of their dockets, prior to shipment to the fugitive unit for action.

Any cases that fall within the period of time for shipment to the LESC and the local fugitive team believes still has leads to pursue, the FQD should direct that the A-file be copied and sent forward for entry into NCIC; with the work folder copy retained at the local office. Any documents generated after the A-file has been sent to the LESC, must be sent onto the LESC for inclusion in the A-file. If the FOD has a requirement for access to an A-file at the LESC, the FQD should contact the FOSC for assistance in obtaining the necessary documentation.

Any questions regarding this guidance can be directed to (b)(6);(b)(7)(C) Unit Chief of Fugitive Operations, in headquarters DRO, at (202) 353-(b)(6) or by email at (b)(6);(b)(7)(C)

Attachment:

ICE/NCIC Warrant Entry Requirements



## ***ICE/NCIC Warrant Entry Requirements***

Criminal Warrant (WFF) entries:

Required Documents for entry:

- Criminal Warrant for the subject needs to be provided, signed by a US Magistrate
- Copy of the Complaint and/or Affidavit
- Customs Form-59, if applicable
- (if available); 1-215 / G-166 / 1-166 (for identifiers, etc.)
- Fingerprints recommended but; NOT required
- A 'Unique Identifier(s) " REQUIRED, i.e.. (Clear Photo, Scars/Marks & Tattoos,etc.)

The A-File is not needed to enter a criminal warrant into NCIC, but If you have the A-file and will release it to us please send it FEDEX to the address below.

When using the CF59 select read only and you will be able to fill in the form with all pertinent information.

The CF59, Criminal Warrant and any other pertinent information can be faxed to the LESC, NCIC Unit, Attention: NCIC Supervisor at (307.) 872 (b)(7)(C) It may be easier to email the photo's and prints for clarity reasons to the supervisor on duty.

Mailing address;

Law Enforcement Support Center IB8  
Harvest Lane Williston, VT 05495  
Phone 802 672-(b)(7)(C)  
Fax 802 872-6047

Note: If you cannot get through to our primary fax machine (B02 872-6047), please send to our secondary fax(s) (802 288-1220/1222) and attention the fax to NCIC Supervisor.

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### **Deported Felon (DFF) entries;**

Subject must meet the following (2) two criteria:

1. FBI number
  - 2, Criminal Record
- Note: Must be an aggravated felon.

Field Office responsibilities:

- CIS and DACS will have been updated to reflect the deportation/removal,
- All IMS databases will be checked for any unconsolidated A-Files.
- All INS databases are complete, accurate, and up to date.
- The A-file has the necessary information;
  - o Completed 1-205 (WITH PRINT) or related documentation (if available): 1-213 / G-16S / 1-166 Does not have to be the 'latest document' as long as one of these documents is in the A-File (for identifiers, etc.)
  - o 1-166 - Nor. a required document for record creation O 10 Print Card Photo, if not already attached to the Removal Document

The LESC Communication Center responds to the 'Hits' for the entries in NCIC, therefore the ft-file is required for on-site Hit Confirmation by the Special Agent on duty and CODING (entry) into NCIC as stated above.

The LESC must have the A-file for this entry, please Fedex the file to the LESC attention NCIC Unit.

Please find the attached CF59 that should be attached to the front, of the A-file jacket. This same worksheet is also used for any modifications and/or CLEAR requests:

(Same Form As Above)

When using the CF59 select read only and you will be able to fill in the form with all pertinent information.

Hailing address:

Law Enforcement Support Center 188  
 Harvest Lane Williston, VT 05495  
 Phone 802 87 2-(b)(7) Fax 902  
 872-6047

Note: If you cannot get through to our primary fax machine (802 872•604\*7), please send to our secondary fax(s) (802 288-1220/1222) and attention the Eax to NCIC Supervisor.

Absconder (AAI) entries: Field

Office responsibilities:

- All INS databases will be checked for any unconsolidated A-Files,
- All INS databases are complete, accurate, and up to date.

Administrative:

- 1-205 signed on front, indicating removal was ordered (if available): 1-213 / G-166 / I-1S6 (for identifiers, etc.)

- I-I66 Net a required document for record creation
- 10 Print Card
- Photograph(s)

The LESC Communication Center responds to the "Hits" for the entries in NCIC, therefore the A-file is required for on-site Hit Confirmation by the Special Agent on duty and CODING (entry) into NCIC as stated above. The LESC must have the A-file for this entry, please Fedex the file to the LESC attention NCIC Unit,

Please find the attached CF59 that should be attached to the front of the A-file jacket. This same worksheet is also used for any modifications and/or CLEAR requests:

(Same Form As Above)

When using the CF59 select read only and you will be able to fill in the form with all pertinent information.

Mailing address:

Law Enforcement Support Center  
188 Harvest Lane Williston, VT  
05495 Phone 802 872-(b)(7)  
Fax 802 872-6047

Note: If you cannot get through to our primary fax machine (802 872-6047), please send to our secondary fax(s) (802 288-1220/1222) and attention the fax to SCIC Supervisor.

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A-File Information:

All A-Files MUST BE FORWARDED to the Law Enforcement Support Center for CODING (entry) of Deported Felon (DFF) and Absconder (AAI) records into NCIC.

If your office needs copies of any information from the file to continue with your local investigation, it is suggested that a Work Folder be created-

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



U.S. Immigration  
and Customs  
Enforcement

**JAN 22 2007**

MEMORANDUM FOR Field Office Directors and Special Agents

FROM: John P. Torres  
Director

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

SUBJECT: Interim Guidance Relating to Officer Procedure Following  
Enactment of VAWA 2005

Purpose

The Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), which became effective on January 5, 2006, expanded various protections for aliens seeking immigration benefits as crime victims and amended various sections of the Immigration and Nationality Act (INA). As a result, operational units of U.S. Immigration and Customs Enforcement (ICE) will be required to follow new procedures when taking certain actions in cases involving aliens eligible to apply for VAWA benefits or T or U nonimmigrant status. This interim guidance explains how VAWA 2005 affects the current operating procedures of the Office of Investigations (OI) and the Office of Detention and Removal Operations (DRO).

Background

Congress passed the Violence Against Women Act (VAWA) of 1994 as a response to growing concerns over gender-related violence. VAWA provides that abused spouses, children, and parents of U.S. citizens or lawful permanent residents can "self-petition" to obtain lawful permanent residence. These provisions allow certain battered aliens to file for an immigrant visa in order to seek safety and independence from the abuser without the abuser's permission.

Congress subsequently passed the Victims of Trafficking and Violence Protection Act of 2000, which reauthorized the VAWA provisions of 1994 and created two new nonimmigrant categories: T status and U status. T nonimmigrant status is available to victims of "severe forms of trafficking" who are physically present in the United States or a port of entry as a result of that trafficking. U nonimmigrant status is available to aliens who have "suffered substantial physical or mental abuse" as a result of certain criminal acts. Victims eligible for VAWA benefits or T or U nonimmigrant status may seek benefits through separate applications submitted to the Vermont Service Center of U.S. Citizenship and Immigration

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<http://www.ice.gov>

Services (USCIS). This memorandum provides interim guidance concerning the expanded confidentiality protections of the VAWA 2005 and the legislation's requirement that ICE issue a certificate of compliance in certain circumstances.

Discussion

A. Definition of "VAWA Self-Petitioner"

VAWA 2005 added INA § 101(a)(51), which defines "VAWA self-petitioner" as an alien, or a child of the alien, who qualifies for relief under several provisions of the Act and generally requires that the victim be abused, battered, or subjected to human trafficking or severe mental or physical abuse. A self-petition allows the victim the opportunity to adjust status without the abuser's assistance. ICE employees should become familiar with the categories of VAWA self-petitioners and the many ways in which battered victims may adjust their status. For purposes of this interim guidance, if an officer believes there is any credible evidence that the alien may be eligible for VAWA benefits or T or U nonimmigrant status, the requirements of 8 U.S.C. § 1367, described below, must be followed along with standard operating procedure.

B. Use of Information from Prohibited Sources and Confidentiality

Section 1367(a) of Title 8 of the United States Code, as amended by VAWA 2005, prevents ICE employees from making an adverse determination of admissibility or deportability of an alien using information furnished *solely* by certain people associated with the battery or extreme cruelty, such as the abuser or a member of the abuser's family living in the same household as the victim. For purposes of this interim guidance, an adverse determination of admissibility or deportability would include placing an alien in removal proceedings or making civil arrests relating to an alien's violation of the immigration laws. Section 1367(a) also generally prohibits ICE employees from disclosing any information about a VAWA, T, or U beneficiary to anyone, especially those who might use the information to the alien's detriment, *i.e.* an abuser who may wish to have the victim removed from the United States.

Information provided *solely* by prohibited sources must be independently corroborated. Examples of prohibited sources include: the abuser in the case of a VAWA petitioner, the human trafficker in the case of a T status applicant, or the perpetrator of substantial physical or mental abuse in the case of a U status applicant. In such cases, ICE employees cannot rely solely on these sources when making an adverse determination of admissibility or deportability. This prohibition is important to note because ICE officers sometimes receive information from upset or disgruntled spouses, abusers, traffickers, or family members. An arrest based on such information would not violate § 1367 if, according to existing standard operating procedures, the ICE officer independently verifies the information *{e.g., through an immigration database}* prior to making the arrest. To avoid a possible violation of § 1367, ICE officers must verify the information provided from these prohibited sources. For example, if the abuser husband calls ICE and states that his alien wife is in the United States after being ordered removed, ICE must independently verify the prior removal and note such corroboration on Form 1-213 (Record of Inadmissible/Deportable Alien).

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Section 1367 does not prevent ICE officers from making arrests of aliens believed to be in the United States illegally if the information provided by a prohibited source is independently verified. Likewise, § 1367 does not prevent ICE officers from arresting aliens who have applied for benefits under VAWA or the T or U nonimmigrant categories. Instead, § 1367 prevents ICE officers from making adverse determinations of admissibility or deportability based on information provided "solely" by a prohibited source. Simply stated, ICE officers must independently verify information and check databases at their disposal to determine the existence of any pending victim-based applications for immigration benefits. ICE officers are also reminded to consider the sources of their information and be aware that there is a possibility that the caller may be involved in an abusive or violent relationship with the alien who is the subject of the call. Accordingly, if the source of the independently verifiable information is likely an abuser or someone acting in the abuser's capacity, the ICE officer should consider using prosecutorial discretion.

This interim guidance also reminds ICE employees that they are generally prohibited from "permitting] use by or disclosure to anyone (other than a sworn officer or employee of [DHS])" of any information which relates to an alien who is the beneficiary of an application for relief under victim based benefits (VAWA, T or U nonimmigrant status).<sup>1</sup> If ICE employees know that an alien has sought such victim-based benefits, they are generally prohibited from disclosing any information to a third party. In enacting this nondisclosure provision, Congress sought to prevent, with limited exceptions, disclosure of *any information* relating to beneficiaries of applications for VAWA benefits (battered spouses or children) or for T or U nonimmigrant status, including the fact that they have applied for benefits. The disclosure of certain information is permitted in limited circumstances. Those circumstances include disclosure for legitimate law enforcement purposes, statistical purposes, and benefit granting or public benefit purposes. *See* 8 U.S.C § 1367(b) (listing exceptions to general nondisclosure rule). In short, ICE employees must not reveal any information concerning an alien's T, U, or VAWA application unless an exception to the general nondisclosure requirement applies. The nondisclosure limitation ends when the application for relief is denied and all opportunities for appeal of the denial have been exhausted.

### C. Sensitive Location Certificate of Compliance Requirement

VAWA 2005 added new INA § 239(e), which requires the completion of a certificate of compliance in certain cases. INA § 239(e) states, in relevant part:

(1) In general

In cases where an enforcement action leading to a removal proceeding was taken against an alien at any of the locations specified in paragraph (2), the Notice to Appear shall include a statement that the provisions of section 384 of the IIRIRA of 1996 (8 U.S.C § 1367) have been complied with.

(2) Locations

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<sup>1</sup> For additional information concerning the non-disclosure of information relating to VAWA beneficiaries, please see *Memorandum of Paul W. Virtue, INS Acting Executive Associate Commissioner, Non-Disclosure and Other Prohibitions Relating to Battered Aliens. IIRIRA § 384, May 5, 1997.*

The locations specified in this paragraph are as follows:

(A) At a domestic violence shelter, a rape crisis center, supervised visitation center, family justice center, a victim services, or victim services provider, or a community-based organization.<sup>2</sup>

(B) At a courthouse (or in connection with that appearance of the alien at a courthouse) if the alien is appearing in connection with a protection order case, child custody case, or other civil or criminal case relating to domestic violence, sexual assault, trafficking, or stalking in which the alien has been battered or subject to extreme cruelty or if the alien is described in subparagraph (T) or (U) of section 101 (a)( 15) of this title [8 U.S.C. § 1101(a)(15)]

This provision applies to all apprehensions occurring on or after February 5, 2006.

Section 239(e) requires ICE to certify that the agency has independently verified the inadmissibility or deportability of an alien that was encountered at these specified sensitive locations. In practical terms, when ICE officers encounter aliens at these sensitive locations and ultimately issue a Notice To Appear, the officers must ensure that they have independently verified the inadmissibility or deportability of that alien and must not permit any unauthorized disclosure of information about the alien.

The file must bear information adequately alerting the officer or agent who is preparing the NTA that the INA 239(e) certification requirement could be implicated. Moreover, in complying with 8 U.S.C § 1367, the file must bear sufficient information to permit the issuing officer or agent to make a reliable assessment that, in fact, the prohibited source and nondisclosure provisions of § 1367 have been complied with. Accordingly, ICE officers or agents must record on the Form 1-213 whether the alien was encountered at a sensitive location, whether information related to the alien's admissibility or deportability was supplied by a prohibited source, whether and how such information was independently verified, and an acknowledgement that, if applicable, the nondisclosure requirements have been complied with.

The certificate of compliance requirements reflects congressional intent that ICE proceed cautiously when making an arrest or otherwise physically encountering an alien at one of the sensitive locations without objective evidence that the alien is in the United States in violation of the immigration laws and that victims of battery, abuse, trafficking, and extreme cruelty be protected. In this regard, ICE officers encountering such individuals are to verify information through use of all databases at their disposal, including CLAIMS. For INA § 239(e) purposes,

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<sup>2</sup> A community based organization means an organization that:

(A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;

(B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;

(C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or

(D) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.

See 42 U.S.C. § 13925(a)(3) (2006).

ICE officers must then issue a certificate of compliance if the alien was encountered at a sensitive location and ICE issued a Notice To Appear. The certificate of compliance must be completed by an officer or agent authorized to issue Notices To Appear after reviewing the information contained on the 1-213 and confirming the prohibited source information was independently verified. *See* 8 C.F.R. § 239.1 (2006). The certificate may simply state "I certify that, to the best of my knowledge and belief, section 384 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. § 1367) has been complied with." The certificate of compliance language may be typed or printed on the NTA. Failure to complete a certificate of compliance may subject the officer and ICE to civil penalties and disciplinary action for violating 8 U.S.C. § 1367.

ICE officers are discouraged from making arrests at these sensitive locations absent clear evidence that the alien is not entitled to victim-based benefits. Aliens encountered at rape crisis centers, domestic violence centers, or any of the sensitive locations noted in INA § 239(e) are likely to be genuine VAWA self-petitioners. While INA § 239(e) does not prohibit arrests of aliens at sensitive locations, it is clear that Congress intended that cases of aliens arrested at such locations be handled properly given that they may ultimately benefit from VAWA's provisions. ICE officers should consider prosecutorial discretion in cases of aliens encountered at sensitive locations unless exigent circumstances exist. Examples of exigent circumstances include criminal activity, fraud, terrorism, or where there are extraordinary reasons for arresting aliens at sensitive locations.

If an officer is unsure whether a particular personal encounter or apprehension requires a certification of compliance under INA § 239(e), the officer should consult the local Office of Chief Counsel (OCC). If time does not permit, the officer should consult his or her immediate supervisor for assistance.

Questions about the information provided in this memorandum may be directed to the local OCC or to the Enforcement Law Division (202-514-2895). Specific victim assistance questions may be directed to Susan Shriner, ICE Victim-Witness Coordinator, at 202-616-8737.



**From:** ERO Taskings  
**Sent:** 31 Jul 2014 16:38:47 -0400  
**Subject:** Transition of Probation and Parole Responsibilities from HSI to ERO

*The following message is sent on behalf of Matthew T. Albence, Assistant Director for Enforcement, with concurrence of Philip T. Miller, Assistant Director for Field Operations*

**To:** Field Office Directors and Deputy Field Office Directors  
**Subject:** Transition of Probation and Parole Responsibilities from HSI to ERO

On July 28, 2014, the Executive Associate Directors for ERO and HSI formally signed the memorandum entitled *Transition of Probation and Parole Enforcement Responsibilities from Homeland Security Investigations to Enforcement and Removal Operations*. This memorandum finalizes the reassignment of the enforcement responsibilities for the identification, arrest, prosecution and removal of criminal aliens on probation or parole.

ERO Field Office Directors (FODs) were previously instructed to coordinate the transfer of all duties related to probation and parole enforcement duties with their Special Agent in Charge (SAC) counterpart. If there are any locations in which this transition has not yet been fully implemented, the respective FODs and SACs are directed to complete this handoff **by August 31, 2014**. As ERO did not receive any personnel resources when acquiring these new responsibilities, each FOD will retain the discretion to decide the most appropriate and least disruptive approach to incorporate this caseload into their existing enforcement portfolios.

FODs are required to submit a memorandum to the ERO Assistant Director for Enforcement confirming the assumption of probation and parole responsibilities **by September 15, 2014**. These memoranda should be sent to the HQERO.FUGOPS mailbox.

Additionally, in accordance with its public safety mission, ERO will also assume responsibility for the investigation of aliens convicted of, or suspected of being convicted of, egregious crimes by the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services (USCIS). ERO is working with USCIS on a mechanism for the assignment, transmission and tracking of egregious public safety referrals, and further information will be forthcoming.

The ERO Enforcement Division will provide Headquarters oversight and direction to probation/parole and USCIS casework. To strategically address this critical public safety effort, the National Fugitive Operations Program and the Fugitive Operations Support Center will work with each FOD to determine their individual support requirements and provide technical and analytical assistance.

If you have any questions or concerns relating to this memorandum, please contact the Fugitive Operations Division Deputy Assistant Director, (b)(6);(b)(7)(C) via email at or (202) 732-

(b)(6);(

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(b)(6);(b)(7)(C)

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**From:** Archambeault, Gregory J  
**Sent:** Friday, December 16, 2011 10:30 AM  
**To:** Homan, Thomas  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** Probation & Parole  
**Attachments:** Probation Charts Validation.xlsx; HSI Response.doc  
  
**Importance:** High

Tom,

Please find attached a revised response to the HSI proposal based upon our meeting with Mr. Mead last week. Also include is a spreadsheet with the estimated number of foreign born persons on P&P, please read the methodology carefully.

Greg

*Gregory J. Archambeault  
Assistant Director for Secure Communities and Enforcement  
ICE - Office of Enforcement & Removal Operations  
(202) 732-XXXX*

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U.S. Immigration  
and Customs  
Enforcement

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**Realignment of Immigration Workload from Homeland Security Investigations to  
Office of Enforcement and Removal Operations**

To encourage aliens to comply with immigration laws, the Department of Homeland Security (DHS) must increase the likelihood of consequences for those who do not follow the law. U.S. Immigration and Customs Enforcement (ICE) - Homeland Security Investigations (HSI) proposed realignment of HSI/Enforcement and Removal Operations (ERO) responsibilities represents the vision of ICE's Director in ensuring ICE effectively utilizes its limited resources by focusing on the appropriate priorities. In order to do this, HSI has proposed the reassignment of the following responsibilities from HSI to ERO:

- Identification, arrest, prosecution, and removal of criminal aliens on parole or probation;
- The arrest, prosecution, and removal of aliens with convictions for egregious crimes, referred to ICE by the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services (CIS); and
- Law Enforcement Agency Response (LEAR), excluding criminal investigations.

**Proposed staffing:**

HSI conducted a survey of its Special Agent in Charge (SAC) offices to determine the number of full time equivalent (FTE) hours HSI employees expend on immigration programs unrelated to criminal investigations and LEAR. As a result of that survey, HSI estimated that in FY11, 96 FTE<sup>1</sup> hours were expended in these enforcement programs. Furthermore, the survey revealed that these responsibilities are currently performed as collateral duties and in most instances, carried out by the HSI duty agent.

When calculating the number of FTE's, HSI analyzed FY11 "General Alien Hours" expended by its field agents specific to probation and parole, CIS egregious referrals and LEAR. In determining FTE employment estimates, the estimated total number of regular hours is divided by the number of compensable hours in each fiscal year. HSI attributed a full FTE in every instance where the sub-office hours' expenditure reached 1,695 hours (HSI compensable hours that equate to a full FTE) as well as every instance where the expenditure reached 66% of a full FTE

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<sup>1</sup> **Full-time equivalent (FTE) employment** means the total number of regular straight-time hours (i.e., not including overtime or holiday hours) worked by employees divided by the number of compensable hours applicable to each fiscal year. Annual leave, sick leave, compensatory time off and other approved leave categories are considered "hours worked" for purposes of defining full-time equivalent employment that is reported in the employment summary.

## **ERO Response**

ERO reviewed the HSI proposal and performed its own workload analysis utilizing the figures provided in the HSI proposal. Based upon the FY11 HSI findings, 205,633 hours were dedicated to probation and parole, CIS referrals and LEAR activities. Dividing the number of hours by the HSI FTE denominator of 1,695, ERO determined that HSI is proposing the realignment of 122 positions to ERO to maintain the same level of support for these enforcement programs.

ERO determined that the realignment of 122 positions from HSI would enable ERO to assume primary control of CIS egregious referrals, and probation and parole efforts within 16 of the 24 (67%) ERO field offices. The 16 field offices would be able to address 84% of the nation's criminal alien population estimated to be on probation and parole. However, the 122 positions would not allow ERO to address any probation and parole or CIS backlogs, unless an additional 23 positions were made available, which would then enable ERO to cover all 24 field offices and eliminate the current backlogs over a five year period.

The 122 proposed positions would allow for 100% screening of the current probation and parole cases in the following areas of responsibility: Atlanta; Chicago; Detroit; Philadelphia; Boston; New Orleans; Miami; St. Paul; Seattle; Dallas; El Paso; Newark; San Antonio; Houston; San Francisco; and Baltimore. The prioritization for coverage is based on the Bureau of Justice Statistics probation and parole population and the Secure Communities projection of criminal aliens within that population.

The remaining 8 ERO field offices will maintain steady state efforts with HSI as the lead component. All offices, with the assistance of HQCAP, will utilize the Criminal Alien Program Risk Assessment Database (CAPRA) to deploy resources in a risk based approach as well as to monitor probation and parole efforts and track each component's level of responsibilities. The evolution of the risk analysis through the CAPRA may change ERO's deployment of the proposed resources.

Because resources proposed by HSI are not sufficient for ERO to assume responsibility for LEAR, ERO will not take over that program.

(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, April 03, 2017 10:56 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status  
**Attachments:** UncoopCountiesBrief 2 (AVL).docx; UncoopCounties April 1.xlsx

(b)(6);(b)(7)(C)

For number 1, (b)(5)

(b)(5)

(b)(5)

Our recommendation is to (b)(5)

(b)(5)

Regarding number 2, (b)(5)

(b)(5)

(b)(6);(b)(7)(C)

Chief of Staff | Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-3111 (O) / (202) 302-0503 (C)

**From:** (b)(6);(b)(7)(C)  
**Sent:** Saturday, April 1, 2017 7:37 PM  
**To:** Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: End of Day: EO TF Get Backs and Status

Alright guys – I’m sure this is the last time you want to see this thing. In reviewing the attachments I noticed two things:

1. (b)(5) Can you guys please (b)(5)

2. (b)(5) Can you guys please (b)(5)

Need this back on Monday as I need to get it up to Matt and Phil.

Thanks again and please excuse the weekend email.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 31, 2017 3:32 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Sure (b)(6);(b) Please use this one. (b)(6);( was mismarked on the other.

(b)(6);(b)(7)(C)  
(A) Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
Desk: 202-732-(b)(6);  
Iphone: 202-500-(b)(6);  
(b)(6);(b)(7)(C)

~~--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---~~

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 31, 2017 3:05 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Sure thing – any changes to ERO data? I know you didn't touch it but want to make sure there isn't a potential version control issue.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 31, 2017 2:53 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

(b)(6);(b)

Attached is the updated spreadsheet. The number of "No" jurisdictions for 1373, is now much lower. Can your folks update the written document with the new numbers?

Thanks,

(b)(6);(b)(7)(C)  
(A) Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
Desk: 202-732-(b)(6);  
Iphone: 202-500-(b)(6);  
(b)(6);(b)(7)(C)

--- ATTORNEY/CLIENT PRIVILEGE --- ATTORNEY WORK PRODUCT ---

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 30, 2017 9:24 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** [Redacted]  
**Subject:** RE: End of Day: EO TF Get Backs and Status

10-4!

Sent with BlackBerry Work ([www.blackberry.com](http://www.blackberry.com))

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Mar 30, 2017, 9:23 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** [Redacted]  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Tomorrow is still our goal. Definitely not until close to the end of the day.

(b)(6);(b)(7)(C)  
(A) Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
Desk: 202-732-(b)(6);(b)(7)(C)  
Iphone: 202-500-(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

Sent with BlackBerry Work ([www.blackberry.com](http://www.blackberry.com))

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**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Mar 30, 2017, 9:10 PM  
**To:** (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)  
**Subject:** FW: End of Day: EO TF Get Backs and Status

Obviously for tomorrow, how is this one coming?

Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA will provide updates by Friday]

Sent with BlackBerry Work ([www.blackberry.com](http://www.blackberry.com))

---

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



Date: Thursday, Mar 30, 2017, 8:45 PM

To: (b)(6);(b)(7)(C) Ragsdale, Daniel H  
(b)(6);(b)(7)(C) Edge, Peter T (b)(6);(b)(7)(C) Albence, Matthew

(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C) <Scot.R.Rittenberg@ice.dhs.gov>, Robbins, Timothy S  
(b)(6);(b)(7)(C)

Cc: Short, Tracy (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

Subject: RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA will provide updates by Friday]
- 2) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 3) VOICE: DHS requested ICE provide completion dates for various VOICE related activities. [ICE submitted a portion of the dates to the TF today. Dates for additional activities will be provided tomorrow].
- 4) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [final version will be routed for FO review tomorrow AM. Due to DHS by 2PM tomorrow].
- 5) ICE review and edits of DOS MOU as it pertains to 243(d). [ERO lead-OPLA/OP Due 3/31].
- 6) DHS would like for ICE to address whether metric can be provided as to the new priorities. Understanding that we currently may not have the capabilities to capture or produce metrics as it pertains to certain of the priorities, we should be prepared to produce a matrix as to what we can/cannot produce and why. [ERO-Tentative Due date of next Wednesday if possible].
- 7) Review and edit of existing Repatriations MOU between DHS/ICE and DOS/CA. [ERO lead-OPLA/OP Due 3/31].

(b)(6);(b)(7)(C)  
Assistant Director  
Office of Policy  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6);(b)(7)(C) (office)  
(202) 270-(b)(6);(b)(7)(C) (cell)

From: Seguin, Debbie  
Sent: Wednesday, March 29, 2017 5:57 PM  
To: (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
Cc: Short, Tracy; (b)(6);(b)(7)(C) #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
Subject: RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA will provide updates by Friday]
- 2) Private Immigration Bill Memo from D1 to S1. [Submitted to DHS]
- 3) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 4) VOICE: DHS requested ICE provide completion dates for various VOICE related activities. [Due COB Thursday].
- 5) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO's response with OP for review]
- 6) DDOR: make corrections to the previous report and publication of next second report. [Published]
- 7) 90-Day Status Report on EO 13767 and 13768. [Submitted to DHS]
- 8) ICE review and edits of DOS MOU as it pertains to 243(d). [ERO lead-OPLA/OP Due 3/31].

Notes from today's TF meeting:

- Privacy Policy is a priority for DHS. Many comments were provided from components. DHS Privacy was asked to convene a meeting. ICE Privacy has been informed.
- DHS PLCY will draft status updates in response to the Presidential Memo covering the Vetting EO. A draft will be sent via Exec Sec for review.
- DHS would like to convene a separate meeting to discuss the VOICE Roll Out
- DHS would like for ICE to address whether metric can be provided as to the new priorities. Understanding that we currently may not have the capabilities to capture or produce metrics as it pertains to certain of the priorities, we should be prepared to produce a matrix as to what we can/cannot produce and why. [ERO-Tentative Due date of next Wednesday if possible].

(b)(6);(b)(7)(C)

Assistant Director

Office of Policy

U.S. Immigration and Customs Enforcement

(202) 732-(b)(6);(office)

(202) 270-(b)(7)(cell)

---

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

**Sent:** Tuesday, March 28, 2017 9:13 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)

(b) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening:

Here are the updates for today:

- 1) Sanctuary City: Canvas field offices for they types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA has information and will provide comments by Friday]
- 2) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [Submitted to DHS]
- 3) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance]
- 4) ICE Detention Policy [Met with DHS 3/24. ERO leading internal ICE working group to revise standards - DHS set 30 day deadline]
- 5) Monthly Apprehension Report Mock-up. [Submitted to DHS WG]
- 6) VOICE: Need status as to whether the office is on track for roll out the first week of April. [Submitted to DHS]
- 7) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO's response with OP for review]
- 8) DDOR: make corrections to the previous report and publication of next second report. [Publication pushed to Wednesday. Pending FO review]
- 9) 90-Day Status Report on EO 13767 and 13768. [Pending FO review]

Thank you.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, Room (b)(6)  
New York, NY 10278  
(212) 264-(b)(6) or via SECTOR

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

**Sent:** Monday, March 27, 2017 6:49 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)

(b) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvas field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OPLA has information and will provide comments by COB Friday]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [Received from ERO/HSI/OPLA. With OP for review and consolidation].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [Memo with FO for review and clearance - Due to DHS prior to Wednesday 2pm].

- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detention Policy. [Met with DHS. ERO leading internal ICE working group to revise standards - DHS provided 30 day deadline].
- 6) Monthly Apprehension Report Mock-Up. [OP has reviewed and provided comments. Will continue to work with ERO].
- 7) VOICE [Need status as to whether the office is on track for roll out the first week of April. AS2 indicated that ICE had expressed doubts regarding meeting that roll out deadline due to training and SOP issues. Please provide expected timeline of completing necessary training and finalizing the SOP. Also, please come up with a plan that accounts for the volume of inquiries or requests for assistance that may come in. Lastly, please work with OCFO and OPLA on the reprogramming issue. (b)(6);(b)(7)(C) working with OPA. Due COB Tuesday].
- 8) 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO's responses with OP for review].
- 9) DDOR: make corrections to the previous report. [Next publication pushed to Wednesday. ERO working on revisions].

(b)(6);(b)(7)(C)

Acting Deputy EAD

Management & Administration

U.S. Immigration & Customs Enforcement

202-732-(b)(6)

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

**Sent:** Friday, March 24, 2017 6:49 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T;

(b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [OP, ERO, OPLA meeting on Monday to discuss]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [Received from ERO/HSI/OPLA. With OP for review and consolidation].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [With OP for review-Due next Wednesday].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detention Policy. [Met with DHS. ERO leading internal ICE working group to revise standards-DHS provided 30 day deadline].
- 6) Monthly Apprehension Report Mock-Up. [ERO/OP-Due Monday].

Notes from today's ESC: Taskings will be sent to each program's COS, as appropriate.

- Vetting EO Section 5 and 2(b) Reports-S1 wants to identify immediate actions (no longer term options) that can be done to improve vetting. S1 briefing is scheduled for Monday. AS2 indicated that there will likely be a

**Sunday pre-brief, TBD.** [HSI and ERO should provide ICE DD Staff with updates or TPs, if any, that may go towards immediate vetting efforts-Due by Noon on Saturday].

- 287(g) paper back on the agenda: the paper should set forth long term goals and project resource needs into FY18 to achieve those goals. [ERO-Due Monday COB]
- DDOR: make corrections to the previous report. [ERO will post corrections. I've asked DHS whether we can push next publication to Wednesday].
- VOICE [OPA-Need status as to whether the office is on track for roll out the first week of April. AS2 indicated that ICE had expressed doubts regarding meeting that roll out deadline due to training and SOP issues. Please provide expected timeline of completing necessary training and finalizing the SOP. Also, please come up with a plan that accounts for the volume of inquiries or requests for assistance that may come in. Lastly, please work with OCFO and OPLA on the reprogramming issue. Due by COB Monday].

Have a good weekend,

(b)(6);(b)(7)(C)

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---

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

**Sent:** Thursday, March 23, 2017 5:49 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [With OP for review]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [ERO/HSI/OPLA for final review - due COB Friday].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [with OP for review].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detainer Policy. [FO sent draft policy to DHS for review and comment. Waiting for feedback].
- 6) ICE Detention Policy. [Meeting with DHS scheduled for tomorrow to discuss revisions].
- 7) Monthly Apprehension Report. [ERO-due Friday 2PM].

Have a good evening,

(b)(6);(b)(7)(C)

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 22, 2017 6:35 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. [With OPLA for review, near completion]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [ERO/HSI/OPLA will be tasked tomorrow for final review].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [with OP for review].
- 4) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 5) ICE Detainer Policy. [Policy with FO for review and clearance].
- 6) ICE Detention Policy. [OP finalizing response to DHS PLCY comments-Meeting scheduled for this Friday].
- 7) Monthly Apprehension Report. [ERO-due Friday 2PM].

Have a nice evening,

(b)(6);(b)(7)(C)

\*\*\*\*\*This communication and any attachments may contain confidential and/or deliberative and/or law enforcement sensitive information. It 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. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of Policy, U.S. Immigration and Customs Enforcement.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, March 21, 2017 6:08 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [With ERO and OPLA]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review due Wednesday].
- 3) Recalcitrant Countries: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due COB this Wednesday].
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due COB this Wednesday].
- 5) Private Immigration Bill Memo from D1 to S1. [Memo with FO for review and clearance].
- 6) DHS Tracker. [OP inputting in DHS tracker tool].
- 7) ICE Detainer Policy. Provided to OP from OPLA and ERO today. [OP is reviewing and will task out tomorrow AM for quick turnaround response. Slated to be posted by this Friday].

Please note that as we get more organized with EO Taskings and Get Backs this function, as well as the recurring SharePoint updates will be transferred over to (b)(6);(b)(7)(C) and team in the near future. More information to come in that regard. Thank you for everyone's continued assistance.

Have a nice evening,

(b)(6);(b)(7)(C)

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 20, 2017 6:21 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day; EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [With ERO and OPLA]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review due Wednesday].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due COB this Wednesday].

- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due COB this Wednesday].
- 5) Private Immigration Bill Memo from D1 to S1. [OP is drafting the cover memo for FO's review and clearance].
- 6) DHS Tracker. [OP is finalizing updates and will submit to FO for review and clearance tomorrow].

Have a nice evening,

(b)(6);(b)(7)(C)

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 17, 2017 5:26 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) DDOR: Revisions made based on feedback from DHS. [Submitted to DHS]
- 2) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [With ERO and OPLA]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due by next Wednesday]
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due by next Wednesday]

Have a nice weekend,

(b)(6);

~~\*\*\*\*\* This communication and any attachments may contain confidential and/or deliberative and/or law enforcement sensitive information. It 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. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of Policy, U.S. Immigration and Customs Enforcement.~~



---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 16, 2017 6:40 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO and OPLA input received]
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [With OP for review].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due by next Wednesday]
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due by next Wednesday]

Have a good evening,

(b)(6);

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 15, 2017 9:24 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew;(b)(6);(b)(7)(C) Miller, Philip T;(b)(6);(b)(7)(C) Robbins, Timothy S;(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; OP EO Tasking;(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Status of outstanding tasks:

- 1) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 2) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [with OP for review].
- 3) Recalcitrant Counties: Develop strategic plan that focuses on the way forward/next steps in engaging with countries on the recalcitrant list. [ERO due by next Wednesday]
- 4) 287(g): Develop strategic plan that discusses forward looking goals of the program within existing resources. [ERO due by next Wednesday]

Notes:

- As the agency POC for the Border Security and Interior Enforcement Working Group, (b)(6);(b)(7) will be proactively working with various ICE program offices in making sure that activities are being accomplished and milestones are met. I will continue to assist with taskings, get backs, and reporting.

- DHS has implemented a new tracking tool in a SharePoint environment. My office is adjusting the internal ICE tracker to better match the new tool and may need to change the deadline associated with the weekly recurring updates. More to come on this point.

Have a nice evening,

(b)(6);(b)(7)(C)

~~\*\*\*\*\* This communication and any attachments may contain confidential and/or deliberative and/or law enforcement sensitive information. It 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. Furthermore do not print, copy, re-transmit, disseminate, or otherwise use this information. Any disclosure of this communication or its attachments must be approved by the Office of Policy, U.S. Immigration and Customs Enforcement.~~

**From:** OP EO Tasking

**Sent:** Tuesday, March 14, 2017 6:59 PM

**To:** (b)(6);(b)(7)(C) OP EO Tasking; Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Status of outstanding tasks:

- 1) **DDOR:** Draft DDOR with actual data was provided to DHS for discussion.
  - Footnote stating that declined detainers are those that are identified by ICE. (Submitted to DHS)
  - List active detainers in non-compliant jurisdictions that will absolutely will not compromise on working with ICE. (Submitted to DHS)
    - Figuring out a way to add criminality to the active detainers associated with the above jurisdictions. (ERO longer-term issue)
    - Looking into adding Immigration status for each detainer (ERO longer-term issue)
    - Adding "reason for not honoring detainer" – we discussed adding back in the indicator that the jurisdiction has a public policy that limits or prohibits interaction with ICE and will add the appendix that lists those jurisdictions and their policies. (Submitted to DHS)
    - Adding all crimes – (ERO longer-term issue/discussion)
    - Additional questions posed by DHS OPA for the Q&A (Submitted to DHS)
    - Fact Sheet (Submitted to DHS)
- 2) **Sanctuary City:** Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 3) **Revised Vetting EO:** provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Responses Received].

*Please note that the contents of this email are intended for ICE internal use only and should not be disseminated outside of the agency.*

Additional notes:

DHS plans to issue a new ESC briefing template. They will provide more details at tomorrow's TF meeting.

Have a nice evening,

(b)(6);(b)(7)(C)

---

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

**Sent:** Monday, March 13, 2017 6:17 PM

**To:** OP EO Tasking; Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Please find below the status of outstanding tasks.

- 1) Presidential Request for Update on Sanctuary Jurisdiction Enforcement Efforts. [Exec Sec: Submitted to DHS].
- 2) **DDOR:** Draft DDOR with actual data was provided to DHS for discussion. Below are get backs:
  - Footnote stating that declined detainers are those that are identified by ICE. (ERO Due by 2PM Tuesday)
  - List active detainers in non-compliant jurisdictions that will absolutely will not compromise on working with ICE. (ERO Due 2PM Tuesday)
  - Figuring out a way to add criminality to the active detainers associated with the above jurisdictions. (ERO longer-term issue)
  - Looking into adding Immigration status for each detainer (ERO identify options and associated timelines-Due 2PM Tuesday)
  - Adding "reason for not honoring detainer" – we discussed adding back in the indicator that the jurisdiction has a public policy that limits or prohibits interaction with ICE and will add the appendix that lists those jurisdictions and their policies. (ERO Due 2PM Tuesday)
  - Adding all crimes – (ERO longer-term issue/discussion)
  - Additional questions posed by DHS OPA for the Q&A (ERO/OPLA draft responses-we will send a separate tasking Due 2PM Tuesday)
  - Fact Sheet (OPA- Due 2PM Tuesday)
- 3) Sanctuary City: Canvass field offices for the types of impediments that accompany detainer non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 4) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Due back by COB Tuesday 3/14].
- 5) OP requested a meeting with TF members to discuss a way forward on civil fines and penalties and will loop in all relevant ICE stakeholders to participate in that discussion.

Additional notes:

- DHS has transitioned to a new EO Implementation Tracker effective immediately. DHS provided a link and training for users today.

Have a great evening. Be safe in the snow.

(b)(6);(b)(7)(C)

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**From:** OP EO Tasking

**Sent:** Friday, March 10, 2017 5:47 PM

**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller,

Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C) OP EO Tasking  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Good evening,

Please find below the status of outstanding tasks.

- 1) Presidential Request for Update on Sanctuary Jurisdiction Enforcement Efforts. [Exec Sec: Submitted to DHS].
- 2) DDOR. [Privacy issues resolved. No further action needed].
- 3) Sanctuary City: Canvass field offices for the types of impediments that accompany detainee non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due COB Thursday 3/16].
- 4) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Due back by COB Tuesday 3/14].
- 5) OP requested a meeting with TF members to discuss a way forward on civil fines and penalties and will loop in all relevant ICE stakeholders to participate in that discussion.

Additional notes:

- Today's TF meeting was cancelled.
- Yesterday's TF meeting requests were focused on longer-term strategies that are listed in the DHS tracker/tool. As such, the TF asked for longer term plans as it pertains to Recalcitrant countries, 287(g) program, and increasing IJs. I will work with ERO and OPLA on more detailed taskings as appropriate.
- DHS is transitioning to a new EO Implementation Tracker. The system will go live on Monday, March 13.

Have a nice weekend,

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 9, 2017 6:18 PM  
**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) ICE Workforce Staffing Plan. [Submitted to DHS today].
- 2) Presidential Request for Update on Sanctuary Jurisdiction Enforcement Efforts. [Exec Sec: Submitted update on DDOR to ICE FO for approval].
- 3) DDOR. [IGP/OPLA resolve any privacy issues before 3/15. OP initiated conversation between OGC/DHS Privacy/OPLA/IGP].
- 4) Sanctuary City: Canvass field offices for the types of impediments that accompany detainee non-compliance. This includes lack of information sharing, not allowing ERO personnel into jails and not turning over aliens to ERO via detainers. Information is due to FEMA so that ICE and FEMA can cross walk it together. [ERO/OPLA has lead on this effort. Due Tuesday afternoon].

5) Revised Vetting EO: provide list of actions that are necessary to implement the EO and associated deadlines. [HSI/ERO Due back by 2PM Tuesday 3/14].

Additional notes:

- This afternoon's TF meeting requests were focused on longer-term strategies that are listed in the DHS tracker/tool. As such, the TF asked for longer term plans as it pertains to Recalcitrant countries, 287(g) program, and increasing IJs. I will work with ERO and OPLA on more detailed taskings as appropriate.
- EO Executive Steering Committee is scheduled for Friday.
- DHS is transitioning to a new EO Implementation Tracker. The system will go live on Monday, March 13.

Have a great evening,

(b)(6);(b)(7)(C)

---

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

**Sent:** Wednesday, March 8, 2017 8:30 PM

**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [pending].
- 2) Priority Enforcement. Cases Declined by U.S. Attorney's Office. [Submitted to DHS today].
- 3) EO Milestone Target spreadsheet. [Submitted to DHS today].
- 4) Number of final orders of removal for each of the uncooperative countries. [Submitted to DHS today].

Note: the TF meeting is scheduled for tomorrow. I will be back in touch with any updates or tasks from that meeting. EO Executive Steering Committee is scheduled for Friday.

Have a great evening,

(b)(6);(b)(7)(C)

---

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

**Sent:** Tuesday, March 7, 2017 6:31 PM

**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C) OP EO Tasking; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [M&A reviewing revised versions].

- 2) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [FO/Exec Sec has the lead].
- 3) Core Briefing Team draft talking points. [Submitted to DHS].
- 4) DDOR. ERO provided list of data elements required by the S1 guidance memo and EOs and identify which data elements can be provided and which cannot. [Submitted to DHS today].
- 5) VOICE Implementation Plan. [Submitted to DHS today].
- 6) ICE 287(g) update. [Submitted to DHS today].
- 7) ICE Uncooperative Countries Update. [Submitted to DHS today].
- 8) DHS Tracker. [Submitted to DHS today].

Please note that the *EO Protecting the Nation from Foreign Terrorist Entry into the U.S.* issued on March 06, 2017, contains data collection and reporting requirements that may involve ICE. Specifically section 11, "Transparency and Data Collection" on pages 14 and 15 section 11 (i): "information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation with or provision of material support to a terrorism-related organization, or any other national-security-related reasons." And (iv): "any other information relevant to public safety and security as determined by the Secretary of Homeland Security or the Attorney General, including information on the immigration status of foreign nationals charged with major offenses." Just flagging it for awareness. I will keep everyone updated as to any asks in this regard from the EO TF.

Have a great evening.

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 6, 2017 6:33 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)  
**Subject:** RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [M&A reviewing revised versions].
- 2) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [FO/Exec Sec has the lead].
- 3) Core Briefing Team draft talking points. [Updates with OP for consolidation due COB Tuesday].
- 4) DDOR. ERO provided list of data elements required by the S1 guidance memo and EOs and identify which data elements can be provided and which cannot. [Tasked to OPLA/OPA/IGP for review. Due Tuesday at 10AM].
- 5) VOICE Office. [OPA provided phased implementation plan with detailed timeline. OP reviewing].

Have a great evening,

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, March 3, 2017 5:14 PM  
**To:** (b)(6);(b)(7)(C) Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller,

Philip T; (b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)

Subject: RE: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [MA/OCFO pending changes].
- 2) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [Exec Sec has tasked ERO and HSI to provide candidate cases for presentation to US Attorney Offices].
- 3) NLDC Plan. [Submitted to DHS].
- 4) Border Security and Interior Enforcement working group. [ERO has identified Jim Brown as POC to lead the working group. The working group may begin meeting as early as next week].
- 5) Core Briefing Team draft talking points. [ERO/HSI: to provide edits and updates to OP for consolidation by COB Monday March 6].
- 6) AS2 TPs for HSAC reviewed for meeting Monday 3/6. [Submitted ICE edits and comments to DHS today].
- 7) DDOR. [ERO: Provide list of data elements required by the S1 guidance memo and EOs and identify which data elements can be provided and which cannot. For data elements that cannot be provided include an explanation why they cannot be provided. Due COB Monday March 6].
- 8) VOICE Office. [OPA: Provide phased implementation plan with detailed timeline. Due COB Monday March 6].

Have a great evening,

(b)(6);

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

Sent: Thursday, March 2, 2017 6:44 PM

To: Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)

Subject: End of Day: EO TF Get Backs and Status

Hi all,

Please find below the status of outstanding tasks.

- 1) Rationale to support hiring 10,000 LEOs. [MA/OCFO: Due by Friday. With MA/OCFO pending changes.]
- 2) DDOR. [DDOR mockup and Tick Tock/roll out pending review and clearance].
- 3) DHS is forming two working groups under the EO TF: the Reporting Working Group and the Metrics Working Group. [HSI's POC will be Unit Chief (b)(6);(b)(7)(C) ERO's POC will be (b)(6);(b)(7)(C) This information will be provided to the WG lead tomorrow].
- 4) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [Exe Sec has tasked ERO and HSI to provide candidate cases for presentation to US Attorney Offices. Due by 9AM Friday]
- 5) NLDC Plan. [HSI to draft memo due by Friday]
- 6) Border Security and Interior Enforcement working group. [ERO: Due Friday. Please provide a POC to lead the working group. The working group may begin meeting as early as next week.]
- 7) Core Briefing Team draft talking points. [ERO/HSI: to provide edits and updates to OP for consolidation by COB Monday March 6].

Have a great evening,

(b)(6);(b)(7)(C)

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

**Sent:** Wednesday, March 1, 2017 6:31 PM

**To:** Ragsdale, Daniel H; Edge, Peter T; Albence, Matthew; (b)(6);(b)(7)(C) Miller, Philip T; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Robbins, Timothy S; (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Valerio, Tracey A; #ICE DD STAFF; #MASTAFF; (b)(6);(b)(7)(C)

**Subject:** EO TF Get Backs and Status

Hi all,

Please find below updates from today's EO TF meeting and status of outstanding tasks. I will task new items to your respective COS and EO POCs with responses due back to me and my EO team by the stated deadlines.

- 1) Rationale to support hiring 10,000 LEOs. [MA/OCFO: Due by Friday. With MA/OCFO pending edits and one comment.]
- 2) DDOR. [ERO/OPA: Due by Thursday at Noon. A mockup of the DDOR that would go live by March 15. The mockup does not need to have data if not ready. Just a mockup that DHS can comment upon. OPA: Due by Thursday at Noon. Full DDOR Tick Tock/roll out and engagement].
- 3) VOICE. DHS will discuss ICE's propose timeline contained in its tick toc, including the late March announcement. Plan to have ICE present on this topic at the TF Executive Steering Committee scheduled for Friday. [OPA: Please begin work on a plan for the "Victimization by Criminal Aliens" quarterly report, which preferably will be ready by the time VOIC is announced. **Due by Thursday at Noon.** Prepare talking points for the Friday briefing.]
- 4) DHS is forming two working groups under the EO TF: the Reporting Working Group and the Metrics Working Group. [HSI: Due by Noon tomorrow. A SME POC to be on each Working Group. ERO's POC will be Tadgh Smith].
- 5) Priority Enforcement. DHS has requested examples of cases that have not been prosecuted along the SW border that we can provide to DOJ. [Exe Sec has tasked ERO and HSI to provide candidate cases for presentation to US Attorney Offices.]
- 6) IJ Matrix [OPLA/FO: Due by COB today]
- 7) NLDC Plan [HSI: Due by Thursday at Noon. Please provide a copy of your NLDC plan so that we can clear it with FO for submission to DHS].
- 8) Civil fines and penalties memo [Submitted to DHS today].

Additional notes:

- DHS is interested in learning more about ICE's progress with respect to identifying and rescinding policies that may be inconsistent with the EOs. They may request a separate meeting on this topic.
- DHS CHOCO will send out a template to components as a follow-on hiring plan.
- The TF is considering whether to have a Working Group focused on Border Security and Interior Enforcement. If so, they have not yet identified a lead for that WG. If ICE has input, this is a good time to raise it.
- **DHS is recommending that each components' principal or deputy principal (i.e. D1, D2) participate in the Executive Steering Committee (weekly on Fridays) to get the EOs off of the ground.**

Have a great evening,

(b)(6);(b)(7)(C)

Assistant Director

Office of Policy

U.S. Immigration and Customs Enforcement



(202) 732-(b)(6); office)  
(202) 270-(b)(7) cell)  
(C)



U.S. Immigration  
and Customs  
Enforcement

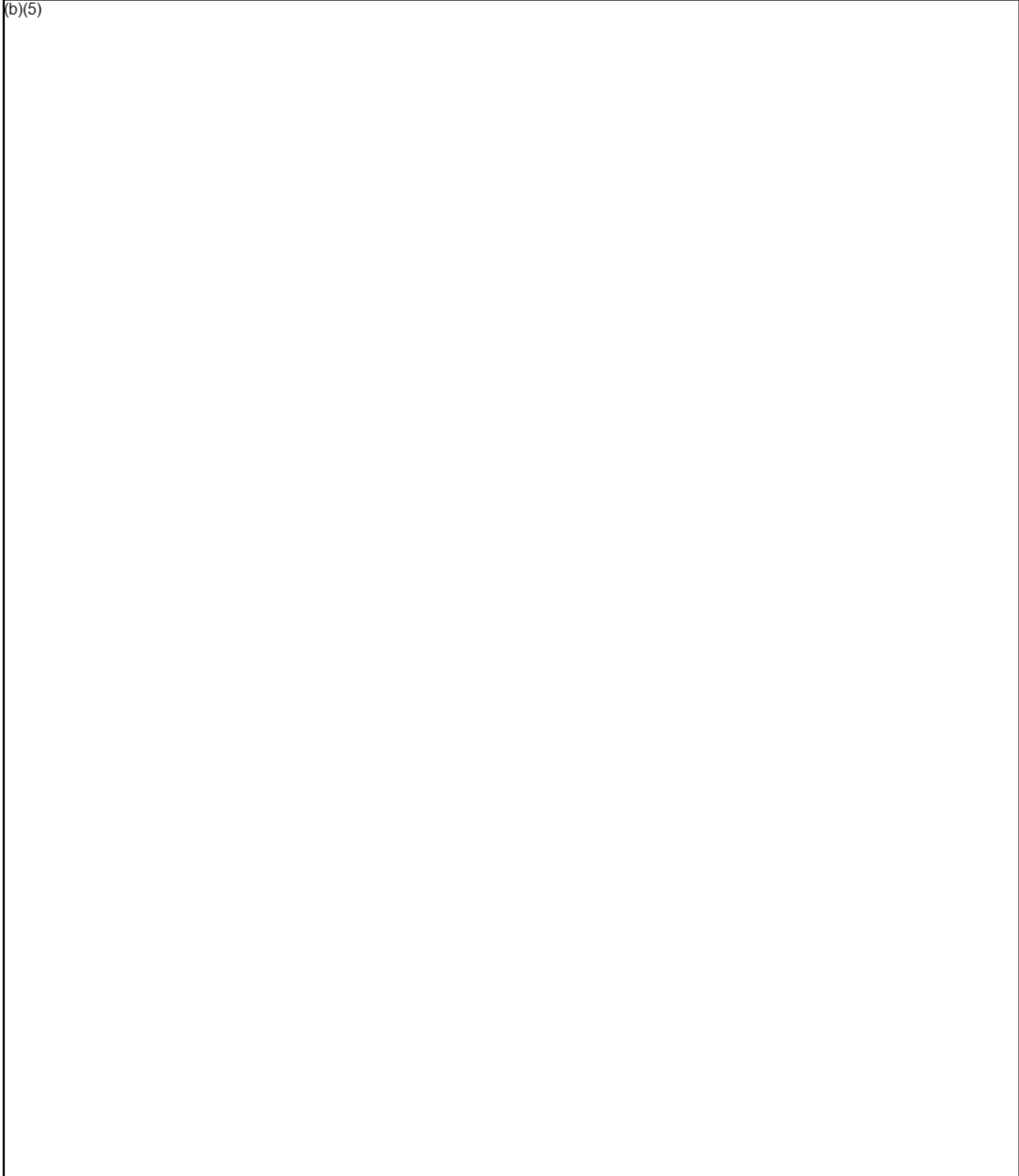
**ENFORCEMENT AND REMOVAL OPERATIONS**

Jurisdictions with Policies Limiting Cooperation with ICE

April 1, 2017

**Overview**

(b)(5)



(b)(5)

**Categories:**

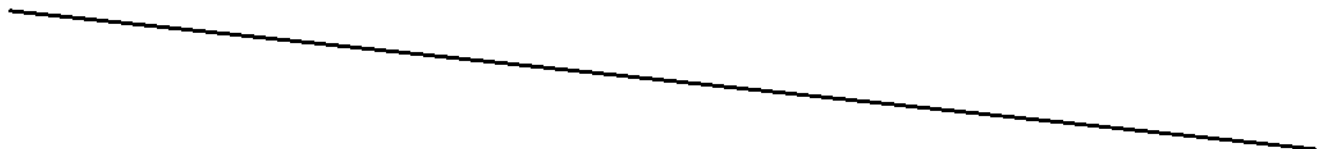
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(b)(5)

(b)(5)

**Statistics**

(b)(5)



(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 23, 2017 4:01 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Parrish, Norman L; Feeley, Thomas E  
**Subject:** RE: Uncoop Jurisdictions 2.1  
**Attachments:** UncoopCountiesMarch21 (2) 2.2.xlsx; UncoopCountiesBrief 2.docx

Per (b)(6);(b)(7)(C) request. I also modified the cover page to reflect the now 723 jurisdictions.

(b)(6);(b)(7)(C)

Chief of Staff  
Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6) / (202) 302-(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 23, 2017 3:18 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: Uncoop Jurisdictions 2.1

Do you guys have any issues with that?

Sent with BlackBerry Work ([www.blackberry.com](http://www.blackberry.com))

**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Mar 23, 2017, 2:44 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E (b)(6);(b)(7)(C)  
**Subject:** RE: Uncoop Jurisdictions 2.1

It looks good, but I would still recommend (b)(5)  
(b)(5) I think it will confuse DHS.

(b)(6);(b)(7)(C)

(A) Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
Desk: 202-732-(b)(6);(b)(7)(C)  
Iphone: 202-500-(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 23, 2017 2:44 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Subject:** RE: Uncoop Jurisdictions 2.1

Thanks – (b)(6);( ) let me know what you think so I can send over to ICE Policy.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 23, 2017 2:37 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E; (b)(6);(b)(7)(C)  
**Subject:** RE: Uncoop Jurisdictions 2.1

(b)(6);( )

Please see comments on the definitions. Also, it is important to note that these definitions were done subsequent to the Tasker going out and were not available to the FODs when they completed this task and inputting their data (accept for the adequate notification column). The reason definitions were not originally provided was that it was determined the descriptors themselves were self-explanatory to the FODs and field leadership.

We have stripped the 3 jurisdictions listed below that were new additions with nothing other negative. There are others that have nothing negative in any of the columns but at one time may have been in the original “bucket” from which this report derived.

(b)(6);  
(b)(7)(C)

(b)(6);(b)(7)(C)

Chief of Staff  
Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)( ) (O) / (202) 302-(b)( ) (C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, March 23, 2017 11:38 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: Uncoop Jurisdictions 2.0

(b)(6)

See below. Can you guys answer (b)(6);(b)(7)( )

Sent with BlackBerry Work ([www.blackberry.com](http://www.blackberry.com))

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**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Mar 23, 2017, 11:36 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: Uncoop Jurisdictions 2.0

Thanks, (b)(6); This is great. I copied the definitions section to a word document and proposed edits. With regard to the actual spreadsheet, I had two questions:

1. Can you resort by AOR?
2. There are some jurisdictions included that appear to be compliant in each column, e.g. Frederick, MD, Albany, NY, Allegany, NY. Should they be pulled from the list? Can ERO do that?

(b)(6);(b)(7)(C)

(A) Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement

Desk: 202-732-(b)(6);

Iphone: 202-500-(b)(6);

(b)(6);(b)(7)(C)

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---

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

**Sent:** Wednesday, March 22, 2017 4:03 PM

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

**Cc:**

**Subject:** RE: Uncoop Jurisdictions 2.0

Thanks – let me know about the chart. This is a product for you guys and I want to make sure we’re hitting the mark.

Much appreciated!

---

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

**Sent:** Wednesday, March 22, 2017 3:25 PM

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

**Cc:**

**Subject:** RE: Uncoop Jurisdictions 2.0

(b)(6);(b)(7)

Haven’t reviewed the chart, but attached are edits on the executive summary.

(b)(6);(b)(7)(C)

(A) Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement

Desk: 202-732-(b)(6);

Iphone: 202-500-(b)(6);

(b)(6);(b)(7)(C)

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 22, 2017 12:28 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: Uncoop Jurisdictions 2.0

Does this meet the mail on your end? Can you let me know asap please?

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, March 22, 2017 11:08 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E  
**Subject:** RE: Uncoop Jurisdictions 2.0

(b)(6);(b)(7)(C)

Please see attached update and cover sheet. This version includes an updated footnote/definition tab.

Thanks,

(b)(6);(b)(7)(C)  
Chief of Staff  
Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6) / (202) 302-(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 20, 2017 5:03 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E  
**Subject:** RE: Uncoop Jurisdictions

Please see the attached. Please note that some cells were left blank on purpose, as blanks indicate that the metric for non-cooperation is not present in that jurisdiction.

(b)(6);(b)(7)(C)  
**Field Operations**  
**Enforcement and Removal Operations**  
**U.S. Immigration and Customs Enforcement**  
**Department of Homeland Security**  
500 12<sup>th</sup> Street SW | Washington, DC 20536 | 202-732-(b)(6) (office) | 202-210-(b)(6) (cell)

(b)(6);(b)(7)(C) Email  
SIPRnet  
JWICS

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 20, 2017 2:17 PM  
**To:** (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C) Feeley, Thomas E  
**Subject:** FW: Uncoop Jurisdictions

(b)(6);(b)(7)(C)

Attached is currently what we have.

As previously discussed, due to the additional jurisdictions that were added by the field in the last tasking only answering whether or not a jurisdiction provides adequate notification and 1373, we do not have information for the 5 other data columns for those additions. This will require field update. I'm looping in (b)(6);(b)(7)(C) so he's aware.

There were also four jurisdictions that were on our original list that were not update or deleted by the field the last go around, so we have no information for the *Adequate Notification Time to ICE* and 1373. I'm looping Adam and Monica in, because we'll need the 1373 info from OPLA. They are:

Field Office	State	County	Jurisdiction
BUF	NY	Elmira State Correctional	New York State Sheriff's Association
BUF	NY	Willard State Correctional	New York State Sheriff's Association
DET	OH	Hancock	Hancock County Sheriff's Department
DET	OH	Richland	Richland County Sheriff's Department

(b)(6);(b)(7)(C)

Chief of Staff  
Enforcement Division  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
(202) 732-(b)(6)(O) / (202) 302-(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, March 20, 2017 12:40 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Uncoop Jurisdictions

(b)(6);(b)(7)(C)

Attached are the master uncooperative database with the adequate notice and 1373 columns added and the draft cover letter for that table. The table is sorted by the notification and 1373 columns then by field office, state, county and jurisdiction.



While combining the recent data to the master I noticed three distinct issues that need to be resolved before we can sign off on the table.

(b)(5)

Please check with field ops and the front office regarding how they seek to proceed. Thanks

(b)(6);(b)

Desk 202 732 (b)(6);(

Cell 973 332 (b)(7)(C



U.S. Immigration  
and Customs  
Enforcement

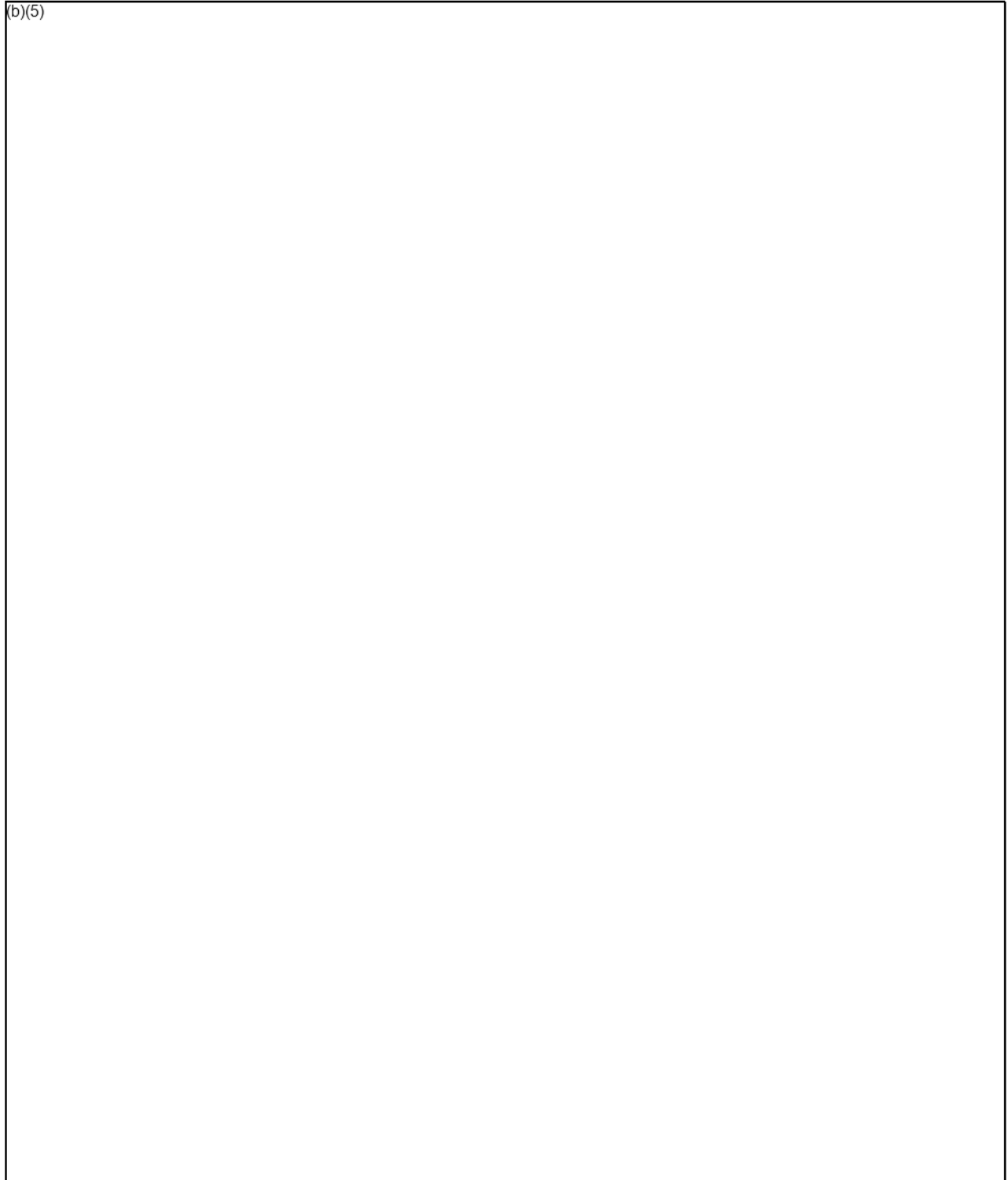
**ENFORCEMENT AND REMOVAL OPERATIONS**

Jurisdictions with Policies Limiting Cooperation with ICE

March 22, 2017

**Overview**

(b)(5)



(b)(5)

**Categories:**

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- 
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- 
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- 
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- 

(b)(5)

(b)(5)

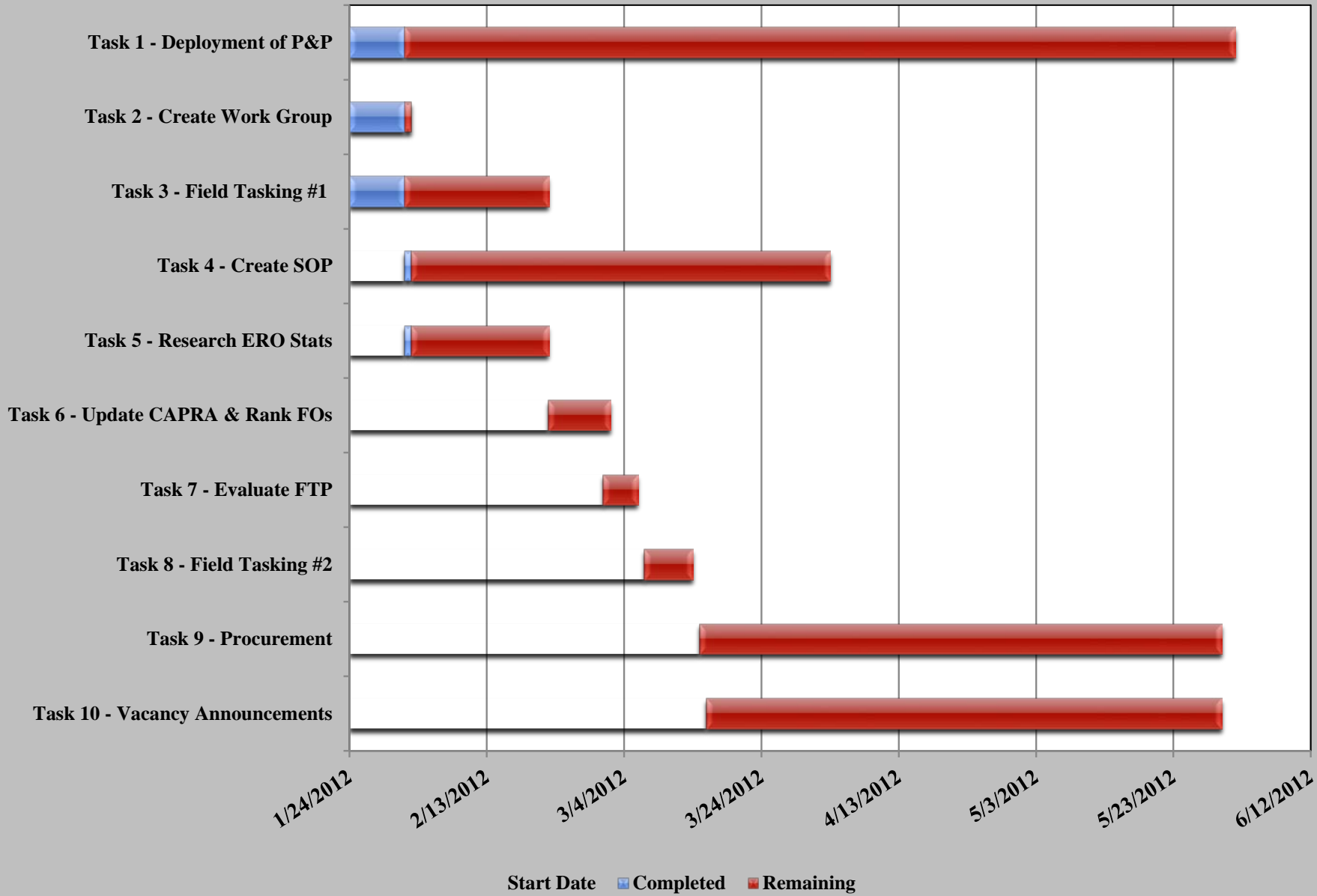
**Statistics**

(b)(5)

	A	B	C	D	E	N	P	Q	R	S	T	U
	Field Office	Total Probation and Parole Population	Criminal Aliens on Probation and Parole *	Number of officers required to review criminal aliens on probation and parole **	Number of criminal cases closed a year***	Number of officers required to maintain the criminal alien population within probation and parole						
82												
83	ATL	568,142	51,133	85	10,115	17		to the number of offices (16)				
84	CHI	551,669	49,650	83	9,877	16		<p>* Divide the number of total AOR probation and parole population by 9% as based on the Secure Communities estimate of aliens on probation and parole.</p> <p>** Divide the total number of criminal aliens estimated on probation and parole by 600 (the number of cases an officer can review and identify each year, based on CAP metrics). This results in the number of officers needed to identify the criminal alien population.</p> <p>*** Multiply the number of officers by 119 (the number of cases that can be closed per officer per year, a FUG Ops metric). This results in the total number of cases closed per year by field office.</p> <p>**** Divide the number of cases that are to be closed each year by the officers (now determined as the workload) by 600 (cases that can be identified per officer per year) to determine the number of officers it would take to maintain the average workload that can be done each year based on the overall criminal alien population.</p>				
85	DET	469,029	42,213	70	8,330	14						
86	PHI	294,991	26,549	44	5,236	9						
87	BOS	291,356	26,222	44	5,236	9						
88	NOL	278,509	25,066	42	4,998	8						
89	MIA	272,061	24,485	41	4,879	8						
90	SPM	186,641	16,798	28	3,332	6						
91	SEA	176,736	15,906	27	3,213	5						
92	DAL	165,856	14,927	25	2,975	5						
93	ELP	156,062	14,046	23	2,737	5						
94	NEW	139,532	12,558	21	2,499	4						
95	SNA	132,819	11,954	20	2,380	4						
96	HOU	132,819	11,954	20	2,380	4						
97	SFR	125,315	11,278	19	2,261	4						
98	BAL	118,283	10,645	18	2,142	4						
99	LOS	104,015	9,361	16	1,904	3						
100	SND	104,015	9,361	16	1,904	3						
101	SLC	102,732	9,246	15	1,785	3						
102	DEN	95,051	8,555	14	1,666	3						
103	PHO	86,452	7,781	13	1,547	3						
104	BUF	84,804	7,632	13	1,547	3						
105	NYC	84,804	7,632	13	1,547	3						
106	WAS	75,524	6,797	11	1,309	2						
107	<b>Total</b>	<b>4,797,217</b>	<b>431,749</b>	<b>721</b>	<b>85,799</b>	<b>145</b>						

Probation and Parole Deployment

**PROBATION AND PARLOE DEPLOYMENT**



	A	B	C	D	E	F
1	Field Office	State	County	Jurisdiction	Adequate Notification Time to IC	1373
2	ATL	GA	Muscogee	Muscogee County	Yes	
3	ATL	NC	Guilford	Guildford County	No	
4	ATL	GA	Clarke	Clarke County	Yes	
5	ATL	GA	Dade	Dade County	Yes	
6	ATL	GA	Douglas	Douglas County	No	
7	BAL	MD	Prince George	County Detention Center	No	
8	BAL	MD	St Marys	St Marys County Detention Center	No	
9	BAL	MD	Allegany	County Detention Facility	Yes	
10	BAL	MD	Anne Arundel	County Detention Center	Yes	
11	BAL	MD	Baltimore	County Detention Center	No	
12	BAL	MD	Baltimore City	Baltimore City Jail, State Jurisdiction	Yes	
13	BAL	MD	Calvert	County Detention Center	Yes	
14	BAL	MD	Caroline	County Detention Center	Yes	
15	BAL	MD	Cecil	County Detention Center	Yes	
16	BAL	MD	Charles	County Detention Center	No	
17	BAL	MD	DOC Hagerstown	State DOC	Yes	
18	BAL	MD	Harford	County Detention Center	Yes	
19	BAL	MD	Howard	Howard County Detention Center	Yes	
20	BAL	MD	Kent	County Detention Center	Yes	
21	BAL	MD	Montgomery	County Detention Center	No	
22	BAL	MD	Queen Anne's	County Detention Facility	Yes	
23	BAL	MD	Queen Anne's	County Detention Facility	Delete	
24	BAL	MD	Somerset	County Detention Facility	Yes	
25	BAL	MD	Talbot	County Detention Center	No	
26	BAL	MD	Washington	County Detention	Yes	
27	BAL	MD	Wicomico	County Detention Center	Yes	
28	BOS	CT	New Haven	East Haven Police Department	No	
29	BOS	MA	Nantucket County	Nantucket County Sheriff	No	
30	BOS	MA	Nantucket County	Nantucket Police Department	Delete	
31	BOS	VT	Addison County	Addison County Sheriff's Department	No	
32	BOS	VT	All counties	Vermont Sheriff's Association	Delete	
33	BOS	VT	Bennington County	Bennington County Sheriff's Department	No	
34	BOS	VT	Caledonia County	Caledonia County Sheriff's Department	No	
35	BOS	VT	Chittenden County	South Burlington Police Department	No	
36	BOS	VT	Chittenden County	University of Vermont Police Department	No	
37	BOS	VT	Chittenden County	Williston Police Department	No	
38	BOS	VT	Chittenden County	Burlington Police Department	No	
39	BOS	VT	Chittenden County	Chittenden County Sheriff's Office	No	
40	BOS	VT	Chittenden County	Hinesburg Police Department	No	
41	BOS	VT	Chittenden County	Milton Police Department	No	

	A	B	C	D	E	F
1	Field Office	State	County	Jurisdiction	Adequate Notificaiton Time to ICE	1373
2	ATL	GA	Muscogee	Muscogee County		Yes
3	BAL	MD	Prince George	County Detention Center		No
4	BOS	CT	New Haven	East Haven Police Department		No
5	BOS	MA	Nantucket County	Nantucket County Sheriff		Yes
6	BOS	MA	Nantucket County	Nantucket Police Department		Yes
7	BOS	VT	Addison County	Addison County Sheriff's Department		No
8	BOS	VT	Bennington County	Bennington County Sheriff's Department		No
9	BOS	VT	Caledonia County	Caledonia County Sheriff's Department		No
10	BOS	VT	Chittenden County	South Burlington Police Department		No
11	BOS	VT	Chittenden County	Burlington Police Department		No
12	BOS	VT	Chittenden County	Chittenden County Sheriff's Office		No
13	BOS	VT	Chittenden County	Hinesburg Police Department		No
14	BOS	VT	Chittenden County	Milton Police Department		No
15	BOS	VT	Essex County	Essex County Sheriff's Department		No
16	BOS	VT	Essex County	Essex Police Department		No
17	BOS	VT	Franklin County	Franklin County Sheriff's Office		No
18	BOS	VT	Grand Isle County	Grand Isle Sheriff's Office		No
19	BOS	VT	Lamoille County	Lamoille County Sheriff's Department		No
20	BOS	VT	Orange County	Orange County Sheriff's Department		No
21	BOS	VT	Orleans County	Orleans County Sheriff		No
22	BOS	VT	Rutland County	Rutland County Sheriff's Office		No
23	BOS	VT	State of Vermont	Vermont State Police		No
24	BOS	VT	Washington County	Washington County Sheriff's Department		No
25	BOS	VT	Windham County	Windham County Sheriff		No
26	BOS	VT	Windsor County	Windsor County Sheriff		No
27	CHI	IL	Cook	Cook		No
28	CHI	IL	Jo Daviess	Jo Daviess Sheriff's Office		Yes
29	CHI	KY	Campbell	Campbell County Jail		Yes
30	CHI	KY	Franklin	Franklin County Regional Jail		Yes
31	CHI	KY	Henderson	Henderson County Jail		Yes
32	CHI	KY	Scott	Scott County Jail		Yes
33	CHI	KY	Union	Union County Jail		Yes
34	DEN	CO	Bent	Bent County SO		yes
35	DEN	CO	Conejos	Conejos County SO		yes
36	DEN	CO	Crowley	Crowley County SO		yes
37	DEN	CO	Pueblo	Pueblo County SO		yes
38	DET	MI	Leelanau	Leelanau County Sheriff's Department		Yes
39	DET	OH	Franklin County	Franklin County S.O.		Yes

	A	B	C	D	E	F	G	H	I	J	K
	Field Office	State	County	Jurisdiction	Does not allow ICE access for interviews	Does not accept ICE detainees	Accept ICE detainees but on a limited basis	Does not hold individuals on ICE detainer	Hold individuals on ICE detainer < 48 hours	Does not provide adequate release notification	Is not in compliance with 8 USC 1373
2											
3				Totals	105	235	219	388	306	313	34
4	ATL	NC	Guilford	Guildford County		1		1		N	N
5	BAL	MD	Montgomery	County Detention Center			1	1		N	N
6	BAL	MD	Prince George	County Detention Center	1	1		1		N	N
7	BAL	MD	St Marys	St Marys County Detention Center		1		1		N	N
8	BOS	CT	New Haven	East Haven Police Department	1	1		1		N	N
9	BOS	CT	New Haven	New Haven Police Department			1		1	N	N
10	BOS	CT	State of Connecticut	Department of Corrections			1			N	N
11	BOS	CT	State of Connecticut	Judicial Marshalls Office			1		1	N	N
12	BOS	MA	Middlesex	City of Somerville	1		1	1		N	N
13	BOS	MA	Middlesex County	Malden District Court	1			1		N	N
14	BOS	VT	Addison County	Addison County Sheriff's Department	1	1		1		N	N
15	BOS	VT	Bennington County	Bennington County Sheriff's Department	1	1		1		N	N
16	BOS	VT	Caledonia County	Caledonia County Sheriff's Department	1	1		1		N	N
17	BOS	VT	Chittenden County	South Burlington Police Department	1	1				N	N
18	BOS	VT	Chittenden County	University of Vermont Police Department	1	1		1		N	N
19	BOS	VT	Chittenden County	Williston Police Department	1	1		1		N	N
20	BOS	VT	Chittenden County	Burlington Police Department	1	1		1		N	N
21	BOS	VT	Chittenden County	Chittenden County Sheriff's Office	1	1		1		N	N
22	BOS	VT	Chittenden County	Hinesburg Police Department	1	1		1		N	N
23	BOS	VT	Chittenden County	Milton Police Department	1	1		1		N	N
24	BOS	VT	Essex County	Essex County Sheriff's	1	1		1		N	N



	A	B	C	D	E	F	G	H	I	J	K
2	Field Office	State	County	Jurisdiction	Does Not Grant ICE Access to J	Does Not Accept Detainer	Limited Detainer Acceptance	Will Not Hold Aliens on ICE Detainer	Only Holds Aliens on ICE Detainer < 48 Hours	Adequate Notification Time to IC	1373
3	ATL	NC	Guilford	Guildford County		1		1		N	N
4	BAL	MD	Montgomery	County Detention Center			1	1		N	N
5	BAL	MD	Prince George	County Detention Center	1	1		1		N	N
6	BAL	MD	St Marys	St Marys County Detention Center		1		1		N	N
7	BOS	CT	New Haven	East Haven Police Department	1	1		1		N	N
8	BOS	CT	New Haven	New Haven Police Department			1		1	N	N
9	BOS	CT	State of Connecticut	Connecticut Department of Corrections			1			N	N
10	BOS	CT	State of Connecticut	Connecticut Judicial Marshalls Office			1		1	N	N
11	BOS	MA	Middlesex	City of Somerville	1		1	1		N	N
12	BOS	MA	Middlesex County	Malden District Court	1			1		N	N
13	BOS	VT	Addison County	Addison County Sheriff's Department	1	1		1		N	N
14	BOS	VT	Bennington County	Bennington County Sheriff's Department	1	1		1		N	N
15	BOS	VT	Caledonia County	Caledonia County Sheriff's Department	1	1		1		N	N
16	BOS	VT	Chittenden County	South Burlington Police Department	1	1				N	N
17	BOS	VT	Chittenden County	University of Vermont Police Department	1	1		1		N	N
18	BOS	VT	Chittenden County	Williston Police Department	1	1		1		N	N
19	BOS	VT	Chittenden County	Burlington Police Department	1	1		1		N	N
20	BOS	VT	Chittenden County	Chittenden County Sheriff's Office	1	1		1		N	N

	J	K	L	M	N	O	P	Q
	Jurisdiction Policy Number, Name and Description of a policy that							
1	Accept I-247A	Adequate Notification	limits cooperation with ICE	Month and Year began accepting I-247A	Additional Comments	Item Type	Path	
2	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017	Facility would have to contact us for juvenile cases, however detainees would be accepted.	Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
3	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
4	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
5	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
6	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017	All detainees for NCDOC are sent to the NCDOC Central Records Office regardless of where the inmate is being held.	Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
7	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017	All detainees for NCDOC are sent to the NCDOC Central Records Office regardless of where the inmate is being held.	Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
8	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
9	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
10	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017	All detainees are sent to the SCDOC Records Center in Columbia, SC regardless of where the inmate is housed.	Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
11	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
12	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
13	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
14	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
15	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
16	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
17	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017	All detainees for State Custody Inmates are placed at either GA Diagnostic (for males) or Lee Arrendale (for females) which are GA DOC intake facilities. They then place the detainee at the applicable facility as state prisoners move around often.	Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
18	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
19	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017		Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
20	YES	Yes, LEA will hold for ICE up to 48 hours	YES	N/A	04/2017	All detainees for State Custody Inmates are placed at either GA Diagnostic (for males) or Lee Arrendale (for females) which are GA DOC intake facilities. They then place the detainee at the applicable facility as state prisoners move around often.	Item	sites/SC_Enforcement/cad/capu/Lists/Detainer Acceptance Tracker
						All detainees for NCDOC are sent to the NCDOC Central Records Office regardless of where the inmate is being		

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
<b>ERO Custody Management Division</b>															
<b>Facility List Report</b>															
1685 Facilities, Source: ICE Integrated Decision Support (IIDS), 11/06/2017															
IIDS is a data warehouse that contains dynamic data extracts from the Enforcement Integrated Database (EID).															
FY2018 data: IIDS as of 11/06/2017; EID data through 11/04/2017															
FY2017 data: IIDS as of 10/02/2017; EID data through 09/30/2017. FY2016 data: IIDS as of 10/03/2016; EID data through 10/01/2016. FY2015 data: IIDS as of 10/5/15; EID data through 10/2/15. FY2014 data: IIDS as of 10/6/14; EID data through 10/3/14. FY2013 data: IIDS as of 10/6/13; EID data through 10/4/13. FY2012 data: IIDS as of 10/8/12; EID data through 10/4/12.															
<b>Facility Information</b>															<b>Capacity</b>
DETLOC	Name	Address	City	County	State	Zip	Circuit	AOR	Docket	Type	Type Detailed	ICE Funded	Male/Female	Levels A,B,C,D	Capacity
ABRDWA	ABERDEEN CITY JAIL	210 EAST MARKET ST	ABERDEEN	GRAYS HARBOR	WA	98520	9 SEA	SEA	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ABTHOLD	ABILENE HOLD ROOM	12071 FM 3522	ABILENE	ABILENE	TX	79601	5 DAL	ABT	Other	HOLD	Yes	Female/Male	A, B, C, D	AS NEEDED	
ABRXSPA	ABRAXAS ACADEMY DETENTION CENTER	1000 ACADEMY DRIVE	MORGANTOWN	BERKS	PA	19543	3 PHI	BRK	IGSA	JUVENILE	Yes	Female/Male	A, B, C, D	AS NEEDED	
RICRANS	ACI (CRANSTON, RHODE ISLAND)	39 HOWARD AVE	CRANSTON	PROVIDENCE	RI	02920	1 BOS	BOS	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ADACOID	ADA COUNTY JAIL	7210 BARRISTER DRIVE	BOISE	ADA	ID	83704	9 SLC	HEL	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ADAMSWA	ADAMS COUNTY	210 W BRAODWAY	RITZVILLE	ADAMS	WA	99169	9 SEA	SPO	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ADAMSCO	ADAMS COUNTY JAIL	1901 E BRIDGE STREET	BRIGHTON	ADAMS	CO	80601	10 DEN	DEN	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ADAMSPA	ADAMS COUNTY JAIL	45 MAJOR BELL LANE	GETTYSBURGH	ADAMS	PA	17325	3 PHI		IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ADDCOVT	ADDISON COUNTY JAIL	35 COURT STREET	MIDDLEBURY	ADDISON	VT	05753	2 BOS	BOS	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ADLNTCA	ADELANTO ICE PROCESSING CENTER	10250 RANCHO ROAD	ADELANTO	SAN BERNARDINO	CA	92301	9 LOS	LOS	IGSA	DIGSA	Yes	Female/Male	A, B, C, D	1,9	
AGAHOLD	AGANA HOLD	108 HERNAN CORTEZ AV	HAGATNA	GUAM	GU	96910	9 SFR	AGA	Other	HOLD	Yes	Female/Male	B, C, D	AS NEEDED	
AGC	AGUADILLA	505 CORNER BELT AND GUN ST.	AGUADILLA	AGUADILLA	PR	00603	1 MIA	SAJ	Other	HOLD	Yes	Female/Male	A, B, C, D		
AIRHOPR	AIRPORT HOTEL (SAN JUAN)	LUIS MUNOZ MARIN INTR AIRPORT	ISLA VERDE	CAROLINA	PR	00913	1 MIA	SAJ	Other	Other	Yes	Female/Male	A	AS NEEDED	
ALAMCNC	ALAMANCE COUNTY DETENTION FACILITY	109 SOUTH MAPLE STREET	GRAHAM	ALAMANCE	NC	27253	4 ATL	RDU	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ALMHOLD	ALAMOSA HOLDROOM	1921 STATE STREET	ALAMOSA	ALAMOSA	CO	81101	10 DEN	DEN	Other	HOLD	Yes	Female/Male	A, B, C, D	AS NEEDED	
ALBANWY	ALBANY COUNTY JAIL	ALBANY COUNTY COURTHOUSE	LARAMIE	ALBANY	WY	82070	10 DEN	DEN	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ALBCONY	ALBANY COUNTY JAIL	840 ALBANY SHAKER ROAD	ALBANY	KINGS	NY	12211	2 BUF	ALB	USMS IGA	USMS IGA	Yes	Female/Male	A, B, C, D		
ALBHOLD	ALBANY HOLD ROOM	1086 TROY-SCHENECTADY RD	LATHAM	ALBANY	NY	12110	2 BUF		Other	HOLD	Yes	Female/Male		AS NEEDED	
ALBEMVA	ALBEMARLE-CHARLOTTESVILLE	UNAVAILABLE	CHARLOTTESVILLE	ABERMARLE	VA	22901	4 WAS	HBG	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ABQHOLD	ALBUQUERQUE HOLD ROOM	1720 RANDOLPH ROAD	ALBUQUERQUE	BERNALILLO	NM	87106	10 ELP	ABQ	Other	HOLD	Yes	Male	A, B	AS NEEDED	
ALEXAVA	ALEXANDRIA CITY JAIL	2003 MILL ROAD	ALEXANDRIA	ALEXANDRIA CITY	VA	22314	4 WAS	WAS	USMS IGA	USMS IGA	Yes	Female/Male	A, B, C, D	AS NEEDED	
JENATLA	ALEXANDRIA STAGING FACILITY	1511 ARNOLD DRIVE	ALEXANDRIA	COUNTY	LA	71303	5 NOL	OAK	Other	STAGING	Yes	Male	A, B, C, D	4	
BHCALCA	ALHAMBRA BHC HOSPITAL	4619 N ROSEMEAD BLVD.	ROSEMEAD	LOS ANGELES	CA	91770	9 LOS	LOS	Other	HOSPITAL	No	Female/Male	A, B, C, D	AS NEEDED	
ALHAMCA	ALHAMBRA CITY JAIL	211 S. FIRST ST.	ALHAMBRA	LOS ANGELES	CA	91801	9 LOS	LOS	USMS IGA	USMS IGA	Yes	Female	A, B, C, D	AS NEEDED	
ALLEGNY	ALLEGANY COUNTY JAIL	4884 STATE ROUTE 19	BELMONT	ALLEGANY	NY	14813	2 BUF	BUF	IGSA	IGSA	Yes	Female	A, B, C, D	AS NEEDED	
ALLEGPA	ALLEGHENY COUNTY JAIL	950 SECOND AVENUE	PITTSBURGH	ALLEGHENY	PA	15219	3 PHI	PIT	USMS IGA	USMS IGA	Yes	Female/Male	A, B, C, D		
APPSCLA	ALLEN PARISH PUBLIC SAFETY COMPLEX	7340 HIGHWAY 26 WEST	OBERLIN	ALLEN	LA	70655	5 NOL	OAK	IGSA	IGSA	Yes	Male	A, B	AS NEEDED	
BOPALM	ALLENWOOD (MEDICAL) FEDERAL CORRECTIONAL INSTITUTE	P.O. BOX 2500	WHITE DEER	UNION	PA	17887	3 PHI	PHI	BOP	BOP	No	Female/Male	A, B, C, D	AS NEEDED	
BOPALF	ALLENWOOD LOW SECURITY FEDERAL CORRECTIONAL INSTT	P.O. BOX 1500	WHITE DEER	UNION	PA	17887	3 PHI	PHI	BOP	BOP	No	Female/Male	A, B, C, D	AS NEEDED	
BOPALP	ALLENWOOD US PENITENTIARY	PO BOX 3500	WHITE DEER	UNION	PA	17887	3 PHI	PHI	BOP	BOP	No	Female/Male	A, B, C, D	AS NEEDED	
APIBICA	ALVARADO PARKWAY INSTITUTE	7050 PARKWAY DR	LA MESA	SAN DIEGO	CA	91942	9 SND	SND	Other	HOSPITAL	No	Female/Male	A, B, C, D	AS NEEDED	
AMTHOLD	AMARILLO HOLD ROOM	8601 E. AMARILLO BLVD	AMARILLO	POTTER	TX	79801	5 DAL	AMT	Other	HOLD	Yes	Female/Male	A	AS NEEDED	
AGMDCCA	ANAHEIM GLOBAL MEDICAL CENTER	1025 S ANAHEIM BLVD	ANAHEIM	ORANGE	CA	92805	9 LOS		Other	HOSPITAL	No	Female/Male	A, B, C, D	AS NEEDED	
ANCHOAK	ANCHORAGE CORRECTIONAL COMPLEX	1400 E. 4TH AVE	ANCHORAGE	ANCHORAGE	AK	99501	9 SEA	ANC	USMS IGA	USMS IGA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ANDROME	ANDROSCOGGIN COUNTY JAIL	2 TURNER STREET	AUBURN	ANDROSCOGGIN	ME	04210	1 BOS	POM	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
ANGELTX	ANGELINA COUNTY JAIL	C.S.C. LUFKIN C.F.113 N. SECOND ST.	LUFKIN	ANGELINA	TX	75901	5 HOU	HOU	IGSA	IGSA	Yes	Female/Male	A, B, C, D	AS NEEDED	
AAORDMD	ANNE ARUNDEL COUNTY ORDNANCE ROAD CORRECTIONAL CT	600 E. ORDNANCE ROAD	GLEN BURNIE	ANNE ARUNDEL	MD	21060	4 BAL		IGSA	IGSA	Yes	Male	A, B	1	
AKPSYNJ	ANNE KLEIN PSYCHIATRIC INSTITUTE	SULLIVAN WAY	W. TRENTON	MERCER	NJ	08628	3 NEW	VRK	Other	HOSPITAL	No	Female/Male	A, B, C, D	AS NEEDED	
	Notes	<a href="#">Facility List - Main</a>	Facility List - Pop Breakout	Authorized List - DMCP Detailed	Authorized List - DMCP	GM Facilities	ERO Juvenile Facilities	Fam and Res Facilities	BOP Facilities	ICE Dedicated Facilities	Proc ...				