



ILRC V. DHS

FOIA Documents related to 287(g)

I. ILRC'S FOIA TO ICE

In June 2017, the ILRC filed a FOIA request to ICE for various immigration enforcement records from January 2016 through June 2017. Under the direction of a federal judge, we received an initial batch of documents in December of 2017, which are available here: <https://www.ilrc.org/immigrant-legal-resource-center-v-department-homeland-security>.

After agreeing that our FOIA request also required retrieving documents from all field offices in the country, ICE identified more than 10,000 additional pages of documents that were responsive to our request. ICE began the rolling production of these records in the fall of 2018. As of April 2019, we are still receiving documents from ICE so the following compilation may expand as we obtain more pages.

II. 287(G) RECORDS REQUEST

A key focus of our FOIA request involved the 287(g) program. We requested the following information regarding current and pending 287(g) agreements:

1. Any document containing a list of all currently active 287(g) agreements (including both “jail” and “taskforce” model) under INA Section 287(g) as of the date of this FOIA;
2. The most recent memoranda of understanding (or similar) documents memorializing these active agreements, to the extent that such records are not already available on ICE’s website at <https://www.ice.gov/factsheets/287g#signedMOA>;
3. Records regarding pending applications for 287(g) agreements as of the date of this FOIA request;
4. Records of communications between ICE and any local or state law enforcement agency or officer regarding entering or renewing a 287(g) agreement from FY2016 to FY 2017-to-date; and
5. Records containing any list of target jurisdictions that ICE: (a) is in discussions with entering a 287(g) agreement; (b) plans on engaging and pursuing for a future 287(g) agreement.

III. THIS COMPILATION

The following pages are pulled from the thousands of pages we have received from ICE because they reference the 287(g) program. They are not in any particular order, and any redactions, repetitions, or missing attachments are on the part of ICE. We welcome any feedback or comments regarding particular documents, redactions or other issues.

We will continue to add to this file as we obtain and review additional documents.

If you have questions about the ILRC’s FOIA request or about the 287(g) program, please contact Lena Graber at lgrab@ilrc.org.

From: (b)(6),(b)(7)(C)
To: (b)(6),(b)(7)(C)
Subject: RE: Ocean County ICE
Date: Wednesday, October 18, 2017 10:16:00 PM
Attachments: [Ocean County Request to Participate in 287\(g\) Program Letter.doc](#)
[287\(g\) LEA Needs Assessment-Ocean County.pdf](#)

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

It was great getting the opportunity to speak with you on the phone today, I look forward to meeting you in person and discussing the 287(g) Program at your convenience in November. I have attached the needs assessment form and a request letter template used to get things started. Below is some information on the program that maybe helpful.

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

287(g) Field Program Manager
Immigration & Customs Enforcement
Enforcement & Removal
614 Frelinghuysen Avenue
Newark, New Jersey. 07114
Desk (973) 776-(b)(6)(f)
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HISTORY OF 287(g): The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g), performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act. This authorizes the Director of ICE to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions, provided that the local law enforcement officers receive appropriate training and function under the supervision of ICE officers.

BENEFITS OF HAVING A 287(g) PARTNERSHIP PROGRAM: By working together, local and federal officers can better identify and remove criminal aliens, a tremendous benefit to public safety, one of the biggest benefits to our 287(g) partners is that they are able to better identify individuals in custody. The 287(g) program continues to receive overwhelmingly positive feedback from its partners. Our state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower.

TRAINING: Prior to being delegated ICE immigration authority, selected Correctional officers must attend and successfully complete ICE's 287(g) Immigration Authority Delegation Program (IADP), which is the 287(g) basic training course. The basic training program is four weeks in duration and includes coursework in immigration law, the use of ICE databases, multi-cultural communication and the avoidance of racial profiling. This training is conducted at Federal Law Enforcement Training Center –Charleston. Additionally, every two years, every 287(g) Correctional Officer must return to the Federal Law Enforcement Training Center in Charleston, SC and successfully complete a 4-day Immigration Authority Delegation Refresher Training Program (IADRP).

PROGRAM IMPLEMENTATION: Agencies requesting 287(g) Program Partnership Delegation must complete the attached "needs assessment" form and submit a letter requesting the partnership. That letter and the aforementioned needs assessment gets forwarded to ICE 287(g) Headquarters where it is reviewed by a Program Advisory Board. This process takes 30-60 days and is just a formality, once completed the approval letter is sent to the Agency. A Memorandum of agreement is completed and agency provides that names of officers to attend training.

OVERSIGHT OF THE PROGRAM: ICE has increased its human capital resources to enhance 287(g) program's mission national training programs for ICE field personnel and Law Enforcement Agency (LEA) personnel. ICE-ERO currently has seven (7) National Program Managers in Washington, D.C. and twenty-one (21) Field Program Managers within close proximity to active MOAs, tasked with oversight and management. Currently, ICE has 287(g) agreements with 60 law enforcement agencies in 18 states. ICE has trained and certified more than 1,822 state and local officers to enforce immigration law.

287(g) PROGRAMS IN NEW JERSEY: Currently New Jersey has four 287(g) programs located in the state; Monmouth, Hudson, Salem and Cape May Counties. All (4) 287(g) programs are Jail Enforcement Models designed to identify and process all criminal and other priority aliens arrested and booked into correctional facilities. All (4) programs are supervised by the local by ICE Officers and the Field Program Manager James Wilson.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, October 18, 2017 2:53 PM
To: (b)(6);(b)(7)(C)
Subject: Ocean County ICE

Good talking to you. I'll get back to you with dates for a meeting.

(b)(6);(b)(7)(C)
Ocean County Department of Corrections
114 Hooper Ave.
Toms River, N.J. 08753

Office 732-929-(b)(6)
Fax 732-506-5027

Office of Enforcement and Removal Operations
Newark Field Office

U.S. Department of Homeland Security
970 Broad Street, (b)(6)/(b)(7)
Newark, NJ 07102



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

February 22, 2018

Dear (b)(6)/(b)(7)(C)

I am writing to solicit participation in the Delegation of Authority program pursuant to Section 287(g) of the Immigration and Naturalization Act. This program will allow the Ocean County Corrections Department to enter into a Memorandum of Agreement that will enable it to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Ocean County. Given your current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Ocean County New Jersey.

ICE developed the program in response to the widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) program, which trains county corrections officers to enforce immigration law as authorized through section 287(g) of the Immigration and Nationality Act. Terrorism and criminal activity are most effectively combated through a multi-agency/multi-authority approach that encompasses federal, state and local resources, skills and expertise.

The Ocean County Corrections Department play a critical role in protecting our homeland, the corrections officers are often the first to encounter foreign-born criminals and immigration violators who pose a threat to national security or public safety.

I look forward to your response regarding participation in this program. If you have any additional questions please do not hesitate to contact me directly on my cellular phone at (973) 332-(b)(6).

Sincerely,

(b)(6)/(b)(7)(C)

287(g) Field Program Manager
Newark Field Office

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Hudson County Department of Corrections (HCDOC), pursuant to which ICE delegates to nominated, trained, certified, and authorized HCDOC personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the HCDOC to identify and process for removal, under ICE supervision, aliens in HCDOC jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The HCDOC and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected HCDOC personnel (participating HCDOC personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the HCDOC'S jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating HCDOC personnel as members of the HCDOC. However, the exercise of the immigration enforcement authority delegated under this MOA to participating HCDOC personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating HCDOC personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating HCDOC personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the HCDOC is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating HCDOC personnel only as to immigration enforcement functions as authorized in this MOA. The HCDOC retains supervision of all other aspects of the employment and performance of duties by participating HCDOC personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The HCDOC is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the HCDOC has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from HCDOC custody. The HCDOC agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating HCDOC personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the HCDOC may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the HCDOC will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the HCDOC enter into an IGSA, the HCDOC must meet applicable detention standards.

In addition to detention services, ICE and the HCDOC may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the HCDOC will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the HCDOC will occur only when the HCDOC obtained prior ICE approval for the transportation. ICE will not reimburse if the HCDOC did not obtain prior approval from ICE.

The parties understand that the HCDOC will not continue to detain an alien after that alien is eligible for release from the HCDOC's custody in accordance with applicable law and HCDOC policy, except for a period of up to 48 hours, pursuant to an Immigration Detainer/Request for Voluntary Action or Request for Voluntary Transfer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The HCDOC will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All HCDOC candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All HCDOC candidates shall have experience supervising inmates, have been trained on maintaining the security of HCDOC facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The HCDOC is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the HCDOC will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the HCDOC background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the HCDOC will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The HCDOC agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If HCDOC personnel under consideration are in a collective bargaining unit, the HCDOC must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the HCDOC to fulfill this commitment could jeopardize the terms of this MOA.

All HCDOC candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating HCDOC personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating HCDOC personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each HCDOC nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an HCDOC nominee fails to attain a 70-percent rating on an examination, the HCDOC nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the HCDOC nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the

HCDOC nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating HCDOC personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained HCDOC personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the HCDOC's Designated Accreditation Authority (DAA). The HCDOC agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, HCDOC personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those HCDOC personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Newark District will provide the participating HCDOC personnel a signed authorization letter allowing the named HCDOC personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the HCDOC. Only those certified HCDOC personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified HCDOC personnel official immigration officer credentials. Upon receipt of the credentials, HCDOC personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to

Employee (Form G-570). Participating HCDOC personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating HCDOC employee ceases his/her participation, or when deemed necessary by the ICE FOD in Newark District.

Authorization of participating HCDOC personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the HCDOC. The HCDOC and the ICE FOD in Newark District will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The HCDOC will notify ICE within 48 hours of when participating HCDOC personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The HCDOC is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The HCDOC is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating HCDOC personnel while they are receiving training. The HCDOC will cover the costs of all HCDOC personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The HCDOC remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/ Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating HCDOC personnel at each HCDOC facility with an active 287(g) program. Only participating HCDOC personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating HCDOC personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Newark District.

The HCDOC is responsible for covering all expenses at the HCDOC facility regarding cabling and power upgrades. If the connectivity solution for the HCDOC is determined to include use of the HCDOC's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the HCDOC will be responsible for covering any installation and recurring costs associated with the HCDOC line.

The HCDOC is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The HCDOC is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the HCDOC will provide at no cost to ICE, an office within participating HCDOC facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating HCDOC personnel will be supervised and directed by ICE supervisory officers. Participating HCDOC personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating HCDOC personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating HCDOC personnel only as to immigration enforcement functions conducted in conjunction to this authority. The HCDOC retains supervision of all other aspects of the employment of and performance of duties by participating HCDOC personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating HCDOC personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the HCDOC with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating HCDOC personnel will be expected or required to violate or otherwise fail to maintain the HCDOC's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the HCDOC's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The HCDOC will provide statistical or aggregated arrest data to ICE, as requested by ICE. The HCDOC will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the HCDOC's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the HCDOC will be responsible and bear the costs of participating HCDOC personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating HCDOC personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating HCDOC personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating HCDOC personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. HCDOC personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 970 Broad Street, Newark, New Jersey 07102. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist HCDOC personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional

misconduct on the part of the participating HCDOC personnel only to the extent authorized by law.

The HCDOC agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating HCDOC employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The HCDOC agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any HCDOC personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating HCDOC personnel under this MOA are undertaken under Federal authority, the participating HCDOC personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The HCDOC and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating HCDOC personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating HCDOC personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating HCDOC personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the HCDOC, as needed.

The HCDOC will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include HCDOC personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Newark District, and the HCDOC shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating HCDOC personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the HCDOC may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Newark District at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Newark District. An initial review meeting will be held no later than nine months after certification of the initial class of participating HCDOC personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The HCDOC will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the HCDOC's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The HCDOC may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the HCDOC is authorized to do the same.

The HCDOC hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the HCDOC must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the HCDOC for this purpose are identified in Appendix C. For releases of information to all other parties, the HCDOC must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the HCDOC that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the HCDOC has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

HCDOC questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating HCDOC personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the HCDOC points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the HCDOC shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the HCDOC and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the HCDOC shall be given to the ICE FOD in Newark District and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the HCDOC.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: _____

Date: _____

Thomas D. Homan
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Tish Nalls-Castillo
Director
Hudson County Department of Corrections

APPENDIX A
POINTS OF CONTACT

The ICE and HCDOC points of contact for purposes of implementation of this MOA are:

For the HCDOC:

For ICE Enforcement and Removal Operations (ERO):

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Law Enforcement HCDOC, (HCDOC), pursuant to which selected HCDOC personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating HCDOC personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain HCDOC personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the HCDOC and be handled in accordance with the HCDOC's applicable rules, policies, and procedures.

If any participating HCDOC personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the HCDOC shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Newark District and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating HCDOC personnel shall be handled as described below.

The HCDOC will also handle complaints filed against HCDOC personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated HCDOC personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating HCDOC personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the HCDOC within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, HCDOC, participating HCDOC personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6)(b)(7)(C), or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the HCDOC directly that involve HCDOC personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the HCDOC's Internal Investigations Unit when the complaint involves HCDOC personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the HCDOC's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving HCDOC personnel to the HCDOC's Internal Investigations Unit for resolution. The Correctional Supervisor/Lieutenant will inform ICE OPR of the disposition and resolution of any complaints or allegations against HCDOC's participating officers.

B. Interim Action Pending Complaint Resolution

When participating HCDOC personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the HCDOC's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide HCDOC with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the HCDOC:

Public Affairs Officer

For ICE:

Public Affairs Office
Office of Public Affairs and Internal Communication
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536
202 732 4(b)(6)

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the HCDOC.

Pursuant to this MOA, the HCDOC has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the HCDOC's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the HCDOC to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the HCDOC shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating HCDOC personnel performing immigration-related functions pursuant to this MOA will be HCDOC officers assigned to detention operations supported by ICE. Those participating HCDOC personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to HCDOC jail/correctional facilities. Participating HCDOC personnel will identify and process for removal aliens in HCDOC jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating HCDOC personnel are delegated only those authorities listed below:

The power and authority to interrogate any person detained in the participating law enforcement HCDOC's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;

The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);

The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;

The power and authority to issue Forms I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, I-247D, Immigration Detainer – Request for Voluntary Action, and I-247X, Request for Voluntary Transfer, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and

The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the HCDOC to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating HCDOC personnel will be supervised and directed by ICE supervisory officers. Participating HCDOC personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

The HCDOC shall provide notification to the ICE supervisor of any Form I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, Form I-247D, Immigration Detainer – Request for Voluntary Action, and Form I-247X, Request for Voluntary Transfer lodged under the authority conferred by the MOA within 24 hours.

The HCDOC shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The HCDOC is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The HCDOC must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Newark District through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the HCDOC's officers. Upon review and auditing of the entries and

records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the HCDOC and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an HCDOC facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: _____

Thomas D. Homan
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 5/28/16



Shaun Golden
Sheriff
Monmouth County Sheriff's Department

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Cape May County Sheriffs Office (CMCSO), pursuant to which ICE delegates to nominated, trained, certified, and authorized CMCSO personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the CMCSO to identify and process for removal, under ICE supervision, aliens in CMCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The CMCSO and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected CMCSO personnel (participating CMCSO personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the CMCSO's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating CMCSO personnel as members of the CMCSO. However, the exercise of the immigration enforcement authority delegated under this MOA to participating CMCSO personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating CMCSO personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating CMCSO personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the CMCSO is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating CMCSO personnel only as to immigration enforcement functions as authorized in this MOA. The CMCSO retains supervision of all other aspects of the employment and performance of duties by participating CMCSO personnel.

ICE retains sole discretion in determining how it will manage its detention resources and

advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The CMCSO is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the CMCSO has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from CMCSO custody. The CMCSO agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating CMCSO personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the CMCSO may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the CMCSO will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the CMCSO enter into an IGSA, the CMCSO must meet applicable detention standards.

In addition to detention services, ICE and the CMCSO may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the CMCSO will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the CMCSO will occur only when the CMCSO obtained prior ICE approval for the transportation. ICE will not reimburse if the CMCSO did not obtain prior approval from ICE.

The parties understand that the CMCSO will not continue to detain an alien after that alien is eligible for release from the CMCSO's custody in accordance with applicable law and CMCSO policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The CMCSO will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All CMCSO candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All CMCSO candidates shall have experience supervising inmates, have been trained on maintaining the security of CMCSO facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The CMCSO is responsible for conducting a criminal background check covering the last five

years for all nominated candidates. Upon request, the CMCSO will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the CMCSO background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the CMCSO will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The CMCSO agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If CMCSO personnel under consideration are in a collective bargaining unit, the CMCSO must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the CMCSO to fulfill this commitment could jeopardize the terms of this MOA.

All CMCSO candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating CMCSO personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating CMCSO personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each CMCSO nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an CMCSO nominee fails to attain a 70-percent rating on an examination, the CMCSO nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the CMCSO nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the CMCSO nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating CMCSO personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained CMCSO personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the CMCSO's Designated Accreditation Authority (DAA). The CMCSO agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, CMCSO personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those CMCSO personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Newark New Jersey will provide the participating CMCSO personnel a signed authorization letter allowing the named CMCSO personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the CMCSO. Only those certified CMCSO personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified CMCSO personnel official immigration officer credentials. Upon receipt of the credentials, CMCSO personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating CMCSO personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials

provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating CMCSO employee ceases his/her participation, or when deemed necessary by the ICE FOD in Newark New Jersey.

Authorization of participating CMCSO personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the CMCSO. The CMCSO and the ICE FOD in Newark New Jersey will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The CMCSO will notify ICE within 48 hours of when participating CMCSO personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The CMCSO is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The CMCSO is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating CMCSO personnel while they are receiving training. The CMCSO will cover the costs of all CMCSO personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The CMCSO remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating CMCSO personnel at each CMCSO facility with an active 287(g) program. Only participating CMCSO personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating CMCSO personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Newark New Jersey.

The CMCSO is responsible for covering all expenses at the CMCSO facility regarding cabling and power upgrades. If the connectivity solution for the CMCSO is determined to include use of the CMCSO's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the CMCSO will be responsible for covering any installation and recurring costs associated with the CMCSO line.

The CMCSO is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The CMCSO is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the CMCSO will provide at no cost to ICE, an office within participating CMCSO facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating CMCSO personnel will be supervised and directed by ICE supervisory officers. Participating CMCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating CMCSO personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating CMCSO personnel only as to immigration enforcement functions conducted in conjunction to this authority. The CMCSO retains supervision of all other aspects of the employment of and performance of duties by participating CMCSO personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating CMCSO personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the CMCSO with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating CMCSO personnel will be expected or required to violate or otherwise fail to maintain the CMCSO's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the CMCSO's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The CMCSO will provide statistical or aggregated arrest data to ICE, as requested by ICE. The CMCSO will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the CMCSO's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the CMCSO will be responsible and bear the costs of participating CMCSO personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating CMCSO personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating CMCSO personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating CMCSO personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. CMCSO personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at Peter W. Rodino Federal Building, 970 Broad Street, Newark, New Jersey. 07102. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist CMCSO personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating CMCSO personnel only to the extent authorized by law.

The CMCSO agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating CMCSO employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The CMCSO agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases,

personnel, and documents necessary to complete such compliance review. It is understood that information provided by any CMCSO personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating CMCSO personnel under this MOA are undertaken under Federal authority, the participating CMCSO personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The CMCSO and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating CMCSO personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating CMCSO personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating CMCSO personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the CMCSO, as needed.

The CMCSO will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include CMCSO personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Newark New Jersey, and the CMCSO shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating CMCSO personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the CMCSO may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Newark New Jersey at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Newark New Jersey. An initial review meeting will be held no later than nine months after certification of the initial class of participating CMCSO personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The CMCSO will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the CMCSO's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The CMCSO may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the CMCSO is authorized to do the same.

The CMCSO hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the CMCSO must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the CMCSO for this purpose are identified in Appendix C. For releases of information to all other parties, the CMCSO must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the CMCSO that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the CMCSO has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

CMCSO questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public

regarding actions taken by participating CMCSO personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the CMCSO points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the CMCSO shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the CMCSO and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the CMCSO shall be given to the ICE FOD in Newark New Jersey and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the CMCSO.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

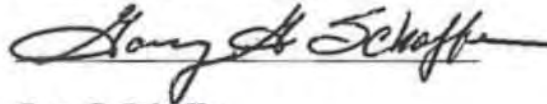
APR 10 2017

Date: _____



Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 4/4/17



Gary G. Schaffer
Sheriff
Cape May County Sheriffs Office
4 Moore Road, DN 301/501
Cape May Court House, New Jersey
08210-3097

APPENDIX A
POINTS OF CONTACT

The ICE and CMCSO points of contact for purposes of implementation of this MOA are:

For the CMCSO:

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

For ICE Enforcement and Removal Operations (ERO):

(b)(6);(b)(7)(C), 287(g) Field Program Manager

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Cape May County Sheriff's Office, (CMCSO), pursuant to which selected CMCSO personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating CMCSO personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain CMCSO personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the CMCSO and be handled in accordance with the CMCSO's applicable rules, policies, and procedures.

If any participating CMCSO personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the CMCSO shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Newark New Jersey and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6)(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating CMCSO personnel shall be handled as described below.

The CMCSO will also handle complaints filed against CMCSO personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated CMCSO personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating CMCSO personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the CMCSO within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact

information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, CMCSO, participating CMCSO personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email [\(b\)\(6\):\(b\)\(7\)\(C\)@ice.dhs.gov](mailto:(b)(6):(b)(7)(C)@ice.dhs.gov) , or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the CMCSO directly that involve CMCSO personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the CMCSO's Internal Investigations Unit when the complaint involves CMCSO personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be

resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the CMCSO's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving CMCSO personnel to the CMCSO's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against CMCSO's participating officers.

B. Interim Action Pending Complaint Resolution

When participating CMCSO personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the CMCSO's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide CMCSO with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the CMCSO:

(b)(6);(b)(7)(C)
Cape May County Department of Tourism and Public Information
4 Moore Road-DN 135
Cape May Court House, New Jersey. 08210
Office Phone (609) 463-(b)(6)

For ICE:

(b)(6);(b)(7)(C)
Office of Public Affairs
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, D.C. 20536
Phone (202) 732-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the CMCSO.

Pursuant to this MOA, the CMCSO has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the CMCSO's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the CMCSO to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the CMCSO shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating CMCSO personnel performing immigration-related functions pursuant to this MOA will be CMCSO officers assigned to detention operations supported by ICE. Those participating CMCSO personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to CMCSO jail/correctional facilities. Participating CMCSO personnel will identify and process for removal aliens in CMCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating CMCSO personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the CMCSO to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating CMCSO personnel will be supervised and directed by ICE supervisory officers. Participating CMCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating CMCSO personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The CMCSO shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The CMCSO is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The CMCSO must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Newark New Jersey through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the CMCSO's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the CMCSO and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an CMCSO facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Salem County Sheriff's Office (SCSO), pursuant to which ICE delegates to nominated, trained, certified, and authorized SCSO personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the SCSO to identify and process for removal, under ICE supervision, aliens in SCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The SCSO and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected SCSO personnel (participating SCSO personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the SCSO jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating SCSO personnel as members of the SCSO. However, the exercise of the immigration enforcement authority delegated under this MOA to participating SCSO personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating SCSO personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating SCSO personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the SCSO is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating SCSO personnel only as to immigration enforcement functions as authorized in this MOA. The SCSO retains supervision of all other aspects of the employment and performance of duties by participating SCSO personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The SCSO is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the SCSO has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from SCSO custody. The SCSO agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating SCSO personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the SCSO may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the SCSO will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the SCSO enter into an IGSA, the SCSO must meet applicable detention standards.

In addition to detention services, ICE and the SCSO may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the SCSO will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the SCSO will occur only when the SCSO obtained prior ICE approval for the transportation. ICE will not reimburse if the SCSO did not obtain prior approval from ICE.

The parties understand that the SCSO will not continue to detain an alien after that alien is eligible for release from the SCSO's custody in accordance with applicable law and SCSO policy, except for a period of up to 48 hours, pursuant to an Immigration Detainer/Request for Voluntary Action or Request for Voluntary Transfer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The SCSO will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All SCSO candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All SCSO candidates shall have experience supervising inmates, have been trained on maintaining the security of SCSO facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The SCSO is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the SCSO will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the SCSO background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the SCSO will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The SCSO agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If SCSO personnel under consideration are in a collective bargaining unit, the SCSO must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the SCSO to fulfill this commitment could jeopardize the terms of this MOA.

All SCSO candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating SCSO personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating SCSO personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each SCSO nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an SCSO nominee fails to attain a 70-percent rating on an examination, the SCSO nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the SCSO nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the SCSO nominee and

discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating SCSO personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained SCSO personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the SCSO's Designated Accreditation Authority (DAA). The SCSO agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, SCSO personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those SCSO personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Newark New Jersey will provide the participating SCSO personnel a signed authorization letter allowing the named SCSO personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the SCSO. Only those certified SCSO personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified SCSO personnel official immigration officer credentials. Upon receipt of the credentials, SCSO personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating SCSO personnel shall carry their ICE-issued credentials

while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating scso employee ceases his/her participation, or when deemed necessary by the ICE FOD in Newark New Jersey.

Authorization of participating SCSO personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the SCSO. The SCSO and the ICE FOD in Newark New Jersey will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The SCSO will notify ICE within 48 hours of when participating SCSO personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The SCSO is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The SCSO is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating SCSO personnel while they are receiving training. The SCSO will cover the costs of all SCSO personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The SCSO remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/ Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating SCSO personnel at each SCSO facility with an active 287(g) program. Only participating SCSO personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating SCSO personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Newark New Jersey.

The SCSO is responsible for covering all expenses at the SCSO facility regarding cabling and power upgrades. If the connectivity solution for the SCSO is determined to include use of the SCSO's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the SCSO will be responsible for covering any installation and recurring costs associated with the SCSO line.

The SCSO is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The SCSO is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the SCSO will provide at no cost to ICE, an office within participating SCSO facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating SCSO personnel will be supervised and directed by ICE supervisory officers. Participating SCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating SCSO personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating SCSO personnel only as to immigration enforcement functions conducted in conjunction to this authority. The SCSO retains supervision of all other aspects of the employment of and performance of duties by participating SCSO personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating SCSO personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the SCSO with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating SCSO personnel will be expected or required to violate or otherwise fail to maintain the SCSO's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the SCSO's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The SCSO will provide statistical or aggregated arrest data to ICE, as requested by ICE. The SCSO will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the SCSO's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the SCSO will be responsible and bear the costs of participating SCSO personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating SCSO personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating SCSO personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating SCSO personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. SCSO personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at SCSO. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist SCSO personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating SCSO personnel only to the extent authorized by law.

The SCSO agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating SCSO employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The SCSO agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any SCSO personnel under threat of disciplinary action in an

administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating SCSO personnel under this MOA are undertaken under Federal authority, the participating SCSO personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The SCSO and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating SCSO personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating SCSO personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating SCSO personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the SCSO, as needed.

The SCSO will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include SCSO personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Newark New Jersey, and the SCSO shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating SCSO personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the SCSO may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Newark New Jersey at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Newark New Jersey. An initial review meeting will be held no later than nine months after certification of the initial class of participating SCSO personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The SCSO will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the SCSO's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The SCSO may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the SCSO is authorized to do the same.

The SCSO hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the SCSO must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the SCSO for this purpose are identified in Appendix C. For releases of information to all other parties, the SCSO must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the SCSO that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the SCSO has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

SCSO questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating SCSO personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the SCSO points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

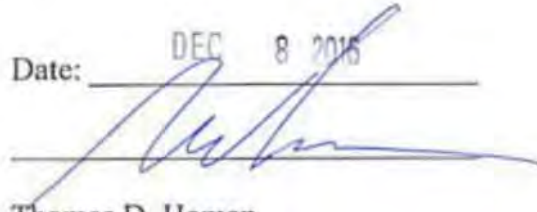
XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the SCSO shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the SCSO and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the SCSO shall be given to the ICE FOD in Newark New Jersey and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the SCSO.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

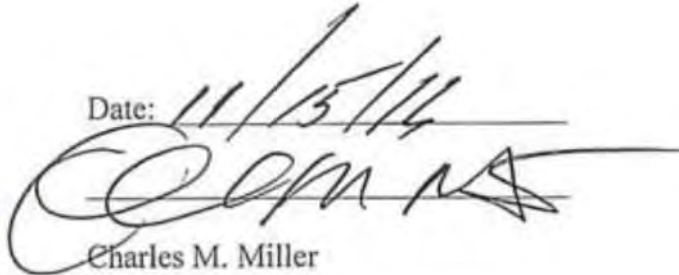
By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: DEC 8 2015



Thomas D. Homan
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 11/15/14



Charles M. Miller
Sheriff
Salem County Sheriff's Office
Salem, New Jersey

APPENDIX A
POINTS OF CONTACT

The ICE and SCSO points of contact for purposes of implementation of this MOA are:

For the SCSO:

Charles M . Miller
Sheriff
94 Market Street
Salem, New Jersey 08079
(856) 935-(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)
Warden
125 Cemetery Road
Woodstown, New Jersey 08098
(856) 769-(b)(6),(b)(7)(C)

For ICE Enforcement and Removal Operations (ERO):

John Tsoukaris
Field Office Director
970 Broad Street, (b)(6),(b)(7)(C)
Newark, New Jersey. 07102
(973) 776-(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)
287(g) Field Program Manager
614 Frelinghuysen Avenue, (b)(6),(b)(7)(C)
Newark, New Jersey 07114
(973) 332-(b)(6),(b)(7)(C)

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Law Enforcement Agency, Salem County Sheriff's Office (SCSO), pursuant to which selected SCSO personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating SCSO personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain SCSO personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the SCSO and be handled in accordance with the SCSO's applicable rules, policies, and procedures.

If any participating SCSO personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the SCSO shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Newark New Jersey and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating SCSO personnel shall be handled as described below.

The SCSO will also handle complaints filed against SCSO personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated SCSO personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating SCSO personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the SCSO within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, SCSO, participating SCSO personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6);(b)(7)(C) or
- C. Via mail as follows:
Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of Professional Responsibility
P.O. Box 14475
Pennsylvania Avenue NW
Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the SCSO directly that involve SCSO personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the SCSO's Internal Investigations Unit when the complaint involves SCSO personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the SCSO's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving SCSO's personnel to the SCSO's Internal Investigations Unit for resolution. The SCSO Supervisor of Operations at will inform ICE OPR of the disposition and resolution of any complaints or allegations against SCSO's participating officers.

B. Interim Action Pending Complaint Resolution

When participating SCSO personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the SCSO's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide SCSO with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the SCSO:

Public Affairs Officer
Salem County Sheriff's Office
94 Market Street
Salem, New Jersey 08079
(856) 935-(b)(6)

For ICE:

Public Affairs Office
Office of Public Affairs and Internal Communication
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536
202 732 4(b)(6)

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the SCSO.

Pursuant to this MOA, the SCSO has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the SCSO's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the SCSO to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the SCSO shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating SCSO personnel performing immigration-related functions pursuant to this MOA will be SCSO officers assigned to detention operations supported by ICE. Those participating SCSO personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to SCSO jail/correctional facilities. Participating SCSO personnel will identify and process for removal aliens in SCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating SCSO personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue Forms I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, I-247D, Immigration Detainer – Request for Voluntary Action, and I-247X, Request for Voluntary Transfer, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the SCSO to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating SCSO personnel will be supervised and directed by ICE supervisory officers. Participating SCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

The SCSO shall provide notification to the ICE supervisor of any Form I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, Form I-247D, Immigration Detainer – Request for Voluntary Action, and Form I-247X, Request for Voluntary Transfer lodged under the authority conferred by the MOA within 24 hours.

The SCSO shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The SCSO is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The SCSO must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Newark New Jersey through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the SCSO's officers. Upon review and auditing of the entries and

records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the SCSO and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an SCSO facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.



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

February 22, 2018

Dear (b)(6);(b)(7)(C),

I am writing to solicit participation in the Delegation of Authority program pursuant to Section 287(g) of the Immigration and Naturalization Act. This program will allow the Ocean County Corrections Department to enter into a Memorandum of Agreement that will enable it to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Ocean County. Given your current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Ocean County New Jersey.

ICE developed the program in response to the widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) program, which trains county corrections officers to enforce immigration law as authorized through section 287(g) of the Immigration and Nationality Act. Terrorism and criminal activity are most effectively combated through a multi-agency/multi-authority approach that encompasses federal, state and local resources, skills and expertise.

The Ocean County Corrections Department play a critical role in protecting our homeland, the corrections officers are often the first to encounter foreign-born criminals and immigration violators who pose a threat to national security or public safety.

I look forward to your response regarding participation in this program. If you have any additional questions please do not hesitate to contact me directly on my cellular phone at (973) 332-(b)(6);

Sincerely,

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

287(g) Field Program Manager
Newark Field Office

From: (b)(6);(b)(7)(C)
To:
Subject: 287(g) Meeting
Date: Friday, December 29, 2017 11:26:00 AM
Attachments: [image001.jpg](#)

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

I just wanted to thank you for giving me the opportunity to meet with you and your staff to discuss the 287(g) program. I look forward to hearing from you after the holidays when things are back to normal.

Happy New Year,

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

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

287(g) Field Program Manager
Immigration & Customs Enforcement
Enforcement & Removal
614 Frelinghuysen Avenue
Newark, New Jersey. 07114
Desk (973) 776-(b)(6);(b)(7)(C)
Fax (973) 645-2188
Cellular/I-Phone (973) 332-(b)(6);(b)(7)(C)



From: (b)(6);(b)(7)(C)
To:
Subject: 287(g) Program
Date: Tuesday, May 22, 2018 1:01:00 PM

Good Afternoon (b)(6);(b)(7)(C)

Things have been busy here in the office, I apologize for not getting back to you sooner. I wanted to follow-up on our progress with possibly getting the initiation process started with Ocean County's 287(g) program. Will it be possible to meet sometime next week, I realize with Memorial day approaching things will be crazy. Please let me know.

Thanks,

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

Name

Ocean County Request to Participate in 287(g) .doc
287(g) LEA Needs Assessment-Ocean County.pdf
image001.jpg

AGENCY LETTER HEAD

Date:

From: (b)(6);(b)(7)(C)
Ocean County Department of Corrections
Toms River, New Jersey

To: Thomas D. Homan
Acting Director
Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Homan,

I am writing to request participation in the Delegation of Authority program pursuant to Section 287(g) of the Immigration and Naturalization Act. Given our current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Ocean County New Jersey.

I have been in communication with your Newark Field Office 287(g) Program Manager James Wilson who has been very helpful and encouraging. With the advice, I am proposing the following:

Establishment of a 287(g) Jail Enforcement Model (JEM) program at the Ocean County Correctional Facility,
The facility has a capacity of 500 Beds and intakes approximately 7,144 people per year.

Train 3 Ocean County Correctional Officers assigned to Booking/Classification with a minimum of
5 years of experience, who have passed the security background acceptable to ICE

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Ocean County. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

If there are any questions or other needs to assist in processing this request please do not hesitate to contact my office.

Sincerely,

(b)(6);(b)(7)(C)
Warden
Ocean County Department of Corrections

AGENCY LETTER HEAD

Date:

From: (b)(6),(b)(7)(C)
Ocean County Department of Corrections
Toms River, New Jersey

To: Thomas D. Homan
Acting Director
Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

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I am writing to request participation in the Delegation of Authority program pursuant to Section 287(g) of the Immigration and Naturalization Act. Given our current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Ocean County New Jersey.

I have been in communication with your Newark Field Office 287(g) Program Manager James Wilson who has been very helpful and encouraging. With the advice, I am proposing the following:

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The facility has a capacity of 500 Beds and intakes approximately 7,144 people per year.

Train 3 Ocean County Correctional Officers assigned to Booking/Classification with a minimum of
5 years of experience, who have passed the security background acceptable to ICE

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Ocean County. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

If there are any questions or other needs to assist in processing this request please do not hesitate to contact my office.

Sincerely,

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

Warden
Ocean County Department of Corrections



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name	(b)(7)(E)
Address	
Address	
City	

Agency Type

2. Please select the option below that best describes your agency.

(b)(7)(E)

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name		Last Name	
Title/Position			
Desk Phone		Mobile Phone	
Email			

4. Please enter a secondary POC's information (if needed).

First Name		Last Name	
Title/Position			
Desk Phone		Mobile Phone	
Email			

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?

(b)(7)(E)



6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements. (b)(7)(E)

7. What is the name of the political entity that has oversight of your agency, if applicable? The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors). (b)(7)(E)

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity? (b)(7)(E)

7b. If yes, does the political entity concur with the request?

8. Preliminary Terms & Conditions for participation in the 287(g) program?
- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.
Does your agency agree to these terms and conditions? (b)(7)(E)

9. Please provide any additional information.

[Redacted area for additional information]

Relationship Information Please describe the agency's operational relationship with ICE.

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction? (b)(7)(E)

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?

12. How many days per month does ICE ERO visit your facility to perform immigration duties?

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?

13a. If limited, please define the access allowed. N/A

14. Does your agency accept immigration detainees?

14a. If yes, does your agency limit the conditions or type of immigration detainee accepted? (b)(7)(E)

14b. Please define the limitations or types. N/A

15. Is your agency a member of a task force of which ICE also participates? (b)(7)(E)

15a. If yes, does ICE lead the task force?

15b. What is the task force type? N/A



- 16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?
- 17. Does your agency have a transportation IGSA with ICE?
- 18. Please provide any additional information.

(b)(7)(E)

[Redacted area]

Intake Information

Please describe intake processes for new arrests or inmates.

- 19. How does your agency submit fingerprints?
 - 19a. If both, provide the percentage breakdown. Ink Cards Electronically
- 20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Char...
- 21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?
- 22. Does your agency identify all foreign-born nationals in custody?
- 23. On average, how many foreign-born arrests or inmates does your agency intake per month?
- 24. Does your agency use blind booking to identify information about criminal alien inmates?
- 25. Does your agency use NLETS to perform IAQ's?
 - 25a. If yes, approximately how many IAQ's does your agency generate per month through NLET...
- 26. On average, how many immigration detainers does ICE place on aliens within your custody per m...
- 27. Please provide any additional information.

(b)(7)(E)

[Redacted area]

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

- 1:
- 2:
- 3:
- 4:
- 5:



Foreign-Born Gang Members

- 29. Has your agency experienced public safety issues relating to foreign-born gang members?
- 30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?
- 31. Please provide any additional information.

(b)(7)(E)

[Redacted area]

Information Sharing & Technology

- 32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?
 - 32a. If no, would your agency exchange information?
- 33. Does your agency allow ICE to access its proprietary information systems?
 - 33a. If no, would your agency allow access?
- 34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.
 - Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
 - The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
 - If required, the requesting LEA will be responsible for installing any additional cabling.
- 34a. Does your agency understand these terms and conditions?

(b)(7)(E)

(b)(7)(E)

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative _____

Date _____

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

From: (b)(6);(b)(7)(C)
Sent: Friday, June 01, 2018 2:29 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: Salem County Sheriff's Office- OPR 287(g) Program Review – July 24-26, 2018.
Attachments: Salem County Sheriff's Office, NJ Engagment Memo.pdf

To All,

I received notification that OPR will be conducting a their annual review of the Salem County Sheriffs 287(g) Program on **July 24-26, 2018**. These inspections last approximately 3-days and involve compliance and oversight. OPR Inspectors involved in the review will be interviewing; Newark ERO Management, Newark Litigation, Salem County 287(g) Officers & Management as well as ICE staff who assist and support the program. In the next month will be putting together a schedule for the OPR review teams visit. Attached is the official Engagement memorandum notifying us of the review.

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

From: (b)(6);(b)(7)(C)
Sent: Friday, June 01, 2018 10:44 AM

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

Subject: Salem County Sheriff's Office- OPR 287(g) Program Review – July 24-26, 2018.

Good Morning,

Please see the attached memorandum addressed:

To: Assistant Director for Enforcement, ERO

Subject: Salem County Sheriff's Office- OPR 287(g) Program Review – July 24-26, 2018.

If you have any questions, please e-mail Section Chief, (b)(6);(b)(7)(C)

Thanks,

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

Management and Program Analyst
287(g) Inspections Unit
Office of Professional Responsibility
(202) 732- (b)(6);(b)(7)(C) (office)
(202) 277- (b)(6);(b)(7)(C) (I-Phone)

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

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, July 06, 2016 9:04 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: 287g Salem County NJ

No comment. Refer them to the ICE website to review information on the 287g program.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, July 06, 2016 8:31:19 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: 287g Salem County NJ

Good Morning (b)(6) please see latest media inquiry from Philly Inquirer, on Salem county, NJ,

Hello, I'm a reporter with The Philadelphia Inquirer. I'm writing about the 287(g) program that deputizes local law enforcement officers to perform the functions of federal Immigration and Custom Enforcement agents. I have some questions regarding ICE's efforts to start this program at the Salem County Correctional Facility in Salem County, New Jersey:

- What does the training look like for law enforcement officers who are selected to participate in this program (how long is it, what are they taught, etc.)
- What is the cost of training these officers – and who pays it, Salem County or ICE?
- Is there any financial benefit to Salem County, or to ICE, for participating in this program?
- We've been told ICE will have translators to interact with inmates if needed. Is that correct? And will these translators respond on an on-call basis, or will they be stationed at the facility?
- We were also told that the Salem County Correctional Facility was selected earlier this year to be a temporary holding detention facility for individuals arrested by ICE, before those individuals are sent to a larger, more permanent facility in Essex County, or to deportation hearings. Is that correct?
- Are most of the inmates ICE brings into the facilities that participate in the 287(g) program charged with or suspected of crimes? Or are they there solely because of immigration status?
- The ACLU has raised concerns that this program sends the message that deportation is a potential consequence of any interaction with law enforcement, and makes people less likely to trust authorities. The ACLU has urged the Salem County Correctional Facility to not participate in this program for those reasons. How does ICE respond to those concerns?
- And what is the next step in this process, if Salem County chooses to go forward with the program?

V/r,

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

Public Affairs Officer/Spokesman
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement (ICE)
(973) 776-(b)(6);(Office

head of each executive department and agency shall submit this information to the Secretary of State. Within 60 days of the date of this order, the Secretary shall submit to the President a consolidated report reflecting the levels of such aid and assistance that has been provided annually, over each of the past five years.

Sec. 10. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law, and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g) of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in the manner that provides the most effective model for enforcing Federal immigration laws and obtaining operational control over the border for that jurisdiction.

Sec. 11. Parole, Asylum, and Removal. It is the policy of the executive branch to end the abuse of parole and asylum provisions currently used to prevent the lawful removal of removable aliens.

(a) The Secretary shall immediately take all appropriate action to ensure that the parole and asylum provisions of Federal immigration law are not illegally exploited to prevent the removal of otherwise removable aliens.

(b) The Secretary shall take all appropriate action, including by promulgating any appropriate regulations, to ensure that asylum referrals and credible fear determinations pursuant to section 235(b)(1) of the INA (8 U.S.C. 1125(b)(1)) and 8 CFR 208.30, and reasonable fear determinations pursuant to 8 CFR 208.31, are conducted in a manner consistent with the plain language of those provisions.

(c) Pursuant to section 235(b)(1)(A)(iii)(I) of the INA, the Secretary shall take appropriate action to apply, in his sole and unreviewable discretion, the provisions of section 235(b)(1)(A)(i) and (ii) of the INA to the aliens designated under section 235(b)(1)(A)(iii)(II).

(d) The Secretary shall take appropriate action to ensure that parole authority under section 212(d)(5) of the INA (8 U.S.C. 1182(d)(5)) is exercised only on a case-by-case basis in accordance with the plain language of the statute, and in all circumstances only when an individual demonstrates urgent

- (c) Have committed acts that constitute a chargeable criminal offense;
- (d) Have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency;
- (e) Have abused any program related to receipt of public benefits;
- (f) Are subject to a final order of removal, but who have not complied with their legal obligation to depart the United States; or
- (g) In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.

Sec. 6. Civil Fines and Penalties. As soon as practicable, and by no later than one year after the date of this order, the Secretary shall issue guidance and promulgate regulations, where required by law, to ensure the assessment and collection of all fines and penalties that the Secretary is authorized under the law to assess and collect from aliens unlawfully present in the United States and from those who facilitate their presence in the United States.

Sec. 7. Additional Enforcement and Removal Officers. The Secretary, through the Director of U.S. Immigration and Customs Enforcement, shall, to the extent permitted by law and subject to the availability of appropriations, take all appropriate action to hire 10,000 additional immigration officers, who shall complete relevant training and be authorized to perform the law enforcement functions described in section 287 of the INA (8 U.S.C. 1357).

Sec. 8. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g) of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in a manner that provides the most effective model for enforcing Federal immigration laws for that jurisdiction.

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Fri 6/22/2018 10:29:13 PM
Subject: RE: PCRJ (Caroline County)

I will find out more but this seems to be a priority. This was a dead deal 3 months ago and now they are expected to open by August 1st. It's part of the 7000 new beds needed across the country

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Jun 22, 2018, 4:28 PM
To: (b)(6);(b)(7)(C)
Subject: RE: PCRJ (Caroline County)

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

If you need IT support, we are significantly behind schedule to be initiating this as a project. Can someone open a request in Service Now so that we can start working on this?

Thanks,

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

Lead IT Specialist
Operations Division, Customer Support Branch
Office of the Chief Information Officer
U.S. Immigration & Customs Enforcement
Department of Homeland Security
Office: 202-732-(b)(6);(b)(7)(C)
Mobile: 202-527-(b)(6);(b)(7)(C)
Email : (b)(6);(b)(7)(C)
ICE Service Desk: 888-347-7762 or via web <https://servicedesk.ice.dhs.gov/ServiceDesk>

From: Mills, Todd E
Sent: Friday, June 22, 2018 3:19 PM
To: Dwyer, Brian <Brian.Dwyer@ice.dhs.gov>
Subject: RE: PCRJ (Caroline County)

I do know that all parties were involved at the beginning, IHSC, Facilities, CMD, then the money was not there. Now the money is there to open up the facility. (b)(6);(b)(7)(C) is the CO handling the Contract and it is expected to open August 1st

From: (b)(6);(b)(7)(C)
Sent: Friday, June 22, 2018 2:22 PM
To: (b)(6);(b)(7)(C)
Subject: RE: PCRJ (Caroline County)

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

This is the first that I am hearing about it, but I am happy to help out. Do you know who from OAFM is assigned to this or is ERO setting the site up themselves? OR is this a 287G site?

Thanks,

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

Lead IT Specialist
Operations Division, Customer Support Branch 2018-ICLI-00004 2753

Office of the Chief Information Officer
U.S. Immigration & Customs Enforcement
Department of Homeland Security

Office: 202-732-(b)(6);(b)(7)(C)
Mobile: 202-527-(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ICE Service Desk: 888-347-7762 or via web <https://servicedesk.ice.dhs.gov/ServiceDesk>

From: (b)(6);(b)(7)(C)
Sent: Friday, June 22, 2018 2:15 PM
To: (b)(6);(b)(7)(C)
Subject: FW: PCRJ (Caroline County)

Are you familiar with the PCRJ (Peumansend Creek Jail) that we are getting ready to establish an IGSA with? I believe they will need a VTC unit and IT services.

From: (b)(6);(b)(7)(C)
Sent: Friday, June 22, 2018 1:46 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: PCRJ (Caroline County)

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

Generally the field office doesn't have to procure office facility logistics if this was a project submitted with requirements on behalf of the field. If this is an IGSA, the jail will not provide IT services, T1 lines, etc. ICE will have to pay for these items. It has been the practice that funds come from the programs or HQ ICE funding.

I hope this helps.

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

From: (b)(6);(b)(7)(C)
Sent: Friday, June 22, 2018 1:01 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: PCRJ (Caroline County)

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

It the WAS FO due to pay for anything regarding the office situation. I believe we are having 5 Office Slots in the administration part of the facility but I think Facilities is providing that, or perhaps the Jail will provide it? I do realize we will provide supplies, but is there anything we may have to supply that I am not currently thinking about?

Thanks,

(b)(6);(b)(7)(C)
Management/Program Analyst (COR)
WAS Field Office
2675 Prosperity Ave., Fairfax VA 22031
703-285-(b)(6);(b)(7)(C) (W)
703-798-(b)(7)(C) (BB)
703-285-6236 (Fax)

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Tue 11/22/2016 7:18:09 PM
Subject: Smith County Texas 287(g) Request letter and 287(g) updates
[ICE Letter.pdf](#)

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

Here's a few updates. I have received the request memo from Sheriff Smith of Smith County, Tyler, Texas to participate in the 287(g) Program. I have forwarded the request memo to Headquarters, 287(g). The next step is the needs assessment and FOD support memo that I will start working on immediately. I will request in the FOD support memo for more 287(g) Program Manager's and SDDO's to assist in managing the expanding of the 287(g) program in the Dallas AOR.

I have also scheduled the meeting with Tarrant County Sheriff elect Bill Waybourn for December 1, 2016 at 1:30pm. I am aware that DFOD Guadian will be out of office but Kate Gannon placed it on Simona's calendar.

I have already received the signed MOA for Lubbock County Sheriff's Office (LCSO) with EAD Homan and Sheriff Rowe's signature and am in the process of working with LCSO to get the list of DIO nominees so we can start the OPR vetting process. The Steering Committee Charter for Lubbock County was also sent for the Sheriff's signature and once it's returned I will provide to (b)(6);(b) for FOD signature.

Please contact me if questions arise.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(

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



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OFFICE OF
SHERIFF SMITH COUNTY

LARRY R. SMITH
SHERIFF



227 N. Spring Ave.
TYLER, TEXAS 75702
(903) 590-**(b)(6)**
FAX (903) 590-2659

Date: November 15, 2016

FROM: Larry R. Smith
Smith County Sheriff
Tyler, Texas

TO: Sarah R. Saldana
Director Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Saldana:

I am writing to request participation in the Delegation of Authority Program pursuant to 287(g) of the Immigration and Naturalization Act. Given our current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Smith County, Texas. We have been closely monitoring our drug and human trafficking cases since 2013 noting that 80% of those cases will ultimately nexus back to Mexican cartels in particular, the La Familia. This also include activity from non-traditional gangs such as the Bloods and Crips.

I have been in communication with your office in Dallas, Texas 287(g) Field Program Manager **(b)(6);(b)(7)(C)** who has been very helpful and encouraging. With his advice, I am proposing the following:

Establishment of a 287(g) Jail Enforcement Model (JEM) program at our Smith County Detention Facility located in Smith, Texas. This is our central processing and pre-trial detention facility. The capacity of both our facilities is 1149 beds and intakes approximately 17,000 inmates each year.

Train (5) Sheriffs Deputies assigned to central processing, with a minimum of two years' experience, who have passed a security background acceptable to ICE.

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Smith County. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

If there are any questions or other needs to assist in processing this request please do not hesitate to contact my office.


Larry R. Smith
Smith County Sheriff
227 North Spring Avenue
Tyler, Texas 75702
(903) 590-**(b)(6)**

To: (b)(6),(b)(7)(C)
Cc:
From:
Sent: Tue 9/12/2017 9:51:18 PM
Subject: Canadian and Okmulgee Counties 287(g)

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

Here are the responses from Canadian and Okmulgee Counties in Oklahoma. This completes the current 287(g) participation requests from the Dallas AOR.

OKMULGEE COUNTY SHERIFF'S OFFICE

- 1. Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.** Approx. 40 miles.
- 2. Any media support or opposition received for or against the County request?** There no opposing views of the request in Okmulgee county.
- 3. Congressional support for or against the County request?** There no opposing views of the request in Okmulgee county.
- 4. Is there any pending litigation or substantial settlements involving civil rights violations by County?** There is nothing pending.
- 5. Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?** Okmulgee County have a U.S. Marshals contract. Also working on a IGSA currently.
- 6. Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.** We will be doing NDS inspection in October. I will also get copy of the USM inspection.
- 7. Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?** No.

CANADIAN COUNTY SHERIFF'S OFFICE

- 1. Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.** Approx. 26 miles
- 2. Any media support or opposition received for or against the County request?** None noted.
- 3. Congressional support for or against the County request?** None noted.
- 4. Is there any pending litigation or substantial settlements involving civil rights violations by County?** We sued in federal court regarding an inmate's death in out jail that occurred in June 2016. The inmate suffered from substance issues. The ME ruled cause of death as probably health issues that resulted from alcohol abuse. The state bureau of investigation conducted the criminal investigation that resulted in no criminal charges filed.
- 5. Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?** No.
- 6. Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.** No accreditations.

7. Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request? No.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-7(b)(6)

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



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

Sent: Friday, September 1, 2017 11:31 AM

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

Subject: Canadian, Okmulgee, & Potter 287(g)

(b)(6);(

Would you please respond with answers to these for our upcoming Program Advisory Board for potential 287(g) participants Canadian, Okmulgee, & Potter? Please let me know if you have any questions or need clarification.

Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.

Any media support or opposition received for or against the County request?

Congressional support for or against the County request?

Is there any pending litigation or substantial settlements involving civil rights violations by County?

Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?

Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.

Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Very respectfully,

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

287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6); (o)
405-706-(b)(7) (c)

To: (b)(6),(b)(7)(C)
Cc:
From:
Sent: Tue 9/12/2017 5:42:20 PM
Subject: Potter and Rockwall Counties 287(g)
[PCSO Jail Standards.pdf](#)

Here are the responses from Potter and Rockwall Counties in Texas. The 2 Oklahoma counties will soon follow.

POTTER COUNTY SHERIFF'S OFFICE

- 1. Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.** Approx. 4 miles
- 2. Any media support or opposition received for or against the County request?** No
- 3. Congressional support for or against the County request?** No
- 4. Is there any pending litigation or substantial settlements involving civil rights violations by County?** No
- 5. Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?** No
- 6. Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.** We are inspected yearly by Texas Commission on Jail Standards. Certification is attached.
- 7. Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?** Potter County has 2 major thorough fairs running through it, I-40 and Hwy 287. High inmate population.

ROCKWALL COUNTY SHERIFF'S OFFICE

- 1. Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.** Approx. 39 miles
- 2. Any media support or opposition received for or against the County request?** We do have some individuals in the county who oppose or question the 287(g) program and it's need in the county.
- 3. Congressional support for or against the County request?** Participation in the 287(g) program is solely up to the Sheriff's Office.
- 4. Is there any pending litigation or substantial settlements involving civil rights violations by County?** No
- 5. Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?** Yes, U.S. Marshals Service
- 6. Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.** Yes, Texas Commission on Jail Standards (PASS) and National Institute for Jail Operations – Texas Legal Based Guidelines (In-Process)
- 7. Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?** We are a proactive Sheriff's Office dedicated to public safety and enforcing state and federal laws as they stand, we have a strong base in the county that supports the 287(g) program.

Thanks,

2018-ICLI-00004 2791

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-
(b)(6);(b)(7)(C)



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Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.

Any media support or opposition received for or against the County request?

Congressional support for or against the County request?

Is there any pending litigation or substantial settlements involving civil rights violations by County?

Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?

Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.

Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Very respectfully,

(b)(6);(b)(7)(C)
287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732- (b)(6) (o)
405-706- (b)(7) (c)

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TEXAS COMMISSION ON JAIL STANDARDS

EXECUTIVE DIRECTOR

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



P.O. Box 12985

Austin, Texas 78711

Voice: (512) 463-(b)(6)

Fax: (512) 463-3185

Agency Website: <http://www.tcjs.state.tx.us>

E-mail Address: (b)(6);(b)(7)(C)

December 5, 2016

Sheriff Brian Thomas
Potter County Sheriff's Office
608 S. Pierce
Amarillo, TX 79101

Dear Sheriff Thomas,

The Texas Commission on Jail Standards wishes to acknowledge the excellent work of the Potter County Sheriff's Office with a Certificate of Compliance for the Potter County Jail. The most recent inspection of your facility on November 30-December 2, 2016 by Texas Commission on Jail Standards Inspector Shane Sowell has demonstrated that your facility is in compliance with Texas Minimum Jail Standards.

The Certificate of Compliance demonstrates your outstanding leadership and the diligent work of your staff in complying with minimum jail standards. In addition, this achievement is a direct result of your office's commitment to excellence and is an example of dedication and professionalism in maintaining a safe, secure, and sanitary facility.

Providing the essential budgetary support for jail operations is also imperative to achieving compliance, so let me also congratulate the Potter County Commissioners' Court for their vital support of jail operations.

The citizens of Potter County should be proud of your combined efforts, as is the Texas Commission on Jail Standards.

Respectfully,

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

Executive Director

BW/sh

cc: Judge Nancy Tanner, Potter County

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

Sheriff Dennis D. Wilson, Groesbeck
Sheriff Kelly Rowe, Lubbock
Stanley D. Egger, Abilene

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

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Fri 2/3/2017 8:14:12 PM
Subject: Participation in the ICE 287(g) Immigration Authority Delegation Program (IADP)

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

Please share this email with the Sheriff. I look forward to our meeting along with our CAP staff.

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) Immigration Authority Delegation Program (IADP), one of ICE's top partnership initiatives, allows state and local law enforcement entities to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions. The 287(g) Program has emerged as one of the agency's most successful and popular partnership initiatives as more state and local leaders have come to understand how a shared approach to immigration enforcement can benefit their communities.

The 287(g) Program is one component under the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program umbrella of services, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities. ICE developed the ACCESS program in response to widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) Program, which trains local officers to enforce immigration law as authorized under section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi--authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders when there is an incident or attack against the United States. During the course of daily duties, they often encounter foreign-born criminals and immigration violators who may pose a threat to national security or public safety.

Our senior management staff would like to request a meeting with the you, and your command staff to include the jail administrator to gauge your interest in participating in this partnership with ICE. Please reply to my email or contact me at either of the phone numbers below for more information. Look forward to hearing from you soon.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Ofc: 214-424-(b)(6);(b)(7)(C)
Cel: 214-998-(b)(7)(C)

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



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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Dallas Outreach Liaison
Ofc: 214-424-(b)(6);(b)(7)(C)

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



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Sent: Tue 1/31/2017 7:49:22 PM

Subject: Participation in the ICE 287(g) Immigration Authority Delegation Program (IADP)
287(g) Fact Sheet NEW.docx

Sheriff Murphree,

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) Immigration Authority Delegation Program (IADP), one of ICE's top partnership initiatives, allows state and local law enforcement entities to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions. The 287(g) Program has emerged as one of the agency's most successful and popular partnership initiatives as more state and local leaders have come to understand how a shared approach to immigration enforcement can benefit their communities.

The 287(g) Program is one component under the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program umbrella of services, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities. ICE developed the ACCESS program in response to widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) Program, which trains local officers to enforce immigration law as authorized under section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi--authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders when there is an incident or attack against the United States. During the course of daily duties, they often encounter foreign-born criminals and immigration violators who may pose a threat to national security or public safety.

Our senior management staff would like to request a meeting with the you, and your command staff to include the jail administrator to gauge your interest in participating in this partnership with ICE. Please reply to my email or contact me at either of the phone numbers below for more information. Look forward to hearing from you soon.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison

Ofc: 214-424-(b)(6);
Cel: 214-998-(b)(7)(C)

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





U.S. Immigration and Customs Enforcement

Fact Sheet: ICE 287(g) Delegation of Authority Program

History

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state, and local law enforcement partners in this mission. Section 287(g) of the Immigration and Nationality Act provides the capability for DHS to delegate to state and local law enforcement officers the authority to enforce federal immigration law under a signed agreement between DHS and the LEA.

The 287(g) program, one of ICE's top partnership initiatives, allows a state or local law enforcement agency (LEA) to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within the LEA's jurisdiction.

Office of Inspector General – Findings Report

The DHS Office of the Inspector General (OIG) conducted a review of the 287(g) delegation of authority program during the period from February 2009 through July 2009, and published its findings in March 2010. In September of 2012, DHS OIG released its report, "The Performance of 287(g) Agreements FY 2012 Follow-Up."

Since the audits were conducted, ICE has closed out all recommendations for both audits based on revisions to the 287(g) program. These revisions further strengthen public safety and ensure consistency in immigration enforcement across the country by prioritizing the arrest and detention of criminal aliens.

Summary

The 287(g) program serves as a force multiplier for ICE at the state and local level, and it enhances the safety and security of communities by partnering with state and local LEAs to identify and remove criminal aliens. Currently, ICE has 32 established MOAs with partner LEAs in 16 states. Participation by state and local LEAs is voluntary, and delegation is granted only after DHS/ICE approval and extensive training provided by ICE is completed. All delegated officers perform immigration enforcement functions under direct ICE supervision.

ICE 287(g) Delegation of Authority Program -

Page 2

287(g) Program Improvements

ICE strengthened the 287(g) basic training course and created a new refresher training course, providing detailed instruction on the terms and requirements of the MOA and the responsibilities of a 287(g) officer.

ICE deployed additional supervisors to the field to ensure greater oversight over 287(g) operations.

The Revised 287(g) MOA

After extensive coordination between several ICE components (including ERO, Homeland Security Investigations, the Office of the Principal Legal Advisor, the Office of Professional Responsibility, the Office of Policy, and the Office of Privacy) and the DHS CRCL, and with consideration given to recommendations made by OIG in their published report, *OIG-11-19, The Performance of 287(g) Agreements FY 2011 Update*, a new version of the 287(g) MOA was created and approved in 2016.

This updated document ensures clarity, consistency, and uniformity with current ICE policies and procedures and includes enhancements to the previous MOA relating to:

- Training requirements;
- OPR's inspection review process;
- Program supervision;
- ICE's civil immigration enforcement priorities;
- Civil rights standards;
- Complaint procedures;
- Release of information to the media;
- Credentialing process; and
- Statistical reporting requirements.

Oversight and Supervision

ICE increased its human capital resources to enhance the 287(g) program's mission and objectives and implemented enhanced national training programs for ICE field personnel and LEA personnel.

ERO currently has seven National Program Managers in Washington, D.C. and twenty Field Program Managers within close proximity to active MOAs tasked with oversight and management.

ICE 287(g) Delegation of Authority Program -

Page 3

Benefits

By working together, local and federal officers can better identify and remove criminal aliens, resulting in a tremendous benefit to public safety.

The 287(g) program continues to receive overwhelmingly positive feedback from its partners.

ICE's state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower.

Racial Profiling

Racial profiling will not be tolerated, and any indication of racial profiling will be treated with the utmost scrutiny and fully investigated. If any proof of racial profiling is uncovered, that specific department will have their authority and/or agreement rescinded.

In addition to the training these officers receive from their local departments, the 287(g) training includes coursework on multicultural communication and the avoidance of racial profiling.

287(g) Training Programs

Prior to being delegated immigration authority, selected state and local officers must attend and successfully complete ICE's the 287(g) basic training course, 287(g) Immigration Authority Delegation Program.

The four-week basic training program includes coursework in immigration law, the use of ICE databases, multi-cultural communication, and the avoidance of racial profiling. This training is conducted at Federal Law Enforcement Training Center – Charleston, South Carolina.

Additionally, every two years, every 287(g) delegated officers must return to the Federal Law Enforcement Training Center and successfully complete the Immigration Authority Delegation Refresher Training Program.

287(g) Participating Entities

ICE 287(g) Delegation of Authority Program -

Page 4

Currently signed 287(g) Memoranda of Agreement (32)	
STATE	LAW ENFORCEMENT AGENCY
ALABAMA	Etowah County Sheriff's Office
ARKANSAS	Benton County Sheriff's Office
ARKANSAS	Washington County Sheriff's Office
ARIZONA	Arizona Department of Corrections
ARIZONA	City of Mesa Police Department
ARIZONA	Pinal County Sheriff's Office
ARIZONA	Yavapai County Sheriff's Office
CALIFORNIA	Orange County Sheriff's Office
FLORIDA	Collier County Sheriff's Office
FLORIDA	Jacksonville Sheriff's Office
GEORGIA	Hall County Sheriff's Office
GEORGIA	Whitfield County Sheriff's Office
GEORGIA	Cobb County Sheriff's Office
GEORGIA	Gwinnett County Sheriff's Office
MARYLAND	Frederick County Sheriff's Office
MASSACHUSETTS	Massachusetts Department of Corrections
NEVADA	Las Vegas Metropolitan Police Department
NEW JERSEY	Hudson County Department of Corrections
NEW JERSEY	Monmouth County Sheriff's Office
NORTH CAROLINA	Cabarrus County Sheriff's Office
NORTH CAROLINA	Gaston County Sheriff's Office
NORTH CAROLINA	Mecklenburg County Sheriff's Office
NORTH CAROLINA	Wake County Sheriff's Office
NORTH CAROLINA	Henderson County Sheriff's Office
OHIO	Butler County Sheriff's Office
OKLAHOMA	Tulsa County Sheriff's Office
SOUTH CAROLINA	Charleston County Sheriff's Office
SOUTH CAROLINA	Lexington County Sheriff's Office
SOUTH CAROLINA	York County Sheriff's Office
TEXAS	Carrollton Police Department
TEXAS	Harris County Sheriff's Office

ICE 287(g) Delegation of Authority Program -

Page 5

VIRGINIA	Prince William-Manassas Adult Detention
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Stakeholder Engagement / Victims of Immigration Crime Engagement (VOICE) Office

U.S. Immigration and Customs Enforcement

El Paso Field Office

11541 Montana Ave., (b)(6);(b)(7)(C)

El Paso, TX 79936

915-856-(b)(6) Desk

915-494-(b)(7) Cell

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



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From: (b)(6);(b)(7)(C)
Sent: Thursday, February 15, 2018 12:27 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Next Week's Schedule

Sir,

Please see attached tentative schedule for RSW visit.

Thank you,

(b)(6);(b)(7)(C)
Supervisory Detention & Deportation Officer
500 N. Richardson
Roswell, NM 88201
C-210-880-(b)(6);(b)(7)(C)
O-575-627-(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 14, 2018 3:17 PM
To: (b)(6);(b)(7)(C)
Subject: Next Week's Schedule

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

Thank you so much for coordinating next week. I had a desk side with (b)(6);(b)(7)(C) and they are very supportive, but requested my schedule for the trip. I would love to be able to help your team if we could get a 287G in place to help you when you need to hold detainees. If you have a digital copy that would be great for the schedule. Thank you again.

v/r
(b)(6);(b)(7)(C)

Community Relations Officer, Western Texas, and New Mexico
Stakeholder Engagement / Victims of Immigration Crime Engagement (VOICE) Office
U.S. Immigration and Customs Enforcement
El Paso Field Office
11541 Montana Ave., (b)(6);(b)(7)

El Paso, TX 79936

915-856-(b)(6) Desk

915-494-(b)(7) Cell

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



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

Sent: Mon 1/8/2018 10:20:53 PM
Subject: RE: Welcome Letters
[Luna County Detention Center.pdf](#)

Good afternoon,

I just spoke with Mr. Brice (Jail Director) at the Luna County Detention Center. He has informed me that he no longer wants to participate in the 287g program. He stated that ever since he applied for the program he has received a lot of negative push back from media and from county commissioners. At this time his official stance is at this time he does not want to participate in the program.

I will notify my POC in HQ soon, as I wanted to give you heads up first.

(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 19, 2017 2:22 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Welcome Letters

Good afternoon (b)(6);(b)(7)(C)

Attached please find the AD signed welcome letters for your LEA. Typically, these letters require service within 2 weeks but we recognize we are in a holiday period and meeting time with the sheriff is limited. In consideration, I suggest sending the welcome letter electronically and then scheduling a more formal welcome meeting by 1/12/18. Please let your NPM know when a letter is served.

Thank you,

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

287(g) National Program Manager

Criminal Alien Division

Immigration and Customs Enforcement

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



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

Director Chris A. Brice
Luna County Detention Center
1700 4th Street NE
Deming, NM 88030

Dear Director Brice,

Thank you for your interest in the 287(g) Delegation of Authority Program. On November 14, 2017, U.S. Immigration and Customs Enforcement (ICE) convened a meeting of the 287(g) Program Advisory Board (PAB). After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On December 12, 2017, Acting ICE Director Thomas D. Homan approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Luna County Detention Center under a joint Memorandum of Agreement (MOA). A representative from the ICE El Paso Field Office, Enforcement & Removal Operations, will contact you to discuss the implementation of the MOA.

Your local ICE point of contact for the El Paso Field Office is Supervisory Detention and Deportation Officer (SDDO) (b)(6);(b)(7)(C) can be reached at (915) 269-5918.

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey A. Price".

Corey A. Price
Assistant Director
Enforcement

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Tue 8/30/2016 5:07:24 PM
Subject: RE: Expansion of 287(g) Partnerships

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

I have and am continuing to reach out to potential 287(g) partners taking into account the current impact that utilizes our CAP resources. (b)(6);(b)(7)(C) and myself will attempt to schedule some outreach meetings with potential 287(g) partners.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)



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From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 30, 2016 11:26 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: Expansion of 287(g) Partnerships

Team, see below broadcast regarding 287 g.

Please focus on bringing in additional partners this fiscal year in our AOR. Continue working together to identify potential opportunities.

Thanks

Deputy Field Office Director
ERO-Dallas
214-424-(b)(6);(7)(C)

From: ERO Taskings
Sent: Tuesday, August 30, 2016 10:48 AM
Subject: Expansion of 287(g) Partnerships

The following message is sent on behalf of Matthew T. Albence, Assistant Director for Enforcement, with the

concurrency of Christopher Shanahan, Acting Assistant Director for Field Operations:

To: Field Office Directors and Deputy Field Office Directors

Subject: Expansion of 287(g) Partnerships

Earlier this year, the Secretary of Homeland Security authorized Enforcement and Removal Operations (ERO) to expand the 287(g) program.

In June, ERO held its first Program Advisory Board (PAB) in nearly four years to review existing applications. The PAB recommended six (6) new law enforcement agencies (LEAs) for participation. HQ Enforcement is anticipating holding another PAB prior to the end of the calendar year and is requesting that Field Office Directors review their local operations to determine potential LEAs with which to form additional partnerships. Ideal strategic partners include those LEAs/facilities in which numerous Criminal Alien Program resources are assigned, are geographically dispersed from the nearest ERO office, and/or where a 287(g) field program manager is able to provide oversight.

HQ Enforcement stands ready to assist in this process and will provide any logistical or operational support that is required.

Please contact Deputy Assistant Director Thomas Feeley via email at (b)(6),(b)(7)(C) or at (202)732-(b)(6),(b)(7)(C) with any questions or requests for assistance.

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To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Fri 9/1/2017 10:57:52 PM
Subject: RE: Canadian, Okmulgee, & Potter 287(g)

There may be more to follow for the October 27th PAB, maybe even Collin County. Is 30 days before PAB the deadline to have request submitted to HQ's?

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(7)(C)
(b)(6);(b)(7)(C)



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From: (b)(6);(b)(7)(C)
Sent: Friday, September 1, 2017 5:56 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Canadian, Okmulgee, & Potter 287(g)

Yes please. Perfect.

Have a nice weekend

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Sep 01, 2017, 6:51 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Canadian, Okmulgee, & Potter 287(g)

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

I sent you a separate email regarding the 287(g) request for Rockwall County Sheriff's office with required documentation. If you have no objection I will provide answers to the below questions for Rockwall County also who should be presented to the PAB on October 27, 2017.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison

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



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

Sent: Friday, September 1, 2017 11:31 AM

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

Subject: Canadian, Okmulgee, & Potter 287(g)

(b)(6);(b)

Would you please respond with answers to these for our upcoming Program Advisory Board for potential 287(g) participants Canadian, Okmulgee, & Potter? Please let me know if you have any questions or need clarification.

Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.

Any media support or opposition received for or against the County request?

Congressional support for or against the County request?

Is there any pending litigation or substantial settlements involving civil rights violations by County?

Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?

Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.

Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Very respectfully,

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

**287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ**

202-732-(b)(6);(o)

405-706-(b)(7)(c)

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To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 9/12/2017 8:07:19 PM
Subject: RE: 287(g) Program Advisory Board Questions regarding 287(g) Participation Canadian County

Thank you sir!

(b)(6);(b)(7)(C)
Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

cid:image001.jpg@01CBB02E.420EC700

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From: (b)(6);(b)(7)(C)
Date: Tuesday, Sep 12, 2017, 2:06 PM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g) Program Advisory Board Questions regarding 287(g) Participation Canadian County

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

Here you go.

Thanks



(b)(6);(b)(7)(C) Undersheriff
Canadian County Sheriff's Office
208 W Rogers
El Reno, Oklahoma 73036
Office 405-422-(b)(6);(b)(7)(C)
Sent from my Desktop

From: (b)(6);(b)(7)(C)
Sent: Friday, September 08, 2017 2:15 PM
To: (b)(6);(b)(7)(C)
Subject: RE: 287(g) Program Advisory Board Questions regarding 287(g) Participation Canadian County

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

Attached is our response to your questions. If you need anything else, please let me know.

2018 ICL 00004_2814

Thanks

Any media support or opposition received for or against the County request? None noted

Congressional support for or against the County request? None noted

Is there any pending litigation or substantial settlements involving civil rights violations by County? We were recently sued in federal court regarding an inmate's death in our jail that occurred in June 2016. The inmate suffered from substance abuse issues. The ME ruled cause of death as probably health issues that resulted from alcohol abuse. The state bureau of investigation conducted the criminal investigation, that resulted in no criminal charges filed.

Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type? No

Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me. No accreditations

Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request? No



(b)(6);(b)(7)(C) / Undersheriff
Canadian County Sheriff's Office
208 W Rogers
El Reno, Oklahoma 73036
Office 405-422-3190
Sent from my Desktop

From: (b)(6);(b)(7)(C)
Sent: Thursday, September 07, 2017 8:57 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: 287(g) Program Advisory Board Questions regarding 287(g) Participation Canadian County
Importance: High

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

Would you please respond with answers to ONLY the highlighted questions for our upcoming Program Advisory Board on October 27, 2017 for your potential 287(g) participation? Please let me know if you have any questions or need clarification. I need these at your earliest convenience.

Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.

Any media support or opposition received for or against the County request?

Congressional support for or against the County request?

Is there any pending litigation or substantial settlements involving civil rights violations by County?

Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?

Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.

Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Very respectfully,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6)

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



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To: (b)(6);(b)(7)(C)
Cc:
From: Sheriff's Office - Brian L. Thomas
Sent: Thur 12/28/2017 5:43:46 PM
Subject: Re: 287(g) Participation Welcome Letter) for Potter County

Judge Nancy Tanner
Potter County Judge

Sent via the Samsung Galaxy Note8, an AT&T 4G LTE smartphone

----- Original message -----

From: (b)(6);(b)(7)(C)
Date: 12/28/17 11:32 AM (GMT-06:00)
To: "Sheriff's Office - Brian L. Thomas" (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287(g) Participation Welcome Letter) for Potter County

Please provide me his full name and title of the judge so I can have it added to the MOA template.

Thank you sir,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);
(b)(6);(b)(7)(C)



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From: (b)(6);(b)(7)(C)
Sent: Thursday, December 28, 2017 11:12 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Re: 287(g) Participation Welcome Letter) for Potter County

I will most likely be POC Brian Thomas, Sheriff, 608 S. Pierce Amarillo TX 79101 806-379-(b)(6);(C).
I am sure the Judge will sign off as well.

Sent via the Samsung Galaxy Note8, an AT&T 4G LTE smartphone

----- Original message -----

From: (b)(6);(b)(7)(C) 2018-12-28 11:12 AM
2018-12-28 11:12 AM

Date: 12/28/17 11:08 AM (GMT-06:00)
To: "Sheriff's Office - Brian L. Thomas" (b)(6);(b)(7)(C)
Cc: Sheriff's Office - (b)(6);(b)(7)(C)
Subject: RE: 287(g) Participation Welcome Letter) for Potter County

Good morning Sheriff Thomas,

Who will be the POC for Public Affairs for Potter County Sheriff's Office? I need name, title, address, and contact number. Also are you the only signatory authority authorized to sign the ICE memorandum of agreement or does it have to be co-signed by another authority? For example, the county commissioner or the chairman of the board or a judge etc.....

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);

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



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From: Sheriff's Office - Brian L. Thomas (b)(6);(b)(7)(C)
Sent: Wednesday, December 27, 2017 12:35 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Re: 287(g) Participation Welcome Letter) for Potter County

Yes sir I have nothing that afternoon. Sorry could not make the trip to Austin.

Sent via the Samsung Galaxy Note8, an AT&T 4G LTE smartphone

----- Original message -----

From: (b)(6);(b)(7)(C)
Date: 12/27/17 12:12 PM (GMT-06:00)
To: "Sheriff's Office - Brian L. Thomas" (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: 287(g) Participation Welcome Letter) for Potter County

Sheriff Thomas,

Are you and your staff available on the afternoon of January 10th to formally present your agency the 287(g) partnership welcome letter by the ICE Dallas Acting Field Office Director? We are presenting 4 welcome letters in Texas and Oklahoma so I am hoping this date is fine due to our director's schedule. Contact me if questions arise.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6),(b)(7)(C)

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



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From: Sheriff's Office - Brian L. Thomas (b)(6),(b)(7)(C)
Sent: Monday, December 11, 2017 6:13 AM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: Austin

(b)(6),(b)(7)(C) I just got this this am, it is 610am. I have a full day today, and trying to get a plane tkt to Austin this late in the game is going to be very expensive, and to drive to Austin is a 10 hour drive one way. So with my schedule today and tomorrow and the cost of a plane ticket, (if I can get a flight), I am going to have to say I just don't think there is a way I can get there. I am sorry.

Brian L. Thomas, Sheriff
★ POTTER COUNTY
SHERIFF
608 S. Pierce
Amarillo TX, 79101
(work) 806-379-(b)(6),(b)(7)(C)
(fax) 806-379-2919
(b)(6),(b)(7)(C)

www.pottercountysheriff.org

"I believe the single most significant decision I can make on a day-to-day basis is my choice of attitude. It is more important than my past, my education, my bankroll, my successes or failures, fame or pain, what other people think of me or say about me, my circumstances, or my position. Attitude keeps me going or cripples my progress. It alone fuels my fire or assaults my hope. When my attitudes are right, there is no barrier too high, no valley too deep, no dream too extreme, no challenge too great for me."
Charles Swindoll

From: (b)(6),(b)(7)(C)
Sent: Sunday, December 10, 2017 8:13 PM
To: (b)(6),(b)(7)(C) Sheriff's Office - Brian L. Thomas (b)(6),(b)(7)(C)
Subject: FW: Austin
Importance: High

Sheriff Eavenson and Sheriff Thomas,

Sorry for the late notice but there is a possibility that ICE will have a ceremonial singing with all the new state of

Texas 287(g) partnerships which include Rockwall and Potter County respectively. These new partnerships will be announced in Austin, Texas this Tuesday with time and venue TBD. The Acting ICE Director Thomas Homan and acting Field Office Director Bret Bradford (FOD Flores is on detail) among other guests will be participating.

Is this a ceremony you or a representative from your respective counties can attend if you're not available on short notice. I should have more details on Monday December 11, 2017. Contact me if questions arise.

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(b)(7)(C)

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



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

Sent: Sunday, December 10, 2017 7:03 PM

To: Asher, Nathalie R; Bible, Daniel; (b)(6);(b)(7)(C)

Cc: Jennings, David W; Price, Corey A; (b)(6);(b)(7)(C)

Subject: RE: Austin

I would certainly be available and glad to attend.

Thanks,

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

Sent with BlackBerry Work

(www.blackberry.com)

From: Asher, Nathalie R (b)(6);(b)(7)(C)

Date: Sunday, Dec 10, 2017, 6:58 PM

To: Bible, Daniel (b)(6);(b)(7)(C)

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

Cc: Jennings, David W (b)(6);(b)(7)(C), Price, Corey A (b)(6);(b)(7)(C)

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

Subject: FW: Austin

Good Evening Gents,

Apologies for the Sunday afternoon fire drill.....

The traffic below has what info we know at this point, but essentially we are wondering if by chance your newest 287(g) sheriffs listed below and you or a designee could attend a press conference in Austin with SI to announce these new agreements?

At this point, all we know is potentially this Tuesday afternoon in Austin, venue TBD.

Please work with ENF/(b)(6);(b)(7)(C) from this point on - sorry for the last minute ask....

2018-ICLI-00004_2820

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

Sent: Tue 10/25/2016 8:34:17 PM
Subject: RE: 287 g Smith County

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

I will maintain contact with all the players in 287(g) for Smith County. We are still early in the request process but I have already spoken with (b)(6);(b)(7)(C) and will make a trip out to Athens, TX to speak and meet him in person. I'll keep all parties updated as we move forward. Contact me if any questions arise.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(

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



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From: (b)(6);(b)(7)(C)
Sent: Monday, October 24, 2016 6:52 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: 287 g Smith County

(b)(6);(b) please bring (b)(6);(b)(7)(C) up to speed on the 287 g in Smith County and needed next steps.

Thanks

Deputy Field Office Director
ERO-Dallas
214-424-(b)(6);(

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Fri 12/15/2017 2:49:46 PM
Subject: RE: Alamance

Request should come from the Sheriff to the FOD before paperwork can be submitted to HQ for consideration.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Friday, December 15, 2017 8:57 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Alamance

Be advised that they are about to receive their 287g welcome letters from HQ. We need to start working on an IGA or see if we can get there Detention and transportation contracts back.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Dec 15, 2017, 8:43 AM
(b)(6);(b)(7)(C)
Subject: RE: Alamance

There is no IGSA/IGA contract in place with Alamance.

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 14, 2017 12:37 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Alamance

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

Did we ever get any feedback on this?

(b)(6);(b)(7) | AFOD | Atlanta Field Office
Desk: 404-893-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, October 31, 2017 3:23 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Alamance

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

It appears that the Alamance 287(g) program may be coming back. In anticipation, can you see if we still have a transportation contract/rider with them? It would have been inactive for the last several years, so it potentially still exists. If not, we will have to explore a new transportation contract if they are given the 287(g) program back.

180 Ted Turner Drive, SW, (b)(6)(b)(7) Atlanta, GA 30303
Desk: 404-893-(b)(6) Cell: 404-354-(b)(6)

To: (b)(6),(b)(7)(C)
Cc:
From:
Sent: Wed 11/8/2017 3:17:12 PM
Subject: White Paper - 287g

On March 17, 2017, Sheriff Terry Johnson, Alamance County Sheriff's Office, submitted a request to participate in the 287(g) Program, to Immigration and Customs Enforcement (ICE), Director Thomas Homan, The request is pending consideration with ICE.

On April 18, 2017, Sheriff Keith Stone, Nash County Sheriff's Office, submitted a request to participate in the 287(g) Program, to ICE Director Homan. The request is pending consideration with ICE.

(b)(6),(b)(7)(C)
287g Program Manager
140 Centrewest Court
Cary, NC 27513
(305) 218-(b)(6)

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Fri 2/9/2018 1:21:06 PM
Subject: Re: Horry County IGSA with ICE

Thanks.

Sent from my iPhone

On Feb 9, 2018, at 8:20 AM, (b)(6);(b)(7)(C) wrote:

Thanks (b)(6);(b)(7)(C) I have elevated the request for consideration.

(b)(6);(b)(7)(C)
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 08, 2018 10:56 AM
To: (b)(6);(b)(7)(C)
Subject: Horry County IGSA with ICE

Good morning.

Please see the attached request in reference to The Horry County Sheriff's Office entering into an IGSA with ICE.

If you should have any questions, please give me a call.

Thanks.

(b)(6);(b)(7)(C) Director of Detention
Horry County Government
J. Reuben Long Detention
4150 J. Reuben Long Ave., Conway , South Carolina 29526
Tel: (843) 915-(b)(6) | Fax: (843) 915-6141 | Cell: (843) 241-(b)(6)
Email: (b)(6);(b)(7)(C)
www.horrycounty.org

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To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 2/27/2018 2:23:40 PM
Subject: Start Date for Horry Co. 287g Program - April 30, 2018

FYSA, it appears Horry Co. 287(g) will become active on 4/30/18. There might be a little bit of a transition needed between CHL Secure Communities handling that county and the DIO / (b)(6);(b)(7)(C) handling it, but shortly thereafter you shouldn't have to process Horry Co. cases. Please coordinate with (b)(6);(b)(7) as that date approaches to make sure everything is smooth and we don't have any missed aliens during the transition. Thanks.

(b)(6);(b)(7)(C)
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Sunday, February 25, 2018 10:54 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Start Date for 287g Program

FYI

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Thursday, Feb 22, 2018, 1:09 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Start Date for 287g Program

Good morning.

Just a follow-up to our conversation from yesterday.

I had spoken to (b)(6);(b)(7)(C) and we both agree that it would be best to start the 287g program once ALL 4 of our officers graduate from the ICE training in Charleston. The last class will graduate on April 27, 2018.

After that date, (b)(6);(b)(7) would be able to work with our staff and provide support as they learn the process.

If you have any questions, please give me a call.

Thanks.

(b)(6);(b)(7)(C) Director of Detention

Horry County Government

J. Reuben Long Detention
4150 J. Reuben Long Ave., Conway, South Carolina 29526
Tel: (843) 915-(b)(6) | Fax: (843) 915-6141 | Cell: (843) 241-(b)(6);
Email: (b)(6);(b)(7)(C)
www.horrycounty.org

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 21, 2018 11:03 AM
To: (b)(6);(b)(7)(C)
Subject: Start Date for 287g Program

2018-ICLI-00004 2831

Good Morning,

I am trying to get some logistics taken care of and need to know when you would like to start the 287g program.

Thanks

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

287(g) Program Manager

Charleston County

Charleston, SC

Cell: 912 506 3 (b)(6)

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To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 6/5/2018 7:37:37 PM
Subject: FW: Bed Space

Good afternoon,

Darlington County Sheriff will be reaching out to me to get the POC regarding a national solicitation that went out for immediate bed space availability. Information was put out by HQERO POC (b)(6);(b)(7)(C)

Would you happen to know who in ATL I will put the Sheriff in touch with?

Thank you,

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, June 05, 2018 2:30 PM
To: (b)(6);(b)(7)(C)
Subject: Bed Space

(b)(6);(b)(7)(C) I was speaking with (b)(6);(b)(7)(C) (Sheriff's Association) today & he had questions pertaining to ICE bed space. Below is (b)(6);(b)(7)(C) contact info. Please give home a call.

(b)(6);(b)(7)(C)
Executive Director
Sheriff's Association
803-772-(b)(6);(b)(7)(C)

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

(b)(6);(b)(7)(C) is the local ERO Supervisor. He should be able to address your questions. Contact info below.

(b)(6);(b)(7)(C)
ICE - ERO
803-771-(b)(6);(b)(7)(C)

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

(b)(6);(b)(7)(C)
HSI/Columbia

To: (b)(6),(b)(7)(C)
From: [Redacted]
Sent: Thur 2/15/2018 7:26:40 PM
Subject: RE: Next Week's Schedule
[CRO RSW Visit.docx](#)

Sir,

Please see attached tentative schedule for RSW visit.

Thank you,

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

Supervisory Detention & Deportation Officer

500 N. Richardson

Roswell, NM 88201

C-210-880-(b)(6),
(b)(7)(C)

O-575-627-(b)(6),
(b)(7)(C)

From: (b)(6),(b)(7)(C)
Sent: Wednesday, February 14, 2018 3:17 PM
To: (b)(6),(b)(7)(C)
Subject: Next Week's Schedule

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

Thank you so much for coordinating next week. I had a desk side with (b)(6),(b)(7)(C) and they are very supportive, but requested my schedule for the trip. I would love to be able to help your team if we could get a 287G in place to help you when you need to hold detainees. If you have a digital copy that would be great for the schedule. Thank you again.

v/r

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

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

Community Relations Officer, Western Texas, and New Mexico

Stakeholder Engagement / Victims of Immigration Crime Engagement (VOICE) Office

U.S. Immigration and Customs Enforcement

El Paso Field Office

11541 Montana Ave., (b)(6),(b)(7)

El Paso, TX 79936

915-856-(b)(6)
(b)(7)
(C) Desk
915-494-(b)(6)
(b)(7)
(C) Cell

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

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To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Wed 10/5/2016 3:17:49 PM
Subject: FW: Lubbock County Welcome Letter
[Lubbock County Welcome Letter.pdf](#)

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

I just received the welcome letter for Lubbock County. I am recommending that we present the welcome letter in person to Sheriff Rowe as opposed to mailing it to his office. That will give us a chance to welcome his participation into 287(g) and discuss the MOA process.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);

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



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From: (b)(6);(b)(7)(C)
Sent: Wednesday, October 05, 2016 9:15 AM
To: (b)(6);(b)(7)(C)
Subject: Lubbock County Welcome Letter

Good morning (b)(6);(

I forwarded up your travel estimates and also included estimates for (b)(6);(b)(7)(C) and I to travel to Lubbock. Attached is a copy of the Lubbock County welcome letter. Would you like me to mail the original to you or the Sheriff's Office?

(b)(6);

From: (b)(6);(b)(7)(C)
Sent: Tuesday, October 04, 2016 2:24 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Q1 Mission Critical Travel
Importance: High

As requested for rollout of Lubbock County.

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager

Community Relations Liaison

Dallas Field Office

Ofc: 214-424-(b)(6);(

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



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

Sent: Friday, September 30, 2016 12:27 PM

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

Subject: Q1 Mission Critical Travel

(b)(6);(b)(7)(C) will be submitting funding requests for Q1 mission critical travel at COB on Tuesday. If you anticipate any program related travel costs in the first quarter please give me the estimates.

Thanks,

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

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



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

October 03, 2016

Sheriff Kelly S. Rowe
Lubbock County Sheriff's Office
P.O. Box 10536
Lubbock, Texas 79408

Dear Sheriff Rowe,

Thank you for your interest in the 287(g) Delegation of Authority Program. On July 14, 2016, a meeting of the 287(g) Program Advisory Board (PAB) was convened at U.S. Immigration and Customs Enforcement (ICE) Headquarters. After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On September 09, 2016, ICE Director Sarah Saldaña approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Lubbock County Sheriff's Office under a joint Memorandum of Agreement (MOA). A representative from the ICE Dallas Field Office, Enforcement & Removal Operations, will be contacting you to discuss the implementation of the MOA.

Your local ICE point of contact for the Dallas Field Office is 287(g) Program Manager (PM) (b)(6);(b)(7)(C) can be reached at (214) 424-(b)(6);(b)

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew T. Albence".

Matthew T. Albence
Assistant Director
Enforcement Division

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Tue 4/18/2017 3:37:16 PM
Subject: FW: 287(g) Expansion

From: (b)(6);(b)(7)(C)
Sent: Monday, April 10, 2017 11:20 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: 287(g) Expansion

(b)(6);(

As of right now we have Lubbock already signed up and ready to commence 287g operations under the jail enforcement model. Potter County in Amarillo has been contacted and they are currently discussing the program with our 287g Program manager in Dallas, (b)(6);(b)(7)(C) I'm going to loop him in since he is the program manager for West Texas at this time.

Thanks,

(b)(6);(b)(7)(C)
SDDO Fugitive Operations/CAP/VCAS
DHS/ICE/ERO Lubbock, TX
Office: 806-740-(b)(6);(b)(7)(C)
Cell: 806-239-(b)(6);(

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From: (b)(6);(b)(7)(C)
Sent: Monday, April 10, 2017 11:08 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: FW: 287(g) Expansion

(b)(6);(b

Could you give me a list of the counties in your AOR that you have approached and those that have agreed to work with the program.

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

From: (b)(6);(b)(7)(C)
Sent: Monday, April 10, 2017 9:14 AM

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

Subject: 287(g) Expansion

Good morning,

Under Secretary John Kelly's two guidance memorandums, "**Enforcement of the Immigration Laws to Serve the National Interest**" and "**Implementing the President's Border Security and Immigration Enforcement Improvements Policies**", the expansion of 287(g) to our Law Enforcement Partners who are qualified and requesting to participate in the program, is moving forward.

While the 287(g) program is managed by U.S Immigration and Customs Enforcement (ICE) Office of Enforcement and Removal Operations (ERO), under this section of the Immigration and Nationality Act (INA), the delegation of limited immigration enforcement authority to certain state and local law enforcement is allowed.

Therefore, we are now moving forward with the first phase of this program by reaching out to our local Law Enforcement Partners – Sheriff's Offices and Police Departments to determine who is interested in participating in the 287(g) Program.

Your stations will be responsible for selecting a Point of Contact (POC) who will reach out to law enforcement agencies within your respective areas of responsibility (AOR). Your POC, and yourself, should you chose to be present, will brief your Law Enforcement Partners regarding the program.

This meeting will consist of the following:

1. Describing what 287(g) is;
2. Obtaining feedback from the agency leads regarding their interest to participate in the program;
3. Answer questions;

The discussions with our Law Enforcement Partners are not to be disclosed to the public. This information must remain protected until an Official Memorandum of Agreement (MOU) is introduced and implemented.

During the Stakeholder's Meeting on Tuesday, April 11th, you will be briefed regarding the details of the 287(g) Program and how the meetings with your Law Enforcement Partners will be conducted.

Then on Wednesday, April 12th, your POC will also be briefed during the conference call.

Sector's deadline to submit the information you obtain is Thursday, April 20th.

Under (b)(6);(b)(7)(C) direction and in collaboration with ICE ERO, the information you gathered, will help lay the groundwork for the expansion of 287(g).

Please see attached documents explaining the 287(g) Program Expansion.

Sector points of contact are (b)(6);(b)(7)(C) Please do not hesitate to contact either of us if you have questions.

V/R,

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

(A)Assistant Chief Patrol Agent

LEO Programs

Big Bend Sector

Marfa, TX

(432) 729-(b)(6); Direct

(432) 231-(b)(7)(C) Cellular

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Tue 4/3/2018 7:21:19 PM
Subject: Re: Housing ICE Inmates

Very good. I will review the standards and get back with you. We are interested in housing longer than 72 hours.

Sent from my iPhone

On Apr 3, 2018, at 3:03 PM, (b)(6);(b)(7)(C) wrote:

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

Thank you for getting back with me about this, and I apologize for the delay in responding to your email. After our initial conversation, I elevated the issue to our Deputy Field Office Director who handles facilities and I have some additional info for you. At this time, the Atlanta Field Office would only have an interest if your facility was willing to hold detainees longer than 72 hours. That would mean that the 2011 PBNDS(with the 2016 revisions) link below would be the one that would apply.

<https://www.ice.gov/detention-standards/2011>

Let me know if you have any additional questions.

Thank you,

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

Assistant Field Office Director
Secure Communities/Custody Management
DHS/ICE/ERO
Atlanta Field Office
180 Ted Turner Drive SW
Atlanta, GA 30303
Office: 404-893-(b)(6);(b)(7)(C)
Cell: 404-808-(b)(6);(b)(7)(C)
Fax: 404-893-1343

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

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 27, 2018 4:21 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Housing ICE Inmates

Good afternoon (b)(6)

I am just checking in concerning housing ICE inmates at our facility. Currently we would be able to provide about 40 inmate beds a day and we are open to further discussions for providing transport services within the metro area. I have been reviewing the ICE standards for contract facilities and there are a few questions I have but nothing that I think is a deal breaker at this time. I look forward to hearing from you.

Respectfully,

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

Smyrna City Jail
2646 Atlanta Road SE
Smyrna, Ga. 30080-2018

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Fri 4/28/2017 2:07:07 PM
Subject: FW: 287(g)
[Complete packet.pdf](#)
[2017 Bartow County 287\(g\) FOD Support memo.doc](#)
[Bartow County 287g Request.pdf](#)

signed
(b)(6);(b)(7)(C)
Assistant Field Office Director
DHS/ICE/ERO
180 Spring Street
Atlanta, GA 30303
(404) 893-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 27, 2017 5:52 PM
To: (b)(6);(b)(7)(C)
Subject: RE: 287(g)

Hi (b)(6);
Please find the attached signed FOD support memo. I will bring the original over.
Thanks,
(b)(6);(b)

(b)(6);(b)(7)(C) Field Office Director | Atlanta Field Office
Department of Homeland Security | U.S. Immigration and Customs Enforcement | Enforcement and Removal Operations
180 Ted Turner Drive, SW, (b)(6);(b)(7)(C) Atlanta, GA 30303
PH: 404-893-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 26, 2017 2:57 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: FW: 287(g)

With FOD letter of concurrence.
(b)(6);(b)(7)(C)
Assistant Field Office Director
DHS/ICE/ERO
180 Spring Street
Atlanta, GA 30303
(404) 893-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Monday, April 24, 2017 12:35 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: FW: 287(g)

(b)(6);
Attached is a letter of interest for the 287(g) program from Bartow county Sheriff's office. Bartow county is North West Georgia. If you concur I will need a letter of concurrence from the FOD(I think you have a template already but let me know if you do not). Once received (b)(6);(b)(7)(C) will put a packet together for HQ.
(b)(6);(b)(7)(C)

Assistant Field Office Director
DHS/ICE/ERO
180 Spring Street
Atlanta, GA 30303
(404) 893-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Monday, April 24, 2017 12:21 PM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g)
Good Afternoon (b)(6);(

Attached is the letter of interest and needs assessment from Bartow County Sheriff's Office. Please forward to the FOD for his review and letter of Concur or Non-Concur to be attached. Once he is done, please forward me a copy of the FOD's memo so I can send everything to HQ.

Respectfully,

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

287(g) Program Manager

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

Sent: Monday, April 24, 2017 9:38 AM

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

Subject: 287(g)

(b)(6);(b)(7)(C) I think this all the information for the 287(g) request. Please let me know you need additional information.

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

Commander

Bartow-Cartersville Drug Task Force

FBI Safe Streets Task Force

770-607-(b)(6)

Sent: Wed 1/20/2016 8:11:27 PM
Subject: FW: 287(g) Program Interest-UPDATE

(b)(6)

Per your previous email below are the stats for the counties that have the most Biometrics hits. In Atlanta proper I believe Forsyth, Cherokee and Rockdale have expressed interest in 287(g)

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

Assistant Field Office Director
DHS/ICE/ERO
180 Spring Street
Atlanta, GA 30303
(404) 893-(b)(6);(b)(7)(C)

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

Sent: Friday, January 15, 2016 2:32 PM

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

Subject: RE: 287(g) Program Interest-UPDATE

Georgia

- 1. Douglas County – Jan-Dec 2015 biometric hits = 357
- 2. Forsyth County – Jan-Dec 2015 biometric hits = 331
- 3. Cherokee County – Jan-Dec 2015 biometric hits = 271
- 4. Rockdale County – Jan-Dec 2015 biometric hits = 264

North Carolina

- 1. New Hanover – Jan-Dec 2015 biometric hits = 131
- 2. Guilford County – Jan-Dec 2015 biometric hits = 75
- 3. Cumberland County – Jan-Dec 2015 biometric hits = 63

South Carolina

- 1. Horry County – Jan-Dec 2015 biometric hits = 419
- 2. Greenville County – Jan-Dec 2015 biometric hits = 307
- 3. Beaufort County – Jan-Dec 2015 biometric hits = 158

Thank you,

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

Deportation Officer
DHS/ICE/ERO
Atlanta Field Office
180 Ted Turner Drive SW
Atlanta, GA 30303
Office: 404.893. (b)(6);(b)(7)(C) | Cell: 404.441 (b)(6);(b)(7)(C) | Fax: 404.893.1364

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

Sent: Tuesday, January 12, 2016 5:54 PM

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

Subject: FW: 287(g) Program Interest-UPDATE

(b)(6);(b)(7)(C) please put together stats for the GA, NC and SC counties for incoming IARs. Something that shows the average number of monthly alien biometric hits for the top four counties in each state.

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

Supervisor
Criminal Alien Program
Immigration and Customs Enforcement
180 Ted Turner Drive SW, (b)(6);(b)(7)(C)
Atlanta, GA 30303
Tel: 404-893-(b)(6);(b)(7)(C)

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



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From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 12, 2016 4:56 PM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g) Program Interest-UPDATE

(b)(6);(b)(7)(C)
Supervisory Detention and Deportation Officer
Criminal Alien Program (CAP)
180 Ted Turner Drive, SW
Atlanta, GA 30303
(404) 893-(b)(6);(b)(7)(C)
(202) 697-(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 12, 2016 4:52:20 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: 287(g) Program Interest-UPDATE

(b)(6);(b)(7)(C)
Can the Atlanta IAR unit put together some stats for us for the GA counties, and the NC and SC counties if they're still overseeing those incoming IARs? Perhaps something that shows the average number of monthly alien biometric hits per county over a period of time (say three to six months). That will tell us how much alien volume is going through each county and where we might want to recommend to HQ that they look into possible future 287(g) programs.

Thanks,
(b)(6);(b)(7)(C)
Custody Management
Firearms & Tactical Training
Atlanta Field Office
DHS – ICE – ERO

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Thur 1/11/2018 3:09:37 PM
Subject: Alamance and Nash County 287g Welcome Letter and MOA

FYI...

I met with Alamance County Sheriff's Office and provided the 287g Welcome Letter and the MOA on December 28, 2017. The Sheriff's Office is currently reviewing the MOA. I sent an email to Sheriff Johnson yesterday to inquire on the status, waiting on a response.

Nash County Sheriff's Office was provided the 287g Welcome letter and MOA on January 8, 2018. I have a meeting scheduled with Sheriff Stone and his staff tomorrow morning at 10am.

Both programs have been informed if we are able to sign the MOA and get the officers vetted there are academy dates available in May.

(b)(6);(b)(7)(C)
287g Program Manager
140 Centrewest Court
Cary, NC 27513
(305) 218-(b)(6);(

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Thur 5/11/2017 6:49:39 PM
Subject: FW: ICE 287g Program
[287\(g\) LEA Needs Assessment and request letter.pdf](#)

Rk, here is the request and needs assessment from Nash County

From: (b)(6);(b)(7)(C)
Sent: Friday, April 21, 2017 10:46 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: Re: ICE 287g Program

Morning Sir,

I am attaching the 287g documentation in this email as requested. Please let me know if there is anything else on our end to assist in this process. Thanks and have a great weekend.

Respectfully,

Chief Deputy (b)(6);(b)(7)(C)
Nash County Sheriff's Office
222 W. Washington St., Nashville, NC 27856
O: (252) 459-(b)(6) C: (252) 886-(b)(6);(b)(7)(C)
[Redacted]

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 20, 2017 9:51:11 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g Program

Good morning Chief,

Scanning them over would be easiest. I can just forward them up the chain of command.

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 19, 2017 5:33 PM
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g Program

Afternoon Sir,

I have the signed letter requesting participation in the 287(g) program as well as the completed needs assessment. Please let me know if you want the documents scanned or if you need me to mail them to you. Thank you.

Respectfully,

Chief Deputy (b)(6);(b)(7)(C)
Nash County Sheriff's Office
222 W. Washington St., Nashville, NC 27856
O: (252) 459-(b)(6) C: (252) 886-(b)(6);(b)(7)(C)
[Redacted]

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

Sent: Friday, April 14, 2017 2:34:36 PM

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

Cc:

Subject: ICE 287g Program

Good afternoon Sheriff Stone,

It was a pleasure meeting you and your staff. As we discussed I have attached a sample letter and the needs assessment, the two items needed to initiate the process of joining the 287g Program. Upon completion if you would email me back both documents and I will forward them to ICE HQ. If you or your staff have any questions please feel to call or email me.

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

287g Program Manager

140 Centrewest Court

Cary, NC 27513

(305) 218-(b)(6)

Please note that email sent to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

Nash County Government

To: (b)(6),(b)(7)(C)
From: (b)(6),(b)(7)(C)
Sent: Wed 1/24/2018 7:08:45 PM
Subject: FW: MOA amended by Alamance County Attorney
[Proposed MOA 1-23-18 CBA comments v4.rtf](#)

From: (b)(6),(b)(7)(C)
Sent: Tuesday, January 23, 2018 9:45 AM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: MOA amended by Alamance County Attorney
Importance: High

Good morning,
I have attached a draft of a MOA with suggested amendments set forth in red.
Please let me know if these amendments are acceptable to ICE.

(b)(6),(b)(7)(C)
Alamance County Attorney

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Tue 12/19/2017 10:05:22 PM
Subject: FW: Welcome Letters
[Alamance County Sheriff's Office.pdf](#)
[Nash County Sheriff's Office.pdf](#)

FYI

Going to meet with Alamance and Nash this week if possible to deliver the welcome letters.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Tuesday, Dec 19, 2017, 4:56 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: Welcome Letters

Good afternoon (b)(6);(b)(7)(C)

Attached please find the AD signed welcome letters for your LEA. Typically, these letters require service within 2 weeks but we recognize we are in a holiday period and meeting time with the sheriff is limited. In consideration, I suggest sending the welcome letter electronically and then scheduling a more formal welcome meeting by 1/12/18. Please let your NPM know when a letter is served. Please be advised that NPM (b)(6);(b)(7)(C) is currently on A/L until January 03, 2018.

Thank you,

(b)(6);(b)(7)(C)
287(g) National Program Manager
Criminal Alien Division
Immigration and Customs Enforcement

To: (b)(6),(b)(7)(C)
From: (b)(6),(b)(7)(C)
Sent: Mon 1/22/2018 7:21:58 PM
Subject: Nash County MOA

RK, the MOA is ready to go back to the Nash County Sheriff for his signature. How are we going to handle this with the shutdown?

We can always set something up between the FOD and the Sheriff after HQ signs the MOA and we return the MOA to the Sheriff.

(b)(6),(b)(7)(C)
287g Program Manager
140 Centrewest Court
Cary, NC 27513
(305) 218-(b)(6)

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Thur 1/25/2018 2:37:10 PM
Subject: Nash MOA

Meeting with the Sheriff in Nash Monday afternoon to sign the MOA.

Sent with BlackBerry Work
(www.blackberry.com)

To: (b)(6);(b)(7)(C)
Cc: [Redacted]
From: [Redacted]
Sent: Fri 2/2/2018 6:47:49 PM
Subject: RE: Alamance

Greetings,

Requests for detention/transportation contracts must be provided in writing from the Sheriff addressed to the FOD. Upon receipt of the aforementioned I can move forward with the request.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Friday, December 15, 2017 8:57 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Alamance

Be advised that they are about to receive their 287g welcome letters from HQ. We need to start working on an IGA or see if we can get there Detention and transportation contracts back.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Dec 15, 2017, 8:43 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Alamance

There is no IGSA/IGA contract in place with Alamance.

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 14, 2017 12:37 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Alamance

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

Did we ever get any feedback on this?

(b)(6);(b)(7) | AFOD | Atlanta Field Office
Desk: 404-893- [Redacted]

From: (b)(6);(b)(7)(C)
Sent: Tuesday, October 31, 2017 3:23 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: Alamance

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

It appears that the Alamance 287(g) program may be coming back. In anticipation, can you see if we still have a transportation contract/rider with them? It would have been inactive for the last several years, so it potentially still exists. If not, we will have to explore a new transportation contract if they are given the 287(g) program back.
2018-ICLI-00004 2854

(b)(6)(b)(7) | Assistant Field Office Director | Atlanta Field Office
Department of Homeland Security | U.S. Immigration and Customs Enforcement | Enforcement and Removal Operations
180 Ted Turner Drive, SW, (b)(6)(b)(7) Atlanta, GA 30303
Desk: 404-893-(b)(7) Cell: 404-354-(b)(6)

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 5/30/2017 3:13:41 PM
Subject: RE: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

Do you know if the paperwork went to DC for Alamance?

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 30, 2017 11:11 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

Thanks

(b)(6);(b)(7)(C)
Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Atlanta Field Office | 6130 Tyvola Centre Drive, Charlotte, NC 28217 | Office: 704-672-(b)(6) | Fax: 704-672-6998

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 30, 2017 11:02 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

10-4 sending it now.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 30, 2017 11:01 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

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

Can you send LEA Needs Assessment Form along with a FOD's Concurrence Letter for Nash County to your POC in HQ so that we can get this started? Thanks

(b)(6);(b)(7)(C)
Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Atlanta Field Office | 6130 Tyvola Centre Drive, Charlotte, NC 28217 | Office: 704-672-(b)(6) | Fax: 704-672-6998

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 30, 2017 10:59 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

Hello (b)(6)

This is good to go. Please forward the request to HQ. Thanks!
2018-ICLI-00004 2856

One team, one mission!

ICE/ERO Mission Statement:

To identify, arrest, and remove aliens who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally or otherwise undermine the integrity of our immigration laws and our border control efforts. ERO upholds America's immigration laws at, within and beyond our borders through efficient enforcement and removal operations.

Core values:

- Work hard and smart.
- Treat others with dignity and respect.
- Maintain a positive attitude.

Sincerely,

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

Deputy Field Office Director
U.S. Department of Homeland Security
Immigration and Customs Enforcement
Enforcement and Removal Operations
Atlanta Field Office
(404) 893-(b)(6) - Office

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

Sent: Tuesday, May 30, 2017 9:33 AM

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

Subject: FW: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

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

Attached is Nash County's needs assessment, the Sheriff's letter of request to start up a 287g program at the County Jail, and your letter of concurrence to elevate to HQ. If you concur, please sign the letter, and then we will elevate it to HQ. Thanks!

One team, one mission!

ICE/ERO Mission Statement:

To identify, arrest, and remove aliens who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally or otherwise undermine the integrity of our immigration laws and our border control efforts. ERO upholds America's immigration laws at, within and beyond our borders through efficient enforcement and removal operations.

Core values:

- Work hard and smart.
- Treat others with dignity and respect.
- Maintain a positive attitude.

Sincerely,

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

Deputy Field Office Director
U.S. Department of Homeland Security
Immigration and Customs Enforcement
Enforcement and Removal Operations
Atlanta Field Office

(404) 893-[redacted]- Office

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From: [redacted]
Sent: Monday, May 22, 2017 11:01 AM
To: [redacted]
Subject: Nash County 287(g) LEA Needs Assessment Form and FOD's Concurrence Letter

[redacted]

Attached is a LEA Needs Assessment Form along with a FOD's Concurrence Letter For Nash County. Thanks

[redacted]

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Atlanta Field Office | 6130 Tyvola Centre Drive, Charlotte, NC 28217 | Office: 704-672-[redacted] | Fax: 704-672-6998

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From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:33 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

I'll call him in the morning to ask about the memo and MSA. Basically the only service will be housing aliens at their facility for us until we take them, much like a 287g location, just without the 287g part.

(b)(6);(b)(7)(C)
Charleston – Columbia – Savannah
ERO – ICE – DHS
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:02 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

The challenge at this time is funding. I will reach out to HQ tomorrow and see what can be done. In the meantime is it possible for you to have the Sherriff provide a memorandum stating what services he is offering and a copy of the MSA.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 4:37 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: IGSA Marshals Contract Rider - Chatham County, GA
Importance: High

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

How quickly can we get the legwork done and an MOU prepared to become a rider on the USMS agreement with Chatham County, GA? The sheriff there is threatening to stop honoring our detainees due to the cost involved for the county, but may be willing to hold the aliens on their existing USMS contract / IGSA. It would benefit us to have a holding facility in the Savannah area. He would like to see the agreement before committing. He said the USMS is paid approximately (b)(6) per day for inmates, so that would be our rate as well.

Thanks,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Mon 1/22/2018 7:17:30 PM
Subject: RE: IGSA Request - Horry County, SC (J. Reuben Long Detention Center) - USMS Contract Rider

(b)(6);(b)(7)(C) no problem, I'll touch base with (b)(6);(b)(7)(C) to see what we need to get going.

Respectfully,
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Monday, January 22, 2018 2:11 PM
To: (b)(6);(b)(7)(C)
Subject: IGSA Request - Horry County, SC (J. Reuben Long Detention Center) - USMS Contract Rider
Importance: High

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

We would like to pursue getting the Horry County, SC jail, officially called the J. Reuben Long Detention Center, approved as an ICE Under 72-Hour detention facility by riding on the USMS contract. Horry County management wishes to pursue an IGSA as well, and it would benefit ICE by eliminating the need to drive four or more hours every day to pick up aliens at the facility. We already do this several times per week due to the productivity of our CAP officers, but Horry County is slated to become an active 287(g) program within the next two or three months. Once this occurs we will almost certainly need to travel to that facility daily. We typically have IGSA's with our 287(g) locations, unless they decline, but for some unknown reason this option was never presented to Horry County when the 287(g) agreement was being worked out. It seems like an oversight, but it's definitely an oversight that will impact us when they become operational in the near future and we have to do daily transports.

Attached are their IGA with the USMS, on which ICE is not listed as a rider, and the USMS contact. As I understand it we would need to get the USMS to agree to allow us to ride on their contract (which typically is not an issue) and have them amend the current contract by checking the ICE box in block 18. Once done it would require HQ approval and Horry County would need to conduct an ORSA (self-inspection). Let me know if you need anything else from me at this time to get this moving with the USMS and ERO HQ.

Thanks,

(b)(6);(b)(7)(C)
ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 02, 2018 2:54 PM
To: (b)(6);(b)(7)(C)
Subject: FW: US Marshal

I wanted to put this back on your radar as Horry County gets closer to operational.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 29, 2017 2:10 PM
To: (b)(6);(b)(7)(C)
Subject: FW: US Marshal

See attachments.

Organizer: (b)(6);(b)(7)(C)
From:
Attendees:
Location:
Importance: Normal
Subject: ICE 287(g) Partnership Inquiry
Categories: Secure Communities
Start Time: Thur 1/25/2018 6:00:00 PM
End Time: Thur 1/25/2018 7:00:00 PM
Required Attendees: (b)(6);(b)(7)(C)
Optional Attendees:
[ATT28381 1.jpg](#)
[ATT30947 2.jpg](#)

(b)(6);(b)(7)(C) Can we please do a conference call on Thursday at 1:00 pm. If confirmed, I will call you.

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

From: (b)(6);(b)(7)(C)
Sent: Monday, January 22, 2018 2:51 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

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

Just checking with you again about discussing the ICE 287(g) program. My schedule is fairly open this week, except Wednesday, so let me know what works for you.

Thanks,

(b)(6);(b)(7)(C)
ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746 (b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 09, 2018 5:27 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

I got your phone message. The scheduling of a meeting was just for your convenience in case you needed to have multiple individuals present. It will just be me on my end, so any time is fine really. If you need to get multiple people together I can probably work around your schedules. The below times are good for me.

Wednesday, Jan. 10th between 12:00 and 4:30pm
Thursday, Jan. 11th between 2:00 and 4:30pm
2018-ICLI-00004 2876

Friday, Jan. 12th between 11:00am and 4:30pm

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

ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

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

Sent: Tuesday, January 09, 2018 4:36 PM

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

Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

(b)(6);(b)(7)(C) - Please let me know when you are available? Maybe we can plan a conference call for later in the week.

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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(b)(7)(C)

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

Sent: Tuesday, January 09, 2018 11:23 AM

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

Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

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

Thank you for getting back to me and sorry for the delay. I had some vacation time around the holidays and then the snow/ice in Charleston disrupted our operations a bit. Perhaps we can set up a time to discuss the ICE 287(g) program later this week. Except for a couple of meetings, I should be available most of this week. Let me know what works for you.

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

Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6);(b)(7)(C)

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

Sent: Wednesday, December 27, 2017 1:55 PM

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

Cc:
Subject: ICE 287(g) Partnership Inquiry

2018-ICLI-00004 2877

(b)(6);(b)(7)(C) Can you please get back with me regarding this email. I will be on leave on January 2-3 but will otherwise be at work this week. Look forward to speaking with you soon.

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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Monday, December 18, 2017 10:34 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry

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

Asst. Field Office Director (b)(6);(b)(7)(C) will be making contact with you to inquire about the South Carolina DOC's interest in partnering with the Department of Homeland Security, U.S. Immigration and Customs Enforcement in a 287(g) agreement. This is a function that takes place at intake and is more in your wheelhouse with classification.

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

Assistant Deputy Director
SCDC Police Services
(803) 422-(b)(6); Cell
(803) 896-(b)(7)(Office
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 14, 2017 11:13 AM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287(g) Partnership Inquiry

Can you handle this please

(b)(6);(b)(7)(C)
SCDC
803-608-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 12, 2017 3:29 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: FW: ICE 287(g) Partnership Inquiry

Director Stirling asked me to send you the below and attached for handling. Thank you.

(b)(6);(b)(7)(C) Executive Assistant
Office of the Director
South Carolina Department of Corrections
Post Office Box 21787

Columbia, South Carolina 29221-1787

(803)896-(b)(6):(Office)

(803)896-3972 (Fax)

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

Sent: Thursday, December 07, 2017 2:41 PM

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

Subject: ICE 287(g) Partnership Inquiry

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

S.C. Department of Corrections,

As requested, I am sending this email to inquire about the South Carolina DOC's interest in partnering with the Department of Homeland Security, U.S. Immigration and Customs Enforcement in a 287(g) agreement. We have recently partnered with the State of Georgia DOC in an agreement and thought we may be able to do the same with South Carolina. This program is specifically designed to enhance public safety by removing criminal aliens from our communities. I would welcome the opportunity to discuss this program with Director Stirling, and have attached a brochure and some information below on the program in case you are not familiar with it.

History

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state, and local law enforcement partners in this mission. Section 287(g) of the Immigration and Nationality Act provides the capability for DHS to delegate to state and local law enforcement officers the limited authority to enforce federal immigration law under a signed agreement between DHS and the LEA.

The 287(g) program, one of ICE's top partnership initiatives, allows a state or local law enforcement agency (LEA) to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within the LEA's jurisdiction.

Summary

The 287(g) program serves as a force multiplier for ICE at the state and local level, and it enhances the safety and security of communities by partnering with state and local LEAs to identify and remove criminal aliens. Participation by state and local LEAs is voluntary, and delegation is granted only after DHS/ICE approval and training provided by ICE is completed. All delegated officers perform immigration enforcement functions under ICE oversight.

Benefits

By working together, state/local and federal officers can better identify and remove criminal aliens, resulting in a tremendous benefit to public safety.

The 287(g) program continues to receive overwhelmingly positive feedback from its partners.

ICE's state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower.

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

Charleston - Columbia - Savannah

ERO - ICE - DHS

Office: 843-746-(b)(6);(b)(7)(C)

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

Sent: Wednesday, May 31, 2017 6:07 PM

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

Cc:

Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

Also, I am in the process of submitting funds request for 4th quarter detention beds; is it possible to reduce some of the funding for Charleston County to get this up and running.

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

Sent: Wednesday, May 31, 2017 5:58 PM

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

Cc:

Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

How many beds?

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

Sent: Wednesday, May 31, 2017 5:33 PM

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

Cc:

Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

I'll call him in the morning to ask about the memo and MSA. Basically the only service will be housing aliens at their facility for us until we take them, much like a 287g location, just without the 287g part.

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

Charleston - Columbia - Savannah

ERO - ICE - DHS

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

Sent: Thur 1/7/2016 4:53:41 PM
Subject: RE: 287(g) Program Interest

Do not forget Horry Co SC.

Sent with Good (www.good.com)

From: (b)(6),(b)(7)(C)
Sent: Thursday, January 07, 2016 11:46:01 AM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: 287(g) Program Interest

DDOs,

ERO HQ received approval to move forward with any jurisdictions interested in the Jail Model of the 287(g) Program. As such, please formally reach out to the following counties to gauge the interests of their Sheriffs. Some of the below jurisdictions' requests date back to 2011.

Please let me know by CoB on Friday. Thanks, (b)(6),(b)(7)(C)

- Forsythe County, NC
- New Hanover County, NC

- Cherokee County, GA
- Rockdale County, GA

Respectfully,

(b)(6),(b)(7)(C)
Deputy Field Office Director
Atlanta Field Office - ERO
Immigration and Customs Enforcement
404-893-(b)(6) Office

(b)(6),(b)(7)(C)
cm.cronen@dhs.sgov.gov
cmcronen@dhs.ic.gov

To: (b)(6);(b)(7)(C)
From:
Sent: Thur 3/15/2018 3:16:51 PM
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements

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

Can you provide a status update on getting Horry County, SC designated as an Under 72-hour facility? If it's pending with HQ, perhaps they can give us some feedback. The 287(g) program goes live there on April 29th and it would be helpful if we didn't have to make almost-daily runs up and back since they're over two hours away.

Thanks,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 21, 2018 9:19 AM
To: (b)(6);(b)(7)(C)
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements

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

Just checking to see if you have an update on Horry County becoming an Under 72-hour IGSA.

Also, were you able to get the funding information from (b)(6);(b)(7)(C) to add one day to the Irwin County transportation contract?

(b)(6);(b)(7)(C)
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Friday, February 09, 2018 8:30 AM
To: (b)(6);(b)(7)(C)
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements

Great- thank you!

From: (b)(6);(b)(7)(C)
Sent: Friday, February 9, 2018 8:19 AM
To: (b)(6);(b)(7)(C)
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements
Importance: High

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

Attached is the official request from Horry County, SC for an IGSA (under 72-hour).

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

To: (b)(6);(b)(7)(C)
Cc: [Redacted]
From: [Redacted]
Sent: Wed 3/7/2018 11:11:44 PM
Subject: RE: ICE 287(g) Partnership Inquiry
[287g Jail model 2018 MOA Template FILLABLE.DOCX](#)

(b)(6);(b)(7)(C) – I am referring your question to Assistant Deputy Director of Operations for SCDC – (b)(6);(b)(7)(C) for response.



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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 07, 2018 3:37 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

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

Just following up with you to see if this matter is still pending on your end or if you needed anything else from me.

Sincerely,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Monday, February 19, 2018 2:41 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry

Thank you (b)(6);(b)(7)(C) I am awaiting a response/disposition from my supervisor. Hopefully, I will respond later this week.



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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(b)

From: (b)(6);(b)(7)(C)
Sent: Friday, February 16, 2018 4:59 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry
Importance: High

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

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

I finally received word back from our Headquarters 287(g) unit. They conferred with our legal department, and it is acceptable for your case managers to become trained Designated Immigration Officers (DIO) even though they are not sworn law enforcement officers. If you have any other questions please let me know. Perhaps we can further discuss the South Carolina DOC's interest in the program next week.

Sincerely,

(b)(6);(b)(7)(C)
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6);

From: (b)(6);(b)(7)(C)
Sent: Friday, January 26, 2018 10:35 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry

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

Attached is a sample ICE 287(g) Memorandum of Agreement (MOA) for your review. Each MOA is a little different, modified to fit that particular agency, but the attached version will give you a good idea of what's in it. I am checking with our Headquarters 287(g) unit regarding the question of whether case managers can be trained as DIOs since they are not law enforcement officers. Once I receive more information on this I will pass that along.

Sincerely,

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 09, 2018 4:36 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Partnership Inquiry

(b)(6);(b)(7)(C) – Please let me know when you are available? Maybe we can plan a conference call for later in the week.



(b)(6);(b)(7)(C)
Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 09, 2018 11:23 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Partnership Inquiry

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(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 27, 2017 1:55 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: ICE 287(g) Partnership Inquiry

(b)(6),(b)(7)(C) – Can you please get back with me regarding this email. I will be on leave on January 2-3 but will otherwise be at work this week. Look forward to speaking with you soon.



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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C)
Sent: Monday, December 18, 2017 10:34 AM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: ICE 287(g) Partnership Inquiry

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

Asst. Field Office Director (b)(6),(b)(7)(C) will be making contact with you to inquire about the South Carolina DOC's interest in partnering with the Department of Homeland Security, U.S. Immigration and Customs Enforcement in a 287(g) agreement. This is a function that takes place at intake and is more in your wheelhouse with classification.

Thanks

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

Assistant Deputy Director
SCDC Police Services
(803) 422-(b)(6),(b)(7)(C) Cell
(803) 896-(b)(7)(C) Office

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

From: (b)(6),(b)(7)(C)
Sent: Thursday, December 14, 2017 11:13 AM
To: (b)(6),(b)(7)(C)
Subject: FW: ICE 287(g) Partnership Inquiry

Can you handle this please

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

SCDC
803-608-(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C)
Sent: Tuesday, December 12, 2017 3:29 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: FW: ICE 287(g) Partnership Inquiry

Director Stirling asked me to send you the below and attached for handling. Thank you.

(b)(6);(b)(7)(C) **Executive Assistant**
Office of the Director
South Carolina Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221-1787
(803)896-(b)(6);(7)(C) (Office)
(803)896-3972 (Fax)

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From: (b)(6);(b)(7)(C)
Sent: Thursday, December 07, 2017 2:41 PM
To: (b)(6);(b)(7)(C)
Subject: ICE 287(g) Partnership Inquiry

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S.C. Department of Corrections,

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Thank you,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

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Summary

The 287(g) program serves as a force multiplier for ICE at the state and local level, and it enhances the safety and security of communities by partnering with state and local LEAs to identify and remove criminal aliens. Participation by state and local LEAs is voluntary, and delegation is granted only after DHS/ICE approval and training provided by ICE is completed. All delegated officers perform immigration enforcement functions under ICE oversight.

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By working together, state/local and federal officers can better identify and remove criminal aliens, resulting in a tremendous benefit to public safety.

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ICE's state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower.

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To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Thur 3/15/2018 3:49:52 PM
Subject: RE: Horry County 287(g)

Yay, that is great news.

Thanks,

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:48 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

Just got a response. The IGSA request is pending with the USMS, asking that we be added as a rider onto their contract with Horry.

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:23 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

One of those tables might be a little wide. I'll look and see if I can find something simple and inexpensive online. If not, I'll figure something out.

I hope they get the under 72 pushed through as it would take a ton of pressure off since those cases come in and go out quickly. It would make life a lot easier on everyone involved to include transport.

Thanks,

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:18 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

I haven't seen any furniture around here, but I'll look. The only thing I can think of is a standard wooden table, like you'd have in a conference room for two people to sit at; we have those. If you find something inexpensive on Ability One or GSA Advantage I'm sure we can order it to fit your needs.

The IGSA issue is pending with ATL and/or HQ. I follow up every few weeks. Last month I sent ATL the official request from Horry that they needed. I just sent an inquiry to see if we can get a status update.

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

Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6);(b)

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

Sent: Thursday, March 15, 2018 10:55 AM

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

Subject: RE: Horry County 287(g)

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

I spoke with (b)(6);(b)(7)(C) about two weeks ago and we discussed the transition date. That works for me. I am working on getting some things together already and will be working with the one trained DIO next week and until we go online to help him stay up to speed.

Also, I was wondering if you have any spare furniture there as my office space only has a large filing cabinet (locking that belongs to ICE) and a desk. I am looking to get another long table of some sort to put my scanner, flat bed printer and regular printer on. I don't need anything bulky but, I was thinking maybe you guys had something I could use. Horry has only providing the very basics.

Also, is there any word on riding the USM contract for over 72 hours?

Thanks,

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

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

Sent: Thursday, March 15, 2018 10:43 AM

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

Subject: Horry County 287(g)

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

I'm not sure if you've heard, but the Horry Co. 287(g) program will officially start the week of April 29th. (b)(6);(b)(7)(C) was okay with you transitioning to Horry Co. as of April 16th. That will give you a couple of weeks to work with the DIOs on any issues, make sure the computers work properly, get things squared-away at the jail, etc. before the program starts rolling. It looks like Horry will just have three DIOs for a while. They'll probably replace Figueroa, but it'll take a little time to get the replacement cleared and into a DIO class. Let me know if there are any issues with this or if you encounter any during the start-up of the program.

Thanks,

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

Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

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

Sent: Thursday, March 15, 2018 10:22 AM

2018-ICLI-00004 2908

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

Cc: 287(g) Training (b)(6);(b)(7)(C)

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

Subject: Horry County - Officer David Figueroa

Good Morning,

Please remove (b)(6);(b)(7)(C) from IADP-802. He is no longer employed at J Rueben Long Detention Center.

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

287(g) Program Manager

Charleston County

Charleston, SC

Cell: 912 506 (b)(6)

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Thur 3/15/2018 3:16:51 PM
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements

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

Can you provide a status update on getting Horry County, SC designated as an Under 72-hour facility? If it's pending with HQ, perhaps they can give us some feedback. The 287(g) program goes live there on April 29th and it would be helpful if we didn't have to make almost-daily runs up and back since they're over two hours away.

Thanks,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 21, 2018 9:19 AM
To: (b)(6);(b)(7)(C)
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements

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

Just checking to see if you have an update on Horry County becoming an Under 72-hour IGSA.

Also, were you able to get the funding information from (b)(6);(b)(7) to add one day to the Irwin County transportation contract?

(b)(6);(b)(7)(C)
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6);(b)(7)

From: (b)(6);(b)(7)(C)
Sent: Friday, February 09, 2018 8:30 AM
To: (b)(6);(b)(7)(C)
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements

Great- thank you!

From: (b)(6);(b)(7)(C)
Sent: Friday, February 9, 2018 8:19 AM
To: (b)(6);(b)(7)(C)
Subject: RE: FY-18 Q3 Detention Bed Space/Ground Transportation Contract Funding Requirements
Importance: High

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

Attached is the official request from Horry County, SC for an IGSA (under 72-hour).

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

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Wed 3/7/2018 11:11:44 PM
Subject: RE: ICE 287(g) Partnership Inquiry
[287g Jail model 2018 MOA Template FILLABLE.DOCX](#)

(b)(6);(b)(7)(C) – I am referring your question to Assistant Deputy Director of Operations for SCDC – (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) for response.



(b)(6);(b)(7)(C)
Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 07, 2018 3:37 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

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

Just following up with you to see if this matter is still pending on your end or if you needed anything else from me.

Sincerely,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Monday, February 19, 2018 2:41 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

Thank you (b)(6);(b)(7)(C) I am awaiting a response/disposition from my supervisor. Hopefully, I will respond later this week.



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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, February 16, 2018 4:59 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry
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Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6);(b)(7)(C)

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Sent: Friday, January 26, 2018 10:35 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
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U.S. Department of Homeland Security
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Office of the Director
South Carolina Department of Corrections
Post Office Box 21787
Columbia, South Carolina 29221-1787
(803)896-(b)(6) (Office)
(803)896-3972 (Fax)

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ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

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Thanks,

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:48 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

Just got a response. The IGSA request is pending with the USMS, asking that we be added as a rider onto their contract with Horry.

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:23 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

One of those tables might be a little wide. I'll look and see if I can find something simple and inexpensive online. If not, I'll figure something out.

I hope they get the under 72 pushed through as it would take a ton of pressure off since those cases come in and go out quickly. It would make life a lot easier on everyone involved to include transport.

Thanks,

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:18 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

I haven't seen any furniture around here, but I'll look. The only thing I can think of is a standard wooden table, like you'd have in a conference room for two people to sit at; we have those. If you find something inexpensive on Ability One or GSA Advantage I'm sure we can order it to fit your needs.

The IGSA issue is pending with ATL and/or HQ. I follow up every few weeks. Last month I sent ATL the official request from Horry that they needed. I just sent an inquiry to see if we can get a status update.

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

Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 10:55 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

Hi (b)(6)
I spoke with (b) about two weeks ago and we discussed the transition date. That works for me. I am working on getting some things together already and will be working with the one trained DIO next week and until we go online to help him stay up to speed.

Also, I was wondering if you have any spare furniture there as my office space only has a large filing cabinet (locking that belongs to ICE) and a desk. I am looking to get another long table of some sort to put my scanner, flat bed printer and regular printer on. I don't need anything bulky but, I was thinking maybe you guys had something I could use. Horry has only providing the very basics.

Also, is there any word on riding the USM contract for over 72 hours?

Thanks,
(b)(6);(b)(7)

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 10:43 AM
To: (b)(6);(b)(7)(C)
Subject: Horry County 287(g)

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

I'm not sure if you've heard, but the Horry Co. 287(g) program will officially start the week of April 29th. RK was okay with you transitioning to Horry Co. as of April 16th. That will give you a couple of weeks to work with the DIOs on any issues, make sure the computers work properly, get things squared-away at the jail, etc. before the program starts rolling. It looks like Horry will just have three DIOs for a while. They'll probably replace Figueroa, but it'll take a little time to get the replacement cleared and into a DIO class. Let me know if there are any issues with this or if you encounter any during the start-up of the program.

Thanks,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 10:22 AM

2018-ICLI-00004 2926

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 2/27/2018 2:23:40 PM
Subject: Start Date for Horry Co. 287g Program - April 30, 2018

FYSA, it appears Horry Co. 287(g) will become active on 4/30/18. There might be a little bit of a transition needed between CHL Secure Communities handling that county and the DIO / (b)(6);(b)(7)(C) handling it, but shortly thereafter you shouldn't have to process Horry Co. cases. Please coordinate with (b)(6);(b)(7)(C) as that date approaches to make sure everything is smooth and we don't have any missed aliens during the transition. Thanks.

(b)(6);(b)(7)(C)
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Sunday, February 25, 2018 10:54 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Start Date for 287g Program

FYI

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Date: Thursday, Feb 22, 2018, 1:09 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Start Date for 287g Program

Good morning.

Just a follow-up to our conversation from yesterday.

I had spoken to (b)(6);(b)(7)(C) and we both agree that it would be best to start the 287g program once ALL 4 of our officers graduate from the ICE training in Charleston. The last class will graduate on April 27, 2018.

After that date, (b)(6);(b)(7)(C) would be able to work with our staff and provide support as they learn the process.

If you have any questions, please give me a call.

Thanks.

(b)(6);(b)(7)(C) Director of Detention
Horry County Government
J. Reuben Long Detention
4150 J. Reuben Long Ave., Conway, South Carolina 29526
Tel: (843) 915-(b)(6) | Fax: (843) 915-6141 | Cell: (843) 241-(b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)
www.horrycounty.org

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 21, 2018 11:03 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Subject: Start Date for 287g Program

Good Morning,

I am trying to get some logistics taken care of and need to know when you would like to start the 287g program.

Thanks

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

287(g) Program Manager

Charleston County

Charleston, SC

Cell: 912 506 3 (b)(6)

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To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 6/5/2018 7:37:37 PM
Subject: FW: Bed Space

Good afternoon,

Darlington County Sheriff will be reaching out to me to get the POC regarding a national solicitation that went out for immediate bed space availability. Information was put out by HQERO POC (b)(6);(b)(7)(C)

Would you happen to know who in ATL I will put the Sheriff in touch with?

Thank you,

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, June 05, 2018 2:30 PM
To: (b)(6);(b)(7)(C)
Subject: Bed Space

(b)(6) - I was speaking with (b)(6);(b)(7)(C) (Sheriff's Association) today & he had questions pertaining to ICE bed space. Below is (b)(6);(b)(7) contact info. Please give home a call.

(b)(6);(b)(7)(C)
Executive Director
Sheriff's Association
803-772-(b)(6)
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) is the local ERO Supervisor. He should be able to address your questions. Contact info below.

(b)(6);(b)(7)(C)
ICE - ERO
803-771-(b)(6)
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
HSI/Columbia

Organizer: (b)(6);(b)(7)(C)
From:
Attendees:
Location:
Importance: Normal
Subject: ICE 287(g) Partnership Inquiry
Categories: Secure Communities
Start Time: Thur 1/25/2018 6:00:00 PM
End Time: Thur 1/25/2018 7:00:00 PM
Required Attendees: (b)(6);(b)(7)(C)
Optional Attendees:

[ATT28381 1.jpg](#)
[ATT30947 2.jpg](#)

(b)(6);(b)(7)(C) Can we please do a conference call on Thursday at 1:00 pm. If confirmed, I will call you.

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

From: (b)(6);(b)(7)(C)
Sent: Monday, January 22, 2018 2:51 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

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

Just checking with you again about discussing the ICE 287(g) program. My schedule is fairly open this week, except Wednesday, so let me know what works for you.

Thanks,

(b)(6);(b)(7)(C)
ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 09, 2018 5:27 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287(g) Partnership Inquiry

I got your phone message. The scheduling of a meeting was just for your convenience in case you needed to have multiple individuals present. It will just be me on my end, so any time is fine really. If you need to get multiple people together I can probably work around your schedules. The below times are good for me.

Wednesday, Jan. 10th between 12:00 and 4:30pm
Thursday, Jan. 11th between 2:00 and 4:30pm
2018-ICLI-00004 2937

Friday, Jan. 12th between 11:00am and 4:30pm

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

ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

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

Sent: Tuesday, January 09, 2018 4:36 PM

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

Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry

(b)(6);(b)(7)(C) Please let me know when you are available? Maybe we can plan a conference call for later in the week.

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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(

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

Sent: Tuesday, January 09, 2018 11:23 AM

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

Cc: [Redacted]
Subject: RE: ICE 287(g) Partnership Inquiry

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

Thank you for getting back to me and sorry for the delay. I had some vacation time around the holidays and then the snow/ice in Charleston disrupted our operations a bit. Perhaps we can set up a time to discuss the ICE 287(g) program later this week. Except for a couple of meetings, I should be available most of this week. Let me know what works for you.

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

Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

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

Sent: Wednesday, December 27, 2017 1:55 PM

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

Cc: [Redacted]
Subject: ICE 287(g) Partnership Inquiry

(b)(6);(b)(7)(C) - Can you please get back with me regarding this email. I will be on leave on January 2-3 but will otherwise be at work this week. Look forward to speaking with you soon.

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

Division Director
Classification and Inmate Records
Reception and Evaluation Centers
South Carolina Department of Corrections
(803) 896-(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Monday, December 18, 2017 10:34 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Partnership Inquiry

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

Asst. Field Office Director (b)(6);(b)(7)(C) will be making contact with you to inquire about the South Carolina DOC's interest in partnering with the Department of Homeland Security, U.S. Immigration and Customs Enforcement in a 287(g) agreement. This is a function that takes place at intake and is more in your wheelhouse with classification.

Thanks

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

Assistant Deputy Director
SCDC Police Services
(803) 422-8159 Cell
(803) 896-4013 Office
Burgess.thomas@doc.sc.gov

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 14, 2017 11:13 AM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287(g) Partnership Inquiry

Can you handle this please

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

SCDC
803-608-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 12, 2017 3:29 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: ICE 287(g) Partnership Inquiry

Director Stirling asked me to send you the below and attached for handling. Thank you.

(b)(6);(b)(7)(C) **Executive Assistant**
Office of the Director
South Carolina Department of Corrections
Post Office Box 21787

2018-ICLI-00004 2939

Columbia, South Carolina 29221-1787

(803)896-(b)(6),(Office)

(803)896-3972 (Fax)

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

Sent: Thursday, December 07, 2017 2:41 PM

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

Subject: ICE 287(g) Partnership Inquiry

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

S.C. Department of Corrections,

As requested, I am sending this email to inquire about the South Carolina DOC's interest in partnering with the Department of Homeland Security, U.S. Immigration and Customs Enforcement in a 287(g) agreement. We have recently partnered with the State of Georgia DOC in an agreement and thought we may be able to do the same with South Carolina. This program is specifically designed to enhance public safety by removing criminal aliens from our communities. I would welcome the opportunity to discuss this program with Director Stirling, and have attached a brochure and some information below on the program in case you are not familiar with it.

History

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state, and local law enforcement partners in this mission. Section 287(g) of the Immigration and Nationality Act provides the capability for DHS to delegate to state and local law enforcement officers the limited authority to enforce federal immigration law under a signed agreement between DHS and the LEA.

The 287(g) program, one of ICE's top partnership initiatives, allows a state or local law enforcement agency (LEA) to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within the LEA's jurisdiction.

Summary

The 287(g) program serves as a force multiplier for ICE at the state and local level, and it enhances the safety and security of communities by partnering with state and local LEAs to identify and remove criminal aliens. Participation by state and local LEAs is voluntary, and delegation is granted only after DHS/ICE approval and training provided by ICE is completed. All delegated officers perform immigration enforcement functions under ICE oversight.

Benefits

By working together, state/local and federal officers can better identify and remove criminal aliens, resulting in a tremendous benefit to public safety.

The 287(g) program continues to receive overwhelmingly positive feedback from its partners.

ICE's state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower.

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

Charleston - Columbia - Savannah

ERO - ICE - DHS

Office: 843-746-(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C)
Sent: Wednesday, May 31, 2017 6:07 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

Also, I am in the process of submitting funds request for 4th quarter detention beds; is it possible to reduce some of the funding for Charleston County to get this up and running.

From: (b)(6),(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:58 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

How many beds?

From: (b)(6),(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:33 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

I'll call him in the morning to ask about the memo and MSA. Basically the only service will be housing aliens at their facility for us until we take them, much like a 287g location, just without the 287g part.

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

Charleston - Columbia - Savannah

ERO - ICE - DHS

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

Sent: Thur 1/7/2016 4:53:41 PM
Subject: RE: 287(g) Program Interest

Do not forget Horry Co SC.

Sent with Good (www.good.com)

From: (b)(6),(b)(7)(C)
Sent: Thursday, January 07, 2016 11:46:01 AM
To: (b)(6),(b)(7)(C)
Cc:
Subject: 287(g) Program Interest

DDOs,

ERO HQ received approval to move forward with any jurisdictions interested in the Jail Model of the 287(g) Program. As such, please formally reach out to the following counties to gauge the interests of their Sheriffs. Some of the below jurisdictions' requests date back to 2011.

Please let me know by CoB on Friday. Thanks, Chris

- Forsythe County, NC
- New Hanover County, NC
- Cherokee County, GA
- Rockdale County, GA

Respectfully,

(b)(6),(b)(7)(C)
Deputy Field Office Director
Atlanta Field Office - ERO
Immigration and Customs Enforcement
404-893-(b)(6) Office

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

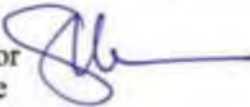
U.S. Department of Homeland Security
Atlanta Field Office
180 Ted Turner Drive, SW
Atlanta, GA 30303



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

May 17, 2017

MEMORANDUM FOR: Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations

FROM: Sean Gallagher 
Field Office Director
Atlanta Field Office

SUBJECT: Floyd County Sheriff's Office Request for participation in ICE
287(g) Immigration Authority Delegation Program (IADP)

On April 26, 2017, Floyd County, GA, Sheriff Tim Burkhalter submitted a letter to this office to formally request participation in the 287(g) IADP Program.

The Floyd County Jail, which is located approximately 1.5 hours from the Atlanta Field Office, intakes on average 8,000 inmates per year. In addition, Floyd County generates approximately 47 Immigration Automated Queries (IAQ) per month through the National Law Enforcement Telecommunications System (NLETS). The top three arrest charges for foreign-born offenders include operating without a license, driving under the influence and driving under suspension.

In support of this request, Sheriff Burkhalter indicated that Floyd County has a capacity of 820 beds and can dedicate up to four officers to be trained and certified as Designated Immigration Officers. Out of its current human capital assets, ERO Atlanta has identified a 287(g) Field Program Manager to provide oversight, direction and support.

The Atlanta Field Office has reviewed the 287(g) request and it's been determined that the field office will support Floyd County's request for a 287(g) program. The Atlanta Field Office will provide the required amount of oversight and supervision to ensure a successful 287(g) Program that focuses on ICE's enforcement priorities. An operational 287(g) Program at this facility will enhance ICE's presence in the area and contribute to ICE's mission of protecting the homeland.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:33 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

I'll call him in the morning to ask about the memo and MSA. Basically the only service will be housing aliens at their facility for us until we take them, much like a 287g location, just without the 287g part.

(b)(6);(b)(7)(C)
Charleston – Columbia – Savannah
ERO – ICE – DHS
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:02 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

The challenge at this time is funding. I will reach out to HQ tomorrow and see what can be done. In the meantime is it possible for you to have the Sherriff provide a memorandum stating what services he is offering and a copy of the MSA.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 4:37 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: IGSA Marshals Contract Rider - Chatham County, GA
Importance: High

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

How quickly can we get the legwork done and an MOU prepared to become a rider on the USMS agreement with Chatham County, GA? The sheriff there is threatening to stop honoring our detainees due to the cost involved for the county, but may be willing to hold the aliens on their existing USMS contract / IGSA. It would benefit us to have a holding facility in the Savannah area. He would like to see the agreement before committing. He said the USMS is paid approximately (b)(7) per day for inmates, so that would be our rate as well.

Thanks,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Mon 1/22/2018 7:17:30 PM
Subject: RE: IGSA Request - Horry County, SC (J. Reuben Long Detention Center) - USMS Contract Rider

(b)(6); no problem, I'll touch base with (b)(6);(b)(7)(C) to see what we need to get going.

Respectfully,

(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Monday, January 22, 2018 2:11 PM
To: (b)(6);(b)(7)(C)
Subject: IGSA Request - Horry County, SC (J. Reuben Long Detention Center) - USMS Contract Rider
Importance: High

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

We would like to pursue getting the Horry County, SC jail, officially called the J. Reuben Long Detention Center, approved as an ICE Under 72-Hour detention facility by riding on the USMS contract. Horry County management wishes to pursue an IGSA as well, and it would benefit ICE by eliminating the need to drive four or more hours every day to pick up aliens at the facility. We already do this several times per week due to the productivity of our CAP officers, but Horry County is slated to become an active 287(g) program within the next two or three months. Once this occurs we will almost certainly need to travel to that facility daily. We typically have IGSA's with our 287(g) locations, unless they decline, but for some unknown reason this option was never presented to Horry County when the 287(g) agreement was being worked out. It seems like an oversight, but it's definitely an oversight that will impact us when they become operational in the near future and we have to do daily transports.

Attached are their IGA with the USMS, on which ICE is not listed as a rider, and the USMS contact. As I understand it we would need to get the USMS to agree to allow us to ride on their contract (which typically is not an issue) and have them amend the current contract by checking the ICE box in block 18. Once done it would require HQ approval and Horry County would need to conduct an ORSA (self-inspection). Let me know if you need anything else from me at this time to get this moving with the USMS and ERO HQ.

Thanks,

(b)(6);(b)(7)(C)
ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 02, 2018 2:54 PM
To: (b)(6);(b)(7)(C)
Subject: FW: US Marshal

I wanted to put this back on your radar as Horry County gets closer to operational.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 29, 2017 2:10 PM
To: (b)(6);(b)(7)(C)
Subject: FW: US Marshal

See attachments.

2018-ICLI-00004 2963

The loss of access to NYCDoc inmate population reports, which previously resulted in nearly 100% screening of all self-admitted foreign-born inmates, is a significant factor that resulted in the cessation of interviews of NYCDoc inmates. The passage of this local law has led to tragic consequences, including missed opportunities to remove violent, often recidivist individuals who have then committed new crimes against residents of New York City. For instance, (b)(6);(b)(7)(C) citizen of Saint Lucia was recently convicted of the kidnapping and murder of (b)(6);(b)(7)(C) was previously released from NYCDoc custody at Rikers Island with an active ICE detainer. (b)(6);(b)(7)(C) may still be alive today had our request been honored.

While operating out of Rikers Island, we had direct access to the IIDS computer. The screening that we performed consisted of cross-referencing various DHS and other databases with the NYCDoc "FORNA" report through the IIDS to establish both alienage and removability. When the databases returned a negative result our deportation officers, based on their reasonable suspicion, would then attempt to interview the inmate in their respective NYCDoc facility in an effort to establish alienage, and subsequently, probable cause to arrest. Access to this report ceased when we were required to vacate our office on Rikers Island, as we no longer have direct access to the IIDS computer.

Local Law 58 has precluded NYCDoc from providing ICE with a daily list of all foreign-born new admissions (the complete FORNA report). On August 8, 2017, two deportation officers tasked with conducting interviews on Rikers were denied access to this list upon request. An official from the jail's immigration unit said they were not authorized to give us the report. Access to this list, which we previously had, would allow us to resume the screening and identification of those inmates that have been arrested and charged with any criminal act and who are also in the United States in violation of federal law. With the list, we would then be able to once again take appropriate action to enhance the safety and security of your constituents in New York City.

I have also considered your request to allow certain correction officers access to ICE systems in order to assist them in identifying non-United States citizens in NYCDoc custody. I believe that this is an excellent idea, one which would be beneficial to the City of New York and its residents; as well as ICE. Upon entering into a joint Memorandum of Agreement (MOA), your officers would receive the requisite training and authority to utilize ICE systems to identify criminal aliens in NYCDoc's custody. I have informed our 287(g) component in ICE Headquarters of your interest in the program, and they should be contacting you in the near future with instructions on how to proceed. In the interim, additional information on the 287(g) program can be found at www.ice.gov/factsheets/287g. Once the MOA is in place, I hope that you would reconsider our request enter into an Intergovernmental Service Agreement (IGSA) for the utilization of NYCDoc's vacant bed space – which appears to be quite significant³.

I have provided you with a link to all current IGSA's - which are publically available at <https://www.ice.gov/foia/library>. We would prefer to begin this partnership by using a few hundred vacant beds at Rikers Island. This, of course, would allow detained aliens' family, friends, and City appointed attorneys far easier access than they currently have with aliens held

³ <https://www.nytimes.com/2016/02/24/opinion/imagining-a-riker-island-with-no-jail.html>

at jails in New Jersey or even farther away. When I mentioned the possibility of housing ICE detainees in New York City to the voluntary agencies and non-government organizations that we partner and meet with on a regular basis, they seemed quite excited at the prospect.

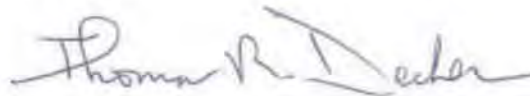
With respect to the City's level of cooperation with detainers themselves – in your letter, you state that *“the City's responses to certain ICE requests have continued uninterrupted despite the recent changes to ICE's detainer forms.”* Also, you indicate that *“over the course of the first six months of calendar year 2017, the City has responded to nine ICE requests by providing notification of time of release.”* Without context, these statements suggest the City's cooperation is more fulsome than it actually is. By our most recent count – of the 1,012 detainers⁴ lodged by my officers, the City has only honored 16, of which only 11 were cases involving aliens not previously in ICE custody. The other five were actually cases wherein we arrested the subject and then turned the subject over to your custody for prosecution at your request, with the expectation that they be returned to ICE custody. It should be noted that ICE is not legally bound to honor such requests by the City, but we did so in the spirit of cooperation – a spirit which we hope to engender on your side. It should be noted that those five cases represent 100% cooperation with your writs.

With respect to criminal warrants, in our review of the matter you refer to as the “June 2017 case” wherein the NYPD did not provide a copy of a federal criminal warrant directly to NYCDOC, you are correct that the warrant did not show as active in the FBI's National Crime Information Center's (NCIC) database. We have instituted additional checks and balances on our side, to ensure that such an unfortunate incident does not happen again.

Finally, I would like to acknowledge your concerns about immigration enforcement actions occurring at New York courts and your belief that it might have a chilling effect on illegal aliens accessing the justice system. First, ICE does not go to courthouses to round up aliens. These are targeted enforcement actions against specific individuals. Second, my officers are now required to arrest certain illegal aliens near those courtrooms as a result of our office being removed from Rikers Island. Having to conduct such at-large arrests places my officers' lives, as well as those of the public, at a greater risk. ICE would certainly prefer to make arrests through the transfer of custody from the New York Police Department or the Department of Corrections.

Should you have any questions or concerns kindly address them to Assistant Field Office Director (b)(6);(b)(7)(C) at (212) 264-(b)(6) or via email (b)(6);(b)(7)(C)

Sincerely,



Thomas R. Decker
Field Office Director

⁴ With the understanding that multiple detainers could conceivably have been lodged on the same individual for the same arrest – one with the NYPD, and then a follow up detainer with the NYCDOC, for instance.



U.S. Immigration
and Customs
Enforcement

September 29, 2017

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

Commissioner, Mayor's Office of Immigrant Affairs
New York, New York 10038

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

I would like to thank you and your colleagues for meeting with me on July 24 and for your follow-up letter dated August 2. As always, I found the meeting to be cordial, and with this response, I hope to follow up on some of your requests and provide clarification where needed. I would also like to renew some requests of our own.

As you correctly pointed out in your letter, our detainers are indeed requests for cooperation, not mandates. It is the City's cooperation that we seek but do not always receive, at least not to the extent that we have received in years past.

As you will recall from our first meeting, also reiterated this past month, the City relied on the Local Law 58 of 2014 to remove our office from the New York City Department of Corrections (NYCDOC) property at Rikers Island, an office that we had utilized for several years prior. This crippled our efforts to help keep New York City residents safe by blinding us to a significant portion of the illegal alien population booked into the NYCDOC after arrest by the New York City Police Department for violations of local laws or ordinances, specifically those inmates in your custody who are foreign born and without a biometric match in our systems¹.

It is apparent that this was the intent of the City Council when passing this local law – a law that (b)(6);(b)(7)(C) thanked Speaker (b)(6);(b)(7)(C) and the City Council for passing².

¹ *The Secure Communities Program (SC), and the former Priority Enforcement Program use(d) biometric records to determine if previous DHS contact exists. When an arrest is made by a local or state law enforcement agency in the City of New York, ICE will receive an electronic notification of any foreign born arrestee that has some sort of prior DHS immigration history, whether it be a favorable encounter such as an immigration benefit, or an adverse immigration action, such as a previous removal. These biometric notifications are reviewed by ERO New York City deportation to establish alienage and removability, which results in the lodging of an immigration detainer with the NYPD or the NYCDOC. This process eliminates the need for a formal investigative interview, as the positive biometric record establishes the probable cause sought in the investigative interview.*

² <http://www1.nyc.gov/office-of-the-mayor/news/520-14/mayor-bill-de-blaasio-signs-law-bills-dramatically-reduce-new-york-city-s-cooperation-with-0>

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 13, 2018 9:56 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

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

I have forwarded your email to Sheriff Burchett.

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

Clark County Sheriff's Office
Executive Assistant
120 North Fountain Avenue
Springfield, Ohio 45502
Phone: 937.521.(b)(6);(b)(7)(C)
Fax: 937.328.2515
Email: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 13, 2018 9:46 AM
To: (b)(6);(b)(7)(C)
Subject: ICE 287(g) Program

Good morning (b)(6);(b)(7)(C)

Just a follow up in reference to our conversation on February 28, I was wondering if you received a response from the sheriff in regards to the 287(g) program.

Please let me know at your earliest convenience.

Best Regards,

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

DDO/Program Manager 287(g)
DHS/ICE/ERO
Cincinnati, Ohio
(513)785-(b)(6);(b)(7)(C)

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, September 14, 2016 2:51 PM
To: (b)(6);(b)(7)(C)
Subject: 287(g) MOA
Attachments: 2016 287g MOA.PDF

Attached is the signed copy from the Sheriff. Please send me a completed copy once signed by all parties. Thanks.

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

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 8, 2018 9:46 AM
To: (b)(6);(b)(7)(C)
Subject: Re: Montgomery County 287(g) Meeting

Okay, we are clear.
Thanks,

From: (b)(6);(b)(7)(C)
Organization: BCSO
Reply-To: (b)(6);(b)(7)(C)
Date: Tuesday, May 8, 2018 at 9:37 AM
(b)(6);(b)(7)(C)
Subject: RE: Montgomery County 287(g) Meeting

Some unforeseen circumstances have come up and Butler County needs to cancel the scheduled meeting this Thursday and reschedule for a later date. I apologize for the late notice.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 16:03
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Montgomery County 287(g) Meeting

Thursday the 10th – any time or any day/time the following week.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 14:55
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Montgomery County 287(g) Meeting

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

Do you have any other days available? I have training that day that I can't move.



(b)(6);(b)(7)(C)
Montgomery County Sheriff's Office

O: 937.496. (b)(6);(C)
(b)(6);(b)(7)(C)



From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 2:26 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Montgomery County 287(g) Meeting

Please let me know if the date provided by (b)(6);(b)(7)(C) for the 287(g) visit will work for you and the Chief.

Thank you

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 2:01 PM
To: (b)(6);(b)(7)(C)
Subject: Montgomery County Meeting

I would be happy to have Montgomery County down for a visit and can be available anytime on Friday, May 11th for as long as they would like. If you need additional options, let me know.

(b)(6);(b)(7)(C)
Warden
Butler County Sheriff's Office

705 Hanover Street
Hamilton, Ohio 45011
(513) 785-(b)(6);(C)
Fax: (513)785-1026

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

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To: (b)(6),(b)(7)(C)
Cc: Robbins, Timothy S (b)(6),(b)(7)(C)
From: Hott, Russell
Sent: Fri 2/24/2017 5:09:07 PM
Subject: 287(g) Material
[SAMPLE MOA.pdf](#)
[287g Brochure.pdf](#)
[287\(g\) Fact Sheet.pdf](#)

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

We learned that Governor McAuliffe is going to ask S1 a few questions on 287(g) on Sunday. I'll run down hard copies of the 287(g) brochures that (b)(6) can share if desired. However, I'm attaching the fact sheet and a sample MOA, which are available on ICE.gov for reference. Currently, there is only one 287(g) participant in the state of Virginia.

Thanks,
Russ



Interested law enforcement agencies should contact the local ICE Enforcement and Removal Operations Field Office Director for information

A contact list is available online at www.ice.gov.

Report Suspicious Activity:

1-866-DHS-2-ICE

1-866-347-2423

www.ice.gov

DELEGATION OF IMMIGRATION AUTHORITY

Section 287(g)

Immigration and Nationality Act



U.S. Immigration
and Customs
Enforcement

07/2015
2018-ICLI-00004 3212

A Law Enforcement Partnership

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for protecting national security and ensuring public safety by enforcing the nation's immigration laws. ICE works closely with Federal, State and local law enforcement partners in this mission.

State and local law enforcement agencies play a critical role in ICE's mission because the vast majority of criminal aliens are taken into custody under their jurisdiction. ICE's 287(g) Program is a law enforcement partnership initiative that delegates limited immigration enforcement authorities to ICE-trained and supervised state and local officers.

Section 287(g) of the Immigration and Nationality Act

Section 287(g) of the Immigration and Nationality Act authorizes DHS to enter into agreements with state and local law enforcement agencies that permit designated officers to perform immigration enforcement functions, provided those officers receive appropriate training and are supervised by ICE officers. Under 287(g) agreements, state and local law enforcement officers work under ICE supervision to identify and process for removal criminal and other priority aliens who have been arrested and booked into the participating law enforcement agency's jail facility.

Memorandum of Agreement

Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating state or local law enforcement agency that defines the scope and limitations of the authority to be designated, and the processes for the exercise of this authority.

ICE will supervise all 287(g)-designated officers when they perform their delegated immigration enforcement functions.

Law Enforcement Agency Requirements for 287(g) Partnership

The principal requirements to participate in a 287(g) program are as follows:

- The law enforcement agency must enter into a MOA;
- 287(g)-designated officers must attend initial four-week basic training and undergo refresher training every two years;
- 287(g)-designated officers must follow DHS and ICE policies when they perform delegated immigration enforcement functions; and
- The law enforcement agency must, in conjunction with ICE, engage in regular meetings with individuals and organizations expressing an interest in the MOA.

Officer Selection Requirements

Participating officers in the 287(g) program must meet the following minimum requirements:

- U.S. citizenship;
- Pass background check; and
- Must have prior experience supervising incarcerated individuals.



U.S. Immigration and Customs Enforcement

Fact Sheet: ICE 287(g) Delegation of Authority Program

History

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state, and local law enforcement partners in this mission. The 287(g) program, one of ICE's top partnership initiatives, allows a state or local law enforcement agency (LEA) to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within the LEA's jurisdiction.

Office of Inspector General – Findings Report

The DHS Office of the Inspector General (OIG) conducted a review of the 287(g) delegation of authority program during the period from February 2009 through July 2009, and published its findings in March 2010. In September of 2012, DHS OIG released its report, "The Performance of 287(g) Agreements FY 2012 Follow-Up."

Since the audits were conducted, ICE has closed out all recommendations for both audits based on revisions to the 287(g) program. These revisions further strengthen public safety and ensure consistency in immigration enforcement across the country by prioritizing the arrest and detention of criminal aliens.

Summary

The 287(g) program enhances the safety and security of communities by partnering with state and local LEAs to identify and remove criminal aliens. Currently, ICE has 38 established MOAs with partner LEAs in 16 states. Participation by state and local LEAs is voluntary, and delegation is granted only after DHS/ICE approval and extensive training provided by ICE is completed. All delegated officers perform immigration enforcement functions under direct ICE supervision.

The 287(g) program serves as a force multiplier for ICE at the state and local level. Section 287(g) of the Immigration and Nationality Act provides the capability for DHS to delegate to state and local law enforcement officers the authority to enforce federal immigration law under a signed agreement between DHS and the LEA. The 287(g) program utilizes the Jail Enforcement Model to accomplish its mission, which is designed to identify and process all criminal and other priority aliens arrested and booked into a detention facility. The Jail Enforcement Model is supervised by the local ICE Office of Enforcement and Removal Operations (ERO) field office.

287(g) Program Improvements

ICE implemented comprehensive guidelines for ICE field offices that supervise 287(g) partnerships, prioritizing the arrest and detention of criminal aliens.

287(g) LEAs are now required to maintain comprehensive alien arrest, detention, and removal data in order to ensure enforcement efforts remain focused on criminal aliens, particularly those who pose the greatest risk to public safety.

ICE strengthened the 287(g) basic training course and created a new refresher training course, providing detailed instruction on the terms and requirements of the MOA and the responsibilities of a 287(g) officer.

ICE deployed additional supervisors to the field to ensure greater oversight over 287(g) operations.

ICE established an Internal Advisory Committee, which includes the DHS Office of Civil Rights and Civil Liberties (CRCL), to review and assess ICE field office recommendations about pending 287(g) applications.

The Revised 287(g) MOA

After extensive coordination between several ICE components (including ERO, Homeland Security Investigations, the Office of the Principal Legal Advisor, the Office of Professional Responsibility (OPR), the Office of Policy, and the Office of Privacy) and the DHS CRCL, and with consideration given to recommendations made by OIG in their published report, OIG-11-19, The Performance of 287(g) Agreements FY 2011 Update, a new version of the 287(g) MOA was created and approved in 2013.

This updated document ensures clarity, consistency, and uniformity with current ICE policies and procedures and includes enhancements to the previous MOA relating to:

- Training requirements;
- OPR's inspection review process;
- Program supervision;
- ICE's civil immigration enforcement priorities;
- Civil rights standards;
- Complaint procedures;
- Release of information to the media;
- Credentialing process; and
- Statistical reporting requirements.

Oversight and Supervision

ICE increased its human capital resources to enhance the 287(g) program's mission and objectives and implemented national training programs for ICE field personnel and LEA personnel.

ERO currently has seven National Program Managers in Washington, D.C. and twelve Field Program Managers within close proximity to active MOAs tasked with oversight and management.

Benefits

By working together, local and federal officers can better identify and remove criminal aliens, resulting in a tremendous benefit to public safety.

One of the biggest benefits to ICE's 287(g) partners is that the partners are able to better identify individuals in custody.

The 287(g) program continues to receive overwhelmingly positive feedback from its partners.

ICE's state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower

Racial Profiling

Racial profiling will not be tolerated, and any indication of racial profiling will be treated with the utmost scrutiny and fully investigated. If any proof of racial profiling is uncovered, that specific officer or department will have their authority and/or agreement rescinded.

In addition to the training these officers receive from their local departments, the 287(g) training includes coursework on multicultural communication and the avoidance of racial profiling.

287(g) Training Programs

Prior to being delegated ICE immigration authority, selected state and local officers must attend and successfully complete ICE's 287(g) Immigration Authority Delegation Program, the 287(g) basic training course.

The four-week basic training program includes coursework in immigration law, the use of ICE databases, multi-cultural communication, and the avoidance of racial profiling. This training is conducted at Federal Law Enforcement Training Center – Charleston, South Carolina.

ICE 287(g) Delegation of Authority Program

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Additionally, every two years, every 287(g) state and local officer must return to the Federal Law Enforcement Training Center in Charleston and successfully complete the Immigration Authority Delegation Refresher Training Program.

287(g) Participating Entities

Currently signed 287(g) Memoranda of Agreement (38)	
STATE	LAW ENFORCEMENT AGENCY
ALABAMA	Etowah County Sheriff's Office
ARIZONA	Arizona Department of Corrections
ARIZONA	City of Mesa Police Department
ARIZONA	Pinal County Sheriff's Office
ARIZONA	Yavapai County Sheriff's Office
ARKANSAS	Benton County Sheriff's Office
ARKANSAS	Washington County Sheriff's Office
CALIFORNIA	Orange County Sheriff's Office
FLORIDA	Collier County Sheriff's Office
FLORIDA	Jacksonville Sheriff's Office
GEORGIA	Hall County Sheriff's Office
GEORGIA	Whitfield County Sheriff's Office
GEORGIA	Cobb County Sheriff's Office
GEORGIA	Gwinnett County Sheriff's Office
MARYLAND	Frederick County Sheriff's Office
MARYLAND	Harford County Sheriff's Office
MASSACHUSETTS	Bristol County Sheriff's Office
MASSACHUSETTS	Massachusetts Department of Corrections
MASSACHUSETTS	Plymouth County Sheriff's Department
NEVADA	Las Vegas Metropolitan Police Department
NEW JERSEY	Hudson County Department of Corrections
NEW JERSEY	Monmouth County Sheriff's Office
NEW JERSEY	Salem County Sheriff's Office
NORTH CAROLINA	Cabarrus County Sheriff's Office
NORTH CAROLINA	Gaston County Sheriff's Office
NORTH CAROLINA	Mecklenburg County Sheriff's Office
NORTH CAROLINA	Wake County Sheriff's Office

ICE 287(g) Delegation of Authority Program

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NORTH CAROLINA	Henderson County Sheriff's Office
OHIO	Butler County Sheriff's Office
OKLAHOMA	Tulsa County Sheriff's Office
SOUTH CAROLINA	Charleston County Sheriff's Office
SOUTH CAROLINA	Lexington County Sheriff's Office
SOUTH CAROLINA	York County Sheriff's Office
TEXAS	Carrollton Police Department
TEXAS	Harris County Sheriff's Office
TEXAS	Jackson County Sheriff's Office
TEXAS	Lubbock County Sheriff's Office
VIRGINIA	Prince William-Manassas Adult Detention

From: ERO Taskings
Sent: Tue 12/13/2011 11:51:08 PM
Subject: 287(g) Field Program Managers with signatory to issue Notice to Appear

The following message is being sent on behalf of Gregory J. Archambeault, Assistant Director for Secure Communities and Enforcement and approved by David J. Venturella, Assistant Director for Field Operations:

To: Field Office Directors, Deputy Field Office Directors and 287(g) Program Managers (Atlanta, Baltimore, Boston, Dallas, Denver, Detroit, El Paso, Houston, Los Angeles, Miami, Newark, New Orleans, Phoenix, Salt Lake City, and Washington)

Subject: 287(g) Field Program Managers with signatory to issue Notice to Appear

Please be advised that on December 5, 2011, Executive Associate Director (EAD) Mead signed the <https://ero.icepolicy.us/policies-ero/current/2011_12_05%20Re-Delegation%20of%20Authorities%20to%20GS-14%20Non-Supervisory%20287-g.pdf/view> Re-delegation of Authorities to GS-14 Non-Supervisory 287(g) Field Program Managers. This re-delegation provides 287(g) Field Program Managers with signatory authority to issue Notices to Appear (NTA) and Notices of Intent to Administratively Remove.

If you have any questions or concerns in relation to this issue, please direct them to Acting 287(g) Unit Chief (b)(6);(b)(7)(C), at (202) 732-(b)(6);(or via email at (b)(6);(b)(7)(C)

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From: Hott, Russell
Attendees: (b)(6);(b)(7)(C)
Location: Loudoun County Sheriff's Office, 803 Sycolin Road SE, Leesburg, VA 20177
Importance: Normal
Subject: 287(g) Discussion with Sheriff Chapman
Start Time: Fri 4/20/2018 1:00:00 PM
End Time: Fri 4/20/2018 3:00:00 PM
Required Attendees: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 3, 2018 10:39 AM
To: Hott, Russell (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: ICE

Mr. Hott,

The Sheriff would be available on April 20th at 9:00. Please advise if this date/time is acceptable.

Thank you,

(b)(6);(b)(7)(C)
Administrative Assistant
to the Sheriff
Loudoun County Sheriff's Office
803 Sycolin Road, SE
P.O. Box 7200
Leesburg, VA 20177-7200
703-771-(b)(6);(

From: Hott, Russell [mailto:(b)(6);(b)(7)(C)]
Sent: Tuesday, April 03, 2018 8:04 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE

Good morning (b)(6);(b)(7)(C)

We appreciate all of the continued support from you and your team, and we look forward to discussing this request at your earliest convenience.

Thanks,
Russ

From: (b)(6);(b)(7)(C)
Sent: Monday, April 2, 2018 9:54 PM
To: Hott, Russell (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: Re: ICE

Russ - thank you for the email. Yes, I would like to discuss this with you. Let's set up a time to get together. Please provide My Administrative Assistant, (b)(6);(b)(7)(C) with some potential dates.

Thanks again. (b)(6);(b)(7)(C)

Sent from my iPhone

On Apr 2, 2018, at 1:29 PM, Hott, Russell (b)(6);(b)(7)(C) > wrote:

Good afternoon Sheriff Chapman,

I hope that this message finds you well.

I wanted to touch base on the attached request and verify if your office still has interest in participating in the 287(g) program. Please don't hesitate to contact me if I may be of assistance.

Thanks,
Russ

Russ Hott / Field Office Director / U.S. Immigration and Customs Enforcement – Enforcement and Removal Operations / 2675 Prosperity Avenue, Fairfax, VA / 703.285.(b)(6) Desk

<2018_04_02_12_08_04.pdf>

To: (b)(6);(b)(7)(C)
From: Hott, Russell
Sent: Fri 2/24/2017 5:22:26 PM
Subject: 287(g) Brochures

Good afternoon (b)(6);(b)(7)(C)

S1 and D1 are meeting with Governor McAuliffe early next week. We learned that the Governor has questions on 287(g). Do you have any hard brochures on hand that we can share?

Thanks,
Russ

From: ERO Taskings
Sent: Wed 6/12/2013 2:43:16 PM
Subject: 287(g) Conference Call

The following message is being sent on behalf of Matthew T. Albence, Acting Assistant Director for Secure Communities and Enforcement, with the concurrence of Philip T. Miller, Assistant Director for Field Operations

To: Field Office Director's with 287(g) Programs, 287(g) Field Program Managers, 287(g) SDDOs

Subject: 287(g) Conference Call

There will be a conference call regarding 287(g) at 3:00 EDT today. Please ensure that each Field Office operating 287(g) programs within its jurisdiction provides adequate representation for this call. The call-in information can be found below.

Number: (877) 416-(b)(6),(C)

Pass Code: 9522605#

For any questions regarding this call, please contact 287(g) Program Manager (b)(6),(b)(7)(C) at (202) 732-(b)(6),(b)(7)(C)

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.

To: Hott, Russell [(b)(6);(b)(7)(C)]
From: [(b)(6);(b)(7)(C)]
Sent: Fri 4/20/2018 2:27:54 PM
Subject: 07-31-17 287g press event AD1 V2
[07-31-17 287g press event AD1 V2.docx](#)

Here's what I found – hope this is useful!

Thanks,

[(b)(6);(b)(7)(C)]

Draft Remarks Prepared for ICE Acting Director Thomas D. Homan
Section 287(g) Press Conference
Grapevine, TX
July 31, 2017

Version 2, modified 7/24/17 (400 words, ~3-4 minutes)

Good afternoon. Thank you all for joining us.

Before we get started, I want to thank our partners in the Texas Sheriff's Association for taking time from your annual meeting to participate in this important signing ceremony.

By working closely with ICE through the 287(g) program, the 16 jurisdictions represented here this afternoon are demonstrating a clear commitment strengthening public safety and upholding their promise to serve and protect.

Law enforcement personnel in jurisdictions approved for 287(g) participation receive specialized training in immigration law and in using ICE databases before becoming designated immigration officers.

In addition to the initial training, these officers will undergo refresher training every two years at the Federal Law Enforcement Training Center in Charleston, South Carolina.

More importantly, participating in 287(g) improves public safety by significantly reducing the likelihood that a removable alien will be released back into the community without my officers knowing about it.

Under the provisions of 287(g) local law enforcement officers will perform immigration screening of individuals already in their custody who have been arrested on other criminal charges.

If it is then determined that an individual in their custody is a deportable alien, we can lodge an immigration detainer and initiate removal proceedings by issuing charging documents and taking custody of the individual before they are ever released.

Programs like 287(g) show that we are serious about preventing criminal aliens from having the opportunity to re-offend by taking custody of them inside a jail and removing them from the United States.

There is no doubt that arresting removable aliens in a jail setting is a much better alternative for my officers and a much safer alternative for the citizens of the communities you represent.

I've said it before and I'll say it again: ICE is open for business, and the 287(g) program is an effective tool that I intend to use as much as possible.

We greatly appreciate the cooperation of these 19 jurisdictions and I hope there are many more events like this one in the coming months.

Look – we all share a commitment to strengthening public safety, and by working together through programs like 287(g) we can show the American people that we are serious about that commitment.

Thank you, and at this time I want to introduce Sheriff A.J. Louderback of the Jackson County Sheriff's Department in Edna, Texas to say a few words about this important program.

###

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[07-31-17 287g press event AD1 V2.docx](#)

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[(b)(6);(b)(7)(C)]

To: (b)(6),(b)(7)(C)
From: Hoff, Russell
Sent: Fri 2/24/2017 5:22:26 PM
Subject: 287(g) Brochures

Good afternoon (b)(6),(b)(7)(C)

S1 and D1 are meeting with Governor McAuliffe early next week. We learned that the Governor has questions on 287(g). Do you have any hard brochures on hand that we can share?

Thanks,
Russ

To: WAS Training [(b)(6),(b)(7)(C)]
From: [(b)(6),(b)(7)(C)]
Sent: Mon 4/8/2013 2:19:05 PM
Subject: Training Roster from 287(g) for Detainee Transfers
[2013_04_08_10_00_32.pdf](#)

Please see attached.

Thanks,

[(b)(6),(b)(7)(C)] Supervisory Detention and Deportation Officer
Department of Homeland Security
Enforcement and Removal Operations
2675 Prosperity Ave, [(b)(6),(b)(7)]
Mail Stop 5216
Fairfax, VA 20598-5216
T: (703) 285-[(b)(6)] | F: (703) 285-6216
E: [(b)(6),(b)(7)(C)]

Draft Remarks Prepared for ICE Acting Director Thomas D. Homan
Section 287(g) Press Conference
Grapevine, TX
July 31, 2017

Version 2, modified 7/24/17 (400 words, ~3-4 minutes)

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###

To: (b)(6);(b)(7)(C)
Cc: [Redacted]
From: Hott, Russell
Sent: Fri 2/24/2017 5:09:07 PM
Subject: 287(g) Material
[SAMPLE MOA.pdf](#)
[287g Brochure.pdf](#)
[287\(g\) Fact Sheet.pdf](#)

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

We learned that Governor McAuliffe is going to ask S1 a few questions on 287(g) on Sunday. I'll run down hard copies of the 287(g) brochures that (b)(6) can share if desired. However, I'm attaching the fact sheet and a sample MOA, which are available on ICE.gov for reference. Currently, there is only one 287(g) participant in the state of Virginia.

Thanks,
Russ

A Law Enforcement Partnership

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for protecting national security and ensuring public safety by enforcing the nation's immigration laws. ICE works closely with Federal, State and local law enforcement partners in this mission.

State and local law enforcement agencies play a critical role in ICE's mission because the vast majority of criminal aliens are taken into custody under their jurisdiction. ICE's 287(g) Program is a law enforcement partnership initiative that delegates limited immigration enforcement authorities to ICE-trained and supervised state and local officers.

Section 287(g) of the Immigration and Nationality Act

Section 287(g) of the Immigration and Nationality Act authorizes DHS to enter into agreements with state and local law enforcement agencies that permit designated officers to perform immigration enforcement functions, provided those officers receive appropriate training and are supervised by ICE officers. Under 287(g) agreements, state and local law enforcement officers work under ICE supervision to identify and process for removal criminal and other priority aliens who have been arrested and booked into the participating law enforcement agency's jail facility.

Memorandum of Agreement

Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating state or local law enforcement agency that defines the scope and limitations of the authority to be designated, and the processes for the exercise of this authority.

ICE will supervise all 287(g)-designated officers when they perform their delegated immigration enforcement functions.

Law Enforcement Agency Requirements for 287(g) Partnership

The principal requirements to participate in a 287(g) program are as follows:

- The law enforcement agency must enter into a MOA;
- 287(g)-designated officers must attend initial four-week basic training and undergo refresher training every two years;
- 287(g)-designated officers must follow DHS and ICE policies when they perform delegated immigration enforcement functions; and
- The law enforcement agency must, in conjunction with ICE, engage in regular meetings with individuals and organizations expressing an interest in the MOA.

Officer Selection Requirements

Participating officers in the 287(g) program must meet the following minimum requirements:

- U.S. citizenship;
- Pass background check; and
- Must have prior experience supervising incarcerated individuals.



U.S. Immigration and Customs Enforcement

Fact Sheet: ICE 287(g) Delegation of Authority Program

History

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state, and local law enforcement partners in this mission. The 287(g) program, one of ICE's top partnership initiatives, allows a state or local law enforcement agency (LEA) to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within the LEA's jurisdiction.

Office of Inspector General – Findings Report

The DHS Office of the Inspector General (OIG) conducted a review of the 287(g) delegation of authority program during the period from February 2009 through July 2009, and published its findings in March 2010. In September of 2012, DHS OIG released its report, "The Performance of 287(g) Agreements FY 2012 Follow-Up."

Since the audits were conducted, ICE has closed out all recommendations for both audits based on revisions to the 287(g) program. These revisions further strengthen public safety and ensure consistency in immigration enforcement across the country by prioritizing the arrest and detention of criminal aliens.

Summary

The 287(g) program enhances the safety and security of communities by partnering with state and local LEAs to identify and remove criminal aliens. Currently, ICE has 38 established MOAs with partner LEAs in 16 states. Participation by state and local LEAs is voluntary, and delegation is granted only after DHS/ICE approval and extensive training provided by ICE is completed. All delegated officers perform immigration enforcement functions under direct ICE supervision.

The 287(g) program serves as a force multiplier for ICE at the state and local level. Section 287(g) of the Immigration and Nationality Act provides the capability for DHS to delegate to state and local law enforcement officers the authority to enforce federal immigration law under a signed agreement between DHS and the LEA. The 287(g) program utilizes the Jail Enforcement Model to accomplish its mission, which is designed to identify and process all criminal and other priority aliens arrested and booked into a detention facility. The Jail Enforcement Model is supervised by the local ICE Office of Enforcement and Removal Operations (ERO) field office.

287(g) Program Improvements

ICE implemented comprehensive guidelines for ICE field offices that supervise 287(g) partnerships, prioritizing the arrest and detention of criminal aliens.

287(g) LEAs are now required to maintain comprehensive alien arrest, detention, and removal data in order to ensure enforcement efforts remain focused on criminal aliens, particularly those who pose the greatest risk to public safety.

ICE strengthened the 287(g) basic training course and created a new refresher training course, providing detailed instruction on the terms and requirements of the MOA and the responsibilities of a 287(g) officer.

ICE deployed additional supervisors to the field to ensure greater oversight over 287(g) operations.

ICE established an Internal Advisory Committee, which includes the DHS Office of Civil Rights and Civil Liberties (CRCL), to review and assess ICE field office recommendations about pending 287(g) applications.

The Revised 287(g) MOA

After extensive coordination between several ICE components (including ERO, Homeland Security Investigations, the Office of the Principal Legal Advisor, the Office of Professional Responsibility (OPR), the Office of Policy, and the Office of Privacy) and the DHS CRCL, and with consideration given to recommendations made by OIG in their published report, OIG-11-19, The Performance of 287(g) Agreements FY 2011 Update, a new version of the 287(g) MOA was created and approved in 2013.

This updated document ensures clarity, consistency, and uniformity with current ICE policies and procedures and includes enhancements to the previous MOA relating to:

- Training requirements;
- OPR's inspection review process;
- Program supervision;
- ICE's civil immigration enforcement priorities;
- Civil rights standards;
- Complaint procedures;
- Release of information to the media;
- Credentialing process; and
- Statistical reporting requirements.

Oversight and Supervision

ICE increased its human capital resources to enhance the 287(g) program's mission and objectives and implemented national training programs for ICE field personnel and LEA personnel.

ERO currently has seven National Program Managers in Washington, D.C. and twelve Field Program Managers within close proximity to active MOAs tasked with oversight and management.

Benefits

By working together, local and federal officers can better identify and remove criminal aliens, resulting in a tremendous benefit to public safety.

One of the biggest benefits to ICE's 287(g) partners is that the partners are able to better identify individuals in custody.

The 287(g) program continues to receive overwhelmingly positive feedback from its partners.

ICE's state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower

Racial Profiling

Racial profiling will not be tolerated, and any indication of racial profiling will be treated with the utmost scrutiny and fully investigated. If any proof of racial profiling is uncovered, that specific officer or department will have their authority and/or agreement rescinded.

In addition to the training these officers receive from their local departments, the 287(g) training includes coursework on multicultural communication and the avoidance of racial profiling.

287(g) Training Programs

Prior to being delegated ICE immigration authority, selected state and local officers must attend and successfully complete ICE's 287(g) Immigration Authority Delegation Program, the 287(g) basic training course.

The four-week basic training program includes coursework in immigration law, the use of ICE databases, multi-cultural communication, and the avoidance of racial profiling. This training is conducted at Federal Law Enforcement Training Center – Charleston, South Carolina.

ICE 287(g) Delegation of Authority Program

Page 4

Additionally, every two years, every 287(g) state and local officer must return to the Federal Law Enforcement Training Center in Charleston and successfully complete the Immigration Authority Delegation Refresher Training Program.

287(g) Participating Entities

Currently signed 287(g) Memoranda of Agreement (38)	
STATE	LAW ENFORCEMENT AGENCY
ALABAMA	Etowah County Sheriff's Office
ARIZONA	Arizona Department of Corrections
ARIZONA	City of Mesa Police Department
ARIZONA	Pinal County Sheriff's Office
ARIZONA	Yavapai County Sheriff's Office
ARKANSAS	Benton County Sheriff's Office
ARKANSAS	Washington County Sheriff's Office
CALIFORNIA	Orange County Sheriff's Office
FLORIDA	Collier County Sheriff's Office
FLORIDA	Jacksonville Sheriff's Office
GEORGIA	Hall County Sheriff's Office
GEORGIA	Whitfield County Sheriff's Office
GEORGIA	Cobb County Sheriff's Office
GEORGIA	Gwinnett County Sheriff's Office
MARYLAND	Frederick County Sheriff's Office
MARYLAND	Harford County Sheriff's Office
MASSACHUSETTS	Bristol County Sheriff's Office
MASSACHUSETTS	Massachusetts Department of Corrections
MASSACHUSETTS	Plymouth County Sheriff's Department
NEVADA	Las Vegas Metropolitan Police Department
NEW JERSEY	Hudson County Department of Corrections
NEW JERSEY	Monmouth County Sheriff's Office
NEW JERSEY	Salem County Sheriff's Office
NORTH CAROLINA	Cabarrus County Sheriff's Office
NORTH CAROLINA	Gaston County Sheriff's Office
NORTH CAROLINA	Mecklenburg County Sheriff's Office
NORTH CAROLINA	Wake County Sheriff's Office

ICE 287(g) Delegation of Authority Program

Page 5

NORTH CAROLINA	Henderson County Sheriff's Office
OHIO	Butler County Sheriff's Office
OKLAHOMA	Tulsa County Sheriff's Office
SOUTH CAROLINA	Charleston County Sheriff's Office
SOUTH CAROLINA	Lexington County Sheriff's Office
SOUTH CAROLINA	York County Sheriff's Office
TEXAS	Carrollton Police Department
TEXAS	Harris County Sheriff's Office
TEXAS	Jackson County Sheriff's Office
TEXAS	Lubbock County Sheriff's Office
VIRGINIA	Prince William-Manassas Adult Detention

From: ERO Taskings
Sent: Tue 12/13/2011 11:51:08 PM
Subject: 287(g) Field Program Managers with signatory to issue Notice to Appear

The following message is being sent on behalf of Gregory J. Archambeault, Assistant Director for Secure Communities and Enforcement and approved by David J. Venturella, Assistant Director for Field Operations:

To: Field Office Directors, Deputy Field Office Directors and 287(g) Program Managers (Atlanta, Baltimore, Boston, Dallas, Denver, Detroit, El Paso, Houston, Los Angeles, Miami, Newark, New Orleans, Phoenix, Salt Lake City, and Washington)

Subject: 287(g) Field Program Managers with signatory to issue Notice to Appear

Please be advised that on December 5, 2011, Executive Associate Director (EAD) Mead signed the <https://ero.icepolicy.us/policies-ero/current/2011_12_05%20Re-Delegation%20of%20Authorities%20to%20GS-14%20Non-Supervisory%20287-g.pdf/view> Re-delegation of Authorities to GS-14 Non-Supervisory 287(g) Field Program Managers. This re-delegation provides 287(g) Field Program Managers with signatory authority to issue Notices to Appear (NTA) and Notices of Intent to Administratively Remove.

If you have any questions or concerns in relation to this issue, please direct them to Acting 287(g) Unit Chief, (b)(6);(b)(7)(C) at (202) 732-(b)(6) or via email at (b)(6);(b)(7)(C)

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

From: Hott, Russell
Attendees: (b)(6);(b)(7)(C)
Location: Loudoun County Sheriff's Office, 803 Sycolin Road SE, Leesburg, VA 20177
Importance: Normal
Subject: 287(g) Discussion with Sheriff Chapman
Start Time: Fri 4/20/2018 1:00:00 PM
End Time: Fri 4/20/2018 3:00:00 PM
Required Attendees: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 3, 2018 10:39 AM
To: Hott, Russell (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: ICE

Mr. Hott,

The Sheriff would be available on April 20th at 9:00. Please advise if this date/time is acceptable.

Thank you,

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

Administrative Assistant
to the Sheriff
Loudoun County Sheriff's Office
803 Sycolin Road, SE
P.O. Box 7200
Leesburg, VA 20177-7200
703-771-(b)(6);(

From: Hott, Russell (b)(6);(b)(7)(C)
Sent: Tuesday, April 03, 2018 8:04 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE

Good morning (b)(6);(b)(7)(C)

We appreciate all of the continued support from you and your team, and we look forward to discussing this request at your earliest convenience.

Thanks,
Russ

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

Sent: Monday, April 2, 2018 9:54 PM

To: Hott, Russell (b)(6);(b)(7)(C)

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

Subject: Re: ICE

Russ - thank you for the email. Yes, I would like to discuss this with you. Let's set up a time to get together. Please provide My Administrative Assistant, (b)(6);(b)(7)(C) with some potential dates.

Thanks again. (b)(6);(b)(7)(C)

Sent from my iPhone

On Apr 2, 2018, at 1:29 PM, Hott, Russell (b)(6);(b)(7)(C) wrote:

Good afternoon Sheriff Chapman,

I hope that this message finds you well.

I wanted to touch base on the attached request and verify if your office still has interest in participating in the 287(g) program. Please don't hesitate to contact me if I may be of assistance.

Thanks,
Russ

Russ Hott / Field Office Director / U.S. Immigration and Customs Enforcement – Enforcement and Removal Operations / 2675 Prosperity Avenue, Fairfax, VA / 703.285.(b)(6);(b)(7)(C) Desk

2018-ICLI-00004 3327

From: ERO Taskings
Sent: Wed 6/12/2013 2:43:16 PM
Subject: 287(g) Conference Call

The following message is being sent on behalf of Matthew T. Albence, Acting Assistant Director for Secure Communities and Enforcement, with the concurrence of Philip T. Miller, Assistant Director for Field Operations

To: Field Office Director's with 287(g) Programs, 287(g) Field Program

Managers, 287(g) SDDOs

Subject: 287(g) Conference Call

There will be a conference call regarding 287(g) at 3:00 EDT today. Please ensure that each Field Office operating 287(g) programs within its jurisdiction provides adequate representation for this call. The call-in information can be found below.

Number: (877) 416-(b)(6)

Pass Code: 9522605#

For any questions regarding this call, please contact 287(g) Program Manager (b)(6),(b)(7)(C) at (202) 732-(b)(6);(b)(7)(C)

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To: Homan, Thomas (b)(6);(b)(7)(C)
From: Hott, Russell
Sent: Sat 3/11/2017 3:11:40 PM
Subject: RE: Stat on 287(g)
[ICE 287g Update 3.7.2017.docx](#)

Good morning,

8 were just approved in February.

ICE is on track to reach a total of 64 MOAs by the end of the FY. That's up from 32 in FY16.

In April, ICE will host another PAB to review another 18 applicants.

From: Homan, Thomas (b)(6);(b)(7)(C)
Date: Saturday, Mar 11, 2017, 9:47 AM
To: Hott, Russell (b)(6);(b)(7)(C)
Subject: FW: Stat on 287(g)

Please send me the info again. How many 287g signed up (8), how many being reviewed and I think you said something about 64 by end of year?

Sent with Good (www.good.com)

From: (b)(6);(b)(7)(C)
Sent: Saturday, March 11, 2017 9:15:36 AM
To: Homan, Thomas; Robbins, Timothy S
Subject: Stat on 287(g)

What was our stat on 287(g) y'all mentioned yesterday? Doubled the number of jurisdictions by when?

Thanks!

From: (b)(6),(b)(7)(C)
Location: Culpeper County Sheriff's Office, 14023 Public Safety Court, Culpeper, VA 22017
Importance: Normal
Subject: Tentative: Culpeper 287(g) MOU Signing & Press Conference
Start Time: Tue 4/24/2018 4:00:00 PM
End Time: Tue 4/24/2018 6:30:00 PM
Required Attendees: Hott, Russell

Welp, I'm closing on a house the day before and I should be able to attend with (b)(6),(b)(7) no problem, BUT I'm also super nervous about something unexpected going wrong. Cross your fingers for me!

To: Hott, Russell (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Sun 4/8/2018 3:52:48 PM
Subject: Removal of DIO from PWC 287(g) Program
(b)(6);(b)(7)(C)

Good morning,

I was informed this morning by 1st (b)(6);(b)(7)(C) of the PWC ADC that DIO (b)(6);(b)(7)(C) had verbally requested to be removed from the PWC 287(g) Program and has turned in her credentials and PIV card. Based on statements that she made to her shift Lt. at the ADC, she has been in a relationship and living with an individual (b)(6);(b)(7)(C) that is illegally in the United States. (b)(6);(b)(7)(C) was arrested on 4/3/18, booked into PWC and found to be a B&B. We placed a detainer on him and he was turned over to ICE on 4/5/18 and is currently in custody at Farmville.

(b)(6);(b)(7)(C) has not been an "active" DIO for well over 2 years and has been allowed to maintain her status as a DIO for backup purposes only. I am in possession of her credentials and PIV card and have submitted the service catalog request for deletion of her lan/email account and revocation of all systems access. I have also notified the JIC.

Russ, I have also attached a Letter of Revocation for your signature.

Thanks,

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



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

LETTER OF REVOCATION

The Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), effective September 30, 1996, added Section 287(g), on performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act (INA). Section 287(g) of the INA, also codified at 8 U.S.C. § 1357(g), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of the Department of Homeland Security, acting through the Assistant Secretary of United States Immigration and Customs Enforcement (ICE), to enter into written agreements with state and local law enforcement agencies, so that qualified personnel can perform certain functions of an immigration officer. Pursuant to 287(g)(7), the officer is only treated as a Federal employee for the purposes of the Federal Tort Claims Act (28 U.S.C. sec. 2671-2680 and worker's compensation claims (5 U.S.C. sec. 8108 et seq) when performing functions authorized by Section 287(g).

As authorized in the Memorandum of Agreement (MOA) between ICE and the Prince William-Manassas Regional Adult Detention Center (PWMRADC), the 287(g) authorization of participating Law Enforcement Agency (LEA) personnel may be revoked at any time by ICE. After careful evaluation, the Field Office Director (FOD) is revoking the authority granted to you, (b)(6);(b)(7)(C) of the PWMRADC, to perform certain immigration enforcement functions as specified in the MOA. The PWMRADC has been notified that your immigration authorities conferred by the MOA have been revoked.

In accordance with the MOA, you must immediately return any issued Immigration Officer Identification, Immigration Officer Designation form(s) and/or ICE issued equipment, if you have not done so already. You may retain your certificate of course completion from the authorizing ICE Training Division.

Your authorization to perform 287(g) immigration officer functions may be reinstated by the FOD at a later date and any reinstatement costs will be incurred by the LEA.

Sincerely,

Russell Hott
Field Office Director
Washington Field Office

ERO Washington Weekly Report

October 22 – October 28, 2017

I. Significant Travel, Speeches, and High-Profile Interviews and Meetings

On **October 24-26**, AFOD [REDACTED] will be in Baltimore for ERO 2.0 Leadership Onboarding.

On **October 30**, AFODs [REDACTED] and [REDACTED] will be with PBS for a Farmville tour.

Duty Manager/Officer

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

Front Office / Operation Support

A draft Stay SOP shared with the AFODs with a due date of October 30 for comments.

Merrifield access cards are being transferred to PIV only access over the next few weeks.

Non Detained / Bonds / Juvies / ATD

Nothing reported.

At Large Teams

Nothing reported.

CAP / 287g / Command Center

On October 27, DO [REDACTED] will be Acting for FFX CAP.

Intake / Detention / Removals

Flight Ops projected removals:

- 10/23: (22) OTM [REDACTED] to Oakdale, LA (AEX) via Harrisburg, PA (MDT)
- 10/25: (20) Mexican re-pat flight to Brownsville, TX (BRO) via MDT
- (7) commercial removals scheduled

WAS Detention has 14 scheduled flight assignments

WAS Detention will assist ERO San Antonio with a face to face interview for [REDACTED] and the Sudanese Consulate

II. Programs, Policy Announcements, Facilities and Public Affairs

(Negative Reporting is Required)

Stories or Items which may garner public interest:

Executive Summaries for the following cases were forwarded

- [REDACTED] Fairfax County, felony abduction with intent to defile, two counts of felony object sexual penetration, felony rape, and three counts of felony capital murder during rape or sodomy of [REDACTED]
- [REDACTED] Prince William County, felony abduction, felony gang participation, misdemeanor vandalism, and misdemeanor false identification to law enforcement related to Amber Alert
- [REDACTED] Fairfax County, five felony rape warrants

From: (b)(6);(b)(7)(C)
To:
Cc:
Subject: FW: IADP Assignment Request: (b)(6);(b)(7)(C)
Date: Thursday, April 26, 2018 2:36:53 PM
Attachments: image002.png
Importance: High

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

Good afternoon!
They have a training date for you!
Are you able to attend training from July 23 – August 16, 2018?

Please let me know as soon as you can.

Our next step is to get you set up with a PIV card and a LAN account, but that is stuff that I will be helping you with.

Thanks,
(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 26, 2018 2:01 PM
To: (b)(6);(b)(7)(C)
Cc: 287(g) Training (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: IADP Assignment Request: (b)(6);(b)(7)(C)
Importance: High

Good afternoon (b)(6);(b)(7)(C)

The candidate below is cleared to attend IADP. Preferably, we request the officer attend IADP-805, July 23 – August 16, 2018. If the officer is able to attend this course, please be advise obtaining a PIV Card and LAN account **IS** necessary at this time.

If the officer is unable to attend this course, please advise.

Thanks,
(b)(6);(b)(7)(C)
Unit Chief, Program Management Office
Criminal Alien Division, Enforcement Division
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
500 12th Street, (b)(6);(b)(7)(C)
Washington, DC 20536
202-732- (b)(6)
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 26, 2018 2:58 PM
To: 287gProgramManagementOffice (b)(6);(b)(7)(C)
Subject: Favorable Initial Recommendation (b)(6);(b)(7)(C)
Importance: High

Hello,

This is to inform you that a favorable initial decision has been made on State & Local **DIO 287(g)** applicant (b)(6);(b)(7)(C)

Access to DHS ADP Systems may be authorized at the T2 level. The applicant is authorized to be issued a PIV card. Please allow 72-hours for system updates before the applicant attempts to obtain a PIV card. The applicant is not authorized TECS access at this time. Please note that a background investigation has been scheduled and you will be notified once a final fitness decision has been made, based on the results of the background investigation.

Please let me know if you have any questions.

If the 287(g) applicant is no longer a candidate for the position, please notify this office immediately.

V/r,

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

(b)(6)-(b)(7)(C)

Personnel Security Specialist
Department of Homeland Security
ICE/OPR/PSU
4050 Alpha Road (b)(6)(f)
Farmers Branch, TX 75244
PH: (972) 455-(b)(7)
Fax: (972) 455-5194
(b)(6)-(b)(7)(C)



This document contains information that is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552) because it is a personnel file. The information is not to be disseminated outside the Department of Homeland Security. If you have any questions regarding this document, please contact the ICE/OPR/PSU at (972) 455-5194.



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This document remains under the control of the Department of Homeland Security.



WARNING: The information contained herein is unclassified but may be exempt from disclosure under the Freedom of Information Act.

From: (b)(6);(b)(7)(C)
To:
Cc:
Subject: FW: IADP Assignment Request: (b)(6);(b)(7)(C)
Date: Thursday, April 26, 2018 2:34:51 PM
Attachments: image002.png
Importance: High

CHIEF DEPUTY (b)(6);(b)(7)(C)

Good afternoon! According to this email, they have a training date for you!! Are you able to attend the class from July 23 – August 16, 2018?

Please let me know either way. If not, they'll put another Dakota County person there. If so, I'll need to get you set up to obtain a PIV card. I'll get you set up with a LAN account next week.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 26, 2018 1:33 PM

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

Subject: IADP Assignment Request: (b)(6);(b)(7)(C)
Importance: High

Good afternoon (b)(6);(b)(7)(C)

The candidate below is cleared to attend IADP. Preferably, we request the officer attend IADP-805, July 23 – August 16, 2018. If the officer is able to attend this course, please be advise obtaining a PIV Card and LAN account **IS** necessary at this time.

If the officer is unable to attend this course, please advise.

Thanks,

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

Unit Chief, Program Management Office
Criminal Alien Division, Enforcement Division
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
500 12th Street, (b)(6);(b)(7)(C)
Washington, DC 20536
202-732-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 26, 2018 10:38 AM

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

Subject: Favorable Initial Recommendation (b)(6);(b)(7)(C)
Importance: High

Hello,

This is to inform you that a favorable initial decision has been made on State & Local **DIO 287(g)** applicant (b)(6);(b)(7)(C)

Access to DHS ADP Systems may be authorized at the T2 level. The applicant is authorized to be issued a PIV card. Please allow 72-hours for system updates before the applicant attempts to obtain a PIV card. The applicant is not authorized TECS access at this time. Please note that a background investigation has been scheduled and you will be notified once a final fitness decision has been made, based on the results of the background investigation.

Please let me know if you have any questions.

If the 287(g) applicant is no longer a candidate for the position, please notify this office immediately.

V/r,

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

From: (b)(6);(b)(7)(C)
To:
Cc:
Subject: FW: Welcome to the 287g program
Date: Tuesday, January 09, 2018 11:04:38 AM
Attachments: [Dakota County Sheriff's Office.pdf](#)
[287g Jail model 2018 MOA.docx](#)

DAKOTA COUNTY,

(b)(6) followed up with the 287g program manager on some of the questions that came up from last week.

First, at this time, the 287g program is limited to **in custody agreements**. Therefore, no, it does not cover street work.

Secondly, they state that while there is no limit on the number of officers that Dakota County can send through the program, the workload will dictate the need. They state, "two to ten (officers) is generally a good starting point depending on the number of encounters expected."

Finally, (and you'll like this), ICE will pay for travel expenses, but the sheriff's office pays salaries during training.

Please let me know if you have any further questions.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 9, 2018 8:11 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Welcome to the 287g program

Good morning!

I forgot to bring something up at our meeting....on the MOA, they are requesting that a copy be returned to them that was signed by you. Have you had a chance to review it in its entirety? I did mention that the only forecasted issue that we may have is wondering for sure who would pay for the officers transport, etc while at the training, although I still stand behind that I'm 99% sure that the gov't will.

Let me know if anything else popped up that there is a question on.

Also, I'll follow up with (b)(6) today to see where we are at in making you a long term facility!!! I'm allllllllll for it!!!

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 27, 2017 1:42 PM

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

Subject: Welcome to the 287g program

DAKOTA COUNTY,

Good afternoon.

Please see the attached for a couple of items from the 287g program. The first is a letter that officially recognizes your acceptance into the program. This letter references a Memorandum of Agreement between ICE and the Dakota County Sheriff's Office, which is the other attachment.

Would it be possible for us to sit down and have a quick meeting in reference to this? I know that with the holidays, a lot of people are out on leave, but maybe the first couple of weeks in January? I welcome any questions in reference to the program and in reference to the MOA that you may have.

Congratulations on your acceptance in this program! The Sioux City ERO/ICE office is so happy to have your assistance!!

Thank you,

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

Supervisory Detention and Deportation Officer

Sioux City, Iowa

St. Paul AOR

Phone/712-255-(b)(6).

Fax/712-255-7061

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



U.S. Immigration
and Customs
Enforcement

Sheriff Chris Kleinberg
Dakota County Sheriff's Office
1601 Broadway Street
Dakota City, NE 68731

Dear Sheriff Kleinberg,

Thank you for your interest in the 287(g) Delegation of Authority Program. On November 14, 2017, U.S. Immigration and Customs Enforcement (ICE) convened a meeting of the 287(g) Program Advisory Board (PAB). After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On December 12, 2017, Acting ICE Director Thomas D. Homan approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Dakota County Sheriff's Office under a joint Memorandum of Agreement (MOA). A representative from the ICE St. Paul Field Office, Enforcement & Removal Operations, will contact you to discuss the implementation of the MOA.

Your local ICE point of contact for the St. Paul Field Office is Assistant Field Office Director (AFOD) (b)(6);(b)(7)(C) can be reached at (402) 536-(b)(6);(b)

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey A. Price".

Corey A. Price
Assistant Director
Enforcement

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Dakota County Jail, Nebraska (DAKOTNE), pursuant to which ICE delegates to nominated, trained, certified, and authorized DAKOTNE personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the DAKOTNE to identify and process for removal, under ICE supervision, aliens in DAKOTNE jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The DAKOTNE and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected DAKOTNE personnel (participating DAKOTNE personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the DAKOTNE's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating DAKOTNE personnel as members of the DAKOTNE. However, the exercise of the immigration enforcement authority delegated under this MOA to participating DAKOTNE personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating DAKOTNE personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating DAKOTNE personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the DAKOTNE is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating DAKOTNE personnel only as to immigration enforcement functions as authorized in this MOA. The DAKOTNE retains supervision of all other aspects of the employment and performance of duties by participating DAKOTNE personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The DAKOTNE is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the DAKOTNE has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from DAKOTNE custody. The DAKOTNE agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating DAKOTNE personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the DAKOTNE may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the DAKOTNE will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the DAKOTNE enter into an IGSA, the DAKOTNE must meet applicable detention standards.

In addition to detention services, ICE and the DAKOTNE may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the DAKOTNE will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the DAKOTNE will occur only when the DAKOTNE obtained prior ICE approval for the transportation. ICE will not reimburse if the DAKOTNE did not obtain prior approval from ICE.

The parties understand that the DAKOTNE will not continue to detain an alien after that alien is eligible for release from the DAKOTNE's custody in accordance with applicable law and DAKOTNE policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The DAKOTNE will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All DAKOTNE candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All DAKOTNE candidates shall have experience supervising inmates, have been trained on maintaining the security of DAKOTNE facilities, and have enforced rules and

regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The DAKOTNE is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the DAKOTNE will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the DAKOTNE background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the DAKOTNE will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The DAKOTNE agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If DAKOTNE personnel under consideration are in a collective bargaining unit, the DAKOTNE must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the DAKOTNE to fulfill this commitment could jeopardize the terms of this MOA.

All DAKOTNE candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating DAKOTNE personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating DAKOTNE personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each DAKOTNE nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an DAKOTNE nominee fails to attain a 70-percent rating on an examination, the DAKOTNE nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the DAKOTNE nominee will be

offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the DAKOTNE nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating DAKOTNE personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained DAKOTNE personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the DAKOTNE's Designated Accreditation Authority (DAA). The DAKOTNE agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, DAKOTNE personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those DAKOTNE personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in ERO St. Paul will provide the participating DAKOTNE personnel a signed authorization letter allowing the named DAKOTNE personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the DAKOTNE. Only those certified DAKOTNE personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified DAKOTNE personnel official immigration officer credentials. Upon receipt of the credentials, DAKOTNE personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating DAKOTNE personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating DAKOTNE employee ceases his/her participation, or when deemed necessary by the ICE FOD in ERO St. Paul.

Authorization of participating DAKOTNE personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the DAKOTNE. The DAKOTNE and the ICE FOD in ERO St. Paul will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The DAKOTNE will notify ICE within 48 hours of when participating DAKOTNE personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The DAKOTNE is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The DAKOTNE is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating DAKOTNE personnel while they are receiving training. The DAKOTNE will cover the costs of all DAKOTNE personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The DAKOTNE remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating DAKOTNE personnel at each DAKOTNE facility with an active

287(g) program. Only participating DAKOTNE personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating DAKOTNE personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in ERO St. Paul.

The DAKOTNE is responsible for covering all expenses at the DAKOTNE facility regarding cabling and power upgrades. If the connectivity solution for the DAKOTNE is determined to include use of the DAKOTNE's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the DAKOTNE will be responsible for covering any installation and recurring costs associated with the DAKOTNE line.

The DAKOTNE is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The DAKOTNE is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the DAKOTNE will provide at no cost to ICE, an office within participating DAKOTNE facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating DAKOTNE personnel will be supervised and directed by ICE supervisory officers. Participating DAKOTNE personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating DAKOTNE personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating DAKOTNE personnel only as to immigration enforcement functions conducted in conjunction to this authority. The DAKOTNE retains supervision of all other aspects of the employment of and performance of duties by participating DAKOTNE personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating DAKOTNE personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the DAKOTNE with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating DAKOTNE personnel will be expected or required to violate or otherwise fail to maintain the DAKOTNE's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the DAKOTNE's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The DAKOTNE will provide statistical or aggregated arrest data to ICE, as requested by ICE. The DAKOTNE will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the DAKOTNE's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the DAKOTNE will be responsible and bear the costs of participating DAKOTNE personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating DAKOTNE personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating DAKOTNE personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating DAKOTNE personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. DAKOTNE personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 1717 Avenue H, Omaha, NE 68110. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist DAKOTNE personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating DAKOTNE personnel only to the extent authorized by law.

The DAKOTNE agrees to cooperate with any Federal investigation related to this MOA to the

full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating DAKOTNE employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The DAKOTNE agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any DAKOTNE personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating DAKOTNE personnel under this MOA are undertaken under Federal authority, the participating DAKOTNE personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The DAKOTNE and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating DAKOTNE personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating DAKOTNE personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating DAKOTNE personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the DAKOTNE, as needed.

The DAKOTNE will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the

proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include DAKOTNE personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in ERO St. Paul, and the DAKOTNE shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating DAKOTNE personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the DAKOTNE may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in ERO St. Paul at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in ERO St. Paul. An initial review meeting will be held no later than nine months after certification of the initial class of participating DAKOTNE personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The DAKOTNE will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the DAKOTNE's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The DAKOTNE may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the DAKOTNE is authorized to do the same.

The DAKOTNE hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the DAKOTNE must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the DAKOTNE for this purpose are identified in Appendix C. For releases of information to all other parties, the DAKOTNE must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the DAKOTNE that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the DAKOTNE has coordinated in advance of release

with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

DAKOTNE questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating DAKOTNE personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the DAKOTNE points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the DAKOTNE shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the DAKOTNE and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the DAKOTNE shall be given to the ICE FOD in ERO St. Paul and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the DAKOTNE.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: _____

Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: _____

Chris Kleinberg
Sheriff
Dakota County Jail, Nebraska
1601 Broadway Street
P.O. Box 305
Dakota City, NE 68731

APPENDIX A
POINTS OF CONTACT

The ICE and DAKOTNE points of contact for purposes of implementation of this MOA are:

For the DAKOTNE:

LEA POC (hit ENTER for new line)

For ICE Enforcement and Removal Operations (ERO):

FOD POC (hit ENTER for new line)

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Dakota County Jail, Nebraska, (DAKOTNE), pursuant to which selected DAKOTNE personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating DAKOTNE personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain DAKOTNE personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the DAKOTNE and be handled in accordance with the DAKOTNE's applicable rules, policies, and procedures.

If any participating DAKOTNE personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the DAKOTNE shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in ERO St. Paul and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6):(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating DAKOTNE personnel shall be handled as described below.

The DAKOTNE will also handle complaints filed against DAKOTNE personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated DAKOTNE personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating DAKOTNE personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the DAKOTNE within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, DAKOTNE, participating DAKOTNE personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6);(b)(7)(C) or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the DAKOTNE directly that involve DAKOTNE personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the DAKOTNE's Internal Investigations Unit when the complaint involves DAKOTNE personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each

complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the DAKOTNE's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving DAKOTNE personnel to the DAKOTNE's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against DAKOTNE's participating officers.

B. Interim Action Pending Complaint Resolution

When participating DAKOTNE personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the DAKOTNE's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide DAKOTNE with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the DAKOTNE:

LEA PUBLIC AFFAIRS OFFICER (hit ENTER for new line)

For ICE:

Office of Public Affairs
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536
202-732-(b)(6);(d)

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

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the DAKOTNE.

Pursuant to this MOA, the DAKOTNE has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the DAKOTNE's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the DAKOTNE to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the DAKOTNE shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating DAKOTNE personnel performing immigration-related functions pursuant to this MOA will be DAKOTNE officers assigned to detention operations supported by ICE. Those participating DAKOTNE personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to DAKOTNE jail/correctional facilities. Participating DAKOTNE personnel will identify and process for removal aliens in DAKOTNE jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating DAKOTNE personnel are delegated only those authorities listed below:

The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;

The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);

The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;

The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and

The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the DAKOTNE to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating DAKOTNE personnel will be supervised and directed by ICE supervisory officers. Participating DAKOTNE personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating DAKOTNE personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The DAKOTNE shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The DAKOTNE is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The DAKOTNE must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in ERO St. **Paul** through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the DAKOTNE's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the DAKOTNE and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an DAKOTNE facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

From: (b)(6);(b)(7)(C)
To: [Redacted]
Cc:
Subject: FW: Welcome to the 287g program
Date: Tuesday, January 16, 2018 12:17:06 PM
Attachments: [Dakota County Sheriff's Office.pdf](#)
[287g Jail model 2018 MOA.docx](#)

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

I heard that the sheriff was out of the office last week and maybe this week as well?

If that is still the case, can one of you sign the MOA? HQ keeps pinging us for it and they need it before Dakota County can go on the list to get people into the May class.

If the sheriff is back in the office this week, can someone please give him a gentle reminder?

Thanks.

Call me if you have questions. 712-255-(b)(6);(7)(C)

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 11, 2018 8:40 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Welcome to the 287g program

Good morning.

First of all, I thought that I would give you an update about getting Dakota as a long term facility. (b)(6);(7)(C) followed up with our facilities manager and I guess we're just trying to figure out which set of detention standards the jail would be inspected under. Right now, you're under "NDS" but the longer term facilities would either be under 2008 or 2011 Performance Based National Detention Standards (PBNDS). Usually, there is just a few more things involved. As soon as we figure out which one, I'll see if I can't send them to you so you can see what is involved to see if it is something that you still want (or are able) to do. Hopefully, (b)(6);(7)(C) will have an answer for me later today.

And whenever you have the attached reviewed and signed, you can just scan it back to me.

Thank you!

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 9, 2018 8:11 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Welcome to the 287g program

Good morning!

I forgot to bring something up at our meeting....on the MOA, they are requesting that a copy be returned to them that was signed by you. Have you had a chance to review it in its entirety? I did mention that the only forecasted issue that we may have is wondering for sure who would pay for the officers transport, etc while at the training, although I still stand behind that I'm 99% sure that the gov't will.

Let me know if anything else popped up that there is a question on.

Also, I'll follow up with (b)(6);(b)(7) today to see where we are at in making you a long term facility!!! I'm allllllllll for it!!!

Thanks,

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

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

Sent: Wednesday, December 27, 2017 1:42 PM

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

Subject: Welcome to the 287g program

DAKOTA COUNTY,

Good afternoon.

Please see the attached for a couple of items from the 287g program. The first is a letter that officially recognizes your acceptance into the program. This letter references a Memorandum of Agreement between ICE and the Dakota County Sheriff's Office, which is the other attachment.

Would it be possible for us to sit down and have a quick meeting in reference to this? I know that with the holidays, a lot of people are out on leave, but maybe the first couple of weeks in January? I welcome any questions in reference to the program and in reference to the MOA that you may have.

Congratulations on your acceptance in this program! The Sioux City ERO/ICE office is so happy to have your assistance!!

Thank you,

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

Supervisory Detention and Deportation Officer

Sioux City, Iowa

St. Paul AOR

Phone/712-255-(b)(6);(

Fax/712-255-7061

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



U.S. Immigration
and Customs
Enforcement

Sheriff Chris Kleinberg
Dakota County Sheriff's Office
1601 Broadway Street
Dakota City, NE 68731

Dear Sheriff Kleinberg,

Thank you for your interest in the 287(g) Delegation of Authority Program. On November 14, 2017, U.S. Immigration and Customs Enforcement (ICE) convened a meeting of the 287(g) Program Advisory Board (PAB). After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On December 12, 2017, Acting ICE Director Thomas D. Homan approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Dakota County Sheriff's Office under a joint Memorandum of Agreement (MOA). A representative from the ICE St. Paul Field Office, Enforcement & Removal Operations, will contact you to discuss the implementation of the MOA.

Your local ICE point of contact for the St. Paul Field Office is Assistant Field Office Director (AFOD) (b)(6);(b)(7)(C) can be reached at (402) 536-(b)(6);(b)(7)(C)

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey A. Price".

Corey A. Price
Assistant Director
Enforcement

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Dakota County Jail, Nebraska (DAKOTNE), pursuant to which ICE delegates to nominated, trained, certified, and authorized DAKOTNE personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the DAKOTNE to identify and process for removal, under ICE supervision, aliens in DAKOTNE jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The DAKOTNE and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected DAKOTNE personnel (participating DAKOTNE personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the DAKOTNE's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating DAKOTNE personnel as members of the DAKOTNE. However, the exercise of the immigration enforcement authority delegated under this MOA to participating DAKOTNE personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating DAKOTNE personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating DAKOTNE personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the DAKOTNE is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating DAKOTNE personnel only as to immigration enforcement functions as authorized in this MOA. The DAKOTNE retains supervision of all other aspects of the employment and performance of duties by participating DAKOTNE personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The DAKOTNE is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the DAKOTNE has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from DAKOTNE custody. The DAKOTNE agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating DAKOTNE personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the DAKOTNE may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the DAKOTNE will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the DAKOTNE enter into an IGSA, the DAKOTNE must meet applicable detention standards.

In addition to detention services, ICE and the DAKOTNE may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the DAKOTNE will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the DAKOTNE will occur only when the DAKOTNE obtained prior ICE approval for the transportation. ICE will not reimburse if the DAKOTNE did not obtain prior approval from ICE.

The parties understand that the DAKOTNE will not continue to detain an alien after that alien is eligible for release from the DAKOTNE's custody in accordance with applicable law and DAKOTNE policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The DAKOTNE will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All DAKOTNE candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All DAKOTNE candidates shall have experience supervising inmates, have been trained on maintaining the security of DAKOTNE facilities, and have enforced rules and

regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The DAKOTNE is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the DAKOTNE will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the DAKOTNE background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the DAKOTNE will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The DAKOTNE agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If DAKOTNE personnel under consideration are in a collective bargaining unit, the DAKOTNE must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the DAKOTNE to fulfill this commitment could jeopardize the terms of this MOA.

All DAKOTNE candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating DAKOTNE personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating DAKOTNE personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each DAKOTNE nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an DAKOTNE nominee fails to attain a 70-percent rating on an examination, the DAKOTNE nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the DAKOTNE nominee will be

offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the DAKOTNE nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating DAKOTNE personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained DAKOTNE personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the DAKOTNE's Designated Accreditation Authority (DAA). The DAKOTNE agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, DAKOTNE personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those DAKOTNE personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in ERO St. Paul will provide the participating DAKOTNE personnel a signed authorization letter allowing the named DAKOTNE personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the DAKOTNE. Only those certified DAKOTNE personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified DAKOTNE personnel official immigration officer credentials. Upon receipt of the credentials, DAKOTNE personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating DAKOTNE personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating DAKOTNE employee ceases his/her participation, or when deemed necessary by the ICE FOD in ERO St. Paul.

Authorization of participating DAKOTNE personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the DAKOTNE. The DAKOTNE and the ICE FOD in ERO St. Paul will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The DAKOTNE will notify ICE within 48 hours of when participating DAKOTNE personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The DAKOTNE is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The DAKOTNE is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating DAKOTNE personnel while they are receiving training. The DAKOTNE will cover the costs of all DAKOTNE personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The DAKOTNE remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating DAKOTNE personnel at each DAKOTNE facility with an active

287(g) program. Only participating DAKOTNE personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating DAKOTNE personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in ERO St. Paul.

The DAKOTNE is responsible for covering all expenses at the DAKOTNE facility regarding cabling and power upgrades. If the connectivity solution for the DAKOTNE is determined to include use of the DAKOTNE's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the DAKOTNE will be responsible for covering any installation and recurring costs associated with the DAKOTNE line.

The DAKOTNE is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The DAKOTNE is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the DAKOTNE will provide at no cost to ICE, an office within participating DAKOTNE facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating DAKOTNE personnel will be supervised and directed by ICE supervisory officers. Participating DAKOTNE personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating DAKOTNE personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating DAKOTNE personnel only as to immigration enforcement functions conducted in conjunction to this authority. The DAKOTNE retains supervision of all other aspects of the employment of and performance of duties by participating DAKOTNE personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating DAKOTNE personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the DAKOTNE with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating DAKOTNE personnel will be expected or required to violate or otherwise fail to maintain the DAKOTNE's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the DAKOTNE's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The DAKOTNE will provide statistical or aggregated arrest data to ICE, as requested by ICE. The DAKOTNE will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the DAKOTNE's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the DAKOTNE will be responsible and bear the costs of participating DAKOTNE personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating DAKOTNE personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating DAKOTNE personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating DAKOTNE personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. DAKOTNE personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 1717 Avenue H, Omaha, NE 68110. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist DAKOTNE personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating DAKOTNE personnel only to the extent authorized by law.

The DAKOTNE agrees to cooperate with any Federal investigation related to this MOA to the

full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating DAKOTNE employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The DAKOTNE agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any DAKOTNE personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating DAKOTNE personnel under this MOA are undertaken under Federal authority, the participating DAKOTNE personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The DAKOTNE and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating DAKOTNE personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating DAKOTNE personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating DAKOTNE personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the DAKOTNE, as needed.

The DAKOTNE will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the

proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include DAKOTNE personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in ERO St. Paul, and the DAKOTNE shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating DAKOTNE personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the DAKOTNE may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in ERO St. Paul at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in ERO St. Paul. An initial review meeting will be held no later than nine months after certification of the initial class of participating DAKOTNE personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The DAKOTNE will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the DAKOTNE's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The DAKOTNE may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the DAKOTNE is authorized to do the same.

The DAKOTNE hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the DAKOTNE must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the DAKOTNE for this purpose are identified in Appendix C. For releases of information to all other parties, the DAKOTNE must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the DAKOTNE that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the DAKOTNE has coordinated in advance of release

with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

DAKOTNE questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating DAKOTNE personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the DAKOTNE points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the DAKOTNE shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the DAKOTNE and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the DAKOTNE shall be given to the ICE FOD in ERO St. Paul and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the DAKOTNE.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: _____

Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: _____

Chris Kleinberg
Sheriff
Dakota County Jail, Nebraska
1601 Broadway Street
P.O. Box 305
Dakota City, NE 68731

APPENDIX A
POINTS OF CONTACT

The ICE and DAKOTNE points of contact for purposes of implementation of this MOA are:

For the DAKOTNE:

LEA POC (hit ENTER for new line)

For ICE Enforcement and Removal Operations (ERO):

FOD POC (hit ENTER for new line)

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Dakota County Jail, Nebraska, (DAKOTNE), pursuant to which selected DAKOTNE personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating DAKOTNE personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain DAKOTNE personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the DAKOTNE and be handled in accordance with the DAKOTNE's applicable rules, policies, and procedures.

If any participating DAKOTNE personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the DAKOTNE shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in ERO St. Paul and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6)/(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating DAKOTNE personnel shall be handled as described below.

The DAKOTNE will also handle complaints filed against DAKOTNE personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated DAKOTNE personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating DAKOTNE personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the DAKOTNE within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, DAKOTNE, participating DAKOTNE personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6),(b)(7)(C), or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the DAKOTNE directly that involve DAKOTNE personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the DAKOTNE's Internal Investigations Unit when the complaint involves DAKOTNE personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each

complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the DAKOTNE's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving DAKOTNE personnel to the DAKOTNE's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against DAKOTNE's participating officers.

B. Interim Action Pending Complaint Resolution

When participating DAKOTNE personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the DAKOTNE's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide DAKOTNE with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the DAKOTNE:

LEA PUBLIC AFFAIRS OFFICER (hit ENTER for new line)

For ICE:

Office of Public Affairs
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536

202-732-(b)(6)

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

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the DAKOTNE.

Pursuant to this MOA, the DAKOTNE has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the DAKOTNE's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the DAKOTNE to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the DAKOTNE shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating DAKOTNE personnel performing immigration-related functions pursuant to this MOA will be DAKOTNE officers assigned to detention operations supported by ICE. Those participating DAKOTNE personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to DAKOTNE jail/correctional facilities. Participating DAKOTNE personnel will identify and process for removal aliens in DAKOTNE jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating DAKOTNE personnel are delegated only those authorities listed below:

The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;

The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);

The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;

The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and

The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the DAKOTNE to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating DAKOTNE personnel will be supervised and directed by ICE supervisory officers. Participating DAKOTNE personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating DAKOTNE personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The DAKOTNE shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The DAKOTNE is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The DAKOTNE must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in ERO St. **Paul** through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the DAKOTNE's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the DAKOTNE and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an DAKOTNE facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

From:
To:
Cc:
Subject:
Date:

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

Immigration and Customs Enforcement - 287(g) T1 data circuit install - Dakota County, NE
Tuesday, March 27, 2018 8:29:27 PM

Good evening Sheriff Kleinberg,

I wanted to let you know that Verizon will be contacting you to begin the process to install the T1 and POTS line for the circuit installation. It'll be a multistep process but they arrange dates and times to fit your availability.

Please let me know if you have any questions.

Respectfully,

(b)(6);(

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

IT Specialist | 287(g) Program Manager
Customer Support Branch | IT Operations Division
Office of the Chief Information Officer
U.S. Immigration and Customs Enforcement
Department of Homeland Security
Tel: (202) 732-(b)(6);
Mobile: (202) 631-(b)(6);
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
To:
Cc:
Subject: Welcome to the 287g program
Date: Wednesday, December 27, 2017 1:42:31 PM
Attachments: [Dakota County Sheriff's Office.pdf](#)
[287g Jail model 2018 MOA.docx](#)

DAKOTA COUNTY,

Good afternoon.

Please see the attached for a couple of items from the 287g program. The first is a letter that officially recognizes your acceptance into the program. This letter references a Memorandum of Agreement between ICE and the Dakota County Sheriff's Office, which is the other attachment.

Would it be possible for us to sit down and have a quick meeting in reference to this? I know that with the holidays, a lot of people are out on leave, but maybe the first couple of weeks in January? I welcome any questions in reference to the program and in reference to the MOA that you may have.

Congratulations on your acceptance in this program! The Sioux City ERO/ICE office is so happy to have your assistance!!

Thank you,

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

Supervisory Detention and Deportation Officer

Sioux City, Iowa

St. Paul AOR

Phone/712-255-(b)(6);(

Fax/712-255-7061

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Tue 3/21/2017 10:55:50 PM
Subject: FW: 287 G
[287g Info.pdf](#)

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

Please see attached for 287g information, and also the below links provide some good information on the program.

<https://www.ice.gov/factsheets/287g>

<https://www.ice.gov/factsheets/287g-reform>

Let me know if you have any questions.

(b)(6);(b)(7)(C)
AFOD
St. Paul Field Office
(612) 843-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 9:54 AM
To: (b)(6);(b)(7)(C)
Subject: 287 G

(b)(6);(b)(7)(C) could you have one of your staff send me the information on how to participate in the 287G program...Thanks

(b)(6);(b)(7)(C) Jail Commander
13880 Highway 10 West
13880 Business Center Drive
Elk River, MN. 55330-4609
Office: (763) 765-(b)(6);(b)(7)(C)
Fax: (763) 765-3812

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

A Law Enforcement Partnership

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for protecting national security and ensuring public safety by enforcing the nation's immigration laws. ICE works closely with Federal, State and local law enforcement partners in this mission.

State and local law enforcement agencies play a critical role in ICE's mission because the vast majority of criminal aliens are taken into custody under their jurisdiction. ICE's 287(g) Program is a law enforcement partnership initiative that delegates limited immigration enforcement authorities to ICE-trained and supervised state and local officers.

Section 287(g) of the Immigration and Nationality Act

Section 287(g) of the Immigration and Nationality Act authorizes DHS to enter into agreements with state and local law enforcement agencies that permit designated officers to perform immigration enforcement functions, provided those officers receive appropriate training and are supervised by ICE officers. Under 287(g) agreements, state and local law enforcement officers work under ICE supervision to identify and process for removal criminal and other priority aliens who have been arrested and booked into the participating law enforcement agency's jail facility.

Memorandum of Agreement

Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating state or local law enforcement agency that defines the scope and limitations of the authority to be designated, and the processes for the exercise of this authority.

ICE will supervise all 287(g)-designated officers when they perform their delegated immigration enforcement functions.

Law Enforcement Agency Requirements for 287(g) Partnership

The principal requirements to participate in a 287(g) program are as follows:

- The law enforcement agency must enter into a MOA;
- 287(g)-designated officers must attend initial four-week basic training and undergo refresher training every two years;
- 287(g)-designated officers must follow DHS and ICE policies when they perform delegated immigration enforcement functions; and
- The law enforcement agency must, in conjunction with ICE, engage in regular meetings with individuals and organizations expressing an interest in the MOA.

Officer Selection Requirements

Participating officers in the 287(g) program must meet the following minimum requirements:

- U.S. citizenship;
- Pass background check; and
- Must have prior experience supervising incarcerated individuals.

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Thur 3/30/2017 7:39:04 PM
Subject: RE: Addendum

10-4, I'll get with HQ now

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:38 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Addendum

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

The title of Commissioner is spelled wrong. Can you also forward me a complete MOA to include the addendum.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 2:13 PM
To: (b)(6);(b)(7)(C) Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Addendum

(b)(6);(b)(7)(C)/Sheriff's,

Here is the Addendum for the MOA, it needs to be signed by April 2, 2017, or as soon as possible.

Sorry for the short turnaround,

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

Please sign, and scan back to me as soon as practically possible.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Subject: Addendum

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

Please have the (Bristol/Plymouth) Sheriff and (MA DOC) Commissioner sign the addenda and return a scanned signed to me.

Very Respectfully,

(b)(6);(b)(7)(C)
National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);(b)(7)(C)
Cell: (973) 332-(b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)



To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Thur 3/30/2017 7:46:08 PM
Subject: RE: Addendum

That will only be for new MOA's from here on out, so we have none yet, it's how they'll be prepared moving forward

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:45 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Addendum

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

I'm looking for the MOA with the Addendum included in the body of the MOA

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:42 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Addendum

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

Here is the MOA, I'll get the correction shortly

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:38 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Addendum

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

The title of Commissioner is spelled wrong. Can you also forward me a complete MOA to include the addendum.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 2:13 PM
To: (b)(6);(b)(7)(C) Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Addendum

(b)(6);(b)(7)(C) /Sheriff's,

Here is the Addendum for the MOA, it needs to be signed by April 2, 2017, or as soon as possible.

Sorry for the short turnaround,

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

Please sign, and scan back to me as soon as practically possible.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Subject: Addendum

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

Please have the (Bristol/Plymouth) Sheriff and (MA DOC) Commissioner sign the addenda and return a scanned signed to me.

Very Respectfully,

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

National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);(C)
Cell: (973) 332-(b)(7)(C)
Email: (b)(6);(b)(7)(C)



To: (b)(6);(b)(7)(C) Cronen, C
M: (b)(6);(b)(7)(C)
Cc:
Fr

Sent: Thur 3/30/2017 7:57:11 PM
Subject: RE: Addendum Plymouth County

Thanks so much (b)(6);(you all have a Great Night too.

(b)(6);(b)(7)(C) Plymouth County signed

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:53 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Addendum

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

Here is the signed Addendum you requested.

Have a great night!

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 2:13 PM
To: (b)(6);(b)(7)(C) Cronen, C
M: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Addendum

(b)(6);(b)(7)(C) Sheriff's,

Here is the Addendum for the MOA, it needs to be signed by April 2, 2017, or as soon as possible.

Sorry for the short turnaround,

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

Please sign, and scan back to me as soon as practically possible.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Subject: Addendum

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

Please have the (Bristol/Plymouth) Sheriff and (MA DOC) Commissioner sign the addenda and return a scanned signed to me.

Very Respectfully,

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

National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)

2018-ICLI-00004 5283

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Wed 1/20/2016 1:02:06 PM
Subject: FW: 287 G Needs Assessment
[287G Needs Assessment.pdf](#)

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

The Plymouth County Sheriff's Department has completed their need assessment for the 287(g) program. I will need to forward it to HQ along with the FOD's letter of recommendation / non-recommendation.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 19, 2016 4:16 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: 287 G Needs Assessment

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

Please find our Needs Assessment for the 287 G Program attached. If there is anything additional required, please let me know.

Thank you,

(b)(6);(b)(7)(C)
Deputy Director, Field Services Division
Plymouth County Sheriff's Department
O: 508-830-(b)(6);(b)(7)(C)
M: 508-509-(b)(6);(b)(7)(C)
F: 508-830-6214
E: (b)(6);(b)(7)(C)



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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 13, 2018 9:56 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

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

I have forwarded your email to Sheriff Burchett.

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

Clark County Sheriff's Office
Executive Assistant
120 North Fountain Avenue
Springfield, Ohio 45502
Phone: 937.521.(b)(6);(b)(7)(C)
Fax: 937.328.2515
Email: (b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 13, 2018 9:46 AM
To: (b)(6);(b)(7)(C)
Subject: ICE 287(g) Program

Good morning (b)(6);(b)(7)(C)

Just a follow up in reference to our conversation on February 28, I was wondering if you received a response from the sheriff in regards to the 287(g) program.

Please let me know at your earliest convenience.

Best Regards,

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

DDO/Program Manager 287(g)
DHS/ICE/ERO
Cincinnati, Ohio
(513)785-(b)(6);(b)(7)(C)

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

From: (b)(6),(b)(7)(C)
Sent: Wednesday, September 14, 2016 2:51 PM
To: (b)(6),(b)(7)(C)
Subject: 287(g) MOA
Attachments: 2016 287g MOA.PDF

Attached is the signed copy from the Sheriff. Please send me a completed copy once signed by all parties. Thanks.

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

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 8, 2018 9:46 AM
To: (b)(6);(b)(7)(C)
Subject: Re: Montgomery County 287(g) Meeting

Okay, we are clear.
Thanks,

From: (b)(6);(b)(7)(C)
Organization: BCSC
Reply-To: (b)(6);(b)(7)(C)
Date: Tuesday, May 8, 2018 at 9:37 AM

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

Subject: RE: Montgomery County 287(g) Meeting

Some unforeseen circumstances have come up and Butler County needs to cancel the scheduled meeting this Thursday and reschedule for a later date. I apologize for the late notice.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 16:03
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Montgomery County 287(g) Meeting

Thursday the 10th – any time or any day/time the following week.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 14:55
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Montgomery County 287(g) Meeting

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

Do you have any other days available? I have training that day that I can't move.



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

Montgomery County Sheriff's Office

O: 937.496 (b)(6);(b)(7)(C)

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



From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 2:26 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Montgomery County 287(g) Meeting

Please let me know if the date provided by (b)(6);(b)(7)(C) for the 287(g) visit will work for you and the Chief.

Thank you

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 24, 2018 2:01 PM
To: (b)(6);(b)(7)(C)
Subject: Montgomery County Meeting

I would be happy to have Montgomery County down for a visit and can be available anytime on Friday, May 11th for as long as they would like. If you need additional options, let me know.

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

Warden
Butler County Sheriff's Office

705 Hanover Street
Hamilton, Ohio 45011
(513) 785-(b)(6)
Fax: (513)785-1026

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

NOTICE: This e-mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Unauthorized disclosure or use of this information is strictly prohibited. It is not to be copied or forwarded to any unauthorized person(s). If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via e-mail or by calling Melinda Weddle at (513) 785-1080 so that our address record can be corrected.

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To: Cronen, C M [(b)(6);(b)(7)(C)]
From: [(b)(6);(b)(7)(C)]
Sent: Tue 2/21/2017 6:09:51 PM
Subject: Barstable County

Just wanted to let you both know that I have reached out the Barnstable County Superintendent, to see if there is an interest in the program.

If, or as soon as I hear something I will let you two know.

[(b)(6);(

[(b)(6);(b)(7)(C)]
Boston Field Office
287g Program Manager
704-965-[(b)(6)] cell

Heroes are people who RISE to the Occasion, and then quietly slip away... In [(b)(6);(b)(7)(C)] HONOR

U.S. Department of Homeland Security
Atlanta Field Office
180 Ted Turner Drive, SW
Atlanta, GA 30303



U.S. Immigration
and Customs
Enforcement

April 27, 2017

MEMORANDUM FOR: Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations

FROM: Sean Gallagher 
Field Office Director
Atlanta Field Office

SUBJECT: Bartow County Sheriff's Office Request for participation in ICE
287(g) Immigration Authority Delegation Program (IADP)

On April 19, 2017, Bartow County, GA, Sheriff Clark Millsap submitted a letter to this office to formally request participation in the 287(g) IADP.

The Bartow County Jail, which is located approximately 1.5 hours from the Atlanta Field Office, intakes on average 7,000 inmates per year. In addition, Bartow County generates approximately 200 Immigration Automated Queries (IAQ) per month through the National Law Enforcement Telecommunications System (NLETS). The top three arrest charges for foreign-born offenders include operating without a license, driving under the influence and driving under suspension.

In support of this request, Sheriff Millsap indicated that Bartow County has a capacity of 1,155 beds and can dedicate up to eight officers to be trained and certified as Designated Immigration Officers. Out of its current human capital assets, ERO Atlanta has identified a 287(g) Field Program Manager to provide oversight, direction and support.

The Atlanta Field Office has determined that Bartow County's request for a 287(g) IADP can be fully supported with existing resources. The Atlanta Field Office will provide the required amount of oversight and supervision to ensure that Bartow County's program is successful and focuses on ICE's enforcement priorities. An operational 287(g) program at this facility will enhance ICE's presence in the area and contribute to ICE's important homeland security mission.

BARTOW COUNTY SHERIFF'S OFFICE

104 ZENA DRIVE ★ P.O. BOX 476 ★ CARTERSVILLE, GEORGIA 30121

PHONE: 770-382-5050 ★ FAX: 678-721-3206

CLARK MILLSAP, SHERIFF



Date: April 19, 2017

FROM: Sheriff Clark Millsap

TO: Thomas D. Homan

Director

Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Homan:

I am writing to request participation in the Delegation of Authority Program pursuant to 287(g) of the Immigration and Naturalization Act. We currently enjoy long term relationships with both ICE Enforcement and Removal Operations and Homeland Security Investigations. We have Deportation Officers and Special Agents who work daily on a task force which is located in our county. ICE personnel work frequently with our jail staff and, as such, our staff understands the nature of your mission. Our task force members have jointly dealt with cases involving criminal aliens, gang members, and cartel members involved in crimes including drug trafficking, human trafficking, document fraud, commercial gambling, and prostitution. Many of these cases, particularly drug and human trafficking, demonstrate a direct nexus to Mexico.

I have been in contact with your Atlanta, Georgia 287(g) Field Program Manager Derrick Eleazer. He has provided information and guidance in the preparation of this proposal. Based on his recommendations, I propose the following:

- Establishment of a 287(g) Jail Enforcement Model (JEM) program at the Bartow County Sheriff's Office located in Cartersville, GA. This is our detention facility for the entire county and services ten state and local law enforcement agencies and houses federal inmates for the United States Marshal's Service. This facility has a capacity of 1155 beds and intakes approximately 7,000 people per year. The facility is centrally located in Northwest Georgia and is less than five minutes from Interstate 75, the major travel corridor for this area. Further, this facility is less than one hour of travel time from the Enforcement and Removal Operations Atlanta Field Office, Homeland Security Investigations Atlanta Office of the Special Agent in Charge, and Homeland Security Investigation Office of the Resident Agent in Charge in Dalton, GA.

BARTOW COUNTY SHERIFF'S OFFICE

104 ZENA DRIVE ★ P.O. BOX 476 ★ CARTERSVILLE, GEORGIA 30121

PHONE: 770-382-5050 ★ FAX: 678-721-3206

CLARK MILLSAP, SHERIFF



- Provide eight (8) Sheriff's Deputies trained and assigned to central processing, with a minimum two years experience, who have passed a background investigation which is acceptable to ICE.

This program will allow us to enter into a Memorandum of Agreement (MOA) which will enable us to partner with ICE in identifying criminal illegal aliens who pose a danger to the citizens of Bartow County. I look forward to your endorsement of this request and the implementation of the program which will benefit all parties involved.

If I or my staff can be of further assistance in processing this request, please do not hesitate to contact my office.


Sheriff Clark Millsap



OFFICE OF THE SHERIFF BARNSTABLE COUNTY

The Commonwealth of Massachusetts

6000 Sheriff's Place, Bourne, MA 02532

508.563.4300 Fax: 508.563.4574

BCSO@bsheriff.net



**Sheriff
James M. Cummings**

ACCREDITED



American
Correctional
Association

March 23, 2017




Commission on
Accreditation of
Rehabilitation
Facilities

Thomas D. Homan, Acting Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
500 12th Street SW
Washington, DC 20024

Dear Mr. Homan:

The Barnstable County Sheriff's Office is requesting to participate in the Delegation of Authority Program pursuant to §287(g) of the Immigration and Naturalization Act. Our agency has been communicating with the 287g Program Manager in the Boston Field Office and will continue to do so as the process moves forward. It is my intention to have four officers trained and certified in support of the 287g Program. I am fully aware of and willing to sign the appropriate Memorandum of Agreement according to Immigration and Customs Enforcement policy.

Very truly yours,


James Cummings, Sheriff
(b)(6);(b)(7)(C)

INTEGRITY

PROFESSIONALISM

COMPASSION

TEAMWORK

BARNSTABLE - BOURNE - BREWSTER - CHATHAM - DENNIS - EASTHAM - FALMOUTH - HARWICH
MASHPEE - ORLEANS - PROVINCETOWN - SANDWICH - TRURO - WELLFLEET - YARMOUTH

To: Cronen, C M [(b)(6);(b)(7)(C)]
Cc: [(b)(6);(b)(7)(C)]
From: [(b)(6);(b)(7)(C)]
Sent: Thur 3/23/2017 5:31:18 PM
Subject: Barnstable County
[2017_03_23_13_04_02.pdf](#)

[(b)(6);(b)(7)(C)]

The 287g Barnstable County meeting went very well today' they are very interested in becoming part of the program, and will be drafting a letter shortly to send to HQ through the FOD. I had explained all aspects of the program, and what the procedures would be for them to come onboard.

They really had no reservations about jumping in, and were actually looking forward to it. They just a Mass. Sheriff's meeting last week, and both the Sheriff's from Plymouth & Bristol spoke positively about the program. They had a few simple questions, more about the training and the time frame, but other than that they seem to want to come aboard.

I gave them a Copy of a Request Letter, the Needs Assessment, explained the PAB, went over the MOA, and explained all the training requirements for the selected Correction Officers.

If there is anything else you may need, please let me know,

[(b)(6);
(b)(7)(C)]

To: Cronen, C M (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Tue 4/4/2017 2:53:10 PM
Subject: FW: Addendum
[MX-4141N 20170404 101448.pdf](#)

Here is Bristol County Addendum... MASS DOC is still reviewing, I just e-mailed them, and they said still not ready.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 04, 2017 10:48 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Addendum

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

Here you go. Sorry for the delay.

Best,

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

(b)(6);(b)(7)(C) **Administrative & Legislative Assistant to Sheriff Thomas M. Hodgson** | [Bristol County Sheriff's Office](#) | 400 Faunce Corner Road, Dartmouth, MA 02747-1275 | Email: (b)(6);(b)(7)(C) | Phone: (508) 995-(b)(6);(b)(7)(C) | Fax: (508) 995-7835 | www.bcs0-ma.us
Please consider the environment before printing this email.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 2:13 PM
To: (b)(6);(b)(7)(C); Sheriff Thomas Hodgson;
Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Addendum

(b)(6);(b)(7)(C) Sheriff's,

Here is the Addendum for the MOA, it needs to be signed by April 2, 2017, or as soon as possible.

Sorry for the short turnaround,

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

Please sign, and scan back to me as soon as practically possible.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Subject: Addendum

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

Please have the (Bristol/Plymouth) Sheriff and (MA DOC) Commissioner sign the addenda and return a scanned signed to me.

Very Respectfully,

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

U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);
Cell: (973) 332-(b)(7)(C)
Email: (b)(6);(b)(7)(C)



In its place, the following language shall be substituted:

"When issuing any immigration detainer, participating BCSO personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

All other provisions of the MOA remain in full force and effect as set forth therein.

By signing this addendum, each party represents it is fully authorized to enter into this addendum, accepts the terms, responsibilities, obligations, and limitations of this addendum, and agrees to be bound thereto to the fullest extent allowed by law. This addendum is effective upon signature by both parties.

Date: MAR 30 2017



Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: April 4, 2017



Thomas M. Hodgson
Sheriff
Bristol County Sheriff's Office
North Dartmouth, Massachusetts

To: (b)(6);(b)(7)(C)
Cc: Cronen, C M (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Thur 3/30/2017 8:04:57 PM
Subject: FW: Addendum
[Addendum.pdf](#)

sorry

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:53 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Addendum

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

Here is the signed Addendum you requested.

Have a great night!

Thanks,
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 2:13 PM
To: (b)(6);(b)(7)(C) Cronen, C
M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Addendum

(b)(6);(b)(7)(C) Sheriff's,

Here is the Addendum for the MOA, it needs to be signed by April 2, 2017, or as soon as possible.

Sorry for the short turnaround,

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

Please sign, and scan back to me as soon as practically possible.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Subject: Addendum

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

Please have the (Bristol/Plymouth) Sheriff and (MA DOC) Commissioner sign the addenda and return a scanned signed to me.

Very Respectfully,

(b)(6);(b)(7)(C)
National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 734-(b)(6);(b)(7)(C)
Cell: (973) 332-(b)(6);(b)(7)(C)

ADDENDUM TO MODIFY MEMORANDUM OF AGREEMENT

U.S. Immigration and Customs Enforcement (ICE) and the Plymouth County Sheriff's Department (PCSD), hereby agree to modify the Memorandum of Agreement (MOA) that was effective on January 18, 2017 by which ICE delegates nominated, trained, certified, and authorized PCSD personnel to perform certain immigration enforcement functions, as follows:

1. Section V ("Optional Inter-Governmental Service Agreements") shall remove the following language:

"The parties understand that the PCSD will not continue to detain an alien after that alien is eligible for release from the PCSD custody in accordance with applicable law and PCSD policy, except for a period of up to 48 hours, pursuant to an Immigration Detainer/Request for Voluntary Action or Request for Voluntary Transfer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above."

In its place, the following language shall be substituted:

"The parties understand that the PCSD will not continue to detain an alien after that alien is eligible for release from the PCSD custody in accordance with applicable law and PCSD policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above."

2. Appendix D shall remove the following language from the "Authorized Functions" section:

"The power and authority to issue Forms I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, I-247D, Immigration Detainer – Request for Voluntary Action, and I-247X, Request for Voluntary Transfer, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and"

In its place, the following language shall be substituted:

"The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and"

3. Appendix D shall remove the following language from the "Additional Supervisory and Administrative Responsibilities" section:

"The PCSD shall provide notification to the ICE supervisor of any Form I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, Form I-247D, Immigration Detainer – Request for Voluntary Action, and Form I-247X, Request for Voluntary Transfer lodged under the authority conferred by the MOA within 24 hours."

In its place, the following language shall be substituted:

“When issuing any immigration detainer, participating PCSD personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.”

All other provisions of the MOA remain in full force and effect as set forth therein.

By signing this addendum, each party represents it is fully authorized to enter into this addendum, accepts the terms, responsibilities, obligations, and limitations of this addendum, and agrees to be bound thereto to the fullest extent allowed by law. This addendum is effective upon signature by both parties.

Date: MAR 30 2017



Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 3/30/17



Joseph D. McDonald Jr.
Sheriff
Plymouth County Sheriff's Department
Plymouth, Massachusetts

To: (b)(6);(b)(7)(C)
Cc: Cronen, C M; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Sent: Thur 3/30/2017 7:53:12 PM
Subject: FW: Addendum
[pg 2.pdf](#)

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

Here you go... so sorry about the error, and turnaround time. Signature page sent only.

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 3:38 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Addendum

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

The title of Commissioner is spelled wrong. Can you also forward me a complete MOA to include the addendum.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 2:13 PM
To: (b)(6);(b)(7)(C); Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Addendum

(b)(6);(b)(7)(C) / Sheriff's,

Here is the Addendum for the MOA, it needs to be signed by April 2, 2017, or as soon as possible.

Sorry for the short turnaround,

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

Please sign, and scan back to me as soon as practically possible.

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 30, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Subject: Addendum

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

Please have the (Bristol/Plymouth) Sheriff and (MA DOC) Commissioner sign the addenda and return a scanned signed to me.

Very Respectfully,

(b)(6);(b)(7)(C)
National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);
Cell: (973) 332-(b)(7)(C)
Email: (b)(6);(b)(7)(C)

To: Cronen, C M (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 2/21/2017 2:27:57 PM
Subject: RE: 287G

10-4... well I just sent out a feeler, so if I get a response, I'll send that out next

From: Cronen, C M
Sent: Tuesday, February 21, 2017 9:22 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287G

Copy.

cmc

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 9:11 AM
To: Cronen, C M
Cc: (b)(6);(b)(7)(C)
Subject: FW: 287G

FYI, if ok, I plan to use the write up (b)(6);(b)(7)(C) used for Dukes County, as an initial, but I'll take a few things out, again, if that's ok. Then if there is more interest we'll set up a meeting down the road.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 8:52 AM
To: (b)(6);(b)(7)(C)
Subject: FW: 287G

Gents- please forward up the chain to whomever handles the 287g stuff. Barnstable County is interested in at least hearing the sales pitch. thx

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 8:46 AM
To: (b)(6);(b)(7)(C)
Subject: 287G

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

(b)(6);(b)(7)(C) told me about the conversation regarding the 287G. Could you please have someone email the information to (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) He would be the best contact for this. In other words, WAY over our paygrade.

Thanks!

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

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 9:21 AM
To: (b)(6);(b)(7)(C) Cronen, C M; (b)(6);(b)(7)(C)
Subject: RE: Barnstable County

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

For the FOD's schedule, here are a few dates:

- Anytime on Monday, February 27
- Anytime on Thursday, March 9
- Anytime on Thursday, March 16
- Anytime on Thursday, March 23

Let me know if you need any additional dates!

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 6:05 AM
To: Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Barnstable County

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

Is it possible to get a few dates to the County to meet with the Sheriff, so we can give him a brief on the program, and what it will take to get on board. I'll pass them on, and we'll go from there.

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 22, 2017 11:53 AM
To: (b)(6);(b)(7)(C)
Subject: RE: 287g program

thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 22, 2017 10:08 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C) Cronen, C M
Subject: RE: 287g program

Ok, we'll set up a date

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

From: (b)(6);(b)(7)(C)
Date: Wednesday, Feb 22, 2017, 8:55 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287g program

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

The Sheriff would like to meet and discuss the 287g program outlined in your email. If possible I would ask for a couple of

dates/times that will work on your end.

Thanks

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

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Thur 2/23/2017 6:11:04 PM
Subject: RE: Barnstable County

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

We're all set for the 23rd ... see you then

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 9:32 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: Barnstable County

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

These are the dates that the Field Office Director has made available for a meet and greet in regards to the program. If any of these dates work, please let me know and we'll get the arrangements set for the meeting to take place at your facility.

Thank you,

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 9:21 AM
To: (b)(6);(b)(7)(C) Cronen, C M; (b)(6);(b)(7)(C)
Subject: RE: Barnstable County

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

For the FOD's schedule, here are a few dates:

- Anytime on Monday, February 27
- Anytime on Thursday, March 9
- Anytime on Thursday, March 16
- Anytime on Thursday, March 23

Let me know if you need any additional dates!

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 6:05 AM
To: Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Barnstable County

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

Is it possible to get a few dates to the County to meet with the Sheriff, so we can give him a brief on the program, and what it will take to get on board. I'll pass them on, and we'll go from there.

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

From: (b)(6);(b)(7)(C) 2018 | CLI-00004 5312

Sent: Wednesday, February 22, 2017 11:53 AM

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

Subject: RE: 287g program

thanks

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

Sent: Wednesday, February 22, 2017 10:08 AM

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

Cc: Cronen, C M

Subject: RE: 287g program

Ok, we'll set up a date

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

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

Date: Wednesday, Feb 22, 2017, 8:55 AM

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

Cc:

Subject: RE: 287g program

(b)(6);(

The Sheriff would like to meet and discuss the 287g program as you outlined in your email. If possible I would ask for a couple of dates/times that will work on your end.

Thanks

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



U.S. Immigration
and Customs
Enforcement

May 31, 2017

MEMORANDUM FOR: Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations

THROUGH: (b)(6);(b)(7)(C)
Unit Chief
287(g) Program

FROM: (b)(6);(b)(7)(C)
Acting Field Office
Buffalo, NY

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

SUBJECT: Rensselaer County Sheriff's Office Request for 287(g) Delegation of Authority Program (Jail Enforcement Model)

On March 13, 2017, the Buffalo Field Office met with Rensselaer County Sheriff Patrick Russo and Undersheriff (b)(6);(b)(7)(C) to discuss the 287(g) Delegation of Authority Program pursuant to an expression of interest by the Rensselaer County Sheriff's Office (RCSO) in potential participation in the program. This meeting was precipitated by an increase in crime committed by foreign nationals in Rensselaer County, most notably a double homicide in Troy in October 2016.

On March 14, 2017, Sheriff Russo sent a written request for participation in the 287(g) program to the Buffalo Field Office. The request specifies that it is the RCSO's intent to train 6-8 officers under the program. The RCSO completed and submitted a needs assessment as requested and submitted this form on March 22, 2017.

The Buffalo Field Office has reviewed the request and assessment, and has determined that the field office will support Rensselaer County's request to participate in the 287(g) program and looks forward to expanding its law enforcement partnership with this agency. The Buffalo Field Office will be able to provide the required amount of oversight and supervision, and to ensure that ICE enforcement priorities are met. An operational 287(g) program at this facility will enhance ICE's presence in the area and contribute to ICE's mission of protecting the homeland by making our communities safer.

Rensselaer County is within the Capital District of New York state, and as such the Buffalo Field Office is pursuing detention space at the Rensselaer County Correctional Facility (RCCF; request made for amendment to the existing U.S. Marshals Service IGSA contract to add ICE as an

authorized agency, and request pending with DPAU for authorization of the RCCF as an approved under-72 hour facility). Aliens that are placed into proceedings and detained by ICE at the RCCF will be held for up to 72 hours prior to transfer to the Buffalo Federal Detention Facility (BFDF), or an approved over-72 hour facility, pending removal proceedings.

The Buffalo Field Office looks forward to furthering its continued law enforcement partnership with the RCSO. Please let me know if you have any questions concerning this matter.

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

From: (b)(6);(b)(7)(C)
Sent: Friday, April 13, 2018 6:48 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: NAVSEA

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

Yes, (b)(6) is aware of \$12K, we requested it on our last spend plan for 3rd qtr.

Rensselaer County is now part of 287(G) program. We had been paying them via convenience check. But we are approaching the \$2,500 limit for the FY. Going forward we anticipate using them more. USM has an agreement with them and we received approval for ICE to be a rider on the agreement. I just sent back \$100K on Allegany County (which we are not using as much since we are now holding females at BDFD). The \$2K will be used to kick-start a new Task Order.

Thank you.

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 12, 2018 2:35 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: NAVSEA

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

Have you let (b)(6) know about this. Cap Funds are extremely tight at the moment.

I would need more information on the "send 2K in 31-12 for Rensselaer County".

v/r

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

Section Chief, Funds Management
Budget Execution Unit (BEU)
Operations Support Division (OSD)
Enforcement and Removal Operations (ERO)
U.S. Immigration and Customs Enforcement (ICE)
Office: 202 732-(b)(6)
Work Cell: 202 680-(b)(6)
Email: (b)(6);(b)(7)(C)

Check out the [OSD Fiscal Management Sharepoint Site](#)

From: (b)(6);(b)(7)(C)
Sent: Thursday, April 12, 2018 11:34 AM
To: (b)(6);(b)(7)(C)

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

Subject: FW: NAVSEA

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

See below. Could we get \$12,000 for this NVG lease? I have \$6,000 already obligated, but as you can see there are some issues and full amount is requested.

Also, could you please send \$2,000 in 31-12 funding for Rensselaer county. Thank you.

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

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

Sent: Thursday, April 12, 2018 11:08 AM

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

Subject: NAVSEA

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

I was on the phone with them this morning and we can't get past the numbering issue on the IAA.

So.... just send me a req. to deobligate the \$6000 from HSCEDM-17-X-00006.

When that's done or whenever you can, send a new req. and I'll create a new IAA for them.

If you can, go ahead and send the full \$18,000, let me know if you need me to talk to Roger....

I'm scared if we don't get it all done at once that we'll have the same problem when we try to add more funds this year.

Let me know if you want to talk about it.

Thanks,

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

Detention, Compliance & Removals (DCR)

Section Chief

DHS | ICE | Office of Acquisition Management (OAQ)

801 "I" Street, N.W., (b)(6);(b)(7)(C)

Mail Stop 5750

Washington, D.C. 20536-5750

Phone: (202) 732-(b)(6)

Cell: (202) 380-(b)(6)

Email: (b)(6);(b)(7)(C)

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

From: (b)(6),(b)(7)(C)
Sent: Tuesday, May 01, 2018 7:45 AM
To: (b)(6),(b)(7)(C)
Cc:
Subject: RE: New Task Order for Rensselaer County Jail (192118FBVDMDD0042)

05/01 is fine.

We have been using them since last fall; paying them via convenience check. Probably paid them close to \$1,000 total.

They just became part of 287(G) program, so business will likely pick-up. Hence, the decision to go to purchase order.

Thanks,

(b)(6),(

From: (b)(6),(b)(7)(C)
Sent: Monday, April 30, 2018 2:58 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: RE: New Task Order for Rensselaer County Jail (192118FBVDMDD0042)

I'm going to make the start of the period of performance to be 5/1/2018.
Are you receiving services from Rensselaer County already?

From: (b)(6),(b)(7)(C)
Sent: Monday, April 30, 2018 2:01 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: RE: New Task Order for Rensselaer County Jail (192118FBVDMDD0042)

See attached

From: (b)(6),(b)(7)(C)
Sent: Monday, April 23, 2018 8:12 AM
To: (b)(6),(b)(7)(C)
Cc:
Subject: New Task Order for Rensselaer County Jail (192118FBVDMDD0042)

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

You have submitted a G-514 (192118FBVDMDD0042) to acquire a new task order for Rensselaer County Jail under USMS #52-92-0032. However, I do not have any record of previous task orders being issued under this Marshals agreement. Do you happen to have the rider agreement with the Marshals indicating that ICE can utilize this facility?

Please send us the USMS agreement 52-92-0032 indicating that ICE can be a rider to this agreement before I can issue this task order.

Thank you,

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

Contracting Officer

DHS | ICE | Office of Acquisition Management (OAQ)

Detention, Compliance & Removals (DCR)

Phone: (202) 732-~~(b)(6);(b)(7)(C)~~ | Email: ~~(b)(6);(b)(7)(C)~~



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

United States Immigration and Customs Enforcement

Office of State & Local Coordination

Needs Assessment

Version 3.0

(b)(7)(E)



Introduction

Purpose & Background

State and Local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with the United States Immigration and Customs Enforcement (ICE) are required to complete this Needs Assessment. The purpose of this form is to collect information about the immigration and/or customs enforcement challenges that affect the LEA's community. Once complete, ICE will evaluate the LEA's responses to determine if and how a partnership might be formed between the two agencies.

Instructions

Completing this form will take roughly an hour. We recommend that the official or lead agent with authority and the most knowledge of LEA operations complete it. We also recommend that this person has access to operational statistics, since certain questions address current operations.

Please answer all questions marked with an asterisk (*); these fields are required. Additional questions may also be required depending on responses.

Questions are organized into the following sections, and are to be completed as defined:

Contact Information: To be completed by all LEAs

General Information: To be completed by all LEAs

Section One: To be completed by all LEAs

Section Two: To be completed by LEAs operating detention centers

Section Three: To be completed by LEAs managing state correctional facilities and programs

Additional, specific instructions are provided throughout the form.

Confidentiality

As stated above, responses will be evaluated to determine partnership opportunities between the LEA and ICE. Information provided in this Needs Assessment will only be used for this purpose. All information will be deemed law enforcement sensitive, and will not be disclosed or transmitted to any unauthorized party.

Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act (FOIA) / 5 U.S.C 552(b)(7).



Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
Alien	Any person not a citizen or national of the United States. ¹
Blind Booking	(b)(7)(E)
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States, including those who may have subsequently acquired United States Citizenship.
IAQ	Immigration Automated Query
NLETS	National Law Enforcement Telecommunications System
Rapid REPAT	Program designed to grant criminal aliens early parole in exchange for assisting in their removal from the U.S. This program is limited to aliens who have not been convicted of a serious felony and have no history of violence.
Title 8 Delegation of Authority (287(g))	Program that deputizes partnering state and local law enforcement officers as "Immigration Officers," thereby authorizing them to enforce U.S. Immigration laws.
Title 19 Delegation of Authority	Program that deputizes federal, state, local and foreign law enforcement officers as "Customs Officers," thereby authorizing them to enforce U.S. Customs law.

Reference

1. 8 U.S.C 1101(a)(3)



Contact Information *To be completed by all agencies*

Agency Information

1. Please enter your Agency's contact information.

Name*	(b)(7)(E)
Address*	
Address	
City*	

Agency Type

2. Please select the option below that best describes your Agency.*

- Law Enforcement Agency Law Enforcement Agency operating detention centers Law Enforcement Agency managing state correctional facilities and programs

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the Agency's main representative for negotiations with ICE.

First Name*	(b)(6);(b)(7)(C)	Last Name*	(b)(6);(b)(7)(C)
Desk Phone*		Mobile Phone	
Email*	(b)(6);(b)(7)(C)		

Other Contact Information

4. Please enter a secondary contact's information (if needed).

First Name		Last Name	
Desk Phone		Mobile Phone	
Email			



General Information *To be completed by all agencies*

Request Information

Answer the following questions to explain the Agency's request for support.

5. What is the name of the Political Entity that supervises your Agency?*

The Political Entity is the body who manages, administers or directs the Law Enforcement Agency and its operations (e.g., a Governor's Office, City Mayor or a County Board of Supervisors).

(b)(7)(E)

6. Has the Political Entity concurred with the Agency's request for ICE support?*

(b)(7)(E)

7. Why is your Agency requesting ICE support? What types of enforcement problems does your Agency face?*

(b)(7)(E)

Relationship Information

Please describe the Agency's operational relationship with ICE.

8. Does your Agency have an operational relationship with ICE offices in or near your jurisdiction?*

(b)(7)(E)

9. Is your Agency a member of a task force with ICE?*

(b)(7)(E)

10. If yes, does ICE lead the task force?

(b)(7)(E)

11. If led by ICE, what is the task force type?

(b)(7)(E)

12. Please characterize ICE's support.

(b)(7)(E)

13. Please describe your relationship with ICE.

(b)(7)(E)



Section One *To be completed by all agencies*

Criminal Offense Categories

14. Does your Agency categorize criminal offenses based on the following level of offenses? (see attached)

(b)(7)(E)

15. If yes, what is the overall percentage of Level 1 offenses? %

16. What is the overall percentage of Level 2 offenses? %

17. What is the overall percentage of Level 3 offenses? %

18. If no, please provide the top 5 arrest charges for foreign born criminals:

1:	(b)(7)(E)	<input type="text"/>
2:		<input type="text"/>
3:		<input type="text"/>
4:		<input type="text"/>
5:		<input type="text"/>

19. Please provide the top 5 arrest charges for non-foreign born criminals:

1:	(b)(7)(E)	<input type="text"/>
2:		<input type="text"/>
3:		<input type="text"/>
4:		<input type="text"/>
5:		<input type="text"/>



Foreign-Born Gang Members

20. Does your Agency encounter foreign-born gang members?*

21. If yes, what is the estimated number of foreign-born gang members in your jurisdiction?

22. Please rate this challenge in terms of your Agency's priorities.*

23. Please provide any other relevant information.

Fraudulent Immigration Documents

24. Does your Agency encounter fraudulent immigration documents, Social Security cards, visas, passports or similar documents suspected to be fraudulent?*

25. If yes, what is the estimated number of fraudulent documents that your Agency typically encounters per month?

26. Please rate this challenge in terms of your Agency's priorities.*

27. Please provide any other relevant information.



Counterfeit Goods

28. Does your Agency encounter counterfeit goods or goods that are suspected to be counterfeit?*

29. If yes, what is the estimated number of counterfeit goods that your Agency typically encounters per month?

30. Please rate this challenge in terms of your Agency's priorities.*

31. Please provide any other relevant information.

Federal Seizure Authority

32. Would it be beneficial for your Agency to use Federal seizure authorities for currency and / or property instead of your state's existing seizure statutes?*

33. If your Agency is currently utilizing Federal seizure authorities for currency and / or property, with which Federal agency have you partnered to use such authorities?

34. Please rate this challenge in terms of your Agency's priorities.*

35. Please provide any other relevant information.



Other Information

36. Does your agency help the local Fugitive Operations Team (FOT) identify alien fugitives who are incarcerated or living within your jurisdiction?*

(b)(7)(E) [dropdown]

37. If no, does your Agency want to support the local ICE FOT?

[dropdown]

38. Does your Agency use blind booking to identify information about criminal alien inmates?*

(b)(7)(E) [dropdown]

39. Does your Agency use the National Law Enforcement Telecommunications System (NLETS) to perform Immigration Alien Queries (IAQs) on foreign-born arrests or incarcerated aliens?*

[dropdown]

Delegation of Authority Programs

40. Does your Agency want to participate in the Title 8 Delegation of Authority Program (287(g))?*

(b)(7)(E) [dropdown]

Preliminary Terms & Conditions for Title 8 (287(g))

Please review the following terms and conditions for the Title 8 Delegation of Authority Program (287(g)). These terms and conditions are non-negotiable.

- Once trained, certified and while enforcing immigration law, Agency Officers will be supervised by an ICE employee;
- Your Agency agrees to participate for two (2) years to ensure adequate training and cost effectiveness;
- ICE reserves the right to restrict the number of aliens accepted to ensure that adequate housing and removal resources are available;
- Upon completion of training, designated Agency Officers will be required to complete all of the following processes when they encounter an alien:
-- Interview and determine alienage;
-- Serve notification of rights I-826 or I-214;
-- Prepare an I-247, I-213, I-217 and any other appropriate documentation; and
-- Prepare the appropriate charging document I-862 I-871 or I-851.
- The Agency must provide an office (or a sufficient work space) for the supervising ICE agent.

41. Does your Agency understand these terms and conditions?*

(b)(7)(E) [dropdown]

Please note that your answer is not binding, nor does it form any type of agreement or partnership with ICE.

42. Does the supervising Political Entity (if applicable) concur with the request for Title 8 (287(g))?*

(b)(7)(E) [dropdown]

43. How does your Agency intend to operate Title 8 (287(g))?*

(b)(7)(E) [dropdown]

44. Approximately how many aliens does the Agency expect to identify, process and turn over to ICE per month?*

(b)(7)(E) [dropdown]

45. Is your Agency willing to consider a transportation function within the structure of an Intergovernmental Service Agreement (IGSA)?*

(b)(7)(E) [dropdown]



46. Is your Agency willing to send officers to training outside of your jurisdiction?*

(b)(7)(E)

47. Please provide any other relevant information.

(b)(7)(E)

48. Does your Agency want to participate in the Title 19 Delegation of Authority Program?*

(b)(7)(E)

Information Technology Disclosure for Titles 8 and 19

Should ICE and the LEA establish a memorandum of agreement (MOA) for Title 8 and/or Title 19, ICE will evaluate the Agency's technology systems and infrastructure. The results of this evaluation will determine whether new information technology (IT) needs to be installed at the LEA's facility.

- Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
- The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
- If required, the requesting LEA will be responsible for installing any additional CAT 6 cabling in either the ceiling or conduits (e.g., if cabling is required from the circuit termination point to the system on which IDENT/ENFORCE will be accessed).
- Circuit installation may take up to 90 days from the time the order is submitted.

49. Does your Agency understand these terms and conditions?*

(b)(7)(E)

Please note that your answer is not binding, nor does it form any type of agreement or partnership with ICE.



Section Two To be completed by agencies operating detention centers

Detention Facility Information

- 50. On average, how many inmates does your facility intake per year? (b)(7)(E)
- 51. What is the average length of incarceration per inmate (days)? (b)(7)(E)
- 52. On average, how many foreign-born inmates does your facility intake per year? (b)(7)(E)
- 53. On average, how many detainees does ICE place on your alien inmates per month? (b)(7)(E)
- 54. On average, how many Immigration Automated Queries (IAQ) does your Agency generate per month through the National Law Enforcement Telecommunications System (NLETS)? (b)(7)(E)
- 55. Does your facility use video teleconferencing (VTC) technology? (b)(7)(E)
- 56. How does your facility submit fingerprints? (b)(7)(E)
 - 56 a. If both, provide percentage breakdown. Ink Cards: (b)(7)(E) Electronically: (b)(7)(E)
- 57. Do you scan and submit criminal arrest fingerprint cards to the state identification bureau or other facility(ies)? (b)(7)(E)
- 58. What percentage of your state's criminal arrest fingerprints are submitted electronically to the FBI? (b)(7)(E)
- 59. How long after a subject enters a booking facility are their fingerprints submitted to the FBI? (b)(7)(E)
- 60. Has your Agency discussed exchanging detention data (incarceration, probation and parole information) with a ICE DRO field office for the purposes of identifying removable aliens and fugitive aliens? (b)(7)(E)
- 61. If yes, will your Agency allow ICE to access its proprietary information systems? (b)(7)(E)
- 62. Does your Agency have an Intergovernmental Service Agreement (IGSA) with ICE for detention purposes? (b)(7)(E)
- 63. If yes, what type of IGSA (e.g., under 72-hour / over 72-hour)? (b)(7)(E)



Disclaimer

This assessment is in no way binding to ICE or the requesting Law Enforcement Agency. It does not guarantee a partnership between the two parties, nor does it ensure that services will be provided.

Signing below simply states that answers were provided to the best of the Law Enforcement Agency's ability.

Law Enforcement Agency
Point of Contact Signature*

*Electronic signature and sub
above data's validity*

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

Date* 1-19-16

Accepted as digital verification of the

Submit by Email

Print Form

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Fri 4/8/2016 10:44:48 AM
Subject: MOA

Good morning (b)(6);(b)(7)(C)

The new MOA for the program will be sent out within the next few weeks. On the last one, it was signed by (b)(6);(b)(7)(C), I know that (b)(6);(b)(7)(C) is the new Commissioner. Would she like her name placed on the signature block as below?

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

**Commissioner
Massachusetts Department of Corrections**

Also, should it be sent to:

DOC Central Headquarters

**50 Maple Street
Milford, MA 01757
(508) 422-(b)(6)**

Please let me know if anything needs to be changed.

Thanks much, and Happy Friday All,

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

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

Sent: Mon 5/23/2016 5:16:56 PM
Subject: RE: New MOAs

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

Just an FYI, the date to be signed is June 30th... if we miss that date, we must ask for an extension for the program to continue, so if we get within 10 days, and there are still issues, we may want to ask for an extension. I'll wait to hear from you on this matter, if you feel one would be warranted.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Monday, May 23, 2016 1:05 PM
To: (b)(6);(b)(7)(C)
Subject: FW: New MOAs
Importance: High

Here is the new MOA that is coming out... I just need the Public Affairs Information to input, Please.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Monday, May 23, 2016 10:51 AM

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

Subject: New MOAs
Importance: High

Good morning,

Attached you will find the new MOA's for your areas. Please look them over so that any questions can be addressed during the teleconference at 1300 hours today.

Thank you,

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

ICE/ERO/HQ
287(g) National Program Manager
202-489-(b)(6);(b)(7)(C)

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Wed 5/25/2016 12:07:36 PM
Subject: RE: New MOAs

Great, thank you.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 25, 2016 8:05 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: New MOAs

(b)(6);(b)

I'll have to reach out to HQ to get that, can you give me a bit. I'll get it to you ASAP

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 25, 2016 8:03 AM
To: (b)(6);(b)(7)(C)
Subject: RE: New MOAs

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

Can you send me MADOC MOU in a word file. Thanks.

From: (b)(6);(b)(7)(C)
Sent: Monday, May 23, 2016 1:05 PM
To: (b)(6);(b)(7)(C)
Subject: FW: New MOAs
Importance: High

Here is the new MOA that is coming out... I just need the Public Affairs Information to input, Please.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Monday, May 23, 2016 10:51 AM
To: (b)(6);(b)(7)(C)
Subject: New MOAs
Importance: High

Good morning,

Attached you will find the new MOA's for your areas. Please look them over so that any questions can be addressed during the teleconference at 1300 hours today.

Thank you,

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

ICE/ERO/HQ
287(g) National Program Manager
202-489-(b)(6);(b)(7)(C)

2018-ICLI-00004 5349

To: Cronen, C M; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Sent: Wed 1/25/2017 11:29:36 AM
Subject: RE: BristolCounty
[2017_01_25_06_23_55.pdf](#)

No Problems at Bristol.... OCIO will be out next week for the site visits; Plymouth the 31st, and Bristol both sites on the 2nd, they'll also be visiting both DOC sites.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, January 25, 2017 6:23 AM
To: Cronen, C M; (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Plymouth County

No problems to report from Plymouth... Here is the signed MOA & Steering Committee Charter.

Bristol to follow

(b)(6);(b)(7)(C)
Boston Field Office
287g Program Manager
704-965-(b)(6); cell

Heroes are people who RISE to the Occasion, and then quietly slip away... In (b)(6);(b)(7)(C) HONOR



Bristol County Sheriff's Office

287(g) Steering Committee Charter

January 2017



U.S. Immigration
and Customs
Enforcement

~~FOR OFFICIAL USE ONLY~~

2018-ICLI-00004 5351



1. Objective

This steering committee charter has been developed by the Bristol County Sheriff's Office and the 287(g) program to define the mission, vision, authority, membership, roles, and responsibilities for the local 287(g) steering committee. At the recommendation of the March 2010 Department of Homeland Security Office of Inspector General (OIG) report, *The Performance of 287(g) Agreements*, a steering committee will be established by each state and local law enforcement agency (LEA) participating in the 287(g) program. The OIG report stated that establishing steering committees could help U.S. Immigration and Customs Enforcement (ICE) foster participation from community stakeholders and increase ICE's ability to gain an independent, community-level perspective on 287(g) operations. ICE believes that this steering committee will be beneficial to the 287(g) program by increasing program oversight and welcoming an independent, community-level perspective on immigration activities.

Establishing a 287(g) steering committee will provide LEAs with the following benefits:

- Increase transparency with regard to implementing and operating the 287(g) program in local communities;
- Enable LEAs to educate community stakeholders on the benefits of the 287(g) program, clarify misperceptions about the program, and allow community stakeholders to ask questions directly to law enforcement personnel via regular steering committee meetings;
- Provide LEAs with an independent perspective of immigration enforcement activities by allowing members of the general public, businesses, non-governmental organizations, and other community stakeholders to voice their opinions and share their knowledge and experience with the 287(g) program; and
- Create a forum in which LEAs can encourage support from the local community with regard to 287(g) operations.

1.1. Mission and Vision

287(g) Steering Committee Mission Statement

The mission of the steering committee is to (1) improve program oversight and direction, (2) identify issues and concerns regarding immigration enforcement activities, (3) increase transparency, and (4) offer community stakeholders opportunities to communicate community-level perspectives.

287(g) Steering Committee Vision Statement

The vision of the steering committee is to create safer communities and improve national security by enhancing ICE's ability to identify and remove criminal aliens by gaining an independent, community-level perspective on 287(g) operations.



2. Background

Section 287(g) of the Immigration and Nationality Act was added in 1996 to authorize the Attorney General to delegate Federal immigration authorities to state and local law enforcement officers. This authority was later transferred to the Secretary of Homeland Security. Since ICE's inception in 2003, ICE has partnered with state and local LEAs to address enforcement challenges in communities throughout the United States. These 287(g) program partnerships are especially important as ICE fulfills its role in enforcement activities.

ICE established the 287(g) program to manage the delegation of 287(g) authority and cultivate and sustain relationships with partnering LEAs. In support of these activities, the program specifically facilitates requests for participation and trains designated officers to enforce immigration law under ICE supervision.

Under the direction of the current administration, ICE enforces a set of priorities that emphasize the identification, detention, and removal of illegal aliens who pose a danger to national security or a risk to public safety; have recently violated immigration controls at the border, at ports of entry, or through the knowing abuse of the visa and visa waiver programs; or who are fugitives or otherwise obstruct immigration controls. These serious offenders are the top priority of ICE; however, lower level offenders will be detained and removed as resources allow. Through memoranda of agreement (MOAs) signed with state and local partners, the 287(g) program also makes clear that ICE expects LEAs to follow these same priorities. Additionally, the 287(g) program implements and maintains safeguards to facilitate greater federal control over the operations of state and local jurisdictions that possess the authority to perform immigration enforcement functions through the program.

The March 2010 OIG report, *The Performance of 287(g) Agreements*, found discrepancies between each program site's supervision and implementation of the 287(g) program and its ability to meet the articulated ICE priorities and safeguards. Additionally, as some stakeholders continue to express concerns about the program's efficacy, and as demand for immigration reform grows, both OIG and ICE believe that increased community awareness and feedback on the 287(g) program will improve relationships with local legal, judicial, and immigration organizations. Therefore, each 287(g) program will be required to develop a steering committee to listen to questions or issues raised by community stakeholders. The 287(g) Field Program Manager (FPM) for your jurisdiction will coordinate and attend steering committee meetings and will relay these questions or issues back to ICE Headquarters (HQ).

3. Authority

3.1. Scope of Power

The steering committee will act as a liaison between ICE HQ and the local community. Accordingly, the FPM will report to ICE HQ best practices as well as concerns and issues raised



by community stakeholders at committee meetings. While the steering committees will not have any official decision-making authority over the 287(g) program, information from committee meetings will be considered by ICE leadership when assessing the program.

The steering committee will serve as a knowledge-sharing resource that will help to identify trends, leading practices, and challenges in implementing the 287(g) program. Community stakeholders will have an open forum to voice their concerns, address issues, and share their knowledge. Through the steering committee, LEAs will also have an opportunity to directly address the public and educate stakeholders on the 287(g) program.

3.2. Assessing Program Effectiveness

In order to support ICE HQ in assessing the effectiveness of the 287(g) program, steering committee members will be supplied with releasable information on case reviews, individual participants' evaluations, complaints filed against 287(g) officers, media coverage, and, to the extent practicable, statistical information on increased immigration enforcement activity in the jurisdiction. This information will be supplied by the local ICE office, which will receive assistance from other ICE components as needed. The steering committee can use this information to facilitate discussions and respond to questions or issues raised by community stakeholders regarding the effectiveness of the local 287(g) program.

If complaints arise from community stakeholders regarding specific 287(g) officers, the steering committee shall educate the stakeholders on the 287(g) complaint process. If complaints arise regarding the exercise of immigration enforcement authority by participating agency personnel from community stakeholders, when appropriate, the Field Office Director (FOD) may directly address the complaints, but will inform ICE HQ of the complaint. All complaints or allegations reported to the participating agency or any ICE entities that involve 287(g) Designated Immigration Officers will be reported directly to the Office of Professional Responsibility as per existing ICE policies and procedures.

4. Structure and Membership

4.1. Structure

The committee meetings will be coordinated and facilitated by the FPM. It is the responsibility of the FOD or their designee to assist with the facilitation, approve the agenda and forward issues, comments, and suggestions to ICE HQ. Meeting minutes must be taken at each meeting and submitted to the FOD for review before being sent to ICE HQ.



4.2. Members

The members of this steering committee include local law enforcement leadership and a representative from ICE. This committee will include the local FPM, a local ICE Public Affairs officer, and a Bristol County Sheriff's Office representative.

5. Roles and Responsibilities

The steering committee is not directly responsible for all 287(g) activities, but the committee will listen to best practices as well as concerns and issues raised by community stakeholders, which will be relayed back to ICE HQ for consideration by ICE leadership when assessing the program. Accordingly, steering committee members should:

- Provide potential agenda items for each meeting;
- Come prepared to committee meetings to discuss pressing issues;
- Help balance conflicting priorities and resources for the LEA;
- Consider ideas and issues raised by community stakeholders; and
- Foster communication with the local community regarding the 287(g) program's progress and outcomes.

Participants should:

- Attend steering committee meetings; and
- Come prepared to voice their concerns, address issues, and share their knowledge at committee meetings.

6. Meetings and Communications

6.1. Meetings

At a minimum, the steering committee will meet on an *annual basis*. Portions of the meeting may be private if the steering committee needs to discuss issues or information not releasable to the public.

A notice will be released at least 30 days prior to the meeting informing the local community, including members of the general public, of the location, date, and time of the meeting, as well as when the agenda for the meeting will be set. This notice should also include the FPM's contact information for members of the community who wish to add items to the meeting's agenda or who wish to speak at the meeting about 287(g) related issues.

The agenda will be set prior to the meeting. People wishing to speak at the meeting must adhere to the local rules and regulations pertaining to open meetings. This will allow unfettered access to the steering committee by any group or individual interested in participating, while allowing ICE and the LEA to:



- Anticipate the size of the meeting to arrange for a bigger venue, if necessary;
- Prepare the agenda and discussion items in advance;
- Anticipate issues for discussion to provide the most useful information to share with participants; and
- Hold effective and meaningful dialogue with community stakeholders.

ICE suggests that a time limit be enforced for speakers from the community in order to conduct the meeting in a timely manner and give everyone who wishes to speak an opportunity to do so. ICE recommends that steering committee meetings be approximately one hour in length; however, this is at the discretion of the LEA. Steering committees should meet at a location agreed upon by members of the committee. The meeting location should be able to accommodate community stakeholders that wish to attend.

6.2. Meeting Minutes

Meeting minutes must be taken at each steering committee meeting and submitted to the FOD for review. Once the meeting minutes have been reviewed by the FOD, they should be posted in adherence to local rules and regulations pertaining to open meetings. Meeting minutes are also to be sent to ICE HQ as required above.

7. Charter Review

In order to keep this steering committee charter current, it should be reviewed by the steering committee and ICE every 3 years. Any suggested changes require approval from ICE HQ.

Chris Cronen
Field Office Director

Thomas M. Hodgson
Sheriff
Bristol County Sheriff's Office

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Bristol County Sheriff's Office (BCSO), pursuant to which ICE delegates to nominated, trained, certified, and authorized BCSO personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the BCSO to identify and process for removal, under ICE supervision, aliens in BCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The BCSO and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected BCSO personnel (participating BCSO personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the BCSO's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating BCSO personnel as members of the BCSO. However, the exercise of the immigration enforcement authority delegated under this MOA to participating BCSO personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating BCSO personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating BCSO personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the BCSO is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating BCSO personnel only as to immigration enforcement functions as authorized in this MOA. The BCSO retains supervision of all other aspects of the employment and performance of duties by participating BCSO personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The BCSO is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the BCSO has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from BCSO custody. The BCSO agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating BCSO personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the BCSO may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the BCSO will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the BCSO enter into an IGSA, the BCSO must meet applicable detention standards.

In addition to detention services, ICE and the BCSO may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the BCSO will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the BCSO will occur only when the BCSO obtained prior ICE approval for the transportation. ICE will not reimburse if the BCSO did not obtain prior approval from ICE.

The parties understand that the BCSO will not continue to detain an alien after that alien is eligible for release from the BCSO's custody in accordance with applicable law and BCSO policy, except for a period of up to 48 hours, pursuant to an Immigration Detainer/Request for Voluntary Action or Request for Voluntary Transfer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The BCSO will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All BCSO candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All BCSO candidates shall have experience supervising inmates, have been trained on maintaining the security of BCSO facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The BCSO is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the BCSO will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the BCSO background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the BCSO will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The BCSO agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If BCSO personnel under consideration are in a collective bargaining unit, the BCSO must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the BCSO to fulfill this commitment could jeopardize the terms of this MOA.

All BCSO candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating BCSO personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating BCSO personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each BCSO nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an BCSO nominee fails to attain a 70-percent rating on an examination, the BCSO nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the BCSO nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the BCSO nominee and

discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating BCSO personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained BCSO personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the BCSO's Designated Accreditation Authority (DAA). The BCSO agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, BCSO personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those BCSO personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Boston Field Office will provide the participating BCSO personnel a signed authorization letter allowing the named BCSO personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the BCSO. Only those certified BCSO personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified BCSO personnel official immigration officer credentials. Upon receipt of the credentials, BCSO personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to

Employee (Form G-570). Participating BCSO personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating BCSO employee ceases his/her participation, or when deemed necessary by the ICE FOD in Boston Field Office.

Authorization of participating BCSO personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the BCSO. The BCSO and the ICE FOD in Boston Field Office will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The BCSO will notify ICE within 48 hours of when participating BCSO personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The BCSO is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The BCSO is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating BCSO personnel while they are receiving training. The BCSO will cover the costs of all BCSO personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The BCSO remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/ Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating BCSO personnel at each BCSO facility with an active 287(g) program. Only participating BCSO personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating BCSO personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Boston Field Office.

The BCSO is responsible for covering all expenses at the BCSO facility regarding cabling and power upgrades. If the connectivity solution for the BCSO is determined to include use of the BCSO's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the BCSO will be responsible for covering any installation and recurring costs associated with the BCSO line.

The BCSO is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The BCSO is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the BCSO will provide at no cost to ICE, an office within participating BCSO facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating BCSO personnel will be supervised and directed by ICE supervisory officers. Participating BCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating BCSO personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating BCSO personnel only as to immigration enforcement functions conducted in conjunction to this authority. The BCSO retains supervision of all other aspects of the employment of and performance of duties by participating BCSO personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating BCSO personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the BCSO with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating BCSO personnel will be expected or required to violate or otherwise fail to maintain the BCSO's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the BCSO's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The BCSO will provide statistical or aggregated arrest data to ICE, as requested by ICE. The BCSO will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the BCSO's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the BCSO will be responsible and bear the costs of participating BCSO personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating BCSO personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating BCSO personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating BCSO personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. BCSO personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at JFK Federal Building, Room 425 Boston, MA 02202. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist BCSO personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or

indemnify acts of intentional misconduct on the part of the participating BCSO personnel only to the extent authorized by law.

The BCSO agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating BCSO employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The BCSO agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any BCSO personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating BCSO personnel under this MOA are undertaken under Federal authority, the participating BCSO personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The BCSO and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating BCSO personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating BCSO personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating BCSO personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the BCSO, as needed.

The BCSO will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include BCSO personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Boston Field Office, and the BCSO shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating BCSO personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the BCSO may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Boston Field Office at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Boston Field Office. An initial review meeting will be held no later than nine months after certification of the initial class of participating BCSO personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The BCSO will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the BCSO's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The BCSO may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the BCSO is authorized to do the same.

The BCSO hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the BCSO must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the BCSO for this purpose are identified in Appendix C. For releases of information to all other parties, the BCSO must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the BCSO that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the BCSO has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

BCSO questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating BCSO personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the BCSO points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the BCSO shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the BCSO and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the BCSO shall be given to the ICE FOD in Boston Field Office and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the BCSO.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

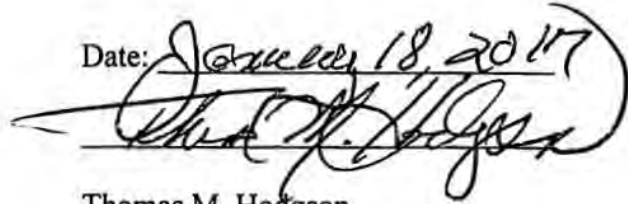
By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: 1/18/17



Matthew T. Albence
Assistant Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: January 18, 2017



Thomas M. Hodgson
Sheriff
Bristol County Sheriff's Office
400 Faunce Corner Road
North Dartmouth, MA
02747

APPENDIX A
POINTS OF CONTACT

The ICE and BCSO points of contact for purposes of implementation of this MOA are:

For the BCSO:

(b)(6),(b)(7)(C)
Superintendent
(b)(6),(b)(7)(C)
508-995-(b)(6),(b)(7)(C)

For ICE Enforcement and Removal Operations (ERO):

FOD POC: (b)(6),(b)(7)(C)
ICE 287g Program Manager
1000 District Ave.
Burlington, MA. 01803
(b)(6),(b)(7)(C)
704-965-(b)(6),(

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Bristol County Sheriff's Office, (BCSO), pursuant to which selected BCSO personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating BCSO personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain BCSO personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the BCSO and be handled in accordance with the BCSO's applicable rules, policies, and procedures.

If any participating BCSO personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the BCSO shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Boston Field Office and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating BCSO personnel shall be handled as described below.

The BCSO will also handle complaints filed against BCSO personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated BCSO personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating BCSO personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the BCSO within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, BCSO, participating BCSO personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6);(b)(7)(C) or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the BCSO directly that involve BCSO personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the BCSO's Internal Investigations Unit when the complaint involves BCSO personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the BCSO's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving BCSO personnel to the BCSO's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against BCSO's participating officers.

B. Interim Action Pending Complaint Resolution

When participating BCSO personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the BCSO's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide BCSO with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the BCSO:

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

Public Information Officer

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

508-995-(b)(6);(

For ICE:

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

Deputy Press Secretary

Public Affairs Office

Office of Public Affairs and Internal Communication

U.S. Department of Homeland Security

U.S. Immigration and Customs Enforcement

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

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

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the BCSO.

Pursuant to this MOA, the BCSO has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the BCSO's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the BCSO to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the BCSO shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating BCSO personnel performing immigration-related functions pursuant to this MOA will be BCSO officers assigned to detention operations supported by ICE. Those participating BCSO personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to BCSO jail/correctional facilities. Participating BCSO personnel will identify and process for removal aliens in BCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating BCSO personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue Forms I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, I-247D, Immigration Detainer – Request for Voluntary Action, and I-247X, Request for Voluntary Transfer, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the BCSO to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating BCSO personnel will be supervised and directed by ICE supervisory officers. Participating BCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

The BCSO shall provide notification to the ICE supervisor of any Form I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, Form I-247D, Immigration Detainer – Request for Voluntary Action, and Form I-247X, Request for Voluntary Transfer lodged under the authority conferred by the MOA within 24 hours.

The BCSO shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The BCSO is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The BCSO must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Boston Field Office through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the BCSO's officers. Upon review and auditing of the entries and

records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the BCSO and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an BCSO facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

To: (b)(6);(b)(7)(C)
Cc: Cronen, C M (b)(6);(b)(7)(C)

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

Sent: Thur 2/9/2017 10:23:00 AM
Subject: RE: Bristol and Plymouth MOA
[Plymouth Amended MOA pg11 02-08-17.pdf](#)

Sheriff,

Phillip Miller (Acting) Assistant Associate Director added his signature to the MOA. I just wanted you to have a copy, if you have no problem, can you just reply to myself & (b)(6);(b)(7)(C) She is in the final stage of getting onto the 287g Website.

Thanks,

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

Shovel Slowly ☺

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 3:38:44 PM
To: (b)(6);(b)(7)(C)
Subject: Bristol and Plymouth MOA

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

The MOA signatory pages had to be amended (Bristol and Plymouth). I sent you an updated version of both, Bristol and Plymouth.

Please let me know when you will be able to give the sheriff's a copy. Once you have delivered them I will make them 508 compliant and post them. I just don't want the Sheriffs to be caught by surprise.

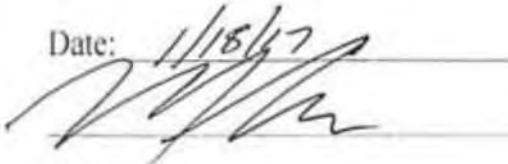
Very Respectfully,

(b)(6);(b)(7)(C)
National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);(b)(7)(C)
Cell: (973) 332-(b)(7)(C)
Email: (b)(6);(b)(7)(C)



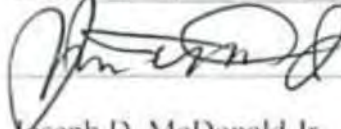
By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: 1/18/17



Matthew T. Albence
Assistant Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 1-18-2017



Joseph D. McDonald Jr.
Sheriff
Plymouth County Sheriff's Department
24 Long Pond Road
Plymouth, MA
02360

Date: FEB 8 2017



Philip T. Miller
Acting Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

To: Sheriff Thomas Hodgson (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: Cronen, C M (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Sent: Thur 2/9/2017 10:27:22 AM
Subject: RE: Bristol and Plymouth MOA
[Bristol Amended MOA signatory pg11 02-08-17.pdf](#)

I guess you need this...

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 09, 2017 5:27 AM
To: 'Sheriff Thomas Hodgson'; (b)(6);(b)(7)(C)
Cc: Cronen, C M; (b)(6);(b)(7)(C)
Subject: RE: Bristol and Plymouth MOA

Sheriff,

Phillip Miller (Acting) Assistant Associate Director added his signature to the MOA. I just wanted you to have a copy, if you have no problem, can you just reply to myself & (b)(6);(b)(7)(C) She is in the final stage of getting it onto the 287g Website.

Thanks,

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

Shovel Slowly ☺

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 3:38:44 PM
To: Sullivan, William J
Subject: Bristol and Plymouth MOA

Sully,

The MOA signatory pages had to be amended (Bristol and Plymouth). I sent you an updated version of both, Bristol and Plymouth.

Please let me know when you will be able to give the sheriff's a copy. Once you have delivered them I will make them 508 compliant and post them. I just don't want the Sheriffs to be caught by surprise.

Very Respectfully,

(b)(6);(b)(7)(C)
National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);(b)(7)(C)
Cell: (973) 332-(b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

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

Sent: Mon 2/13/2017 11:55:58 AM
Subject: RE: Bristol and Plymouth MOA

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

The Sheriff called me on Friday, and gave the go ahead to add the MOA to the Website.

Stay Warm down there,

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 09, 2017 7:26 AM
To: (b)(6);(b)(7)(C)
Subject: Re: Bristol and Plymouth MOA

Good morning (b)(6);(b)(7)(C) The Sheriff is out of town and depending on this storm, may not be back in the office until Monday. I will follow up with him then on this.

Take care,

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

Sent from Elizabeth's iPhone

On Feb 9, 2017, at 5:27 AM, (b)(6);(b)(7)(C) wrote:

I guess you need this...

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 09, 2017 5:27 AM
To: 'Sheriff Thomas Hodgson'; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: Cronen, C M; (b)(6);(b)(7)(C)
Subject: RE: Bristol and Plymouth MOA

Sheriff,

Phillip Miller (Acting) Assistant Associate Director added his signature to the MOA. I just wanted you to have a copy, if you have no problem, can you just reply to myself & (b)(6);(b)(7)(C) She is in the final stage of getting it onto the 287g Website.

Thanks,

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

Shovel Slowly ☺

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 3:38:44 PM
To: (b)(6);(b)(7)(C)
Subject: Bristol and Plymouth MOA

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

The MOA signatory pages had to be amended (Bristol and Plymouth). I sent you an updated version of both, Bristol and Plymouth.

Please let me know when you will be able to give the sheriff's a copy. Once you have delivered them I will make them 508 compliant and post them. I just don't want the Sheriffs to be caught by surprise.

Very Respectfully,

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

National Program Manager / DDO
ATL / BOS / HOU / NEW
U.S Department of Homeland Security
ICE / ERO / HQ / ENF / CAP / 287(g)
500 12th St. SW, (b)(6);(b)(7)(C)
Washington, DC 20536
Desk: (202) 732-(b)(6);
Cell: (973) 332-(b)(7)(C)
Email: (b)(6);(b)(7)(C)

<image001.png>

<Bristol Amended MOA signatory pg11 02-08-17.pdf>

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

Sent: Tue 2/21/2017 1:59:52 PM
Subject: RE: 287G

(b)(6);(b)(7)(C) first I heard about this, I'll get on it

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 8:52 AM
To: (b)(6);(b)(7)(C)
Subject: FW: 287G

Gents- please forward up the chain to whomever handles the 287g stuff. Barnstable County is interested in at least hearing the sales pitch. thx

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 8:46 AM
To: (b)(6);(b)(7)(C)
Subject: 287G

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

(b)(6);(b)(7)(C) told me about the conversation regarding the 287G. Could you please have someone email the information to (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) He would be the best contact for this. In other words, WAY over our paygrade.

Thanks!
(b)(6);(b)(7)(C)

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

From: (b)(6),(b)(7)(C)
Sent: Friday, February 17, 2017 4:47 PM
To: (b)(6),(b)(7)(C)
Subject: ICE 287(g) Program
Attachments: 287g flyer.pdf

Sheriff Apple,

Immigration and Customs Enforcement is inquiring about the Albany County Sheriff's Office interest in participating in the 287(g) program with ICE, specifically for the officers/deputies working in the Jail Division of the Sheriff's Office. The President's Executive Order, entitled *Border Security and Immigration Enforcement Improvements*, provides direction to "take appropriate action to engage with local officials for the purpose of preparing to enter into agreements under section 287(g) of the Immigration & Nationality Act (INA).

The 287(g) program is one of ICE's top partnership initiatives, which allows a state and local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA). The state or local entity then receives delegated authority for the enforcement of federal immigration laws within their jurisdiction in conjunction with the local ICE field office. The MOA defines the scope and limitations of the delegated authority, and also establishes the supervisory structure for the designated immigration officers working under the cross designation. Under the statute, ICE will supervise all cross-designated officers when they exercise their immigration authorities.

Currently, ICE has 38 established MOAs with partner LEAs in 16 states. Participation by state and local LEAs is voluntary, and delegation is granted only after Department of Homeland Security (DHS)/ICE approval and extensive training by ICE is completed. All delegated officers perform immigration enforcement functions under direct ICE supervision, with 287(g) program utilizing the Jail Enforcement Model to accomplish its mission.

The 287(g) Jail Enforcement Model is designed to identify and process all criminal and other priority aliens arrested and booked into a detention facility, and is supervised by the local ICE Office of Enforcement and Removal Operations Field Office.

With respect to training, 287(g) designated officers must attend an initial four-week basic training program and a one-week refresher training program (completed every two years) conducted by certified instructors at the Federal Law Enforcement Training Center's (FLETC) ICE Academy.

I have attached a flyer describing the program, and additional information about the program can be found at <https://www.ice.gov/factsheets/287g>.

Please take a look and let me know if this program is something the Albany County Sheriff's Office would be interested in pursuing. The scope of the program would be limited to persons booked into the Albany County Correctional Facility.

Please let me know if you have any questions or would like additional information.

Thank you,

(b)(6):(b)(7)(C)

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations



Interested law enforcement agencies should contact the local ICE Enforcement and Removal Operations Field Office Director for information

A contact list is available online at www.ice.gov.

Report Suspicious Activity:
1-866-DHS-2-ICE
1-866-347-2423
www.ice.gov

DELEGATION OF IMMIGRATION AUTHORITY
Section 287(g)
Immigration and Nationality Act



U.S. Immigration
and Customs
Enforcement

A Law Enforcement Partnership

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for protecting national security and ensuring public safety by enforcing the nation's immigration laws. ICE works closely with Federal, State and local law enforcement partners in this mission.

State and local law enforcement agencies play a critical role in ICE's mission because the vast majority of criminal aliens are taken into custody under their jurisdiction. ICE's 287(g) Program is a law enforcement partnership initiative that delegates limited immigration enforcement authorities to ICE-trained and supervised state and local officers.

Section 287(g) of the Immigration and Nationality Act

Section 287(g) of the Immigration and Nationality Act authorizes DHS to enter into agreements with state and local law enforcement agencies that permit designated officers to perform immigration enforcement functions, provided those officers receive appropriate training and are supervised by ICE officers. Under 287(g) agreements, state and local law enforcement officers work under ICE supervision to identify and process for removal criminal and other priority aliens who have been arrested and booked into the participating law enforcement agency's jail facility.

Memorandum of Agreement

Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating state or local law enforcement agency that defines the scope and limitations of the authority to be designated, and the processes for the exercise of this authority.

ICE will supervise all 287(g)-designated officers when they perform their delegated immigration enforcement functions.

Law Enforcement Agency Requirements for 287(g) Partnership

The principal requirements to participate in a 287(g) program are as follows:

- The law enforcement agency must enter into a MOA;
- 287(g)-designated officers must attend initial four-week basic training and undergo refresher training every two years;
- 287(g)-designated officers must follow DHS and ICE policies when they perform delegated immigration enforcement functions; and
- The law enforcement agency must, in conjunction with ICE, engage in regular meetings with individuals and organizations expressing an interest in the MOA.

Officer Selection Requirements

Participating officers in the 287(g) program must meet the following minimum requirements:

- U.S. citizenship;
- Pass background check; and
- Must have prior experience supervising incarcerated individuals.

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

From: (b)(6),(b)(7)(C)
Sent: Monday, February 27, 2017 11:15 AM
To: (b)(6),(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Good morning (b)(6),(b)(7)(C)

Following our conversation on Friday, I confirmed with the 287(g) program unit chief at ICE HQ that officers selected for 287(g) training at the FLETC-Charleston must attend the full 4-week training course in person. No portion of the training is available via VTC or other remote means. As we discussed, if you have several nominated officers approved for the training, they can be staggered throughout multiple training sessions to minimize the impact on the jail's day-to-day operations and staffing, but each officer must be present at FLETC for the full four weeks of their assigned class.

Please let me know if you have any further questions, and if the Sheriff is still interested in proceeding.

Thanks again,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

From: (b)(6),(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:24 PM
To: (b)(6),(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Thanks buddy

From: (b)(6),(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:19 PM
To: (b)(6),(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

OK, let me run it up the chain to see if it's going to be possible. I'll get back to you as soon as I know.

From: (b)(6),(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:18 PM
To: (b)(6),(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Not a deal breaker, but would be much more economical for us even if we had to fund it

From: (b)(6),(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:08 PM

To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

(b)(6);(b) before we reach out to our HQ, I have to ask if it would be a deal-breaker if the ICE Academy cannot send trainers to Albany from the Federal Law Enforcement Training Center (FLETC) to provide this 4-week training, and if the ACSO had to send their officers to the FLETC.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 10:53 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Looking into everything now. I spoke to the Sheriff and he agrees that we should move forward with the training. Please let me know if it is possible to have someone come to us in order to provide the training. If needed we are willing to cover any traveling and accommodation expenses to get it done as soon as possible

From: (b)(6);(b)(7)(C)
Sent: Friday, February 17, 2017 4:20 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Good afternoon gents,

I just wanted to follow up on our conversation from Wednesday to see if you require any additional information or have any further questions. I look forward to a favorable resolution to your inquiry.

Thanks and have a nice weekend,

(b)(6);(b)(7)(C)
Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 15, 2017 2:55 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: documents/follow-up to phone conversation

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

As discussed, please find attached copies of the Inter-Governmental Agreement (IGA) between the U.S. Marshals Service and the Albany County Correctional Facility, on which ICE and BOP are listed as other authorized agency users. With regard to the issue of I-203's, I recall having conversations with former Supt. Clark after our presentations at the NYSSA conferences, during which he'd told us that as long as we lodged an I-203 order to detain/release alien with the jail to make the individual a federal boarder, then the jail didn't have any issues with us housing there. Unfortunately I don't have any email traffic on that.

Please also find attached a copy of the most recent I-200 warrant of arrest issued by ICE, specifically citing the basis on which probable cause has been established to arrest an individual.

Also as discussed, I've attached a copy of an informational pamphlet, a draft memorandum of agreement, and a draft initial request letter pertaining to participation in the 287(g) Delegation of Authority program, whereby county deputies would be trained and delegated authority to perform certain immigration enforcement functions within the jail, for your review.

Thanks again for your time today. I hope that we can come to a favorable conclusion to this issue, as we always have and hope to continue to have an excellent cooperative working relationship with the ACSO. If you require anything further, please don't hesitate to let me know.

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

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

From: (b)(6);(b)(7)(C)
Sent: Monday, March 13, 2017 2:57 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

(b)(6);(b)(7)(C) Thanks, I will get this letter out as soon as the Sheriff signs it.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-4546
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Monday, March 13, 2017 1:45 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

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

Thank you again to you and your staff for hosting me during my visit to/tour of the jail today. Again, I was impressed by the cleanliness of your facility, the professionalism of your staff, and the technology employed to streamline your operation.

As promised, please find attached a go-by for a letterhead written request to participate in the Section 287(g) Delegation of Immigration Authority program. Once this is submitted and reviewed by the Field Office Director, we can take steps to prepare the Needs Assessment, which will be the main document reviewed by the determining panel at ICE HQ.

If you have any questions or need anything in the interim, please don't hesitate to contact me (email is best, as our office phones are out of order and we are awaiting the system replacement).

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6); Fax (518) 220-2166



From: (b)(6);(b)(7)(C)
Sent: Monday, February 27, 2017 2:22 PM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287(g) Program

Undersheriff (b)(6)
(b)(7)

Thanks again for taking the time out to talk with me today about the Rensselaer Co. Sheriff's Office's potential interest in the Section 287(g) Delegation of Immigration Authority program.

Immigration and Customs Enforcement is inquiring about the Rensselaer County Sheriff's Office interest in participating in the 287(g) program with ICE, specifically for the officers/deputies working in the Jail Division of the Sheriff's Office. The President's Executive Order, entitled *Border Security and Immigration Enforcement Improvements*, provides direction to "take appropriate action to engage with local officials for the purpose of preparing to enter into agreements under section 287(g) of the Immigration & Nationality Act (INA).

The 287(g) program is one of ICE's top partnership initiatives, which allows a state and local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA). The state or local entity then receives delegated authority for the enforcement of federal immigration laws within their jurisdiction in conjunction with the local ICE field office. The MOA defines the scope and limitations of the delegated authority, and also establishes the supervisory structure for the designated immigration officers working under the cross designation. Under the statute, ICE will supervise all cross-designated officers when they exercise their immigration authorities.

Currently, ICE has 38 established MOAs with partner LEAs in 16 states. Participation by state and local LEAs is voluntary, and delegation is granted only after Department of Homeland Security (DHS)/ICE approval and extensive training by ICE is completed. All delegated officers perform immigration enforcement functions under direct ICE supervision, with 287(g) program utilizing the Jail Enforcement Model to accomplish its mission.

The 287(g) Jail Enforcement Model is designed to identify and process all criminal and other priority aliens arrested and booked into a detention facility, and is supervised by the local ICE Office of Enforcement and Removal Operations Field Office.

With respect to training, 287(g) designated officers must attend an initial four-week basic training program and a one-week refresher training program (completed every two years) conducted by certified instructors at the Federal Law Enforcement Training Center's (FLETC) ICE Academy.

I have attached a flyer describing the program, and additional information about the program can be found at <https://www.ice.gov/factsheets/287g>.

Please take a look and let me know if this program is something the Rensselaer County Sheriff's Office would be interested in pursuing. The scope of the program would be limited to persons booked into the Rensselaer County Correctional Facility.

Please let me know if you have any questions or would like additional information.

Thank you,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations

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Interested law enforcement agencies should contact the local ICE Enforcement and Removal Operations Field Office Director for information

A contact list is available online at www.ice.gov.

Report Suspicious Activity:

1-866-DHS-2-ICE

1-866-347-2423

www.ice.gov

DELEGATION OF IMMIGRATION AUTHORITY

Section 287(g)

Immigration and Nationality Act



U.S. Immigration
and Customs
Enforcement

07/2016

2018-ICLI-00004 5435

A Law Enforcement Partnership

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for protecting national security and ensuring public safety by enforcing the nation's immigration laws. ICE works closely with Federal, State and local law enforcement partners in this mission.

State and local law enforcement agencies play a critical role in ICE's mission because the vast majority of criminal aliens are taken into custody under their jurisdiction. ICE's 287(g) Program is a law enforcement partnership initiative that delegates limited immigration enforcement authorities to ICE-trained and supervised state and local officers.

Section 287(g) of the Immigration and Nationality Act

Section 287(g) of the Immigration and Nationality Act authorizes DHS to enter into agreements with state and local law enforcement agencies that permit designated officers to perform immigration enforcement functions, provided those officers receive appropriate training and are supervised by ICE officers. Under 287(g) agreements, state and local law enforcement officers work under ICE supervision to identify and process for removal criminal and other priority aliens who have been arrested and booked into the participating law enforcement agency's jail facility.

Memorandum of Agreement

Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating state or local law enforcement agency that defines the scope and limitations of the authority to be designated, and the processes for the exercise of this authority.

ICE will supervise all 287(g)-designated officers when they perform their delegated immigration enforcement functions.

Law Enforcement Agency Requirements for 287(g) Partnership

The principal requirements to participate in a 287(g) program are as follows:

- The law enforcement agency must enter into a MOA;
- 287(g)-designated officers must attend initial four-week basic training and undergo refresher training every two years;
- 287(g)-designated officers must follow DHS and ICE policies when they perform delegated immigration enforcement functions; and
- The law enforcement agency must, in conjunction with ICE, engage in regular meetings with individuals and organizations expressing an interest in the MOA.

Officer Selection Requirements

Participating officers in the 287(g) program must meet the following minimum requirements:

- U.S. citizenship;
- Pass background check; and
- Must have prior experience supervising incarcerated individuals.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 14, 2017 6:05 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Request DAP 287(g)
Attachments: SKM_284e17031410080.pdf

(b)(6);(b)(7)(C) Attached is the letter we are sending to Acting Field Office Director (b)(6);(b)(7)(C)

SHERIFF

RENSSELAER COUNTY

"Serving the Citizens of Rensselaer County Since 1791"



4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-1903
Fax: (518) 270-5447
www.RenscoSheriff.com

SHERIFF PATRICK A. RUSSO
UNDERSHERIFF (b)(6);(b)(7)(C)

Sheriff Patrick A. Russo
4000 Main Street
Troy, New York 12180

March 14, 2017

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

Acting Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
130 Delaware Avenue
Buffalo, NY 14202

Dear (b)(6);(b)(7)(C),

The Rensselaer County Sheriff's Office (RCSO) is requesting to participate in the Delegation of Authority Program pursuant to section 287(g) of the Immigration and Nationality Act. Our agency has been communicating with the 287(g) Program Manager in the Buffalo Field Office and will continue to do so as the process moves forward. It is my intention to have 6 to 8 officers trained and certified in support of the 287(g) Program. I am fully aware of and willing to sign the appropriate Memorandum of Agreement according to Immigration and Customs Enforcement policy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick A. Russo", written over a light blue horizontal line.

Patrick A. Russo
Sheriff

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 15, 2017 3:29 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Request DAP 287(g)
Attachments: 287(g) LEA Needs Assessment -new-.pdf

Good afternoon gentlemen,

I spoke with the national program manager for the Section 287(g) Delegation of Immigration Authority program this morning, and the next step in the process to try to bring the RCSO on board as a 287(g) partner is that I'll need you to complete the attached form, a needs assessment. This is the form I briefly mentioned during our meeting that breaks down your statistics and current working relationship with ICE. I will note that question #6 asks for a 'yes' or 'no' pertaining to your acceptance of payment of travel expenses to/from training. Since this form was published, the Unit Chief at ICE HQ confirmed for me that ICE will bear travel and per diem expenses for program participants. Your agency would only be liable for paying that trainee's RCSO salary while they are away at the Federal Law Enforcement Training Center (Charleston, SC). It is safe to select 'yes' for this question.

If you'd please complete this form at your earliest convenience and send it back to my attention, I'll get it forwarded up to our HQ so that they can get you scheduled for a Program Advisory Board (PAB), which reviews the applications of interested agencies and makes their recommendation to the ICE Director on acceptance. The sooner this gets done, the better (by April 1, if you can), because that unit is getting swamped with applications and the PAB schedules are filling up quickly. The entire process is expected to take 6-9 months (including training and infrastructure, if approved), so I'd like to be able to get the ball rolling for you ASAP. If you have any questions or need any assistance with the attached form, please don't hesitate to let me know.

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(b)(7)(C) Fax (518) 220-2166



From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 14, 2017 6:05 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Request DAP 287(g)



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

~~LAW ENFORCEMENT SENSITIVE~~

2018-ICLI-00004 5440



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name

Address

Address

City State Zip Code Agency ORI

Agency Type

2. Please select the option below that best describes your agency.

- Law Enforcement Agency Law Enforcement Agency operating a detention center Law Enforcement Agency managing a state correctional facility

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name Last Name

Title/Position

Desk Phone Mobile Phone

Email

4. Please enter a secondary POC's information (if needed).

First Name Last Name

Title/Position

Desk Phone Mobile Phone

Email

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?



6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements.

7. What is the name of the political entity that has oversight of your agency, if applicable?
The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).

[Empty text box]

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity?

7b. If yes, does the political entity concur with the request?

8. Preliminary Terms & Conditions for participation in the 287(g) program?
- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.

Does your agency agree to these terms and conditions?

9. Please provide any additional information.

[Large empty text box for additional information]

Relationship Information Please describe the agency's operational relationship with ICE.

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction?

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?

12. How many days per month does ICE ERO visit your facility to perform immigration duties?

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?

13a. If limited, please define the access allowed.

14. Does your agency accept immigration detainees?

14a. If yes, does your agency limit the conditions or type of immigration detainer accepted?

14b. Please define the limitations or types.

15. Is your agency a member of a task force of which ICE also participates?

15a. If yes, does ICE lead the task force?

15b. What is the task force type?



- 16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?
- 17. Does your agency have a transportation IGSA with ICE?
- 18. Please provide any additional information.

Intake Information

Please describe intake processes for new arrests or inmates.

- 19. How does your agency submit fingerprints?
- 19a. If both, provide the percentage breakdown. Ink Cards: % Electronically: %
- 20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channeler?
- 21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?
- 22. Does your agency identify all foreign-born nationals in custody?
- 23. On average, how many foreign-born arrests or inmates does your agency intake per month?
- 24. Does your agency use blind booking to identify information about criminal alien inmates?
- 25. Does your agency use NLETS to perform IAQ's?
- 25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS?
- 26. On average, how many immigration detainers does ICE place on aliens within your custody per month?
- 27. Please provide any additional information.

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

- 1:
- 2:
- 3:
- 4:
- 5:



Foreign-Born Gang Members

29. Has your agency experienced public safety issues relating to foreign-born gang members?

30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?

31. Please provide any additional information.

[Large empty rectangular box for providing additional information]

Information Sharing & Technology

32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?

32a. If no, would your agency exchange information?

33. Does your agency allow ICE to access its proprietary information systems?

33a. If no, would your agency allow access?

34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.

- Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
- The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
- If required, the requesting LEA will be responsible for installing any additional cabling.

34a. Does your agency understand these terms and conditions?

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative _____

Date _____

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 15, 2017 3:56 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation
Attachments: 287(g) LEA Needs Assessment -new-.pdf

Good afternoon (b)(6);(b)(7)(C)

I spoke with the national program manager for the Section 287(g) Delegation of Immigration Authority program this morning, and they have received the ACSO's letter of interest in the program. The next step in the process to try to bring the ACSO on board as a 287(g) partner is that I'll need you (or whomever is going to be the agency's program POC) to complete the attached form, a needs assessment. This form breaks down the ACSO's statistics and current working relationship with ICE. I will note that question #6 asks for a 'yes' or 'no' pertaining to your acceptance of payment of travel expenses to/from training. As indicated in my earlier email (below), ICE will bear travel and per diem expenses for program participants. Your agency would only be liable for paying that trainee's ACSO salary while they are away at the Federal Law Enforcement Training Center (Charleston, SC). It is safe to select 'yes' for this question.

If you (or whomever from the SO is designated) would please complete this form at your earliest convenience and send it back to my attention, I'll get it forwarded up to our HQ so that they can get you scheduled for a Program Advisory Board (PAB), which reviews the applications of interested agencies and makes their recommendation to the ICE Director on acceptance. The sooner this gets done, the better (by April 1, if you can), because that unit is getting swamped with applications and the PAB schedules are filling up quickly. The entire process is expected to take 6-9 months (including training and infrastructure, if approved), so I'd like to be able to get the ball rolling for you ASAP. If you have any questions or need any assistance with the attached form, please don't hesitate to let me know.

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(C) Fax (518) 220-2166



From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 10:33 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

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

To answer your question below, ICE does not send trainers out to the field. The Immigration Agent Delegation of Authority Training is a 4-week course, and the training would take place at the Federal Law Enforcement Training Center (FLETC) in Charleston, SC. Officers certified under this training will then be required to return to FLETC for a refresher training course every two years. All funding associated with the travel to/from the training is covered by ICE (travel,

M&IE, etc.). If the SO has a large group of officers to nominate for the program, they could be staggered across multiple training sessions so that they aren't all gone from the facility at once.

If the ACSO is still interested, the application process begins with an agency letterhead memo of interest from the Sheriff to the ICE-ERO Buffalo Field Office Director (example attached here), followed by a needs assessment form that a representative from the ICE 287(g) will help the SO to prepare. That form is then submitted to ICE HQ for review by the 287(g) Program Advisory Board (PAB), which requires a majority vote to determine if the agency will be accepted into the 287(g) program. If approved, the request will go to the ICE Director for certification. Following Director approval, ICE and the SO would enter into a memorandum of agreement with ICE prior to reviewing nominated officers for participation in the program (background checks, training, etc.) and installation of infrastructure to support the program (T1 lines, computer and biometric equipment, etc.). There are currently classes scheduled in June and July 2017. To place a general timeline on the entire process from start to finish, it is estimated to take anywhere from 6-9 months.

Please let me know if the ACSO is still interested in moving forward and beginning the process to apply for participation in this program, and if there is another POC with whom I should correspond with regard to preparing the required forms, etc. I've attached a link to a fact sheet page on the program below, which may answer any questions you may still have.

<https://www.ice.gov/factsheets/287g>

I look forward to hearing back from you soon.

Regards,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(Fax (518) 220-2166

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:18 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Not a deal breaker, but would be much more economical for us even if we had to fund it

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:08 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

(b)(6);(b) before we reach out to our HQ, I have to ask if it would be a deal-breaker if the ICE Academy cannot send trainers to Albany from the Federal Law Enforcement Training Center (FLETC) to provide this 4-week training, and if the ACSO had to send their officers to the FLETC.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 10:53 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Looking into everything now. I spoke to the Sheriff and he agrees that we should move forward with the training. Please let me know if it is possible to have someone come to us in order to provide the training. If needed we are willing to cover any traveling and accommodation expenses to get it done as soon as possible

From: (b)(6);(b)(7)(C)
Sent: Friday, February 17, 2017 4:20 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Good afternoon gents,

I just wanted to follow up on our conversation from Wednesday to see if you require any additional information or have any further questions. I look forward to a favorable resolution to your inquiry.

Thanks and have a nice weekend,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(7)(C) Fax (518) 220-2166

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 15, 2017 2:55 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: documents/follow-up to phone conversation

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

As discussed, please find attached copies of the Inter-Governmental Agreement (IGA) between the U.S. Marshals Service and the Albany County Correctional Facility, on which ICE and BOP are listed as other authorized agency users. With regard to the issue of I-203's, I recall having conversations with former Supt. Clark after our presentations at the NYSSA conferences, during which he'd told us that as long as we lodged an I-203 order to detain/release alien with the jail to make the individual a federal boarder, then the jail didn't have any issues with us housing there. Unfortunately I don't have any email traffic on that.

Please also find attached a copy of the most recent I-200 warrant of arrest issued by ICE, specifically citing the basis on which probable cause has been established to arrest an individual.

Also as discussed, I've attached a copy of an informational pamphlet, a draft memorandum of agreement, and a draft initial request letter pertaining to participation in the 287(g) Delegation of Authority program, whereby county deputies would be trained and delegated authority to perform certain immigration enforcement functions within the jail, for your review.

Thanks again for your time today. I hope that we can come to a favorable conclusion to this issue, as we always have and hope to continue to have an excellent cooperative working relationship with the ACSO. If you require anything further, please don't hesitate to let me know.

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

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U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

LAW ENFORCEMENT SENSITIVE

2018-ICLI-00004 5450



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name

Address

Address

City State Zip Code Agency ORI

Agency Type

2. Please select the option below that best describes your agency.

Law Enforcement Agency

Law Enforcement Agency operating a detention center

Law Enforcement Agency managing a state correctional facility

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name Last Name

Title/Position

Desk Phone Mobile Phone

Email

4. Please enter a secondary POC's information (if needed).

First Name Last Name

Title/Position

Desk Phone Mobile Phone

Email

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?



6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements.

7. What is the name of the political entity that has oversight of your agency, if applicable?
The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).

[Empty text box for political entity name]

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity?

7b. If yes, does the political entity concur with the request?

8. Preliminary Terms & Conditions for participation in the 287(g) program?
- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.
Does your agency agree to these terms and conditions?

9. Please provide any additional information.

[Large empty text box for additional information]

Relationship Information Please describe the agency's operational relationship with ICE.

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction?

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?

12. How many days per month does ICE ERO visit your facility to perform immigration duties?

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?

13a. If limited, please define the access allowed.

14. Does your agency accept immigration detainers?

14a. If yes, does your agency limit the conditions or type of immigration detainer accepted?

14b. Please define the limitations or types.

15. Is your agency a member of a task force of which ICE also participates?

15a. If yes, does ICE lead the task force?

15b. What is the task force type?



- 16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?
- 17. Does your agency have a transportation IGSA with ICE?
- 18. Please provide any additional information.

Intake Information

Please describe intake processes for new arrests or inmates.

- 19. How does your agency submit fingerprints?
- 19a. If both, provide the percentage breakdown. Ink Cards: % Electronically: %
- 20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channeler?
- 21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?
- 22. Does your agency identify all foreign-born nationals in custody?
- 23. On average, how many foreign-born arrests or inmates does your agency intake per month?
- 24. Does your agency use blind booking to identify information about criminal alien inmates?
- 25. Does your agency use NLETS to perform IAQ's?
- 25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS?
- 26. On average, how many immigration detainees does ICE place on aliens within your custody per month?
- 27. Please provide any additional information.

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

- 1:
- 2:
- 3:
- 4:
- 5:



Foreign-Born Gang Members

29. Has your agency experienced public safety issues relating to foreign-born gang members?

30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?

31. Please provide any additional information.

[Large empty rectangular box for providing additional information]

Information Sharing & Technology

32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?

32a. If no, would your agency exchange information?

33. Does your agency allow ICE to access its proprietary information systems?

33a. If no, would your agency allow access?

34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.

- Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
- The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
- If required, the requesting LEA will be responsible for installing any additional cabling.

34a. Does your agency understand these terms and conditions?

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative _____

Date _____

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 6:52 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: data questions for IGSA proposal

(b)(6);(b)(7)(C) I met with County Executive yesterday afternoon regarding the 287(g) program as well as Rensselaer Counties willingness to accept ICE detainees. I expect a letter from her this week to be jointly signed with the Sheriff. I will forward that to your attention as soon as I get it. Please review the answers to your questions below as prepared by (b)(6);(b)(7)(C) is still working on tracking down the Marshall Service IGSA. I will also forward 287(g) needs assessment to you this morning. Thanks (b)(6);(b)(7)(C)



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Monday, March 20, 2017 3:28 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: data questions for IGSA proposal

US,

I answered the questions below in red.



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

Rensselaer County Sheriff's Office
4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 266-3304

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 16, 2017 11:46 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: FW: data questions for IGSA proposal

Captain: This is a good project for you, as all the information requested you will need to know. Find the answers for the below questions and when complete you me and the Chief will met to discuss.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-~~1234~~
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 16, 2017 10:58 AM
To: (b)(6);(b)(7)(C)
Subject: data questions for IGSA proposal

Good morning Undersheriff,

I'm preparing a proposal for ICE HQ to consider adding ICE as an approved agency on the existing USMS IGSA contract. In addition to a copy of the existing IGSA contract with the U.S. Marshals Service, I need to ask for the following information (I'm sorry, but I don't have (b)(6);(b)(7)(C)'s email). This is independent of the needs assessment form for the 287(g) program application, and pertains only to the potential to house ICE detainees at the RCCF.

(b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

We currently have an officer on detail to ICE HQ working in the detention standards unit, and if we can get all of this information together quickly (while he's still there), he can hand-deliver the proposal to the unit chief and get our request expedited.

Thanks again and let me know if you have any questions,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6); Fax (518) 220-2166



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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 7:21 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Enforcement and Removal Operations 287(g) Program Needs Assessment
Attachments: SKM_284e17032111240.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

(b)(6);(b)(7)(C) Needs assessment attachment, please review and advise if changes are necessary. Thanks (b)(6);(b)(7)(C)



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

~~LAW ENFORCEMENT SENSITIVE~~



Introduction

Purpose & Background

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Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name	(b)(7)(E)
Address	
Address	
City	

Agency Type

2. Please select the option below that best describes your agency.

Law Enforcement Agency

Law Enforcement Agency operating a detention center

Law Enforcement Agency managing a state correctional facility

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name	(b)(6),(b)(7)(C)		Last Name	(b)(6),(b)(7)(C)	
Title/Position					
Desk Phone			Mobile Phone		
Email					

4. Please enter a secondary POC's information (if needed).

First Name	(b)(6),(b)(7)(C)		Last Name	(b)(6),(b)(7)(C)	
Title/Position					
Desk Phone			Mobile Phone		
Email					

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?

(b)(7)(E)



U.S. Immigration and Customs Enforcement

6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements. (b)(7)(E)

7. What is the name of the political entity that has oversight of your agency, if applicable? *The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).*

(b)(7)(E)

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity? (b)(7)(E)

7b. If yes, does the political entity concur with the request?

8. Preliminary Terms & Conditions for participation in the 287(g) program?
- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.

Does your agency agree to these terms and conditions? (b)(7)(E)

9. Please provide any additional information.

Relationship Information Please describe the agency's operational relationship with ICE.

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction? (b)(7)(E)

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?

12. How many days per month does ICE ERO visit your facility to perform immigration duties?

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?

13a. If limited, please define the access allowed.

14. Does your agency accept immigration detainees? (b)(7)(E)

14a. If yes, does your agency limit the conditions or type of immigration detainee accepted?

14b. Please define the limitations or types.

15. Is your agency a member of a task force of which ICE also participates? (b)(7)(E)

15a. If yes, does ICE lead the task force?

15b. What is the task force type?



16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?

(b)(7)(E)

17. Does your agency have a transportation IGSA with ICE?

18. Please provide any additional information.

(b)(7)(E)

Intake Information

Please describe intake processes for new arrests or inmates.

19. How does your agency submit fingerprints?

(b)(7)(E)

19a. If both, provide the percentage breakdown. Ink Cards: % Electronically: %

20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channel?

(b)(7)(E)

21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?

22. Does your agency identify all foreign-born nationals in custody?

23. On average, how many foreign-born arrests or inmates does your agency intake per month?

24. Does your agency use blind booking to identify information about criminal alien inmates?

25. Does your agency use NLETS to perform IAQ's?

25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS?

26. On average, how many immigration detainers does ICE place on aliens within your custody per month?

27. Please provide any additional information.

(b)(7)(E)

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

- 1: (b)(7)(E)
- 2:
- 3:
- 4:
- 5:



Foreign-Born Gang Members

- 29. Has your agency experienced public safety issues relating to foreign-born gang members?
- 30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?
- 31. Please provide any additional information.

(b)(7)(E)

(b)(7)(E)

Information Sharing & Technology

- 32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?
32a. If no, would your agency exchange information?
- 33. Does your agency allow ICE to access its proprietary information systems?
33a. If no, would your agency allow access?
- 34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.
 - Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
 - The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
 - If required, the requesting LEA will be responsible for installing any additional cabling.
- 34a. Does your agency understand these terms and conditions?

(b)(7)(E)

(b)(7)(E)

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative

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

UNDER SHERIFF

Date 03/21/2017

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 7:34 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: data questions for IGSA proposal
Attachments: RCCF IGSA_June 2011.pdf

Perfect; thanks very much for getting this back so quickly. For your reference, please find a copy of the USMS IGSA contract attached here; I believe this is the most recent version (our contracting officer got a copy from our USMS liaison at ICE HQ).

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 6:52 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: data questions for IGSA proposal

(b)(6);(b)(7)(C) I met with County Executive yesterday afternoon regarding the 287(g) program as well as Rensselaer Counties willingness to accept ICE detainees. I expect a letter from her this week to be jointly signed with the Sheriff. I will forward that to your attention as soon as I get it. Please review the answers to your questions below as prepared by (b)(6);(b)(7)(C) is still working on tracking down the Marshall Service IGSA. I will also forward 287(g) needs assessment to you this morning. Thanks (b)(6);(b)(7)(C)



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266- (b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Monday, March 20, 2017 3:28 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: data questions for IGSA proposal

US,

I answered the questions below in red.



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

Rensselaer County Sheriff's Office
4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);
Fax: (518) 266-3304

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 16, 2017 11:46 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: data questions for IGSA proposal

Captain: This is a good project for you, as all the information requested you will need to know. Find the answers for the below questions and when complete you me and the Chief will met to discuss.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);
Fax: (518) 270-5447

ebly@rensco.com

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 16, 2017 10:58 AM
To: (b)(6);(b)(7)(C)
Subject: data questions for IGSA proposal

Good morning Undersheriff,

I'm preparing a proposal for ICE HQ to consider adding ICE as an approved agency on the existing USMS IGSA contract. In addition to a copy of the existing IGSA contract with the U.S. Marshals Service, I need to ask for the following information (I'm sorry, but I don't have (b)(6);(b)(7)(C) email). This is independent of the needs assessment form for the 287(g) program application, and pertains only to the potential to house ICE detainees at the RCCF.

(b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

We currently have an officer on detail to ICE HQ working in the detention standards unit, and if we can get all of this information together quickly (while he's still there), he can hand-deliver the proposal to the unit chief and get our request expedited.

Thanks again and let me know if you have any questions,

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

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(7)(C) Fax (518) 220-2166



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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 2:21 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

It was mailed out today

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 11:43 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

You can send to my attention at:

ICE-ERO
1086 Troy-Schenectady Rd.
Latham, NY 12110

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, March 21, 2017 9:21 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

What address should I send these documents to?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 15, 2017 3:55 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Good afternoon (b)(6);(b)(7)(C)

I spoke with the national program manager for the Section 287(g) Delegation of Immigration Authority program this morning, and they have received the ACSO's letter of interest in the program. The next step in the process to try to bring the ACSO on board as a 287(g) partner is that I'll need you (or whomever is going to be the agency's program POC) to complete the attached form, a needs assessment. This form breaks down the ACSO's statistics and current working relationship with ICE. I will note that question #6 asks for a 'yes' or 'no' pertaining to your acceptance of payment of travel expenses to/from training. As indicated in my earlier email (below), ICE will bear travel and per diem expenses for program participants. Your agency would only be liable for paying that trainee's ACSO salary while they are away at the Federal Law Enforcement Training Center (Charleston, SC). It is safe to select 'yes' for this question.

If you (or whomever from the SO is designated) would please complete this form at your earliest convenience and send it back to my attention, I'll get it forwarded up to our HQ so that they can get you scheduled for a Program Advisory Board (PAB), which reviews the applications of interested agencies and makes their recommendation to the ICE Director on acceptance. The sooner this gets done, the better (by April 1, if you can), because that unit is getting swamped with

applications and the PAB schedules are filling up quickly. The entire process is expected to take 6-9 months (including training and infrastructure, if approved), so I'd like to be able to get the ball rolling for you ASAP. If you have any questions or need any assistance with the attached form, please don't hesitate to let me know.

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166



From: (b)(6);(b)(7)(C)
Sent: Thursday, February 23, 2017 10:33 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

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

To answer your question below, ICE does not send trainers out to the field. The Immigration Agent Delegation of Authority Training is a 4-week course, and the training would take place at the Federal Law Enforcement Training Center (FLETC) in Charleston, SC. Officers certified under this training will then be required to return to FLETC for a refresher training course every two years. All funding associated with the travel to/from the training is covered by ICE (travel, M&IE, etc.). If the SO has a large group of officers to nominate for the program, they could be staggered across multiple training sessions so that they aren't all gone from the facility at once.

If the ACSO is still interested, the application process begins with an agency letterhead memo of interest from the Sheriff to the ICE-ERO Buffalo Field Office Director (example attached here), followed by a needs assessment form that a representative from the ICE 287(g) will help the SO to prepare. That form is then submitted to ICE HQ for review by the 287(g) Program Advisory Board (PAB), which requires a majority vote to determine if the agency will be accepted into the 287(g) program. If approved, the request will go to the ICE Director for certification. Following Director approval, ICE and the SO would enter into a memorandum of agreement with ICE prior to reviewing nominated officers for participation in the program (background checks, training, etc.) and installation of infrastructure to support the program (T1 lines, computer and biometric equipment, etc.). There are currently classes scheduled in June and July 2017. To place a general timeline on the entire process from start to finish, it is estimated to take anywhere from 6-9 months.

Please let me know if the ACSO is still interested in moving forward and beginning the process to apply for participation in this program, and if there is another POC with whom I should correspond with regard to preparing the required forms, etc. I've attached a link to a fact sheet page on the program below, which may answer any questions you may still have.

<https://www.ice.gov/factsheets/287g>

I look forward to hearing back from you soon.

Regards,

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

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:18 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Not a deal breaker, but would be much more economical for us even if we had to fund it

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 21, 2017 12:08 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

(b)(6);(b) before we reach out to our HQ, I have to ask if it would be a deal-breaker if the ICE Academy cannot send trainers to Albany from the Federal Law Enforcement Training Center (FLETC) to provide this 4-week training, and if the ACSO had to send their officers to the FLETC.

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Sent: Tuesday, February 21, 2017 10:53 AM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Looking into everything now. I spoke to the Sheriff and he agrees that we should move forward with the training. Please let me know if it is possible to have someone come to us in order to provide the training. If needed we are willing to cover any traveling and accommodation expenses to get it done as soon as possible

From: (b)(6);(b)(7)(C)
Sent: Friday, February 17, 2017 4:20 PM
To: (b)(6);(b)(7)(C)
Subject: RE: documents/follow-up to phone conversation

Good afternoon gents,

I just wanted to follow up on our conversation from Wednesday to see if you require any additional information or have any further questions. I look forward to a favorable resolution to your inquiry.

Thanks and have a nice weekend,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
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Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

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

Sent: Wednesday, February 15, 2017 2:55 PM

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

Cc:

Subject: documents/follow-up to phone conversation

Hi (b)(6);(b)

As discussed, please find attached copies of the Inter-Governmental Agreement (IGA) between the U.S. Marshals Service and the Albany County Correctional Facility, on which ICE and BOP are listed as other authorized agency users. With regard to the issue of I-203's, I recall having conversations with former Supt. Clark after our presentations at the NYSSA conferences, during which he'd told us that as long as we lodged an I-203 order to detain/release alien with the jail to make the individual a federal boarder, then the jail didn't have any issues with us housing there. Unfortunately I don't have any email traffic on that.

Please also find attached a copy of the most recent I-200 warrant of arrest issued by ICE, specifically citing the basis on which probable cause has been established to arrest an individual.

Also as discussed, I've attached a copy of an informational pamphlet, a draft memorandum of agreement, and a draft initial request letter pertaining to participation in the 287(g) Delegation of Authority program, whereby county deputies would be trained and delegated authority to perform certain immigration enforcement functions within the jail, for your review.

Thanks again for your time today. I hope that we can come to a favorable conclusion to this issue, as we always have and hope to continue to have an excellent cooperative working relationship with the ACSO. If you require anything further, please don't hesitate to let me know.

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

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Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6),(7)(C) Fax (518) 220-2166
<image001.jpg>

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

Sent: Thursday, February 23, 2017 10:33 AM

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

Subject: RE: documents/follow-up to phone conversation

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I look forward to hearing back from you soon.

Regards,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

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Sent: Tuesday, February 21, 2017 12:18 PM
To: (b)(6);(b)(7)(C)
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(b)(6);(b)(7)(C)

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6); Fax (518) 220-2166

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

Sent: Wednesday, February 15, 2017 2:55 PM

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

Subject: documents/follow-up to phone conversation

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

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Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(b) Fax (518) 220-2166

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 6:51 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: ICE 287(g) Needs Assessment
Attachments: SKM_284e17053110520.pdf

(b)(6);(b)(7)(C) Attached is the signed ICE document requested. I will not be attending the NYSSA Undersheriff's conference this year, as I will be out of the state. Please feel free to make reference that the Rensselaer County Sheriff's Office is co-operating with ICE Enforcement and Removal Operations, as well as housing ICE detainees during your Tuesday presentation. Thanks (b)(6);(b)(7)(C)



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

~~LAW ENFORCEMENT SENSITIVE~~



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name	(b)(7)(E)
Address	
Address	
City	

Agency Type

2. Please select the option below that best describes your agency.

- Law Enforcement Agency
 Law Enforcement Agency operating a detention center
 Law Enforcement Agency managing a state correctional facility

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name	(b)(6),(b)(7)(C)	Last Name	(b)(6),(b)(7)(C)
Title/Position			
Desk Phone		Mobile Phone	
Email			

4. Please enter a secondary POC's information (if needed).

First Name	(b)(6),(b)(7)(C)	Last Name	(b)(6),(b)(7)(C)
Title/Position			
Desk Phone		Mobile Phone	
Email			

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?

(b)(7)(E)



U.S. Immigration and Customs Enforcement

- 6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements. (b)(7)(E)
- 7. What is the name of the political entity that has oversight of your agency, if applicable?
The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).

(b)(7)(E)

- 7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity? (b)(7)(E)
- 7b. If yes, does the political entity concur with the request?

- 8. Preliminary Terms & Conditions for participation in the 287(g) program?
 - Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
 - Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
 - ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
 - Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
 - The agency must provide an office for the ICE supervisory officer.
 Does your agency agree to these terms and conditions? (b)(7)(E)

9. Please provide any additional information.

[Redacted area]

Relationship Information Please describe the agency's operational relationship with ICE.

- 10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction? (b)(7)(E)
- 11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?
- 12. How many days per month does ICE ERO visit your facility to perform immigration duties?
- 13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?
 - 13a. If limited, please define the access allowed. [Redacted]
- 14. Does your agency accept immigration detainees?
 - 14a. If yes, does your agency limit the conditions or type of immigration detainer accepted?
 - 14b. Please define the limitations or types. [Redacted]
- 15. Is your agency a member of a task force of which ICE also participates?
 - 15a. If yes, does ICE lead the task force?
 - 15b. What is the task force type? [Redacted]



16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?

(b)(7)(E)

17. Does your agency have a transportation IGSA with ICE?

18. Please provide any additional information.

(b)(7)(E)

Intake Information

Please describe intake processes for new arrests or inmates.

19. How does your agency submit fingerprints?

(b)(7)(E)

19a. If both, provide the percentage breakdown. Ink Cards: % Electronically: %

20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channel?

(b)(7)(E)

21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?

22. Does your agency identify all foreign-born nationals in custody?

23. On average, how many foreign-born arrests or inmates does your agency intake per month?

24. Does your agency use blind booking to identify information about criminal alien inmates?

25. Does your agency use NLETS to perform IAQ's?

25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS?

26. On average, how many immigration detainers does ICE place on aliens within your custody per month?

27. Please provide any additional information.

(b)(7)(E)

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

- 1:
- 2:
- 3:
- 4:
- 5:



Foreign-Born Gang Members

- 29. Has your agency experienced public safety issues relating to foreign-born gang members?
- 30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?
- 31. Please provide any additional information.

(b)(7)(E)

(b)(7)(E)

Information Sharing & Technology

- 32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?
32a. If no, would your agency exchange information?
- 33. Does your agency allow ICE to access its proprietary information systems?
33a. If no, would your agency allow access?
- 34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.
 - Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
 - The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
 - If required, the requesting LEA will be responsible for installing any additional cabling.
- 34a. Does your agency understand these terms and conditions?

(b)(7)(E)

(b)(7)(E)

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative

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

[Handwritten Signature]

Date 05/30/2017

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

From: (b)(6);(b)(7)(C)
Sent: Friday, September 1, 2017 9:53 AM
To: (b)(6);(b)(7)(C)
Subject: 287g review panel

Importance: High

Good morning (b)(6);(b)(7)

ICE-ERO HQ has finally scheduled the RCJ for its 287g program advisory board review of your application for participation in the 287g program/jail enforcement model, and I need your help in answering the following questions:

- *Is the detention center accredited and if so, what did it score on its last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.)? If copies of the inspection reports are available, please forward them.*
- *Is there any pending litigation or substantial settlements involving civil rights violations by the County?*

If you can get this to me sometime next week so that the PAB review can proceed on schedule, it would be much appreciated.

Thanks and have a great Labor Day weekend,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

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

From: (b)(6);(b)(7)(C)
Sent: Friday, September 1, 2017 9:58 AM
To: (b)(6);(b)(7)(C)
Subject: 287g review panel
Importance: High

Good morning,

ICE-ERO HQ has finally scheduled the ACCF for its 287g program advisory board review of your application for participation in the 287g program/jail enforcement model, and I need your help in answering the following questions:

- *Is the detention center accredited and if so, what did it score on its last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.)? If copies of the inspection reports are available, please forward them.*
- *Is there any pending litigation or substantial settlements involving civil rights violations by the County?*

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Thanks and have a great Labor Day weekend,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(Fax (518) 220-2166

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

From: (b)(6),(b)(7)(C)
Sent: Friday, September 22, 2017 2:46 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: RE: ICE info
Attachments: 287g flyer.pdf

Good afternoon Sheriff York,

Thank you for your potential interest in the Section 287(g) Delegation of Immigration Authority program.

The Buffalo Field Office of Immigration and Customs Enforcement / Enforcement and Removal Operations is seeking law enforcement agencies (LEAs) with interest in participating in the 287(g) program with ICE, specifically for the officers/deputies working in the Corrections Division of the Sheriff's Office. The President's Executive Order, entitled *Border Security and Immigration Enforcement Improvements*, provides direction to "take appropriate action to engage with local officials for the purpose of preparing to enter into agreements under section 287(g) of the Immigration & Nationality Act (INA).

The 287(g) program is one of ICE's top partnership initiatives, which allows a state and local law enforcement entity to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA). The state or local entity then receives delegated authority for the enforcement of federal immigration laws within their jurisdiction in conjunction with the local ICE field office. The MOA defines the scope and limitations of the delegated authority, and also establishes the supervisory structure for the designated immigration officers working under the cross designation. Under the statute, ICE will supervise all cross-designated officers when they exercise their immigration authorities.

Currently, ICE has more than 40 established MOAs with partner LEAs in 16 states. Participation by state and local LEAs is voluntary, and delegation is granted only after Department of Homeland Security (DHS)/ICE approval and extensive training by ICE is completed. All delegated officers perform immigration enforcement functions under direct ICE supervision, with the 287(g) program utilizing the Jail Enforcement Model to accomplish its mission.

The 287(g) Jail Enforcement Model is designed to identify and process all criminal and other priority aliens arrested and booked into a detention facility, and is supervised by the local ICE Office of Enforcement and Removal Operations Field Office.

With respect to training, 287(g) designated officers must attend and successfully complete an initial four-week basic training program and a one-week refresher training program thereafter (biennially), conducted by certified instructors at the Federal Law Enforcement Training Center's (FLETC) ICE Academy. Travel, lodging and per diem expenses for this training will be paid by ICE, however the selectee's agency will be responsible for paying their salary while in travel/training status.

I have attached a flyer describing the program, and additional information about the program can be found at <https://www.ice.gov/factsheets/287g>.

Please take a look and let me know if this program is something the Warren County Sheriff's Office would be interested in pursuing. The scope of the program would be limited to persons booked into the Warren County Correctional Facility.

Please let me know if you have any questions or would like additional information.

Thank you,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations

From: (b)(6);(b)(7)(C)
Sent: Friday, September 22, 2017 8:43 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE info

(b)(6);(always great working with you guys. As long as I am Sheriff we will work with all our Law Enforcement partners, regardless of what politicians do to try and put hurdles in the way. We all work for one purpose, "Good guys win, bad guys lose".

Nathan H. York, Sheriff
Warren County Sheriff's Office
1400 State Route 9
Lake George NY 12845
(518) 743-(b)(6);



From: (b)(6);(b)(7)(C)
Sent: Friday, September 22, 2017 8:20 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: ICE info

Sheriff,

Thank you for taking the time to speak with me yesterday. I agree our lines of communication can be improved regarding notification and response to ICE detainees, and I will take necessary steps on my side to see to it that is accomplished. Ironically, it appears that the harder that various entities attempt to thwart ICE's attempts to enforce federal law, the more it has only served to improve lines of communication with our law enforcement partners at the state and local level.

Regarding our discussion about the possibility of us being able to reimburse you for any subject of an ICE detainee as a federal boarder, and information regarding the 287g program, I am looping in my supervisor Assistant Field Office Director (b)(6);(b)(7)(C) who is copied on this email. I have spoken with (b)(6);(b) and he can push more information over your way.

Thank you again for the cooperation and support we have always received from your department. Again, my cell # is 716-609 (b)(6);, and you or your deputies can reach out to me at any time there is a need.

Regards,
[Redacted]

Supervisor / Firearms Instructor
U.S. Immigration & Customs Enforcement
Enforcement & Removal Operations
Ph: 518-220 (b)(6); Fax: 518-220-2166

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, September 28, 2017 10:41 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE info

We do have a contract with the Marshalls and I will get it out to you.

Nathan H. York, Sheriff
Warren County Sheriff's Office
1400 State Route 9
Lake George NY 12845
(518) 743-(b)(6);(



From: (b)(6);(b)(7)(C)
Sent: Thursday, September 28, 2017 9:23 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE info

Thank you, Sheriff. (b)(6);(b)(7)(C) also mentioned that you may be interested in having the Warren Co. Jail approved to house ICE detainees as well. If I may ask, do you currently have an IGSA contract with the U.S. Marshals Service? If so, could someone at your office send a copy of that contract to me? ICE typically is added as an authorized user to these contracts by the USMS, and an ICE-specific facility inspection/approval process follows from ICE HQ.

Thanks again for your time,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations

From: (b)(6);(b)(7)(C)
Sent: Friday, September 22, 2017 2:48 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE info

Thank you, Sir. I will get back to you.

Nathan H. York, Sheriff
Warren County Sheriff's Office
1400 State Route 9
Lake George NY 12845
(518) 743-(b)(6);(



From: (b)(6);(b)(7)(C)
Sent: Friday, September 22, 2017 2:46 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE info

Good afternoon Sheriff York,

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Please let me know if you have any questions or would like additional information.

Thank you,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations

From: (b)(6);(b)(7)(C)
Sent: Friday, September 22, 2017 8:43 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: ICE info

(b)(6) always great working with you guys. As long as I am Sheriff we will work with all our Law Enforcement partners, regardless of what politicians do to try and put hurdles in the way. We all work for one purpose, "Good guys win, bad guys lose".

Nathan H. York, Sheriff
Warren County Sheriff's Office
1400 State Route 9
Lake George NY 12845
(518) 743-(b)(6);(



From: (b)(6);(b)(7)(C)
Sent: Friday, September 22, 2017 8:20 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: ICE info

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Thank you again for the cooperation and support we have always received from your department. Again, my cell # is 716-609-(b)(6);(b)(7)(C), and you or your deputies can reach out to me at any time there is a need.

Regards,

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

Supervisor / Firearms Instructor
U.S. Immigration & Customs Enforcement
Enforcement & Removal Operations
Ph: 518-220-(b)(6) Fax: 518-220-2166

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

From: (b)(6),(b)(7)(C)
Sent: Tuesday, October 31, 2017 11:16 AM
To: (b)(6),(b)(7)(C)
Subject: 287g

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

Just wondering if there was an update our application? What is the review process? How will we be notified if accepted?

Thanks,

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

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

Albany County Correctional Facility
Albany, New York 12207
(518) 869-(b)(6),(7)(C)

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

From: (b)(6),(b)(7)(C)
Sent: Wednesday, November 1, 2017 2:39 PM
To: (b)(6),(b)(7)(C)
Subject: Albany County's 287g Application
Importance: High

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

The Albany County Sheriff's Office would like to formally rescind their 287g program application at this time. If there is an official process please advise.

Thank you,

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

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

Albany County Correctional Facility
Albany, New York 12207
(518) 869-(b)(6),(b)(7)(C)

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, November 2, 2017 3:09 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Albany County Correctional Facility 287(g)

Good Afternoon (b)(6);(b)(7)(C)

I want to reiterate what (b)(6);(b)(7)(C) said in that we truly appreciate you taking the time to speak with us today. Below you will find my office and cell phone numbers and you or the Sheriff can feel free to call me, day or night, with any questions or concerns that you have.

We view this as a pure partnership between two law enforcement agencies. Rest assured we are prepared to work closely with you to reduce any force reduction that may occur as you send officers to our training program. Also, as we spoke, the County will continue to pay the officers salaries during training but all other expenses are covered by ICE, transportation to the Academy, meals, lodging, etc. We are also committed to the program's success which includes the ICE HQ 287g program funding a Detention & Deportation Officer/Field Program Manager position that will be stationed in the Albany ICE office to cover both Albany and Rensselaer County Sheriff's programs.

This is a long-term commitment by ICE which includes our expertise and support of Albany County every step of the way. If its community meetings, press conferences or general meetings we will have our team there with your team to answer the questions.

Please don't hesitate to reach out if you or the Sheriff have any questions.

Thank you,
(b)(6)

Deputy Assistant Director
Criminal Alien Division | Enforcement Operations
DHS Executive Order Implementation Task Force
Interior Enforcement Work Group Lead
Enforcement and Removal Operations
U.S. Immigration & Customs Enforcement
500 12th Street SW | (b)(6);(b)(7)(C) | Washington, DC 20536
Office: 202-732-(b)(6) | Cell: 202-309-(b)(6);(C)

From: (b)(6);(b)(7)(C)
Sent: Thursday, November 02, 2017 1:54 PM
(b)(6);(b)(7)(C)

Subject: Albany County Correctional Facility 287(g)

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

It was our pleasure to speak with you this morning. Thank you so much for the opportunity and for your time. We are excited for the chance to work with you all in the future and we look forward to hearing back from you.

As requested, attached is a typical immigration questionnaire utilized during screening.

Very respectfully,

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

**287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ**

**202-732-(b)(6) (o)
405-706-(b)(7) (c)**

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

From: (b)(6),(b)(7)(C)
Sent: Tuesday, December 19, 2017 11:34 AM
To: (b)(6),(b)(7)(C)
Subject: 287g program

(b)(6),(b) Is there any news on the status of our application? We are getting a lot of pressure politically and I just need to confirm that all training expenses are paid for with the exception of regular pay roll and back filling the officers we select.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6)
Fax: (518) 270-5447

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

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 19, 2017 5:45 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: 287(g) program application
Attachments: Rensselaer County Sheriff's Office.pdf

Good afternoon Sheriff Russo and Undersheriff (b)(6);(b)(7)(C)

I'm pleased to inform you that your application for participation in the ICE 287(g) delegated immigration authority/jail enforcement model has been approved by ICE Acting Director Thomas Homan. I've attached an electronic copy of the program welcome letter from ICE Assisant Director for Enforcement Corey Price; the original letter will be forwarded at a later date.

I'd like to sit down with you at your convenience—perhaps in the first week of January—to further discuss the program's implementation and preparation of a Memorandum of Agreement (MOA) between ICE and the RCSO. As previously discussed, once the MOA is signed and the RCSO is officially on board, ICE will assume responsibility for responding to all media inquiries regarding the program.

I'll also be in touch next week to gather information needed to begin the process of installing the necessary IT infrastructure to support the program at the RCCF.

Thank you again for your continued partnership and cooperation, and we look forward to advancing our relationship through this endeavor.

Sincerely,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ICE-ERO
Buffalo Field Office
ALB-SYR-CHM operations

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



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

Sheriff Patrick A. Russo
Rensselaer County Sheriff's Office
4000 Main Street
Troy, NY 12180

Dear Sheriff Russo,

Thank you for your interest in the 287(g) Delegation of Authority Program. On November 14, 2017, U.S. Immigration and Customs Enforcement (ICE) convened a meeting of the 287(g) Program Advisory Board (PAB). After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On December 12, 2017, Acting ICE Director Thomas D. Homan approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Rensselaer County Sheriff's Office under a joint Memorandum of Agreement (MOA). A representative from the ICE Buffalo Field Office, Enforcement & Removal Operations, will contact you to discuss the implementation of the MOA.

Your local ICE point of contact for the Buffalo Field Office is Assistant Field Office Director (AFOD) (b)(6);(b)(7)(C) can be reached at (518) 220-(b)(6);(b)(7)(C)

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,

A handwritten signature in black ink, appearing to read "CP", written over a white background.

Corey A. Price
Assistant Director
Enforcement

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, December 19, 2017 6:00 PM
To: (b)(6);(b)(7)(C)
Subject: Re: 287g program

(b)(6);(b)(7)(C) Got you message and was able assure the sheriff regarding the training expenses as this seems to be the focus of the NYCLU. Look forward to hearing from you next week. Merry Christmas. (b)(6);(b)(7)(C)

Sent from my iPad

On Dec 19, 2017, at 5:48 PM, (b)(6);(b)(7)(C) wrote:

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

I left you a voicemail earlier, but just to confirm, ICE will pay for trainee travel, lodging, meals, and \$5 per day for incidental expenses while in training. The RCSO will be responsible for those officers' salaries while they are in training.

I also just forwarded you an email containing a 'welcome letter' from the ICE Assistant Director for Enforcement, informing you that the ICE Acting Director has approved your application. I'll be in touch next week to gather more needed info and to schedule a meeting with you and Sheriff Russo to hammer out an MOA.

Thanks and congratulations,

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

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

Assistant Field Office Director
ICE-ERO
Buffalo Field Office
ALB-SYR-CHM operations

From: (b)(6);(b)(7)(C)
Date: Tuesday, Dec 19, 2017, 11:34
To: (b)(6);(b)(7)(C)
Subject: 287g program

(b)(6);(b)(7)(C): Is there any news on the status of our application? We are getting a lot of pressure politically and I just need to confirm that all training expenses are paid for with the exception of regular pay roll and back filling the officers we select.

<image001.jpg>

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working around the clock, around the globe, visit <http://www.paetec.com>.

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 28, 2017 12:58 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: information for Rensselaer County, NY - 287(g)

(b)(6);(b)(7)(C) I have provided the information requested below. The Sheriff's Office does not a Public Information Officer so (b)(6);(b)(7)(C) the Confidential Assistant to the Sheriff fields the calls and directs media traffic to the appropriate command personnel or the Sheriff. When would it be convenient to schedule a meeting with us regarding the MOA and finalizing the process?

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 28, 2017 7:28 AM
To: (b)(6);(b)(7)(C)
Subject: FW: information for Rensselaer County, NY - 287(g)



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 27, 2017 4:25 PM
To: (b)(6);(b)(7)(C)
Subject: information for Rensselaer County, NY - 287(g)

Good afternoon (b)(6);(b)(7)(C)

I'm working on particulars for the draft Memorandum of Agreement for participation in the 287(g) program as well as arranging for infrastructure/equipment/network accessibility, and need the following info from you at your earliest convenience:

1. Site address of where our equipment will be installed (the jail address is also 4000 Main St., correct?) **Yes 4000 Main Street Troy, NY 12180**
2. Name, title, desk phone, cell phone and email for each of the following:
 - o Sheriff's Office Authorizing Official Point of Contact (POC) – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: *Undersheriff*

- Office Phone: 518-266-(b)(6);(b)(7)(C)
- Mobile Phone: 518-852-(b)(6);(b)(7)(C)
- Email: (b)(6);(b)(7)(C)
- Sheriff's Office 287(g) Point of Contact (POC) – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: *Chief of Corrections*
 - Office Phone: 518-266-(b)(6)
 - Mobile Phone: 518-
 - Email: (b)(6);(b)(7)(C)
- Sheriff's Office IT Point of Contact (POC) – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: *Captain*
 - Office Phone: 518-266-(b)(6);(b)(7)(C)
 - Mobile Phone:
 - Email: (b)(6);(b)(7)(C)
- Sheriff's Office Public Affairs Officer – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: *Confidential Assistant to the Sheriff*
 - Office Phone: 518-266-(b)(6);(b)(7)(C)
 - Mobile Phone:
 - Email: (b)(6);(b)(7)(C)

I you have any questions, please let me know.

Thanks again.

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

Assistant Field Office Director
 U.S. Immigration and Customs Enforcement
 Enforcement and Removal Operations
 Buffalo Field Office/ALB-CHM-SYR operations
 Ph. (518) 220-(b)(6) Fax (518) 220-2166

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

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 10:25 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

OK, we will be ready for them. Can I get their name(s) for the entrance staff.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 10:22 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

It would be in the morning, definitely before noon. The tech is trying to catch an afternoon flight out of Albany to head to Nebraska that afternoon.

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 10:21 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

We will make it work 2/6/18 any idea on what time they will be arriving. If they would like they can call (b)(6);(b)(7)(C) at 518-266-(b)(6) to work the arrangements, he oversees IT for us.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 9:45 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

OK, great. Our IT folks from HQ also contacted me this morning and they would like to come to the jail on Tuesday, 2/6 to tour the site and determine how to work out workstation connectivity, printers, network gear, etc. This will take about 1-2 hours. Does that date sound OK?

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 8:47 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

OK, I'm working my way through the MOA now.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 8:44 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

OK, thanks. I think it's also in the MOA/Word document on one of the last pages, as well.

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 8:41 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

Corrected on the version below.



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Friday, December 29, 2017 7:41 AM
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

10-4; if you'd just make that correction in the version that you're reviewing/amending, I'd appreciate it.

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 28, 2017 3:46 PM
To: (b)(6);(b)(7)(C)
Subject: Fwd: information for Rensselaer County, NY - 287(g)

(b)(6);(b)(7)(C) phone corrected to reflect 518-266-(b)(6)

Sent from my iPad

Begin forwarded message:

From: (b)(6);(b)(7)(C)
Date: December 28, 2017 at 3:20:42 PM EST
To: (b)(6);(b)(7)(C)
Subject: RE: information for Rensselaer County, NY - 287(g)

Undersheriff,

(b)(6);(b)(7)(C) number is listed incorrectly. Should be 518-266-(b)(6);(b)(7)(C)

<image001.png>

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 28, 2017 12:58 PM

To: (b)(6);(b)(7)(C)
Cc: [redacted]
Subject: FW: information for Rensselaer County, NY - 287(g)

(b)(6);(b)(7)(C): I have provided the information requested below. The Sheriff's Office does not a Public Information Officer so (b)(6);(b)(7)(C) the Confidential Assistant to the Sheriff fields the calls and directs media traffic to the appropriate command personnel or the Sheriff. When would it be convenient to schedule a meeting with us regarding the MOA and finalizing the process?

From: (b)(6);(b)(7)(C)
Sent: Thursday, December 28, 2017 7:28 AM
To: (b)(6);(b)(7)(C)
Subject: FW: information for Rensselaer County, NY - 287(g)

<image002.jpg>

From: (b)(6);(b)(7)(C)
Sent: Wednesday, December 27, 2017 4:25 PM
To: (b)(6);(b)(7)(C)
Subject: information for Rensselaer County, NY - 287(g)

Good afternoon (b)(6);(b)(7)(C)

I'm working on particulars for the draft Memorandum of Agreement for participation in the 287(g) program as well as arranging for infrastructure/equipment/network accessibility, and need the following info from you at your earliest convenience:

1. Site address of where our equipment will be installed (the jail address is also 4000 Main St., correct?) **Yes 4000 Main Street Troy, NY 12180**
2. Name, title, desk phone, cell phone and email for each of the following:
 - o Sheriff's Office Authorizing Official Point of Contact (POC) – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: **Undersheriff**
 - Office Phone: 518-266-(b)(6);(b)(7)(C)
 - Mobile Phone: 518-852-(b)(6);(b)(7)(C)
 - Email: (b)(6);(b)(7)(C)
 - o Sheriff's Office 287(g) Point of Contact (POC) – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: **Chief of Corrections**
 - Office Phone: 518-266-(b)(6)
 - Mobile Phone: 518-
 - Email: (b)(6);(b)(7)(C)
 - o Sheriff's Office IT Point of Contact (POC) – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: **Captain**
 - Office Phone: 518-266-(b)(6)
 - Mobile Phone:
 - Email: (b)(6);(b)(7)(C)
 - o Sheriff's Office Public Affairs Officer – Rensselaer County
 - Name: (b)(6);(b)(7)(C)
 - Title: **Confidential Assistant to the Sheriff**
 - Office Phone: 518-266-(b)(6)

- Mobile Phone:
- Email: (b)(6);(b)(7)(C)

I you have any questions, please let me know.

Thanks again,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6);(7)(C) Fax (518) 220-2166

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 30, 2018 10:06 AM
To: (b)(6);(b)(7)(C)
Subject: RE: 287g Jail model 2018 MOA_Rensselaer Co Sheriffs Office (3)

(b)(6);(b)(7) will have this signed by the Sheriff by noon today. We have identified two candidates, what will you need from them to get the background checks started?



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

4000 MAIN STREET
TROY, NEW YORK 12180
Office: (518) 266-(b)(6);(b)(7)(C)
Fax: (518) 270-5447

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 30, 2018 9:42 AM
To: (b)(6);(b)(7)(C)
Subject: RE: 287g Jail model 2018 MOA_Rensselaer Co Sheriffs Office (3)
Importance: High

Good morning (b)(6);(b)(7)(C)

Attached please find an edited copy of the MOA, reflecting the recommended changes to the expenditures section. If upon review this version is acceptable, Sheriff Russo can sign where indicated on page 10. I will then pick up the original document and forward it to ICE HQ for signature by the Assistant Director of Enforcement. You will then receive a copy of the final document with both signatures.

Also, upon signing the MOA, please have your first round of training candidates/nominees ready, as we will begin quick work to get them rolling with the ICE background investigation process (I'd recommend that at least two candidates be submitted to begin; they don't have to attend training at the same time, but we can get them in the queue for future sessions).

Please let me know if you have any questions. Thanks for your patience during this process.

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6) Fax (518) 220-2166

From: (b)(6);(b)(7)(C)
Sent: Monday, January 1, 2018 8:09 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: 287g Jail model 2018 MOA_Rensselaer Co Sheriffs Office (3)

(b)(6);(b)(7)(C). The attached MOA contains my edits as it relates to expenditures for the training of RCSO staff and DHS/ICE infrastructure cost. The changes I have identified are necessary as the expenditures in the proposed MOA are not recognized within the County of Rensselaer or the Sheriff's Office approved budget for 2018. Thank (b)(6);(b)(7)(C).

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

From: (b)(6);(b)(7)(C)
Sent: Monday, February 12, 2018 2:05 PM
To: (b)(6);(b)(7)(C)
Subject: ICE 287(g) signe MOA
Attachments: Rensselaer County Sheriff's Office MOA.PDF

Good afternoon Sheriff Russo and Undersheriff (b)(6);(b)(7)

Attached please find a copy of the 287(g) program MOA between ICE and the RCSO, signed by ICE Assistant Director for Enforcement Price. If she hasn't already, the special assistant to Buffalo Field Office Director Thomas Feeley will be reaching out to you to schedule a meeting at your office for next week, assuming you'll be available.

Congratulations on your acceptance into this important program and thank you for remaining steadfast throughout the application and approval process. The significance of being the first law enforcement agency in the state of New York to move forward on this cannot be overstated. We will begin work shortly to start the background investigations on your nominated officers/supervisors.

Should you have any questions, please don't hesitate to let me know.

Thanks,

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

Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Buffalo Field Office/ALB-CHM-SYR operations
Ph. (518) 220-(b)(6); Fax (518) 220-2166

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Rensselaer County Sheriff's Office (RCSO), pursuant to which ICE delegates to nominated, trained, certified, and authorized RCSO personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the RCSO to identify and process for removal, under ICE supervision, aliens in RCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The RCSO and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected RCSO personnel (participating RCSO personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the RCSO's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating RCSO personnel as members of the RCSO. However, the exercise of the immigration enforcement authority delegated under this MOA to participating RCSO personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating RCSO personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating RCSO personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the RCSO is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating RCSO personnel only as to immigration enforcement functions as authorized in this MOA. The RCSO retains supervision of all other aspects of the employment and performance of duties by participating RCSO personnel.

ICE retains sole discretion in determining how it will manage its detention resources and

advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The RCSO is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the RCSO has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from RCSO custody. The RCSO agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating RCSO personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the RCSO may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the RCSO will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the RCSO enter into an IGSA, the RCSO must meet applicable detention standards.

In addition to detention services, ICE and the RCSO may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the RCSO will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the RCSO will occur only when the RCSO obtained prior ICE approval for the transportation. ICE will not reimburse if the RCSO did not obtain prior approval from ICE.

The parties understand that the RCSO will not continue to detain an alien after that alien is eligible for release from the RCSO's custody in accordance with applicable law and RCSO policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The RCSO will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All RCSO candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All RCSO candidates shall have experience supervising inmates, have been trained on maintaining the security of RCSO facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The RCSO is responsible for conducting a criminal background check covering the last five

years for all nominated candidates. Upon request, the RCSO will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the RCSO background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the RCSO will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The RCSO agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If RCSO personnel under consideration are in a collective bargaining unit, the RCSO must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the RCSO to fulfill this commitment could jeopardize the terms of this MOA.

All RCSO candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating RCSO personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating RCSO personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each RCSO nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an RCSO nominee fails to attain a 70-percent rating on an examination, the RCSO nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the RCSO nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the RCSO nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating RCSO personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained RCSO personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the RCSO's Designated Accreditation Authority (DAA). The RCSO agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, RCSO personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those RCSO personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Buffalo, NY will provide the participating RCSO personnel a signed authorization letter allowing the named RCSO personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the RCSO. Only those certified RCSO personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified RCSO personnel official immigration officer credentials. Upon receipt of the credentials, RCSO personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating RCSO personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by

ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating RCSO employee ceases his/her participation, or when deemed necessary by the ICE FOD in Buffalo, NY.

Authorization of participating RCSO personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the RCSO. The RCSO and the ICE FOD in Buffalo, NY will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The RCSO will notify ICE within 48 hours of when participating RCSO personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The RCSO is responsible for the salaries and benefits, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating RCSO personnel while they are receiving training. ICE will cover the costs of all ICE approved RCSO participating personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The RCSO remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating RCSO personnel at each RCSO facility with an active 287(g) program. Only participating RCSO personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating RCSO personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Buffalo, NY.

Subject to the availability of funds, ICE will cover all expenses for cabling and equipment at the RCSO facility that is deemed necessary by ICE to have connectivity with ICE IT systems. If the connectivity solution for the RCSO is determined to include use of the RCSO's own

communication lines - (phone, DSL, site owned T-1/T-3, etc.), ICE will be responsible for covering any installation and recurring costs associated with the RCSO line.

The RCSO is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The RCSO is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the RCSO will provide at no cost to ICE, an office within participating RCSO facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating RCSO personnel will be supervised and directed by ICE supervisory officers. Participating RCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating RCSO personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating RCSO personnel only as to immigration enforcement functions conducted in conjunction to this authority. The RCSO retains supervision of all other aspects of the employment of and performance of duties by participating RCSO personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating RCSO personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the RCSO with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating RCSO personnel will be expected or required to violate or otherwise fail to maintain the RCSO's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the RCSO's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The RCSO will provide statistical or aggregated arrest data to ICE, as requested by ICE. The RCSO will also provide specific tracking data and/or any information, documents, or evidence

related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the RCSO's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the RCSO will be responsible and bear the costs of participating RCSO personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating RCSO personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating RCSO personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating RCSO personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. RCSO personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 250 Delaware Avenue, 7th floor, Buffalo, NY 14202. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist RCSO personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating RCSO personnel only to the extent authorized by law.

The RCSO agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating RCSO employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The RCSO agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any RCSO personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal

proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating RCSO personnel under this MOA are undertaken under Federal authority, the participating RCSO personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The RCSO and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating RCSO personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating RCSO personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating RCSO personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the RCSO, as needed.

The RCSO will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include RCSO personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Buffalo, NY, and the RCSO shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating RCSO

personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the RCSO may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Buffalo, NY at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Buffalo, NY. An initial review meeting will be held no later than nine months after certification of the initial class of participating RCSO personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The RCSO will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the RCSO's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The RCSO may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the RCSO is authorized to do the same.

The RCSO hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the RCSO must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the RCSO for this purpose are identified in Appendix C. For releases of information to all other parties, the RCSO must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the RCSO that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the RCSO has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

RCSO questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating RCSO personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in

the SOP.

XX. POINTS OF CONTACT

ICE and the RCSO points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA


This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the RCSO shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the RCSO and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the RCSO shall be given to the ICE FOD in Buffalo, NY and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the RCSO.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: 2/9/18


Corey A. Price
Assistant Director of Enforcement
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 1/30/18


Patrick Russo
Sheriff
Rensselaer County Sheriff's Office
4000 Main St.
Troy, NY 12180

APPENDIX A
POINTS OF CONTACT

The ICE and RCSO points of contact for purposes of implementation of this MOA are:

For the RCSO:

Undersheriff (b)(6);(b)(7)(C)
Rensselaer County Sheriff's Office
Troy, NY 12180
(518) 266-(b)(6);(C)
(b)(6);(b)(7)(C)

For ICE Enforcement and Removal Operations (ERO):

Assistant Field Office Director (b)(6);(b)(7)(C)
1086 Troy-Schenectady Rd.
Latham, NY 12110
(518) 220-(b)(6);(C)
(b)(6);(b)(7)(C)

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Rensselaer County Sheriff's Office, (RCSO), pursuant to which selected RCSO personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating RCSO personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain RCSO personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the RCSO and be handled in accordance with the RCSO's applicable rules, policies, and procedures.

If any participating RCSO personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the RCSO shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Buffalo, NY and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C) Complaints regarding the exercise of immigration enforcement authority by participating RCSO personnel shall be handled as described below.

The RCSO will also handle complaints filed against RCSO personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated RCSO personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating RCSO personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the RCSO within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, RCSO, participating RCSO personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6),(b)(7)(C) or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the RCSO directly that involve RCSO personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the RCSO's Internal Investigations Unit when the complaint involves RCSO personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the RCSO's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving RCSO personnel to the RCSO's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against RCSO's participating officers.

B. Interim Action Pending Complaint Resolution

When participating RCSO personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the RCSO's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide RCSO with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the RCSO:

(b)(6);(b)(7)(C), Confidential Assistant to the Sheriff
Rensselaer County Sheriff's Office
4000 Main St.
Troy, NY 12180
(518) 266-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

For ICE:

Office of Public Affairs
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536
202-732-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the RCSO.

Pursuant to this MOA, the RCSO has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the RCSO's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the RCSO to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the RCSO shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating RCSO personnel performing immigration-related functions pursuant to this MOA will be RCSO officers assigned to detention operations supported by ICE. Those participating RCSO personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to RCSO jail/correctional facilities. Participating RCSO personnel will identify and process for removal aliens in RCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating RCSO personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the RCSO to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating RCSO personnel will be supervised and directed by ICE supervisory officers. Participating RCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating RCSO personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The RCSO shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The RCSO is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The RCSO must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Buffalo, NY through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the RCSO's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the RCSO and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an RCSO facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:33 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

I'll call him in the morning to ask about the memo and MSA. Basically the only service will be housing aliens at their facility for us until we take them, much like a 287g location, just without the 287g part.

(b)(6);(b)(7)(C) AFOD
Charleston – Columbia – Savannah
ERO – ICE – DHS
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 5:02 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

The challenge at this time is funding. I will reach out to HQ tomorrow and see what can be done. In the meantime is it possible for you to have the Sherriff provide a memorandum stating what services he is offering and a copy of the MSA.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 31, 2017 4:37 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: IGSA Marshals Contract Rider - Chatham County, GA
Importance: High

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

How quickly can we get the legwork done and an MOU prepared to become a rider on the USMS agreement with Chatham County, GA? The sheriff there is threatening to stop honoring our detainees due to the cost involved for the county, but may be willing to hold the aliens on their existing USMS contract / IGSA. It would benefit us to have a holding facility in the Savannah area. He would like to see the agreement before committing. He said the USMS is paid approximately \$70 per day for inmates, so that would be our rate as well.

Thanks,

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston Operations
Atlanta Field Office
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office: 843-746-(b)(6)

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

Charleston - Columbia - Savannah

ERO - ICE - DHS

Office: 843-746-(b)(6);(b)(7)(C)

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

Sent: Wednesday, May 31, 2017 6:07 PM

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

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

Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

Also, I am in the process of submitting funds request for 4th quarter detention beds; is it possible to reduce some of the funding for Charleston County to get this up and running.

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

Sent: Wednesday, May 31, 2017 5:58 PM

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

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

Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

How many beds?

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

Sent: Wednesday, May 31, 2017 5:33 PM

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

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

Subject: RE: IGSA Marshals Contract Rider - Chatham County, GA

I'll call him in the morning to ask about the memo and MSA. Basically the only service will be housing aliens at their facility for us until we take them, much like a 287g location, just without the 287g part.

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

Charleston - Columbia - Savannah

ERO - ICE - DHS

To: Cronen, C M [(b)(6);(b)(7)(C)]
[(b)(6);(b)(7)(C)]
[(b)(6);(b)(7)(C)] Cronen, C M [(b)(6);(b)(7)(C)]
From: [(b)(6);(b)(7)(C)]
Sent: Thur 1/7/2016 4:53:41 PM
Subject: RE: 287(g) Program Interest

Do not forget Horry Co SC.

Sent with Good (www.good.com)

From: Cronen, C M
Sent: Thursday, January 07, 2016 11:46:01 AM
To: [(b)(6);(b)(7)(C)]
Cc: [(b)(6);(b)(7)(C)]; Cronen, C M
Subject: 287(g) Program Interest

DDOs,

ERO HQ received approval to move forward with any jurisdictions interested in the Jail Model of the 287(g) Program. As such, please formally reach out to the following counties to gauge the interests of their Sheriffs. Some of the below jurisdictions' requests date back to 2011.

Please let me know by CoB on Friday. Thanks, Chris

- Forsythe County, NC
- New Hanover County, NC

- Cherokee County, GA
- Rockdale County, GA

Respectfully,

Chris Cronen
Deputy Field Office Director
Atlanta Field Office - ERO
Immigration and Customs Enforcement
404-893-[(b)(6);(b)(7)(C)] Office
[(b)(6);(b)(7)(C)]

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Mon 1/22/2018 7:17:30 PM
Subject: RE: IGSA Request - Horry County, SC (J. Reuben Long Detention Center) - USMS Contract Rider

(b)(6);(b)(7)(C) no problem, I'll touch base with (b)(6);(b)(7)(C) to see what we need to get going.

Respectfully,

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

From: (b)(6);(b)(7)(C)
Sent: Monday, January 22, 2018 2:11 PM
To: (b)(6);(b)(7)(C)
Subject: IGSA Request - Horry County, SC (J. Reuben Long Detention Center) - USMS Contract Rider
Importance: High

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

We would like to pursue getting the Horry County, SC jail, officially called the J. Reuben Long Detention Center, approved as an ICE Under 72-Hour detention facility by riding on the USMS contract. Horry County management wishes to pursue an IGSA as well, and it would benefit ICE by eliminating the need to drive four or more hours every day to pick up aliens at the facility. We already do this several times per week due to the productivity of our CAP officers, but Horry County is slated to become an active 287(g) program within the next two or three months. Once this occurs we will almost certainly need to travel to that facility daily. We typically have IGSA's with our 287(g) locations, unless they decline, but for some unknown reason this option was never presented to Horry County when the 287(g) agreement was being worked out. It seems like an oversight, but it's definitely an oversight that will impact us when they become operational in the near future and we have to do daily transports.

Attached are their IGA with the USMS, on which ICE is not listed as a rider, and the USMS contact. As I understand it we would need to get the USMS to agree to allow us to ride on their contract (which typically is not an issue) and have them amend the current contract by checking the ICE box in block 18. Once done it would require HQ approval and Horry County would need to conduct an ORSA (self-inspection). Let me know if you need anything else from me at this time to get this moving with the USMS and ERO HQ.

Thanks,

(b)(6);(b)(7)(C) AFOD
ERO Charleston
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 02, 2018 2:54 PM
To: (b)(6);(b)(7)(C)
Subject: FW: US Marshal

I wanted to put this back on your radar as Horry County gets closer to operational.

Thanks

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 29, 2017 2:10 PM
To: (b)(6);(b)(7)(C)
Subject: FW: US Marshal

See attachments.

2018-ICLI-00004 5659

Thanks,

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

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

Sent: Wednesday, November 29, 2017 2:08 PM

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

Subject: US Marshal

Here is everything I have on the agreement. You can call me at 843/602-(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) | Deputy Director of Detention

Horry County Sheriff's Office | J. Reuben Long Detention Center

4150 J. Reuben Long Avenue, Conway, South Carolina 29526

P: 843.915.(b)(6);(C) | F: 843.365.0348 | M: 843.602.(b)(6) | E: (b)(6);(b)(7)(C)

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To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Fri 2/9/2018 1:21:06 PM
Subject: Re: Horry County IGSA with ICE

Thanks.

Sent from my iPhone

On Feb 9, 2018, at 8:20 AM, (b)(6);(b)(7)(C) wrote:

Thanks (b)(6);(b)(7) I have elevated the request for consideration.

(b)(6);(b)(7)(C) FOD
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 08, 2018 10:56 AM
To: (b)(6);(b)(7)(C)
Subject: Horry County IGSA with ICE

Good morning.

Please see the attached request in reference to The Horry County Sheriff's Office entering into an IGSA with ICE.

If you should have any questions, please give me a call.

Thanks.

(b)(6);(b)(7)(C) | Director of Detention
Horry County Government
J. Reuben Long Detention
4150 J. Reuben Long Ave., Conway , South Carolina 29526
Tel: (843) 915-(b)(6);() Fax: (843) 915-6141 | Cell: (843) 241-(b)(6);()
Email: (b)(6);(b)(7)(C)
www.horrycounty.org

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To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Thur 3/15/2018 3:49:52 PM
Subject: RE: Horry County 287(g)

Yay, that is great news.

Thanks,

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:48 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

Just got a response. The IGSA request is pending with the USMS, asking that we be added as a rider onto their contract with Horry.

(b)(6);(b)(7)(C)
Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:23 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

One of those tables might be a little wide. I'll look and see if I can find something simple and inexpensive online. If not, I'll figure something out.

I hope they get the under 72 pushed through as it would take a ton of pressure off since those cases come in and go out quickly. It would make life a lot easier on everyone involved to include transport.

Thanks,

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

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 15, 2018 11:18 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Horry County 287(g)

I haven't seen any furniture around here, but I'll look. The only thing I can think of is a standard wooden table, like you'd have in a conference room for two people to sit at; we have those. If you find something inexpensive on Ability One or GSA Advantage I'm sure we can order it to fit your needs.

The IGSA issue is pending with ATL and/or HQ. I follow up every few weeks. Last month I sent ATL the official request from Horry that they needed. I just sent an inquiry to see if we can get a status update.

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

Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6);(b)(7)(C)

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

Sent: Thursday, March 15, 2018 10:55 AM

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

Subject: RE: Horry County 287(g)

Hi (b)(6);

I spoke with (b)(6);(b)(7)(C) about two weeks ago and we discussed the transition date. That works for me. I am working on getting some things together already and will be working with the one trained DIO next week and until we go online to help him stay up to speed.

Also, I was wondering if you have any spare furniture there as my office space only has a large filing cabinet (locking that belongs to ICE) and a desk. I am looking to get another long table of some sort to put my scanner, flat bed printer and regular printer on. I don't need anything bulky but, I was thinking maybe you guys had something I could use. Horry has only providing the very basics.

Also, is there any word on riding the USM contract for over 72 hours?

Thanks,

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

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

Sent: Thursday, March 15, 2018 10:43 AM

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

Subject: Horry County 287(g)

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

I'm not sure if you've heard, but the Horry Co. 287(g) program will officially start the week of April 29th. (b)(6);(b)(7)(C) was okay with you transitioning to Horry Co. as of April 16th. That will give you a couple of weeks to work with the DIOs on any issues, make sure the computers work properly, get things squared-away at the jail, etc. before the program starts rolling. It looks like Horry will just have three DIOs for a while. They'll probably replace (b)(6);(b)(7)(C) but it'll take a little time to get the replacement cleared and into a DIO class. Let me know if there are any issues with this or if you encounter any during the start-up of the program.

Thanks,

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

Assistant Field Office Director
ERO Charleston/Columbia
Atlanta Field Office
DHS / ICE / ERO
Office: 843-746-(b)(6);(b)(7)(C)

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

Sent: Thursday, March 15, 2018 10:22 AM

2018-ICLI-00004 5663

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

Subject: Horry County - Officer (b)(6),(b)(7)(C)

Good Morning,

Please remove (b)(6),(b)(7)(C) from IADP-802. He is no longer employed at J Rueben Long Detention Center.

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

287(g) Program Manager

Charleston County

Charleston, SC

Cell: 912 506 (b)(6)

To: Lynch, Jeffrey D [(b)(6);(b)(7)(C)]
From: [(b)(6);(b)(7)(C)]
Sent: Mon 12/18/2017 8:52:55 PM
Subject: RE: 287(g) Program Teller County, CO

Sir,

As soon as I have the Letter of Interest and Needs Assessment from the Sheriff, I will be requesting a FOD letter of support from you. Your assistance with this is very much appreciated.

Thanks,

[(b)(6);(b)(7)(C)]

From: [(b)(6);(b)(7)(C)]
Sent: Monday, December 18, 2017 3:51 PM
To: [(b)(6);(b)(7)(C)]
Cc: Lynch, Jeffrey D
Subject: 287(g) Program Teller County, CO

Good afternoon Sheriff Jason Mikesell,

Thank you for your interest in the 287(g) Program. The application process involves your agency sending a signed request letter on agency letterhead to ICE along with a completed Needs Assessment form. I have attached sample request letters as well as the Needs Assessment template. The request letter can be as lengthy or brief as you wish. Both of these documents can be emailed to me to initiate the process. A Program Advisory Board at ICE Headquarters in Washington, D.C. reviews each application and votes on its approval. Our next Program Advisory Board has not been scheduled but we expect to hold it mid-year 2018. Once the request is approved by the ICE Director, your agency will be asked to sign a Memorandum of Agreement (MOA) with ICE which delegates immigration authority and outlines the operation of the program. Copies of current active MOAs can be viewed at the following link: <https://www.ice.gov/factsheets/287g#signedMOA>

For implementation, once the MOA is signed ICE IT staff will conduct a site survey of your detention facility and begin installation of cabling and hardware (computer terminals, fingerprint machines, cameras, etc.) which are installed and paid for by ICE. Your agency would be responsible for providing space to accommodate a processing area. Officers who are identified as candidates to become Designated Immigration Officers will be vetted by the ICE security office which will authorize them to receive ICE training and access federal databases. Your officers will attend four weeks of initial training at the Federal Law Enforcement Training Center in Charleston, SC which will certify them to perform immigration enforcement functions within your detention facility. ICE will pay for the officers' travel to and return from Charleston as well as their lodging and meals on base. Your agency will be responsible for their salaries. They will also receive a minimal per diem from ICE (\$5 per day). Certified officers will attend a one week refresher training in Charleston every two years thereafter which is also funded by ICE.

When the program becomes operational, an ICE 287(g) Field Program Manager will be assigned to the program for oversight and to serve as a direct point of contact to your staff concerning any issues related to the program. An annual public steering committee is held where officials from ICE and your agency will have an open dialogue with questions and comments concerning the program.

Let me know if you have any other questions. Feel free to call me at the numbers below.

Very respectfully,

[(b)(6);(b)(7)(C)]

**287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-[(b)(6);(o)]
405-706-[(b)(7)(C)]c)**

To: Lynch, Jeffrey D [redacted]

[redacted]

Sent: Mon 12/18/2017 8:55:57 PM
Subject: RE: Colorado 287 (g) program

I already spoke with Sheriff Mikesell and have sent him the appropriate information. I think we are all good for now. As soon as I get the Needs Assessment and Letter of Interest from him I will be asking you for a FOD letter of support.

Thanks,

[redacted]

From: Lynch, Jeffrey D
Sent: Monday, December 18, 2017 3:55 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Colorado 287 (g) program

Cool. I was downstairs and out of cell range. I'm back in my office now.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: [redacted]
Sent: Monday, December 18, 2017 1:31 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Colorado 287 (g) program

Hello sir,

I would be glad to call him. I will call you in 5 to discuss...

Thanks,

[redacted]

From: Lynch, Jeffrey D
Sent: Monday, December 18, 2017 3:13 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Colorado 287 (g) program

Hi [redacted]

Sheriff Jason Mikesell, Teller County, Colorado, has had a chance to review the ICE 287(g) website and discuss the program with the county commissioners and would like to move forward with the program. Would you be able to give him a call? He has asked to be contacted on his direct line (cell phone) 719-640-[redacted]

Thanks very much,

Jeffrey D. Lynch

Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Monday, November 20, 2017 6:40 AM
To: Lynch, Jeffrey D
Cc: (b)(6);(b)(7)(C)
Subject: FW: Colorado 287 (g) program

Good morning sir,

(b)(6);(b)(7)(C) asked me to assist you. Please feel free to share my contact information with any agencies interested in the 287(g) program.

Let me know if I can be of any further assistance to you.

Very respectfully,

(b)(6);(b)(7)(C)
287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6);(b)(7)(C) (o)
405-706-(b)(7)(C) (c)

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From: Lynch, Jeffrey D
Sent: Thursday, November 16, 2017 5:04 PM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: Colorado 287 (g) program

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

I have a sheriff in Colorado that is interested in a detention model 287(g) MOU. I will be sending him the link to the ICE web page with the high-level program information. I imagine he will have follow up questions that are outside of my scope of expertise. Should I refer him to you, or do you have a preferred designee?

FYSA, the sheriff is:
Jason Mikesell
Teller County, CO

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111



U.S. Immigration
and Customs
Enforcement

March 26, 2018

MEMORANDUM FOR: Matthew Albence
Executive Associate Director
Washington, D. C.

FROM: Jeffrey Lynch 
Field Office Director
Denver Field Office

SUBJECT: Teller County Colorado Request for 287(g) Delegation of
Authority Program

On February 15, 2018, Teller County Sheriff Jason Mikesell submitted to the Denver Field Office Director a formal request to participate in the 287(g) Delegation of Authority Program. Sheriff Mikesell is very interested in working with ICE ERO as noted in the attached Needs Assessment application.

Sheriff Mikesell indicates the Teller County Jail average intake of foreign-born arrests per month is approximately 7 inmates. The top live (5) arrest charges for foreign-born individuals are: Driving Under the Influence (DUI), Underage Gaming, Drug Trafficking, Driving Under Suspension (drivers License) and Failure to Appear for same, Domestic Assault. Sheriff Mikesell has agreed to send Teller County Jail employees to the ICE Academy to be trained and certified under the program.

After carefully reviewing Sheriff Mikesell's request, I have determined that ERO Denver can support the Teller County Sheriff's Office participation in the 287(g) Program. ERO Denver will provide the required amount of oversight and supervision to ensure the success of this program.

A partnership with the Teller County Sheriff's Office will not only enhance the safety and security of the Teller County community, but will also contribute to the ICE's mission of protecting the homeland.

SHERIFF

Teller County



Jason Mikesell, Sheriff

February 15, 2018

Thomas Homan
Deputy Director
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Dear Deputy Director Homan:

As Sheriff of Teller County, Colorado, I am requesting the opportunity to participate in ICE's 287(g) Program. My office has completed the Needs Assessment form and looks forward to the opportunity to enhance our working relationship with ICE. As explained in the Needs Assessment, we have seen an increase in crime in our County, including organized criminal activity by out of state cartels and illegal aliens who are taking advantage of Colorado's recreational marijuana laws to operate sophisticated illegal grow operations. As Sheriff, I am committed to using every law enforcement tool available to keep our County safe, and acceptance into the 287(g) Program will help me in this effort.

Although the Teller County Sheriff's Office has been party to an Intergovernmental Services Agreement, Agreement No. ACD-O-H-146, since October 5, 2000, in recent years, our jail facility was not made available for use under this IGSA. Since I became the Teller County Sheriff in 2017, I have made a concerted effort to work with the Denver Field Office and appreciate the good working relationship we have with Jeffrey Lynch, the Denver Field Office Director. In the Fall of 2017, I made our jail facility available to assist ICE with its detention space needs. In addition, I recently made office space available for local ICE officers to use when they visit our facility to check on ICE detainees.

Since we already have an IGSA in place to house ICE detainees, we are well positioned to participate in the 287(g) Program. I am committed to sending two Deputy Sheriffs to ICE's 287(g) training classes at the ICE Academy and look forward to entering into a Memorandum of Agreement to participate with ICE in its enforcement efforts.

If you have any questions or would like to discuss this matter further, please contact me. My direct phone number is 719-3040-(b)(6).

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Mikesell".

Jason Mikesell
Sheriff, Teller County

Cc: Jeffrey Lynch, Denver Field Office Director



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

~~LAW ENFORCEMENT SENSITIVE~~

2018-ICLI-00004 5675



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name	(b)(7)(E)	<input type="checkbox"/>
Address		<input type="checkbox"/>
Address		<input type="checkbox"/>
City		<input type="checkbox"/>

Agency Type

2. Please select the option below that best describes your agency.

- Law Enforcement Agency
 Law Enforcement Agency operating a detention center
 Law Enforcement Agency managing a state correctional facility

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name	(b)(6);(b)(7)(C)		Last Name	(b)(6);(b)(7)(C)	
Title/Position					
Desk Phone			Mobile Phone		
Email					

4. Please enter a secondary POC's information (if needed).

First Name	(b)(6);(b)(7)(C)		Last Name	(b)(6);(b)(7)(C)	
Title/Position					
Desk Phone			Mobile Phone		
Email					

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?

(b)(7)(E)



6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements.

(b)(7)(E)

7. What is the name of the political entity that has oversight of your agency, if applicable? *The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).*

(b)(7)(E)

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity?

(b)(7)(E)

7b. If yes, does the political entity concur with the request?

8. Preliminary Terms & Conditions for participation in the 287(g) program?

- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.

Does your agency agree to these terms and conditions?

(b)(7)(E)

9. Please provide any additional information.

[Redacted area for additional information]

Relationship Information

Please describe the agency's operational relationship with ICE

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction?

(b)(7)(E)

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?

12. How many days per month does ICE ERO visit your facility to perform immigration duties?

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?

13a. If limited, please define the access allowed.

14. Does your agency accept immigration detainees?

14a. If yes, does your agency limit the conditions or type of immigration detainee accepted?

14b. Please define the limitations or types.

15. Is your agency a member of a task force of which ICE also participates?

15a. If yes, does ICE lead the task force?

15b. What is the task force type?



16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?

(b)(7)(E)

17. Does your agency have a transportation IGSA with ICE?

18. Please provide any additional information.

(b)(7)(E)

Intake Information

Please describe intake processes for new arrests or inmates.

19. How does your agency submit fingerprints?

(b)(7)(E)

19a. If both, provide the percentage breakdown. Ink Cards: % Electronically:

20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Chan

21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?

22. Does your agency identify all foreign-born nationals in custody?

23. On average, how many foreign-born arrests or inmates does your agency intake per month?

24. Does your agency use blind booking to identify information about criminal alien inmates?

25. Does your agency use NLETS to perform IAQ's?

25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS

26. On average, how many immigration detainers does ICE place on aliens within your custody per mo

27. Please provide any additional information.

[Redacted area]

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

- 1: (b)(7)(E)
- 2:
- 3:
- 4:
- 5:



Foreign-Born Gang Members

- 29. Has your agency experienced public safety issues relating to foreign-born gang members?
- 30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?
- 31. Please provide any additional information.

(b)(7)(E)

(b)(7)(E)

Information Sharing & Technology

- 32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?
 - 32a. If no, would your agency exchange information?
- 33. Does your agency allow ICE to access its proprietary information systems?
 - 33a. If no, would your agency allow access?
- 34. Should ICE and the LEA sign a 287(g) MOA. ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.
 - Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
 - The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
 - If required, the requesting LEA will be responsible for installing any additional cabling.
 - 34a. Does your agency understand these terms and conditions?

(b)(7)(E)

(b)(7)(E)

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative

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

Date 02/16/18

To: (b)(6);(b)(7)(C)
Cc:
From: Lynch, Jeffrey D
Sent: Thur 4/5/2018 1:31:58 PM
Subject: RE: 287(g)

Thanks (b)(6);(C)
Let me know and I will set something up.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 3, 2018 3:37 PM
To: Lynch, Jeffrey D <(b)(6);(b)(7)(C)>
Subject: RE: 287(g)

If that manager could meet with (b)(6);(b)(7)(C) as well I think it would be beneficial. Ill reach out and gauge their interest again and I'll get back to you.

(b)(6);(b)(7)(C)
AFOD
(720) 354-(b)(6);(C)
Sent with BlackBerry Work

From: Lynch, Jeffrey D <(b)(6);(b)(7)(C)>
Date: Tuesday, Apr 03, 2018, 3:16 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: 287(g)

I can have a program manager from DC come out also and explain the program if you think that would help.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 3, 2018 2:46 PM
To: Lynch, Jeffrey D <(b)(6);(b)(7)(C)>
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287(g)

I know the last time I spoke with Sheriff Reams he did not want and IGSA. While an IGSA with an accompanying 287g program would plug all holes in the transfer process I am not sure if he would go for it. I will reach out and see if he wants to have a sit down on Friday and discuss it if you want me to? Maybe (b)(6);(b)(C) can join the discussion and try to push it.

AFOD
(720) 354-(b)(6);(b)(7)(C)
Sent with BlackBerry Work

From: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Date: Tuesday, Apr 03, 2018, 2:18 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: 287(g)

Do you think (b)(6) would be interested in a 287(g) agreement with ICE? It would have to be in conjunction with an IGSA agreement. Is Yuma County interested?

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

To: Price, Corey A [(b)(6);(b)(7)(C)]
Cc: [(b)(6);(b)(7)(C)]
From: Lynch, Jeffrey D
Sent: Mon 4/2/2018 9:43:20 PM
Subject: FW: Colorado 287 (g) program
[Teller County 287g.pdf](#)

Corey,

This is the packet from Teller County, Colorado that is sitting with [(b)(6);(b)(7)(C)]. The sheriff is anxious to get started so if we can get it at least reviewed this fiscal year, he and I would be grateful.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: Lynch, Jeffrey D
Sent: Monday, March 26, 2018 11:45 AM
To: [(b)(6);(b)(7)(C)]
Subject: RE: Colorado 287 (g) program

Thanks [(b)(6);(b)(7)(C)]

See attached. If I need to get a signature from Matt Albence on my letter of support before your shop, let me know.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: [(b)(6);(b)(7)(C)]
Sent: Monday, March 26, 2018 11:15 AM
To: Lynch, Jeffrey D <[(b)(6);(b)(7)(C)]>
Subject: RE: Colorado 287 (g) program

You can send it to me and I will get them in the queue for the next Program Advisory Board meeting.

From: Lynch, Jeffrey D
Sent: Monday, March 26, 2018 1:11 PM
To: [(b)(6);(b)(7)(C)]
Subject: RE: Colorado 287 (g) program

Thanks again [(b)(6);(b)(7)(C)]

I will be submitting the competed 287(g) package shortly. Should the packet be submitted to you or the Unit Chief (still [(b)(6);(b)(7)(C)]) or someone else?

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement

Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 9:42 AM
To: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

Sir,

As discussed; attached are a couple of examples of the 287(g) FOD Support/Nonsupport Memo for your reference.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 10:16 AM
To: Lynch, Jeffrey D
Subject: RE: Colorado 287 (g) program

10-4. Nothing on our radar here sir.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 9:45 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

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

I was told by the Teller County Sheriff they had submitted a 287(g) request packet some time ago. I will follow up with him this morning to verify.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 6:54 AM
To: Lynch, Jeffrey D
Subject: RE: Colorado 287 (g) program

Good morning sir,

I am just following up on 287(g) interest in your AOR. I do not believe we ever heard anything back from any LEAs yet. When convenient would you please provide an update of your prospects?

Thanks,

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

2018-ICLI-00004 5684

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

Sent: Monday, November 20, 2017 10:07 AM

To: Lynch, Jeffrey D

Subject: RE: Colorado 287 (g) program

No worries sir, It is my pleasure.

For your convenience, below is a copy/paste of what we typically send to sheriffs/administrators who express interest.

Thank you for your interest in the 287(g) Program. The application process involves your agency sending a signed request letter on agency letterhead to ICE along with a completed Needs Assessment form. Attached are sample request letters as well as the Needs Assessment template. The request letter can be as lengthy or brief as you wish. Both of these documents can be emailed to me to initiate the process. A Program Advisory Board at ICE Headquarters in Washington, D.C. reviews each application and then the Director makes the final decision. Our next Program Advisory Board has not been scheduled but we expect to hold one near midyear 2018. Once the request is approved by the ICE Director, your agency will be asked to sign a Memorandum of Agreement (MOA) with ICE which delegates immigration authority and outlines the operation of the program. Copies of current active MOAs can be viewed at the following link: <https://www.ice.gov/factsheets/287g#signedMOA>

For implementation, once the MOA is signed ICE IT staff will conduct a site survey of your detention facility and begin installation of cabling and hardware (computer terminals, fingerprint machines, cameras, etc.) which are installed and paid for by ICE. Your agency would be responsible for providing space to accommodate a processing area. Officers who are identified as candidates to become Designated Immigration Officers will be vetted by the ICE security office which will authorize them to receive ICE training and access federal databases. Your officers will attend four weeks of initial training at the Federal Law Enforcement Training Center in Charleston, SC which will certify them to perform immigration enforcement functions within your detention facility. ICE will pay for the officers' travel to and return from Charleston as well as their lodging and meals on base. Your agency will be responsible for their salaries. They will also receive a minimal per diem from ICE (I believe \$5 per day). Certified officers will attend a one week refresher training in Charleston every two years thereafter which is also funded by ICE.

When the program becomes operational, an ICE 287(g) Field Program Manager will be assigned to the program for oversight and to serve as a direct point of contact to your staff concerning any issues related to the program. An annual public steering committee is held where officials from ICE and your agency will allow questions and comments from the public concerning the program.

Let me know if you have any other questions. Feel free to call me at the numbers below.

I hope this helps you out a bit.

Thanks,

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

From: Lynch, Jeffrey D

Sent: Monday, November 20, 2017 9:21 AM

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

Cc:

Subject: RE: Colorado 287 (g) program

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

I now have two in Colorado that have expressed an interest. I plan on meeting with them both to discuss the program in the near future and will keep you posted.

Jeffrey D. Lynch

Field Office Director

Denver Field Office

Immigration and Customs Enforcement

Enforcement and Removal Operations

2018-ICLI-00004 5685

12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Monday, November 20, 2017 6:40 AM
To: Lynch, Jeffrey D
Cc: (b)(6);(b)(7)(C)
Subject: FW: Colorado 287 (g) program

Good morning sir,

(b)(6);(b)(7)(C) asked me to assist you. Please feel free to share my contact information with any agencies interested in the 287(g) program.

Let me know if I can be of any further assistance to you.

Very respectfully,

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

**287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6);(b)(7)(C) (o)
405-706-(b)(6);(b)(7)(C) (c)**

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From: Lynch, Jeffrey D
Sent: Thursday, November 16, 2017 5:04 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Colorado 287 (g) program

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

I have a sheriff in Colorado that is interested in a detention model 287(g) MOU. I will be sending him the link to the ICE web page with the high-level program information. I imagine he will have follow up questions that are outside of my scope of expertise. Should I refer him to you or do you have a preferred designee?

FYSA, the sheriff is:
Jason Mikesell
Teller County, CO

**Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111**



U.S. Immigration
and Customs
Enforcement

March 26, 2018

MEMORANDUM FOR: Matthew Albence
Executive Associate Director
Washington, D. C.

FROM: Jeffrey Lynch 
Field Office Director
Denver Field Office

SUBJECT: Teller County Colorado Request for 287(g) Delegation of
Authority Program

On February 15, 2018, Teller County Sheriff Jason Mikesell submitted to the Denver Field Office Director a formal request to participate in the 287(g) Delegation of Authority Program. Sheriff Mikesell is very interested in working with ICE ERO as noted in the attached Needs Assessment application.

Sheriff Mikesell indicates the Teller County Jail average intake of foreign-born arrests per month is approximately 7 inmates. The top live (5) arrest charges for foreign-born individuals are: Driving Under the Influence (DUI), Underage Gaming, Drug Trafficking, Driving Under Suspension (drivers License) and Failure to Appear for same, Domestic Assault. Sheriff Mikesell has agreed to send Teller County Jail employees to the ICE Academy to be trained and certified under the program.

After carefully reviewing Sheriff Mikesell's request, I have determined that ERO Denver can support the Teller County Sheriff's Office participation in the 287(g) Program. ERO Denver will provide the required amount of oversight and supervision to ensure the success of this program.

A partnership with the Teller County Sheriff's Office will not only enhance the safety and security of the Teller County community, but will also contribute to the ICE's mission of protecting the homeland.

SHERIFF

Teller County



Jason Mikesell, Sheriff

February 15, 2018

Thomas Homan
Deputy Director
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Dear Deputy Director Homan:

As Sheriff of Teller County, Colorado, I am requesting the opportunity to participate in ICE's 287(g) Program. My office has completed the Needs Assessment form and looks forward to the opportunity to enhance our working relationship with ICE. As explained in the Needs Assessment, we have seen an increase in crime in our County, including organized criminal activity by out of state cartels and illegal aliens who are taking advantage of Colorado's recreational marijuana laws to operate sophisticated illegal grow operations. As Sheriff, I am committed to using every law enforcement tool available to keep our County safe, and acceptance into the 287(g) Program will help me in this effort.

Although the Teller County Sheriff's Office has been party to an Intergovernmental Services Agreement, Agreement No. ACD-O-H-146, since October 5, 2000, in recent years, our jail facility was not made available for use under this IGSA. Since I became the Teller County Sheriff in 2017, I have made a concerted effort to work with the Denver Field Office and appreciate the good working relationship we have with Jeffrey Lynch, the Denver Field Office Director. In the Fall of 2017, I made our jail facility available to assist ICE with its detention space needs. In addition, I recently made office space available for local ICE officers to use when they visit our facility to check on ICE detainees.

Since we already have an IGSA in place to house ICE detainees, we are well positioned to participate in the 287(g) Program. I am committed to sending two Deputy Sheriffs to ICE's 287(g) training classes at the ICE Academy and look forward to entering into a Memorandum of Agreement to participate with ICE in its enforcement efforts.

If you have any questions or would like to discuss this matter further, please contact me. My direct phone number is 719-3040-(b)(6);(b)(7)(C)

Sincerely,

Jason Mikesell
Sheriff, Teller County

Cc: Jeffrey Lynch, Denver Field Office Director



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

~~LAWF ENFORCEMENT SENSITIVE~~

2018-ICLI-00004 5689



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name	(b)(7)(E)
Address	
Address	
City	

Agency Type

2. Please select the option below that best describes your agency.

- Law Enforcement Agency
 Law Enforcement Agency operating a detention center
 Law Enforcement Agency managing a state correctional facility

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name	(b)(6);(b)(7)(C)	Last Name	(b)(6);(b)(7)(C)
Title/Position			
Desk Phone		Mobile Phone	
Email			

4. Please enter a secondary POC's information (if needed).

First Name	(b)(6);(b)(7)(C)	Last Name	(b)(6);(b)(7)(C)
Title/Position			
Desk Phone		Mobile Phone	
Email			

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?

(b)(7)(E)



- 6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements. (b)(7)(E)
- 7. What is the name of the political entity that has oversight of your agency, if applicable?
The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).

(b)(7)(E)

- 7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity? (b)(7)(E)
- 7b. If yes, does the political entity concur with the request?

- 8. Preliminary Terms & Conditions for participation in the 287(g) program?
 - Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
 - Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
 - ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
 - Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
 - The agency must provide an office for the ICE supervisory officer.
 Does your agency agree to these terms and conditions? (b)(7)(E)

9. Please provide any additional information.

Relationship Information *Please describe the agency's operational relationship with ICE*

- 10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction? (b)(7)(E)
- 11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?
- 12. How many days per month does ICE ERO visit your facility to perform immigration duties?
- 13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?
 - 13a. If limited, please define the access allowed.
- 14. Does your agency accept immigration detainees?
 - 14a. If yes, does your agency limit the conditions or type of immigration detainee accepted?
 - 14b. Please define the limitations or types.
- 15. Is your agency a member of a task force of which ICE also participates?
 - 15a. If yes, does ICE lead the task force?
 - 15b. What is the task force type?



16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?

(b)(7)(E)

17. Does your agency have a transportation IGSA with ICE?

18. Please provide any additional information.

(b)(7)(E)

Intake Information

Please describe intake processes for new arrests or inmates.

19. How does your agency submit fingerprints?

(b)(7)(E)

19a. If both, provide the percentage breakdown. Ink Cards: % Electronically:

20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channel?

21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?

22. Does your agency identify all foreign-born nationals in custody?

23. On average, how many foreign-born arrests or inmates does your agency intake per month?

24. Does your agency use blind booking to identify information about criminal alien inmates?

25. Does your agency use NLETS to perform IAQ's?

25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS?

26. On average, how many immigration detainers does ICE place on aliens within your custody per month?

27. Please provide any additional information.

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

1: (b)(7)(E)

2:

3:

4:

5:



Foreign-Born Gang Members

- 29. Has your agency experienced public safety issues relating to foreign-born gang members?
- 30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?
- 31. Please provide any additional information.

(b)(7)(E)

(b)(7)(E)

Information Sharing & Technology

- 32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?
 - 32a. If no, would your agency exchange information?
- 33. Does your agency allow ICE to access its proprietary information systems?
 - 33a. If no, would your agency allow access?
- 34. Should ICE and the LEA sign a 287(g) MOA. ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.
 - Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
 - The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
 - If required, the requesting LEA will be responsible for installing any additional cabling.
- 34a. Does your agency understand these terms and conditions?

(b)(7)(E)

(b)(7)(E)

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative

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

Date 02/16/18

To: (b)(6);(b)(7)(C)
Cc:
From: Lynch, Jeffrey D
Sent: Tue 5/8/2018 2:18:40 PM
Subject: RE: Yuma County

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

The pilot program initiated in Florida has not been expanded to other jurisdictions; there is no projected date for expansion. Have you contacted (b)(6);(b)(7)(C), or any other jurisdiction to gauge their interest in the 287(g) program? If you have multiple jurisdictions, to include county commissioners or attorneys, I can ask a 287(g) program manager to come to Colorado with a presentation and answer questions.

In the interim, share the ICE web page with Sheriff Day so he has as much information as possible for now. He can certainly contact Teller County Sheriff Jason Mikesell for info as well. If he confirms the interest, I can reach out to HQ to see if we can start the IGSA process now and put them on the list for 287(g) training when it becomes available. Keep in mind that a board will review the 287(g) application to ascertain if it is worth having the program in that, or any county.

You are welcome to contact the PM, (b)(6);(b)(7)(C) whenever you like to get information, too.

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

287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6);(o)
405-706-(b)(7)(c)

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 8, 2018 7:59 AM
To: (b)(6);(b)(7)(C)
Cc: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: RE: Yuma County

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

The FOD has the information for the 287g program, he provided the same to Teller County for their application into the program. I don't know if we want to move forward on the IGSA portion until we get the 287g portion going, Jeff?

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 8, 2018 7:38 AM
To: (b)(6);(b)(7)(C)
Cc: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: Yuma County

Undersheriff (b)(6);(c) contacted me last night and stated Sheriff Day would like to participate in an under 72 hour capacity and have the 287g jail program established so we don't have issues with "virtual arrests".

Do we know if the new programs being tested in Florida have had any success and if they can be implemented here with willing

partners? If not, what do we need to do to get the under 72 hour and 287g program going?

Thanks,

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

**Assistant Field Office Director
Northern Colorado and Wyoming
Denver Field Office
Immigration and Customs Enforcement**

3770 Puritan Way, Unit J
Frederick, CO 80516

(W) (303) 833-(b)(6);(b)(7)(C)
(C) (720) 354-(b)(6);(b)(7)(C)
(F) (303) 833-7044



To: Lynch, Jeffrey D (b)(6);(b)(7)(C)

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

Sent: Mon 12/18/2017 8:55:57 PM
Subject: RE: Colorado 287 (g) program

I already spoke with Sheriff Mikesell and have sent him the appropriate information. I think we are all good for now. As soon as I get the Needs Assessment and Letter of Interest from him I will be asking you for a FOD letter of support.

Thanks,

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

From: Lynch, Jeffrey D
Sent: Monday, December 18, 2017 3:55 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

Cool. I was downstairs and out of cell range. I'm back in my office now.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Monday, December 18, 2017 1:31 PM
To: Lynch, Jeffrey D
Cc: (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

Hello sir,

I would be glad to call him. I will call you in 5 to discuss...

Thanks,

Shane Lovett

From: Lynch, Jeffrey D
Sent: Monday, December 18, 2017 3:13 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

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

Sheriff Jason Mikesell, Teller County, Colorado, has had a chance to review the ICE 287(g) website and discuss the program with the county commissioners and would like to move forward with the program. Would you be able to give him a call? He has asked to be contacted on his direct line (cell phone) 719-640-(b)(6);(b)(7)(C)

Thanks very much,

Jeffrey D. Lynch

2018-ICLI-00004 5697

Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Monday, November 20, 2017 6:40 AM
To: Lynch, Jeffrey D
Cc: (b)(6);(b)(7)(C)
Subject: FW: Colorado 287 (g) program

Good morning sir,

(b)(6);(b)(7)(C) asked me to assist you. Please feel free to share my contact information with any agencies interested in the 287(g) program.

Let me know if I can be of any further assistance to you.

Very respectfully,

(b)(6);(b)(7)(C)
287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6);(o)
405-706-(b)(7)(c)

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From: Lynch, Jeffrey D
Sent: Thursday, November 16, 2017 5:04 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Colorado 287 (g) program

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

I have a sheriff in Colorado that is interested in a detention model 287(g) MOU. I will be sending him the link to the ICE web page with the high-level program information. I imagine he will have follow up questions that are outside of my scope of expertise. Should I refer him to you or do you have a preferred designee?

FYSA, the sheriff is:
Jason Mikesell
Teller County, CO

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

To: Lynch, Jeffrey D (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Mon 12/18/2017 8:52:55 PM
Subject: RE: 287(g) Program Teller County, CO

Sir,

As soon as I have the Letter of Interest and Needs Assessment from the Sheriff, I will be requesting a FOD letter of support from you. Your assistance with this is very much appreciated.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Monday, December 18, 2017 3:51 PM
To: (b)(6);(b)(7)(C)
Cc: Lynch, Jeffrey D
Subject: 287(g) Program Teller County, CO

Good afternoon Sheriff Jason Mikesell,

Thank you for your interest in the 287(g) Program. The application process involves your agency sending a signed request letter on agency letterhead to ICE along with a completed Needs Assessment form. I have attached sample request letters as well as the Needs Assessment template. The request letter can be as lengthy or brief as you wish. Both of these documents can be emailed to me to initiate the process. A Program Advisory Board at ICE Headquarters in Washington, D.C. reviews each application and votes on its approval. Our next Program Advisory Board has not been scheduled but we expect to hold it mid-year 2018. Once the request is approved by the ICE Director, your agency will be asked to sign a Memorandum of Agreement (MOA) with ICE which delegates immigration authority and outlines the operation of the program. Copies of current active MOAs can be viewed at the following link: <https://www.ice.gov/factsheets/287g#signedMOA>

For implementation, once the MOA is signed ICE IT staff will conduct a site survey of your detention facility and begin installation of cabling and hardware (computer terminals, fingerprint machines, cameras, etc.) which are installed and paid for by ICE. Your agency would be responsible for providing space to accommodate a processing area. Officers who are identified as candidates to become Designated Immigration Officers will be vetted by the ICE security office which will authorize them to receive ICE training and access federal databases. Your officers will attend four weeks of initial training at the Federal Law Enforcement Training Center in Charleston, SC which will certify them to perform immigration enforcement functions within your detention facility. ICE will pay for the officers' travel to and return from Charleston as well as their lodging and meals on base. Your agency will be responsible for their salaries. They will also receive a minimal per diem from ICE (\$5 per day). Certified officers will attend a one week refresher training in Charleston every two years thereafter which is also funded by ICE.

When the program becomes operational, an ICE 287(g) Field Program Manager will be assigned to the program for oversight and to serve as a direct point of contact to your staff concerning any issues related to the program. An annual public steering committee is held where officials from ICE and your agency will have an open dialogue with questions and comments concerning the program.

Let me know if you have any other questions. Feel free to call me at the numbers below.

Very respectfully,

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

287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6);(o)
405-706-(b)(7)(c)

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2018-ICLI-00004 5699

To: Price, Corey A [(b)(6);(b)(7)(C)]
Cc: [(b)(6);(b)(7)(C)]
From: Lynch, Jeffrey D
Sent: Mon 4/2/2018 9:43:20 PM
Subject: FW: Colorado 287 (g) program
[Teller County 287g.pdf](#)

Corey,

This is the packet from Teller County, Colorado that is sitting with [(b)(6);(b)(7)(C)]. The sheriff is anxious to get started so if we can get it at least reviewed this fiscal year, he and I would be grateful.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: Lynch, Jeffrey D
Sent: Monday, March 26, 2018 11:45 AM
To: [(b)(6);(b)(7)(C)]
Subject: RE: Colorado 287 (g) program

Thanks [(b)(6);(b)(7)(C)]

See attached. If I need to get a signature from Matt Albence on my letter of support before your shop, let me know.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: [(b)(6);(b)(7)(C)]
Sent: Monday, March 26, 2018 11:15 AM
To: Lynch, Jeffrey D [(b)(6);(b)(7)(C)]
Subject: RE: Colorado 287 (g) program

You can send it to me and I will get them in the queue for the next Program Advisory Board meeting.

From: Lynch, Jeffrey D
Sent: Monday, March 26, 2018 1:11 PM
To: [(b)(6);(b)(7)(C)]
Subject: RE: Colorado 287 (g) program

Thanks again [(b)(6);(b)(7)(C)]

I will be submitting the competed 287(g) package shortly. Should the packet be submitted to you or the Unit Chief (still [(b)(6);(b)(7)(C)] or someone else?

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement

Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 9:42 AM
To: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

Sir,

As discussed; attached are a couple of examples of the 287(g) FOD Support/Nonsupport Memo for your reference.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 10:16 AM
To: Lynch, Jeffrey D
Subject: RE: Colorado 287 (g) program

10-4. Nothing on our radar here sir.

Thanks,

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

From: Lynch, Jeffrey D
Sent: Friday, March 23, 2018 9:45 AM
To: (b)(6);(b)(7)(C)
Subject: RE: Colorado 287 (g) program

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

I was told by the Teller County Sheriff they had submitted a 287(g) request packet some time ago. I will follow up with him this morning to verify.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Friday, March 23, 2018 6:54 AM
To: Lynch, Jeffrey D
Subject: RE: Colorado 287 (g) program

Good morning sir,

I am just following up on 287(g) interest in your AOR. I do not believe we ever heard anything back from any LEAs yet. When convenient would you please provide an update of your prospects?

Thanks,

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

2018-ICLI-00004 5701

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

Sent: Monday, November 20, 2017 10:07 AM

To: Lynch, Jeffrey D

Subject: RE: Colorado 287 (g) program

No worries sir, It is my pleasure.

For your convenience, below is a copy/paste of what we typically send to sheriffs/administrators who express interest.

Thank you for your interest in the 287(g) Program. The application process involves your agency sending a signed request letter on agency letterhead to ICE along with a completed Needs Assessment form. Attached are sample request letters as well as the Needs Assessment template. The request letter can be as lengthy or brief as you wish. Both of these documents can be emailed to me to initiate the process. A Program Advisory Board at ICE Headquarters in Washington, D.C. reviews each application and then the Director makes the final decision. Our next Program Advisory Board has not been scheduled but we expect to hold one near midyear 2018. Once the request is approved by the ICE Director, your agency will be asked to sign a Memorandum of Agreement (MOA) with ICE which delegates immigration authority and outlines the operation of the program. Copies of current active MOAs can be viewed at the following link: <https://www.ice.gov/factsheets/287g#signedMOA>

For implementation, once the MOA is signed ICE IT staff will conduct a site survey of your detention facility and begin installation of cabling and hardware (computer terminals, fingerprint machines, cameras, etc.) which are installed and paid for by ICE. Your agency would be responsible for providing space to accommodate a processing area. Officers who are identified as candidates to become Designated Immigration Officers will be vetted by the ICE security office which will authorize them to receive ICE training and access federal databases. Your officers will attend four weeks of initial training at the Federal Law Enforcement Training Center in Charleston, SC which will certify them to perform immigration enforcement functions within your detention facility. ICE will pay for the officers' travel to and return from Charleston as well as their lodging and meals on base. Your agency will be responsible for their salaries. They will also receive a minimal per diem from ICE (I believe \$5 per day). Certified officers will attend a one week refresher training in Charleston every two years thereafter which is also funded by ICE.

When the program becomes operational, an ICE 287(g) Field Program Manager will be assigned to the program for oversight and to serve as a direct point of contact to your staff concerning any issues related to the program. An annual public steering committee is held where officials from ICE and your agency will allow questions and comments from the public concerning the program.

Let me know if you have any other questions. Feel free to call me at the numbers below.

I hope this helps you out a bit.

Thanks,

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

From: Lynch, Jeffrey D

Sent: Monday, November 20, 2017 9:21 AM

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

Cc:

Subject: RE: Colorado 287 (g) program

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

I now have two in Colorado that have expressed an interest. I plan on meeting with them both to discuss the program in the near future and will keep you posted.

Jeffrey D. Lynch

Field Office Director

Denver Field Office

Immigration and Customs Enforcement

Enforcement and Removal Operations

2018-ICLI-00004 5702

12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Monday, November 20, 2017 6:40 AM
To: Lynch, Jeffrey D
Cc: (b)(6);(b)(7)(C)
Subject: FW: Colorado 287 (g) program

Good morning sir,

(b)(6);(b)(7)(C) asked me to assist you. Please feel free to share my contact information with any agencies interested in the 287(g) program.

Let me know if I can be of any further assistance to you.

Very respectfully,

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

287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-(b)(6);(o)
405-706-(b)(7)(c)

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From: Lynch, Jeffrey D
Sent: Thursday, November 16, 2017 5:04 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: Colorado 287 (g) program

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

I have a sheriff in Colorado that is interested in a detention model 287(g) MOU. I will be sending him the link to the ICE web page with the high-level program information. I imagine he will have follow up questions that are outside of my scope of expertise. Should I refer him to you or do you have a preferred designee?

FYSA, the sheriff is:
Jason Mikesell
Teller County, CO

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

To: (b)(6);(b)(7)(C)
Cc:
From: Lynch, Jeffrey D
Sent: Tue 5/8/2018 2:18:40 PM
Subject: RE: Yuma County

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

The pilot program initiated in Florida has not been expanded to other jurisdictions; there is no projected date for expansion. Have you contacted (b)(6);(b)(7)(C), or any other jurisdiction to gauge their interest in the 287(g) program? If you have multiple jurisdictions, to include county commissioners or attorneys, I can ask a 287(g) program manager to come to Colorado with a presentation and answer questions.

In the interim, share the ICE web page with Sheriff Day so he has as much information as possible for now. He can certainly contact Teller County Sheriff Jason Mikesell for info as well. If he confirms the interest, I can reach out to HQ to see if we can start the IGSA process now and put them on the list for 287(g) training when it becomes available. Keep in mind that a board will review the 287(g) application to ascertain if it is worth having the program in that, or any county.

You are welcome to contact the PM, (b)(6);(b)(7)(C) whenever you like to get information, too.
(b)(6);(b)(7)(C)

287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ
202-732-5456 (o)
405-706-6737 (c)

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 8, 2018 7:59 AM
To: (b)(6);(b)(7)(C)
Cc: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: RE: Yuma County

(b)(6);(b)

The FOD has the information for the 287g program, he provided the same to Teller County for their application into the program. I don't know if we want to move forward on the IGSA portion until we get the 287g portion going, Jeff?

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 8, 2018 7:38 AM
To: (b)(6);(b)(7)(C)
Cc: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: Yuma County

Undersheriff (b)(6);(b)(7)(C) contacted me last night and stated Sheriff Day would like to participate in an under 72 hour capacity and have the 287g jail program established so we don't have issues with "virtual arrests".

Do we know if the new programs being tested in Florida have had any success and if they can be implemented here with willing

partners? If not, what do we need to do to get the under 72 hour and 287g program going?

Thanks,

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

**Assistant Field Office Director
Northern Colorado and Wyoming
Denver Field Office
Immigration and Customs Enforcement**

3770 Puritan Way, Unit J

Frederick, CO 80516

(W) (303) 833- (b)(6);(b)(7)(C)

(C) (720) 354-6

(F) (303) 833-7044



To: (b)(6);(b)(7)(C)
Cc:
From: Lynch, Jeffrey D
Sent: Thur 4/5/2018 1:31:58 PM
Subject: RE: 287(g)

Thanks (b)(6);(C)

Let me know and I will set something up.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 3, 2018 3:37 PM
To: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Subject: RE: 287(g)

If that manager could meet with (b)(6);(b)(7)(C) as well I think it would be beneficial. Ill reach out and gauge their interest again and I'll get back to you.

(b)(6);(b)(7)(C)
AFOD
(720) 354 (b)(6);(b)
Sent with BlackBerry Work

From: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Date: Tuesday, Apr 03, 2018, 3:16 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: 287(g)

I can have a program manager from DC come out also and explain the program if you think that would help.

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 3, 2018 2:46 PM
To: Lynch, Jeffrey D (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287(g)

I know the last time I spoke with Sheriff Reams he did not want and IGSA. While an IGSA with an accompanying 287g program would plug all holes in the transfer process I am not sure if he would go for it. I will reach out and see if he wants to have a sit down on Friday and discuss it if you want me to? Maybe (b)(6);(b)(7)(C) can join the discussion and try to push it.

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

AFOD
(720) 354-[REDACTED]
Sent with BlackBerry Work

From: Lynch, Jeffrey D <[REDACTED]>

Date: Tuesday, Apr 03, 2018, 2:18 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: 287(g)

Do you think Weld would be interested in a 287(g) agreement with ICE? It would have to be in conjunction with an IGSA agreement. Is Yuma County interested?

Jeffrey D. Lynch
Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement and Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6),(b)(7)(C)
To: (b)(6),(b)(7)(C)
Subject: RE: ICE 287g program
Date: Wednesday, February 28, 2018 1:23:22 PM

Lets Use 406-447-(b)(6);(b)(7)(C)
Thanks

From: (b)(6),(b)(7)(C)
Sent: Wednesday, February 28, 2018 1:36 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: FW: ICE 287g program
Importance: High

Hello (b)(6);

Please let me know the number I need to call.

I have asked the supervisor in our (b)(6);(b)(7)(C) office (b)(6),(b)(7)(C) if he would like to join the call.

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

From: (b)(6),(b)(7)(C)
Sent: Friday, February 23, 2018 3:55 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: ICE 287g program

ok

From: (b)(6),(b)(7)(C)
Sent: Friday, February 23, 2018 3:54 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: ICE 287g program

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

(b)(6);(b)(7)(C) and I will decide where we are going to be located and then send you the number or we can call you. Either way works,

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

From: (b)(6),(b)(7)(C)
Sent: Friday, February 23, 2018 4:52 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: ICE 287g program

Yes, thank you

From: (b)(6);(b)(7)(C)
Sent: Friday, February 23, 2018 3:51 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g program

Ok, So how about Wednesday at 2pm your time, which is 3pm our time.
Does that work?

(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Friday, February 23, 2018 4:40 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g program

Hello (b)(6)

Would it be possible to have the call in the afternoon? Sometime after 12:30 (PST)?

I have appointments in the morning on Monday, Tuesday, Wednesday and Friday next week and am not available on Thursday.

If not, I can request to reschedule my Tuesday morning appointment.

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

From: (b)(6);(b)(7)(C)
Sent: Friday, February 23, 2018 3:26 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g program

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

Let me grab the Patrol Captain and we can conference call with you next week. How does next Tuesday the 27th at 0900 hours (MST) sound to you?

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 22, 2018 2:36 PM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287g program

Hello (b)(6),

I am following up to see if you would still like to meet.

If you would like me to come up for a meeting, I don't have anything scheduled for the week of March 26th right now.

Also, I will not be available between March 7th and March 23rd.

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, January 31, 2018 7:24 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g program

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

Sorry for the delayed response. I was at a medical appointment yesterday afternoon.

Yes, there are two different models. The Jail Enforcement Model for detention facilities and the Task Force Model for patrol.

I work with the jail model. The task force model is with USBP.

Let me know when you would like to conference call.

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 30, 2018 4:06 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g program

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

I need to run my wife to Salt Lake City for a doctors appointment during that week. Unfortunately their doctors are a ton better than our local ones.

I am kinda thinking maybe you and I can visit on a conference call with our Patrol Captain. If I read the information correctly on the website, there is stuff there for Patrol as well as Detention. Is that correct?

Thoughts on that?

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 30, 2018 3:01 PM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287g program

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

Would you be available for a meeting on February 5th, 6th or 7th?

Please let me know.

Thanks,

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

Sent with BlackBerry Work (www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Wednesday, Jan 24, 2018, 20:21
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g program

Hello (b)(6);(b)

Let me check if I can get travel funding approved. If I can I'll see if I can come up in February.

(b)(6);(b)

Sent with BlackBerry Work (www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Wednesday, Jan 24, 2018, 20:18
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g program

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

Any chance you are coming to Montana? It would be good to visit with the Patrol Captain as well.

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, January 24, 2018 4:14:16 PM
To: (b)(6);(b)(7)(C)
Subject: ICE 287g program

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

I am following up to see if Lewis and Clark County has had a chance to review/consider ICE's 287g program?

Please let me know if you have any question or would like to schedule a meeting.

Thanks,

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

(b)(6),(b)(7)(C) 287g FPM

Salt Lake City Filed Office

Las Vegas ICE/ERO

702-388-(b)(6),(b)(7)(C) office

702-349-(b)(6),(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: RE: ICE's 287g program
Date: Wednesday, April 18, 2018 6:12:20 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Yes Sir. Will do (b)(6);(b)(7)(C)

Thank you,

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

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

Deputy Chief
Department of Public Safety | Detention Operations
702-229-7029 (b)(6);(b)(7)(C) 702-296-7029 (b)(6);(b)(7)(C)
3300 Stewart Ave | Las Vegas, NV 89101



lasvegasnevada.gov



From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 18, 2018 3:21 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE's 287g program

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

Thank you for getting back to me.

If in the future there is a change and DPS would like to participate in the 287g program, please contact me.

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

(b)(6);(b)(7)(C) 287g FPM
Salt Lake City Field Office
Las Vegas ICE/ERO
702-388-(b)(6);(b)(7)(C) office
702-349-(b)(6);(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 18, 2018 1:12 PM
To: (b)(6);(b)(7)(C)

Subject: RE: ICE's 287g program

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

My apologies for not responding sooner Sir, I have had the opportunity to review the 287g program and unfortunately DPS will not be able to participate due to a lack of staffing.

Again my apologies for not responding sooner.

Sincerely,

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

Deputy Chief
Department of Public Safety | Detention Operations
702-229-(b)(6);(b)(7)(C) 702-296-(b)(6);(b)(7)(C)
3300 Stewart Ave | Las Vegas, NV 89101



lasvegasnevada.gov



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

Sent: Monday, April 02, 2018 2:20 PM

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

Subject: FW: ICE's 287g program

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

Just following up to see if you have had a chance to review/consider the 287g program or if you have any questions.

Please let me know.

Thanks,

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

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

Sent: Wednesday, February 7, 2018 6:31 PM

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

Subject: RE: ICE's 287g program

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

Would you be available sometime next week?

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

(b)(6),(b)(7)(C) 287g FPM

Salt Lake City Field Office

Las Vegas ICE/ERO

702-388-(b)(6),(b)(7)(C) office

702-349-(b)(6),(b)(7)(C) cell

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

Sent: Wednesday, February 7, 2018 6:05 PM

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

Subject: FW: ICE's 287g program

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

Let's touch basis and discuss the 287g to help me better understand our participation please. Let me know what will be a good time for us to discuss this.

Thanks Sir.

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

Deputy Chief

Department of Public Safety | Detention Operations

702-229-(b)(6),(b)(7)(C) 702-296-(b)(6)

3300 Stewart Ave | Las Vegas, NV 89101



lasvegasnevada.gov



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

Sent: Tuesday, February 06, 2018 4:06 PM

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

Subject: FW: ICE's 287g program

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

Deputy Chief

Department of Public Safety/Field Services

702-229-(b)(6),(b)(7)(C) 702-210-(b)(6)

3300 Stewart Ave | Las Vegas, NV 89101



lasvegasnevada.gov



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

Sent: Tuesday, February 06, 2018 4:06 PM

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

Subject: RE: ICE's 287g program

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

I hope that things are well with you. I was reassigned in July and am no longer over the jail. I will forward your email and contact information to (b)(6);(b)(7)(C) who is now over the Detention Center.

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

Deputy Chief
Department of Public Safety/Field Services
~~702-229-(b)(6);(b)(7)(C)~~ 702-210-(b)(6);(b)(7)(C)
3300 Stewart Ave | Las Vegas, NV 89101



lasvegasnevada.gov



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

Sent: Tuesday, February 06, 2018 11:34 AM

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

Subject: ICE's 287g program

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

I hope your agreement with NLV has been worked out.

There are currently 59 active 287g partnerships in 17 states and I am inquiring if the City Jail would be interested in participating in the 287g program.

Please let me know.

Thank you,

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

(b)(6);(b)(7)(C) 287g FPM
Salt Lake City Field Office
Las Vegas ICE/ERO
702-388-(b)(6);(b)(7)(C) office

From: (b)(6);(b)(7)(C)
To:
Subject: RE: Response
Date: Monday, April 9, 2018 11:48:59 AM

Thank you

Sent with BlackBerry Work (www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Monday, Apr 09, 2018, 12:46
To: (b)(6);(b)(7)(C)
Subject: Response

Twin Falls County Sheriff's Office is not interested in the ICE's 287(g) program

(b)(6);(b)(7)(C)
Twin Falls County Sheriff's Office
PO Box 146
Twin Falls ID 83303-0146
208-736-(b)(6);(b)(7)(C) Office
208-731-(b)(7)(C) Cell

From: [ERO Taskings](#)
Subject: Required Training for 287(g) Field Program Managers/POCs
Date: Tuesday, June 21, 2016 2:37:10 PM

The following message is being sent on behalf of Matthew T. Albence, Assistant Director for Enforcement, with the concurrence of Marc A. Rapp, Acting Assistant Director for Field Operations:

To: Field Office Directors and Deputy Field Office Directors
Subject: Required Training for 287(g) Field Program Managers/POCs

From September 19-23, 2016 (including travel dates), the Headquarters 287(g) Unit will conduct training in Charleston, South Carolina for all 287(g) Field Program Managers, POCs, and National Program Managers. A funding string and specific hotel accommodations will be provided for all attendees by the Headquarters 287(g) Unit.

Please inform the 287(g) Field Program Managers/POCs in your AOR that their attendance for this training is required.

If you have any questions or concerns regarding this training, please contact (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) or (202) 732-(b)(6);(C)

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: (b)(6);(b)(7)(C)
To:
Subject: Thank you for contacting Twin Falls Sheriffs Office
Date: Tuesday, April 3, 2018 6:34:30 PM

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

Thank you for contacting Twin Falls Sheriffs Office. Your message has been sent, and we'll get in touch as soon as possible.

~Please do not respond to this e-mail, your reply will not be received. If you wish to send a new message, please use the contact form on our website.~

Here is an overview of your message:

Name: (b)(6);(b)(7)(C)
Email:
Phone: (702) 388-(b)(6);(

Message: Hello, I am following up on my prior inquiries sent on 1/19/2018 & 2/02/2018. I am inquiring if the Twin Falls County Sheriff's Office would be interested in ICE's 287(g) program. Please contact me via email or phone. Thank you
I can also be contacted via cell at 702-349-(b)(6)



Washington County Sheriff's Office

750 South 5300 West - Hurricane, UT 84737

Cory C. Pulsipher, Sheriff

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

Undersheriff

435-656-(b)(6) (phone)

435-656-6599 (fax)

August 30, 2017

From: Sheriff Cory C. Pulsipher
Washington County (UT) Sheriff's Office
Hurricane, Utah

To: Acting Director Thomas D. Homan
Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Director Homan,

I am writing to request participation in the Delegation of Authority Program pursuant to 287(g) of the Immigration and Naturalization Act. Given our current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Washington County (UT).

I have been in communication with your office in Las Vegas, Nevada. The 287(g) Program Manager, Henry Yates, has been helpful and, with his advice, I am proposing the following:

- (1) The establishment of a 287(g) Jail Enforcement Model (JEM) program at the Purgatory Correctional Facility. This is our primary detention and processing facility.
- (2) Train two correctional deputies which are currently assigned to the facility, have a minimum of two years of experience, and have passed a security background acceptable to ICE.

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Washington County (UT). I look forward to your speedy endorsement of this request and to moving forward with the program.

If there are any questions or other needs to assist in processing this request, please do not hesitate to contact my office.

Sincerely,

Sheriff Cory C. Pulsipher



U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016

~~LAW ENFORCEMENT SENSITIVE~~

2018-ICLI-00004 1348



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name	(b)(7)(E)				
Address	(b)(7)(E)				
Address	(b)(7)(E)				
City	(b)(7)(E)	State	(b)(7)(E)	Zip Code	(b)(7)(E)
Agency ORI	(b)(6),(b)(7)(C),(b)(7)(E)				

Agency Type

2. Please select the option below that best describes your agency.

(b)(7)(E)

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name	(b)(6),(b)(7)(C),(b)(7)(E)	Last Name	(b)(6),(b)(7)(C),(b)(7)(E)
Title/Position	(b)(6),(b)(7)(C),(b)(7)(E)		
Desk Phone	(b)(6),(b)(7)(C),(b)(7)(E)	Mobile Phone	(b)(6),(b)(7)(C),(b)(7)(E)
Email	(b)(6),(b)(7)(C),(b)(7)(E)		

4. Please enter a secondary POC's information (if needed).

First Name	(b)(6),(b)(7)(C),(b)(7)(E)	Last Name	(b)(6),(b)(7)(C),(b)(7)(E)
Title/Position	(b)(6),(b)(7)(C),(b)(7)(E)		
Desk Phone	(b)(6),(b)(7)(C),(b)(7)(E)	Mobile Phone	(b)(6),(b)(7)(C),(b)(7)(E)
Email	(b)(6),(b)(7)(C),(b)(7)(E)		

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?

(b)(7)(E)



6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements.

(b)(7)(E)

7. What is the name of the political entity that has oversight of your agency, if applicable?
The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).

(b)(7)(E)

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity?

(b)(7)(E)

7b. If yes, does the political entity concur with the request?

8. Preliminary Terms & Conditions for participation in the 287(g) program?

- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.

Does your agency agree to these terms and conditions?

(b)(7)(E)

9. Please provide any additional information.

[Redacted area]

Relationship Information

Please describe the agency's operational relationship with ICE.

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction?

(b)(7)(E)

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)?

12. How many days per month does ICE ERO visit your facility to perform immigration duties?

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties?

13a. If limited, please define the access allowed.

[Redacted]

14. Does your agency accept immigration detainees?

(b)(7)(E)

14a. If yes, does your agency limit the conditions or type of immigration detainee accepted?

14b. Please define the limitations or types.

[Redacted]

15. Is your agency a member of a task force of which ICE also participates?

(b)(7)(E)

15a. If yes, does ICE lead the task force?

15b. What is the task force type?

[Redacted]



- 16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?
- 17. Does your agency have a transportation IGSA with ICE?
- 18. Please provide any additional information.

(b)(7)(E)

[Redacted area]

Intake Information

Please describe intake processes for new arrests or inmates.

- 19. How does your agency submit fingerprints?
 - 19a. If both, provide the percentage breakdown. Ink Cards (b)(7)(E) Electronically (b)(7)(E)
- 20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channeler? (b)(7)(E)
- 21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI? (b)(7)(E)
- 22. Does your agency identify all foreign-born nationals in custody? (b)(7)(E)
- 23. On average, how many foreign-born arrests or inmates does your agency intake per month? (b)(7)(E)
- 24. Does your agency use blind booking to identify information about criminal alien inmates? (b)(7)(E)
- 25. Does your agency use NLETS to perform IAQ's?
 - 25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS? (b)(7)(E)
- 26. On average, how many immigration detainees does ICE place on aliens within your custody per month? (b)(7)(E)
- 27. Please provide any additional information.

(b)(7)(E)

[Redacted area]

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrests or inmates.

- 28. Please provide the top 5 arrest charges for foreign-born individuals:

1: (b)(7)(E)

2: (b)(7)(E)

3: (b)(7)(E)

4: (b)(7)(E)

5: (b)(7)(E)



Foreign-Born Gang Members

- 29. Has your agency experienced public safety issues relating to foreign-born gang members?
30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?
31. Please provide any additional information.

(b)(7)(E)

[Redacted area]

Information Sharing & Technology

- 32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?
32a. If no, would your agency exchange information?
33. Does your agency allow ICE to access its proprietary information systems?
33a. If no, would your agency allow access?
34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.
- Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
- The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
- If required, the requesting LEA will be responsible for installing any additional cabling.
34a. Does your agency understand these terms and conditions?

(b)(7)(E)

(b)(7)(E)

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative

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

Date 09/12/2017

To: (b)(7)(C);(b)(6)
Cc:
From:
Sent: Fri 6/24/2016 7:06:28 PM
Subject: FW: Participation in the ICE 287(g) Designated Immigration Officer Program
[Sample LEA request for 287\(g\) Program.docx](#)
[ICE Official Request to Participate in 287\(g\) Cross-Designation Program.pdf](#)
[287\(g\) LEA Needs Assessment V 4.pdf](#)
[Completed Needs Assessment FINAL.PDF](#)

Per our conversation. Please provide me with a response at your earliest convenience. Submitting the attached participation memo and the attached needs assessment does not obligate Smith County's to participate in the 287(g) Program. Participation in the 287(g) Delegation of Authority Program is independent and does not have anything to do with the under 72 hours contract to house ICE detainees. Contact me if any questions arise.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424- (b)(7)(C)

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



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From: (b)(7)(C);(b)(6)
Sent: Friday, May 13, 2016 11:28 AM
To: (b)(7)(C);(b)(6)
Cc:
Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program
Importance: High

Sheriff Smith,

Now that you have made a request through official channels and I have been notified about your interest in the Delegation of Authority Program pursuant to 287(g) of the Immigration and Naturalization Act. The next step is your agency needs to submit an official written request to the Office of the ICE Director with your agency letterhead. Please ensure that you explain why you're interested in participating in the 287(g) program. I have provided an attached example from Lubbock County Sheriff with the necessary information and justification that you may want to provide. Please address problems in community i.e.: gang problems, thefts, rapes, murders by foreign nationals, etc. (justification). Please ensure that you identify the Jail Enforcement Model (JEM) 287(g) program. You have been provided with the briefing and presentation of both programs. Although I have to submit Smith County's request for 287(g) participation first I have also attached the completed needs assessment from Lubbock County Sheriff as an example and a blank one that will be completed after I receive the go-ahead by ICE in D.C.

As I have previously stated it is important that this request letter be returned to me at your earliest convenience so it makes the next review board. That would expedite the request. Contact me if further questions arise.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C)

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



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

Sent: Wednesday, May 04, 2016 3:28 PM

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

Subject: Re: Participation in the ICE 287(g) Designated Immigration Officer Program

Sheriff Smith is good with the time and date.

Sent from my iPhone

On May 4, 2016, at 3:12 PM, (b)(7)(C),(b)(6) wrote:

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

We are available to have that meeting with the Sheriff on May 20, 2016 at 1300 hrs. Please verify that you and the Sheriff's staff are scheduled that day to meet with our Dallas management team.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C)
Cel: 214-998-(b)(6)

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

[cid:image001.jpg@01CBB02E.420EC700](#)

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

Sent: Wednesday, April 27, 2016 4:17:38 PM

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

Subject: Re: Participation in the ICE 287(g) Designated Immigration Officer Program

Yes sir. Thanks

Sent from my iPhone

On Apr 27, 2016, at 4:13 PM, (b)(7)(C);(b)(6) wrote:

See you on May 3rd @ 2:00pm at (b)(7)(C);(b)(6), Tyler, TX 75702.

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C)

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

<image001.jpg>

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

Sent: Wednesday, April 27, 2016 4:10 PM

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

Subject: Re: Participation in the ICE 287(g) Designated Immigration Officer Program

See y'all then.

Sent from my iPhone

On Apr 27, 2016, at 4:07 PM, (b)(7)(C);(b)(6) wrote:

Works for me.

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C)

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

<image001.jpg>

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From: (b)(7)(C);(b)(6)
Sent: Wednesday, April 27, 2016 4:06 PM
To: (b)(7)(C);(b)(6)
Subject: Re: Participation in the ICE 287(g) Designated Immigration Officer Program

How about 2:00 pm

Sent from my iPhone

On Apr 27, 2016, at 3:56 PM, (b)(7)(C);(b)(6) wrote:

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

The Deputy Director is unavailable next week but will be available anytime on the 20th of May if the Sheriff is available that date. If the Sheriff doesn't mind I can still meet with him and his staff regarding a better partnership between ICE and Smith County Sheriff's Office. I am available on Tuesday afternoon May 3rd for my meeting with the Sheriff and his staff. Since the 287(g) Designated Immigration Officer (DIO) is a jail model the jail administrator would need to be present. Would this work for you and the Sheriff?

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C);(b)(6)

<image001.jpg>

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From: (b)(7)(C);(b)(6)
Sent: Wednesday, April 27, 2016 1:09 PM
To: (b)(7)(C);(b)(6)
Subject: Re: Participation in the ICE 287(g) Designated Immigration Officer Program

Sorry (b)(7)(C);(b)(6) Friday won't work. Sheriff is out Wed-Fri of next week. 10:00 am Monday or after noon on Tuesday is what he has available next week.

Sent from my iPhone

On Apr 27, 2016, at 12:57 PM, (b)(7)(C);(b)(6) wrote:

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

Is your request Tuesday afternoon or any time on Friday or Friday afternoon to (b)(7)(C);(b)(6) Deputy Director's

availability on the times the Sheriff is available. I'll await your clarification and thanks for the quick response.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C)

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

<image001.jpg>

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From: (b)(7)(C);(b)(6)
Sent: Wednesday, April 27, 2016 12:51 PM
To: (b)(7)(C);(b)(6)
Subject: Re: Participation in the ICE 287(g) Designated Immigration Officer Program

Sorry for the delay. How about meeting Tuesday afternoon or Friday of next week?

Sent from my iPhone

On Apr 27, 2016, at 12:46 PM, (b)(7)(C);(b)(6)

(b)(7)(C);(b)(6) wrote:

Chief Deputy (b)(7)(C);(b)(6)

Our main office in Dallas has a new has a new Deputy Field Office Director that is responsible for East Texas. He has advised me that he wants to travel out to East Texas to meet some of our law enforcement partners. We want to expand our partnership with major counties in the eastern part of the state. I also never received a response regarding my request to meet with the Sheriff regarding a partnership with Smith County and Enforcement and Removal Operations. Please contact me at your earliest convenience for further information.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
2018-ICL109004-1888

287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(7)(C)
(b)(7)(C);(b)(6)

<image001.jpg>

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From: (b)(7)(C);(b)(6)
Sent: Wednesday, March 02, 2016 12:02 PM
To: (b)(7)(C);(b)(6)
Subject: Participation in the ICE 287(g)
Designated Immigration Officer Program
Importance: High

Chief Deputy (b)(7)(C);(b)(6)

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) Program, one of ICE's top partnership initiatives, allows state and local law enforcement entities to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions. The 287(g) Program has emerged as one of the agency's most successful and popular partnership initiatives as more state and local leaders have come to understand how a shared approach to immigration enforcement can benefit their communities.

The 287(g) Program is one component under the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program umbrella of services, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities. ICE developed the ACCESS program in response to widespread interest from local law

enforcement agencies who have requested ICE assistance through the 287(g) Program, which trains local officers to enforce immigration law as authorized under section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi--authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders when there is an incident or attack against the United States. During the course of daily duties, they often encounter foreign-born criminals and immigration violators who may pose a threat to national security or public safety.

I would like to request a meeting with the Sheriff, Jail Administrator, and yourself to gauge your interest in participating in this partnership with ICE. Please reply to my email or contact me at either of the phone numbers below for more information. Look forward to hearing from you soon.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office

Ofc: 214-424-(b)(7)(C);(b)(6)
Cel: 214-998-(b)(7)(C);(b)(6)

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

<image001.jpg>

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Your agency letterhead

Office of the ICE Director
ICE Director Sarah Saldana
U.S. Immigration and Customs Enforcement
500 12th Street SW.
Washington D.C. 20024

Dear ICE Director Saldana:

I am writing to request participation in the Delegation of Authority Program pursuant to 287 (g) of the Immigration and Naturalization Act. Given our past relationship with ICE, this partnership will enable us to better serve and meet the needs of the residents of Smith County, Texas.

I have been in communication with your office in Dallas, Texas. Dallas Field Office 287(g) Field Program Manager (FPM) (b)(7)(C);(b)(6) and he has been very helpful and encouraging. With their advice, I am proposing the following:

Establishment of an Identification Review Officer at our Smith County Jail, located in Tyler, Texas. This is our central processing and pre-trial detention facility.

Train (?) Sheriff's Deputies assigned to central processing, with a minimum of two years' experience, who have passed a security background acceptable to ICE.

Training facilities are available at our Smith County Jail where instructors can utilize computer training aids, videos, and any other materials they need in instructions.

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Smith County, Texas. I look forward to your speedy endorsement of this request and moving forward with this program for the benefit of all.

Warmest regards,

Larry Smith
Smith County Sheriff



LUBBOCK COUNTY SHERIFF'S OFFICE

P. O. Box 10536
LUBBOCK, TX 79408
PHONE: (806) 775-(b)(7)
FAX: (806) 775-1491

KELLY S. ROWE
Sheriff

(b)(7)(C);(b)(6)
Chief Deputy LE

(b)(7)(C);(b)(6)
Chief Deputy Detention

Date: April 27, 2016

FROM: Kelly Rowe
Lubbock County Sheriff
Lubbock, Texas

TO: Sarah R. Saldana
Director
Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Saldana:

I am writing to request participation in the Delegation of Authority Program pursuant to 287(g) of the Immigration and Naturalization Act. Given our current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Lubbock County, Texas. We have been closely monitoring our drug and human trafficking cases since 2014 noting that 80% of those cases will ultimately nexus back to Mexican cartels in particular, the Sinaloa. This also include activity from non-traditional gangs such as the Bloods and Crips.

I have been in communication with your office in Dallas, Texas 287(g) Field Program Manager (b)(7)(C);(b)(6) who has been very helpful and encouraging. With his advice, I am proposing the following:

Establishment of a 287(g) Jail Enforcement Model (JEM) program at our Lubbock County Detention Facility located in Lubbock, Texas. This is our central processing and pre-trial detention facility. This facility has a capacity of 1512 beds and intakes approximately 20,000 people each year.

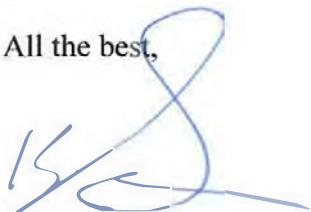
Train (5) Sheriff's Deputies assigned to central processing, with a minimum of two years' experience, who have passed a security background acceptable to ICE.

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of

Lubbock County. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

If there are any questions or other needs to assist in processing this request please do not hesitate to contact my office.

All the best,

A handwritten signature in blue ink, appearing to read 'K. Rowe', with a large loop at the top and a horizontal line extending to the right.

Kelly S. Rowe
Sheriff
Lubbock County

To: (b)(6);(b)(7)(C)
From: (b)(6);(b)(7)(C)
Sent: Tue 9/6/2016 8:06:50 PM
Subject: (b)(6);(b)(7)(C)

Good afternoon (b)(6)

Just giving you a heads up, the Judge asked in Court today if we had notified you that this person was back in the Country and we said yes. I'm pretty sure you got that part in the last email.

(b)(6);(b)(7)(C) will be having a full hearing on 10-10-16. If an ICE hold is placed on this person can you please let me know.

Thank you,

(b)(6);(b)(7)(C)
Probation Officer
1700 Monroe Street
Ft Myers, FL 33901
Phone (239) 533-(b)(6);
Fax (239) 485-2511

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

From: (b)(6);(b)(7)(C)
Sent: Friday, September 02, 2016 11:29 AM
To: (b)(6);(b)(7)(C)
Subject: (b)(6);(b)(7)(C)

He was everywhere!!! LOL

Yes it helps. Thank you and have a great weekend!

(b)(6);(b)(7)(C)
Probation Officer
1700 Monroe Street
Ft Myers, FL 33901
Phone (239) 533-(b)(6);
Fax (239) 485-2511

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

From: (b)(6);(b)(7)(C)
Sent: Friday, September 02, 2016 11:26 AM
To: (b)(6);(b)(7)(C)
Subject: (b)(6);(b)(7)(C)

It is a bit confusing, but this is what I was able to get:

On October 4, 2011, (b)(6);(b)(7)(C) was arrested at Collier County Jail and encountered by a 287(g) Collier Sheriff officer.

On October 7, 2011, (b)(6);(b)(7)(C) was booked-in to Lee County Jail.

On December 2, 2011, my guess is (b)(6);(b)(7)(C) was released to the U.S. Marshall's since he had a hold from them when he was booked-in to Lee County (Booking sheet attached), and he was being prosecuted for re-entry at that time.

On February 17, 2012, he was booked-into Lee County Jail again, and again in 2014, 2015, and 2016.

On March 5, 2012, he was booked-out of Lee County and was brought into ICE custody at Glades County Detention Center.

On March 12, 2012, he was transferred to Krome Service Processing Center, still under ICE custody.

On March 13, 2012, he was deported to Mexico through Harlingen, TX.

Hope this helps!



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

Deportation Officer
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations

Miami Field Office | Fort Myers Sub-Office | 8860 Salrose Lane | Ft. Myers, FL 33912 | Ofc.: (239) 690-(b)(6) | Cell: (305) 986-(b)(6);(

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 Think Green! Please do not print this email unless it is necessary

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

Sent: Friday, September 02, 2016 8:46 AM

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

Subject: (b)(6);(b)(

Good morning (b)(6);(

I am working on an older case where a VOP was done in 2012 and he was just recently picked up on it. Of course he was added to Court for this Tuesday.

It appears that (b)(6);(b)(7)(C) has been removed multiple times from the country. Can you please tell me, if possible, what day was he deported after he was taken into custody on 10-4-11. Also did he do some jail time or some type of probation after the 10-4-11 arrest? I am trying to understand the (b)(7)(b) but it's very confusing. I am pretty sure your system is way more detailed.

Whatever information you have available will help.

Thank you sooo much.

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

Probation Officer
1700 Monroe Street
Ft Myers, FL 33901
Phone (239) 533-(b)(6);
Fax (239) 485-2511

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

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Wed 11/16/2016 5:02:49 PM
Subject: 287(g) meeting with Tarrant County Sheriff elect Waybourn

I have spoken with the Sheriff elect of Tarrant County and he wants to meet with our management staff regarding their participation in the 287(g) program. He advised me that he has blocked his calendar on Nov 29th or Dec 1st for a meeting with ICE. We just have to give him which day and time we'll be available. (b)(6);(b)(7)(C) advised me he will be out of office those days so if we can check the FOD's schedule to see if she's available either one of those days to attend. This will be one of the biggest 287(g) programs in the country.

The meeting will take place the Tarrant County Sheriff's Office in Ft. Worth. Contact me if questions arise.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6)
(b)(6);(b)(7)(C)



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To: (b)(6),(b)(7)(C)
Cc:
From:
Sent: Thur 9/7/2017 2:08:25 PM
Subject: 287(g) Program Advisory Board Questions regarding 287(g) Participation Okmulgee County

Executive Director (b)(6),(b)(7)(C)

Would you please respond with answers to ONLY the highlighted questions for our upcoming Program Advisory Board on October 27, 2017 for your potential 287(g) participation? Please let me know if you have any questions or need clarification. I need these at your earliest convenience.

1. Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.
2. Any media support or opposition received for or against the County request?
3. Congressional support for or against the County request?
4. Is there any pending litigation or substantial settlements involving civil rights violations by County?
5. Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?
6. Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.
7. Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Very respectfully,

(b)(6),(b)(7)(C)
Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-17(b)(6)
(b)(6),(b)(7)(C)



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To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Wed 4/5/2017 5:02:49 PM
Subject: FW: Tarrant County 287(g) Program

(b)(6);(b)

Dallas Deputy Field Office Director (b)(6);(b)(7)(C) is available to present the 287(g) welcome letter to the Sheriff all next week with the exception of the afternoon on Tuesday April 11th. I am thinking of at least an hour or so with the Sheriff and the jail administrator and whomever else he wants to have available. Let me know or give me several options the Sheriff has available on his calendar or if he has other ideas about the meeting. Did you have the POC info I requested regarding the ISA?

Thanks,

(b)(6);(b)(7)(C)
[Redacted]

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Dallas Outreach Liaison
Ofc: 214-424-[Redacted]

(b)(6);(b)(7)(C)
[Redacted]



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From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 04, 2017 12:34 PM
To: (b)(6);(b)(7)(C)
Subject: Tarrant County 287(g) Program
Importance: High

(b)(6);(b)

I am sending an email since I didn't receive a call back yesterday. I wanted to update you on the next step regarding the 287(g) Program. I did text the Sheriff advising him that we did receive the 287(g) Program Welcome memo from the ICE Assistant Director of enforcement. We will need to schedule a meeting between the Sheriff and his jail management staff and our Field Office Director and our staff to welcome Tarrant County Sheriff's Office to the 287(g) program. This is when the fun starts and all that entails standing up the program. We can discuss all of the details when we meet and let the Sheriff determine who he wants to assist me with all the logistics which I'll explain in detail with whomever is assigned this important task. These are some of the topics I will be discussing with the Sheriff and the jail leadership:

- Discuss Memorandum of Agreement (MOA) (template)
- Training LEA Staff, Issues and Reviewing/Selecting Training Dates/ Background investigations
- OCIO IT Site Visit Information and Equipment Information
- ICE Oversight

Please contact me if further questions arise.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Dallas Outreach Liaison
Ofc: 214-424-[redacted]

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



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To: (b)(6);(b)(7)(C)
Cc:
From:

Sent: Fri 10/21/2016 5:23:49 PM

Subject: FW: Request for Participation in the 287(g) Delegation of Authority Program
[ICE Official Request to Participate in 287\(g\) Cross-Designation Program.pdf](#)
[287\(g\) LEA Needs Assessment V 4.pdf](#)
[LBKCO Completed Needs Assessment FINAL.pdf](#)
[SC NCIC levels by code.pdf](#)

Sheriff Smith,

I pressed the sent button before I was done and I also forgot to ensure you that the memo request can be sent back to me before the needs assessment is complete. I'm just trying to get ahead of the request. I need the request memo from you first and foremost. The needs assessment will take more time to complete than the memo. The attached (b)(7)(E) codes will help in completing the needs assessment when filling the different (b)(7)(E)

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(7)(C)
(b)(6);(b)(7)(C)



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From: (b)(6);(b)(7)(C)
Sent: Friday, October 21, 2016 12:13 PM
To: (b)(6);(b)(7)(C)
Cc:

Subject: Request for Participation in the 287(g) Delegation of Authority Program
Importance: High

Sheriff Smith,

I have attached the initial documents requesting participation in the 287(g) Delegation of Authority Program. I attached a sample request memo that was submitted by Lubbock County Sheriff's Office that will still be submitted to ICE Director Sarah Saldana the same as the Lubbock Memo. It will be done on Smith County's letterhead signed by you.

I have also attached the needs assessment that needs to be completed and I assume (b)(6);(b)(7)(C) will handle that, whom I cc'd in this email. I also attached the Lubbock County needs assessment as a go-by in case questions arise.

If other questions arise regarding the submission of these documents I may be contacted at 214-998-(b)(6);(7)(C) at any time.

R/S,

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

Enforcement and Removal Operations

287(g) Program Manager

Community Relations Liaison

Dallas Field Office

Ofc: 214-424-(b)(6);(b)

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

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LUBBOCK COUNTY SHERIFF'S OFFICE

P. O. Box 10536
LUBBOCK, TX 79408
PHONE: (806) 775-[REDACTED]
FAX: (806) 775-1491

KELLY S. ROWE
Sheriff

[REDACTED]
Chief Deputy LE

[REDACTED]
Chief Deputy Detention

Date: April 27, 2016

FROM: Kelly Rowe
Lubbock County Sheriff
Lubbock, Texas

TO: Sarah R. Saldana
Director
Immigration and Customs Enforcement

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Saldana:

I am writing to request participation in the Delegation of Authority Program pursuant to 287(g) of the Immigration and Naturalization Act. Given our current relationship with ICE, the partnership will enable us to better serve and meet the needs of the residents of Lubbock County, Texas. We have been closely monitoring our drug and human trafficking cases since 2014 noting that 80% of those cases will ultimately nexus back to Mexican cartels in particular, the Sinaloa. This also include activity from non-traditional gangs such as the Bloods and Crips.

I have been in communication with your office in Dallas, Texas 287(g) Field Program Manager [REDACTED] who has been very helpful and encouraging. With his advice, I am proposing the following:

Establishment of a 287(g) Jail Enforcement Model (JEM) program at our Lubbock County Detention Facility located in Lubbock, Texas. This is our central processing and pre-trial detention facility. This facility has a capacity of 1512 beds and intakes approximately 20,000 people each year.

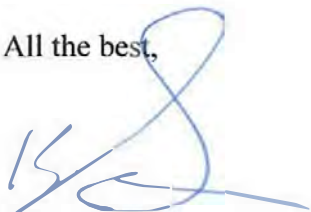
Train (5) Sheriff's Deputies assigned to central processing, with a minimum of two years' experience, who have passed a security background acceptable to ICE.

This program will allow us to enter into a Memorandum of Agreement that will enable us to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of

Lubbock County. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

If there are any questions or other needs to assist in processing this request please do not hesitate to contact my office.

All the best,

A handwritten signature in blue ink, appearing to read 'K. Rowe', with a large loop at the end.

Kelly S. Rowe
Sheriff
Lubbock County

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Thur 5/5/2016 9:56:54 PM
Subject: FW: Participation in the ICE 287(g) Designated Immigration Officer Program

(b)(6);(b)(7)(C)
Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(b)(7)(C)
Cel: 214-998-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

cid:image001.jpg@01CBB02E.420EC700

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From: (b)(6);(b)(7)(C)
Sent: Thursday, May 05, 2016 4:42:29 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program

Yes sir, that will be fine. Is your office located at (b)(6);(b)(7)(C) Longview, TX. 75601? If so we'll see you next week.

R/S,

(b)(6);(b)(7)(C)
Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6);(b)(7)(C)
Cel: 214-998-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

cid:image001.jpg@01CBB02E.420EC700

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From: (b)(6);(b)(7)(C)
Sent: Thursday, May 05, 2016 4:26:04 PM

2018-ICLI-00004 1951

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

Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program

How about Thursday May 12, 2016 at 1:30 p.m.?

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

Sent: Tuesday, May 03, 2016 4:39 PM

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

Subject: FW: Participation in the ICE 287(g) Designated Immigration Officer Program

Chief, I never received a response from my question below about our meeting next week.

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison

Dallas Field Office

Ofc: 214-424-(b)(6);

Cel: 214-998-(b)(7)(C)

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

[cid:image001.jpg@01CBB02E.420EC700](#)

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

Sent: Wednesday, April 27, 2016 4:01:41 PM

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

Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program

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

The Deputy Director is unavailable that week. If the Sheriff doesn't mind I can still meet with him and his staff regarding a better partnership between ICE and Gregg County Sheriff's Office. I am available on the afternoon of the 11th or 12th with the Sheriff and his staff. Since the 287(g) Designated Immigration Officer (DIO) is a jail model the jail administrator would need to be present. If this will work I will place it on my schedule. We can reschedule the Sheriff's meeting with our new Deputy Director another time when their schedules permit it.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison

Dallas Field Office

Ofc: 214-424-(b)(6);(C)

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



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From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 27, 2016 3:01 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program

We are free on May 11th and May 12th. Would that work for you?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 27, 2016 12:49 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program
Importance: High

Chief Deputy (b)(6);(b)(7)(C)

Our main office in Dallas has a new Deputy Field Office Director that is responsible for East Texas. He has advised me that he wants to travel out to East Texas to meet some of our law enforcement partners. We want to expand our partnership with major counties in the eastern part of the state. I also never received a response regarding my request to meet with the Sheriff regarding a partnership with Gregg County and Enforcement and Removal Operations. Please contact me at your earliest convenience for further information.

R/S,

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

Immigration and Customs Enforcement
 Enforcement and Removal Operations
 287(g) Program Manager
 Community Relations Liaison
 Dallas Field Office
 Ofc: 214-424-(b)(6);

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



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From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 02, 2016 1:00 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Participation in the ICE 287(g) Designated Immigration Officer Program

I will visit with the Sheriff and get back to you. 2018-ICLI-00004 1953

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

Sent: Wednesday, March 02, 2016 12:06 PM

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

Subject: Participation in the ICE 287(g) Designated Immigration Officer Program

Importance: High

Chief Deputy (b)(6);(b)(7)(C)

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) Program, one of ICE's top partnership initiatives, allows state and local law enforcement entities to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions. The 287(g) Program has emerged as one of the agency's most successful and popular partnership initiatives as more state and local leaders have come to understand how a shared approach to immigration enforcement can benefit their communities.

The 287(g) Program is one component under the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program umbrella of services, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities. ICE developed the ACCESS program in response to widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) Program, which trains local officers to enforce immigration law as authorized under section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi--authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders when there is an incident or attack against the United States. During the course of daily duties, they often encounter foreign-born criminals and immigration violators who may pose a threat to national security or public safety.

I would like to request a meeting with the Sheriff, Jail Administrator, and yourself to gauge your interest in participating in this partnership with ICE. Please reply to my email or contact me at either of the phone numbers below for more information. Look forward to hearing from you soon.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424- (b)(6);(b)(7)(C)
Cel: 214-998- (b)(6);(b)(7)(C)

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



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

Sent: Thur 12/8/2016 3:39:03 AM

Subject: FW: Request for Participation in the 287(g) Delegation of Authority Program
[ICE Official Request to Participate in 287\(g\) Cross-Designation Program.pdf](#)
[287\(g\) LEA Needs Assessment V 4.pdf](#)
[LBKCO Completed Needs Assessment FINAL.pdf](#)
[SC NCIC levels by code.pdf](#)

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

It was a pleasure to meet with you and Sheriff-elect (b)(6),(b)(7)(C) I am looking forward to this partnership between ICE and Tarrant County Sheriff's Office. I have attached the forms I provided hard copies this past week. They are required when requesting 287(g) authority and I attached examples from Lubbock County which have since been approved. If Tarrant County jail needs assistance completing the attached needs assessment I am always available to assist. The attached NCIC codes will help in completing the needs assessment when filling the different NCIC levels.

Please contact me if any questions arise.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6),(7)(C)
(b)(6),(b)(7)(C)



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(316)250-(b)(6) cell

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 22, 2017 2:47 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Sheriff Loving County

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

I received a call today from Sheriff Bussy (Loving County) and he was wanting to get involved in the 287G program. He indicated that he spoke to a Border Patrol Agent while at the Texas Sheriffs Association meeting and wanted to be like everyone else in the state (announcement regarding 17 Sheriffs sign up for 287G) and be able to have his officers arrest aliens without having to call the BP or ICE ERO. I did tell him that the current 287G program with ERO is using the detention module and that a task force model is coming but not until late next fiscal year. I told him that since he did not have a jail that he would need to enroll in the task force model when it comes out since he was not eligible for the jail model. I told him that you or (b)(6);(b)(7)(C) would give him a call since I am now in Philadelphia.

Cell#432-755-(b)(6);(b)(7)(C)

Thanks,

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

Acting Field Office Director

(432) 448-(b)(6);(b)(7)(C) cell

(267) 479- desk

114 North 8th Street

Philadelphia, Pennsylvania 19130

*Enforcement and Removal Operations
Houston Field Office*

126 Northpoint Drive
Houston, TX 77060



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

March 6, 2017

MEMORANDUM FOR: Matthew Albence
Executive Associate Director
Washington, D.C.

FROM: (b)(6);(b)(7)(C)
Acting Field Office Director
Houston Field Office
Houston, Texas

SUBJECT: Aransas County Texas Request for 287g Delegation of Authority Program

Aransas County Sheriff William A. Mills contacted this office this morning and formally requested participation in the 287g Delegation of Authority Program.

According to Sheriff Mills, the Aransas County Jail average intake of foreign-born arrest per month is 12 inmates. The top 3 arrest charges for foreign born individuals are Public Intoxication, Driving While Intoxicated and Failure to Identify. Sheriff Mills has agreed to send 3 Aransas County Jail employees to the ICE Academy to be trained and certified under the program.

After carefully reviewing Sheriff Mills' request, I have determined that the Houston Field Office can support the Aransas County Sheriff's Office participation in the 287g Program. Houston ERO will be able to provide the required amount of oversight and supervision to ensure a successful program.

Aransas County geographical location is also strategic in our plan to improve ICE presence along the South Texas corridor. Therefore, a partnership with this agency will not only enhance the safety and security of the Aransas County community but will also contribute to the ICE's mission of protecting the homeland.



Aransas County Sheriff's Office

Bill Mills

Sheriff



(b)(6);(b)(7)(C) Chief Deputy
Patrol/CID

(b)(6);(b)(7)(C) Deputy Chief
Corrections

January 25, 2017

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

Acting Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
500 12th Street SW
Washington, DC 20024

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

The Aransas County Sheriff's Office (ACSO) is requesting to participate in the Delegation of Authority Program pursuant to Section 287(g) of the Immigration and Naturalization Act.

Our agency has been communicating with the 287(g) Program Manager in the Houston Field Office and will continue to do so as the process moves forward.

It is my intention to have three officers trained and certified in support of the 287(g) Program. I am fully aware of and willing to sign the appropriate Memorandum of Agreement according to ICE Policy.

Sincere Regard,

William A. Mills, Sheriff
Aransas County Sheriff's Office

To: (b)(6);(b)(7)(C)
From: [Redacted]
Sent: Wed 1/11/2017 12:25:38 AM
Subject: RE: Tarrant County participation in the ICE 287(g) Program
[ICE Official Request to Participate in 287\(g\) Cross-Designation Program.pdf](#)
[2016 Lubbock County Needs Assessment Final.pdf](#)
[287\(g\) LEA Needs Assessment 12162016 Tarrant County.pdf](#)
[SC NCIC levels by code.pdf](#)

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

As requested, I have attached a sample 287(g) request memo and a sample needs assessment. Along with the needs assessment for Tarrant County that's form fillable. I have also attached the NCIC codes that are needed to fill out the needs assessment. Please have the jail management contact me with questions regarding the needs assessment ahead of our meeting on Thursday. Please provide my contact number to the jail staff if questions arise.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6)

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



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From: (b)(6);(b)(7)(C)
Sent: Tuesday, January 10, 2017 1:38 PM
To: (b)(6);(b)(7)(C)
Subject: Tarrant County participation in the ICE 287(g) Program
Importance: High

Sheriff Waybourn,

I just received notification from ICE HQ's that the Policy Advisory Board (PAB) will have their meeting on February 21, 2017. This is the panel that will take into consideration Tarrant County Sheriff's Office as a participant in the 287(g) Program. They will approve or disapprove Tarrant County's inclusion into the 287(g) Program. What I am asking is we need to schedule your agency into this approval process. What is needed is the request memorandum from Tarrant County and the needs assessment that I provided in our last meeting to your chief of staff. If those 2 documents can be provided in the next few days I can include the county on next month's PAB. I do not know when they will have another PAB which can push back participation for up to a year or longer. We may not want to miss this opportunity. If you have any questions regarding this request please contact me.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations

287(g) Program Manager
Community Relations Liaison
Dallas Field Office
Ofc: 214-424-(b)(6),(7)
(b)(6);(b)(7)(C)



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U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

287(g) Program

Needs Assessment

Revised December 16, 2016



Introduction

Purpose & Background

State and local law enforcement agencies (LEAs) who wish to partner or are inquiring about partnership opportunities with U.S. Immigration and Customs Enforcement (ICE) under section 287(g) of the Immigration and Nationality Act (INA), as amended, are required to complete this Needs Assessment. The purpose of this assessment is to collect information about immigration enforcement challenges that affect your community. Answers are not binding, and this assessment does not construe any type of agreement or partnership with ICE. Once complete, ICE will evaluate your responses to determine if a partnership may be formed.

Instructions

There are some questions that utilize drop-down boxes with choices. Therefore, this assessment should be completed electronically. The completing official will need comprehensive knowledge of the LEA's operations and statistics. Upon completion, please print and return this assessment to the local ICE Enforcement and Removal Operations (ERO) 287(g) Field Program Manager.

Confidentiality

Responses will be used to evaluate a prospective partnership between the LEA and ICE under section 287(g) of the INA. All information will be deemed Law Enforcement Sensitive and will not be disclosed or transmitted to any unauthorized party. Furthermore, all information provided in this document is protected from public disclosure under Exemption 7 of the Freedom of Information Act, 5 U.S.C § 552(b)(7).

Terms & Definitions

Please reference this section to ensure consistent understanding of the specific terms used throughout this document.

Term	Definition
287(g) Program	An ICE program that delegates to designated state and local law enforcement officers the authority to perform specified immigration enforcement functions under ICE supervision.
Alien	Any person not a citizen or national of the United States (INA § 101(a)(3)).
Blind Booking	A process by which a booking system automatically, or "blindly," generates an IAQ (Immigration Alien Query) for transmission to the ICE Law Enforcement Support Center (LESC) through the LEA's booking program/NLETS interface if the subject being booked in states a foreign place of birth or citizenship.
Criminal Alien	An alien convicted of a crime.
Foreign-Born	Any person who was not born in the United States.
NLETS	National Law Enforcement Telecommunications System
ORI	An LEA's Originating Agency Identification Number, assigned by the FBI. This number identifies the agency conducting records checks and entries through the National Crime Information Center (NCIC).



Contact Information

To be completed by all agencies

Agency Information

1. Please enter your agency's contact information.

Name

Address

Address

City State Zip Code Agency ORI

Agency Type

2. Please select the option below that best describes your agency.

Point Of Contact Information

3. Please enter the POC's contact information. The POC is the agency's main representative for communications and negotiations with ICE.

First Name Last Name

Title/Position

Desk Phone Mobile Phone

Email

4. Please enter a secondary POC's information (if needed).

First Name Last Name

Title/Position

Desk Phone Mobile Phone

Email

General Information

To be completed by all agencies

Request Information

Answer the following questions to explain the agency's request for support.

5. Why is your agency requesting 287(g) authority?



6. Both Basic and Refresher Training occur at the ICE Academy in Charleston, SC. Although agencies are [] generally responsible for their own employees' travel expenses, ICE may, at its discretion, pay some training and travel-related expenses for officers attending these trainings. Please indicate your acceptance of these requirements.

7. What is the name of the political entity that has oversight of your agency, if applicable? *The political entity is the body who manages, administers, or directs the LEA and its operations (e.g., a Governor's Office, City Mayor, or a County Board of Supervisors).*

[]

7a. Does your agency's request for participation in the 287(g) program require concurrence from the political entity? []

7b. If yes, does the political entity concur with the request? []

8. Preliminary Terms & Conditions for participation in the 287(g) program?
- Every 287(g) partnership is governed by a Memorandum of Agreement (MOA) between ICE and the participating LEA that sets forth the delegated authorities, the training requirements, the required ICE supervision, and the length of the agreement.
- Your agency's designated immigration officers (DIOs) will be supervised by ICE when performing delegated immigration enforcement functions.
- ICE retains sole discretion in determining how it will manage its detention resources and advance its mission.
- Upon completion of training, DIOs will interview aliens, determine alienage, and prepare and serve immigration paperwork.
- The agency must provide an office for the ICE supervisory officer.
Does your agency agree to these terms and conditions? []

9. Please provide any additional information.
[]

Relationship Information *Please describe the agency's operational relationship with ICE.*

10. Does your agency have an operational relationship with the ICE ERO office responsible for your jurisdiction? []

11. Does your agency allow or assist ICE ERO in serving required paperwork to initiate immigration proceedings (e.g., charging documents)? []

12. How many days per month does ICE ERO visit your facility to perform immigration duties? []

13. Does ICE ERO have full access to subjects in your custody in order to perform immigration duties? []

13a. If limited, please define the access allowed. []

14. Does your agency accept immigration detainers? []

14a. If yes, does your agency limit the conditions or type of immigration detainer accepted? []

14b. Please define the limitations or types. []

15. Is your agency a member of a task force of which ICE also participates? []

15a. If yes, does ICE lead the task force? []

15b. What is the task force type? []



16. Does your agency have a detention Intergovernmental Service Agreement (IGSA) with ICE?

17. Does your agency have a transportation IGSA with ICE?

18. Please provide any additional information.

Intake Information

Please describe intake processes for new arrests or inmates.

19. How does your agency submit fingerprints?

19a. If both, provide the percentage breakdown. Ink Cards: % Electronically: %

20. Does your agency submit fingerprints to your state identification bureau or an FBI-approved Channeler?

21. How long after a subject enters a booking facility are their fingerprints submitted to the FBI?

22. Does your agency identify all foreign-born nationals in custody?

23. On average, how many foreign-born arrests or inmates does your agency intake per month?

24. Does your agency use blind booking to identify information about criminal alien inmates?

25. Does your agency use NLETS to perform IAQ's?

25a. If yes, approximately how many IAQ's does your agency generate per month through NLETS?

26. On average, how many immigration detainers does ICE place on aliens within your custody per month?

27. Please provide any additional information.

Criminal Offense Information

Please describe the top trending charges for which your agency encounters arrestees or inmates.

28. Please provide the top 5 arrest charges for foreign-born individuals:

1:

2:

3:

4:

5:



Foreign-Born Gang Members

29. Has your agency experienced public safety issues relating to foreign-born gang members?

30. If yes, what is the estimated number of foreign-born gang members within your jurisdiction?

31. Please provide any additional information.

Information Sharing & Technology

32. Does your agency exchange information (e.g., arrest, incarceration, probation & parole information) with an ICE ERO field office for the purposes of identifying removable and/or fugitive aliens?

32a. If no, would your agency exchange information?

33. Does your agency allow ICE to access its proprietary information systems?

33a. If no, would your agency allow access?

34. Should ICE and the LEA sign a 287(g) MOA, ICE will evaluate the agency's information technology (IT) systems and infrastructure. The results of this evaluation will determine if new IT systems and/or infrastructure will be required at the LEA facility.

- Equipment (computers, monitors) used to access ICE systems and databases must be located in a secure area.
- The equipment requires dedicated electrical power that is exclusively used to access the ICE systems and databases.
- If required, the requesting LEA will be responsible for installing any additional cabling.

34a. Does your agency understand these terms and conditions?

Disclaimer

This assessment does not bind ICE or the requesting LEA. It does not guarantee a partnership between the two parties or ensure that services will be provided. Answers are provided in good faith by the LEA in order for ICE to collect information to assess the possibility of forming a partnership under section 287(g) of the INA.

Signature of Authorized Representative _____

Date _____

To: (b)(6);(b)(7)(C)
From: Keith Hughes
Sent: Fri 9/8/2017 6:19:07 PM
Subject: Re: 287(g) - Terrell County
[Jail Cert.pdf](#)

*Congressional support for or against the County request? Unknown
Is there any pending litigation or substantial settlements involving civil rights violations by County? No
Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type? No
Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me. Texas Jail Commission Certified*

Sheriff Keith Hughes
Terrell County Sheriff's Office
(b)(6);(b)(7)(C)
(432)345-(b)(6)

On Friday, September 8, 2017 10:15 AM, (b)(6);(b)(7)(C) wrote:

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Sep 01, 2017, 8:03 PM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g) - Terrell County

Hello Sheriff, please forgive me for getting this to you so late. Please answer the below four questions.

*Congressional support for or against the County request?
Is there any pending litigation or substantial settlements involving civil rights violations by County?
Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?
Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.*

Thank you,
(b)(6);(b)(7)(C)
AFOD Midland/Pecos
316-250-(b)(6);(b)(7)(C)

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Sep 01, 2017, 12:03 PM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g) - Terrell County

As discussed

(b)(6);(b)(7)(C)
Supervisory Detention & Deportation Officer
Honor Guard Commander
DHS/ICE/ERO
Midland Sub Office
1515 Idlewilde

From: (b)(6);(b)(7)(C)
Sent: Friday, September 01, 2017 11:57 AM
To: (b)(6);(b)(7)(C)
Subject: 287(g) - Terrell County

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

Nice speaking with you. We really appreciate your assistance in the absence of a Field Program Manager there!

Would you please respond with answers to these for our upcoming Program Advisory Board for potential 287(g) participant Terrell County? Please let me know if you have any questions or need clarification.

Distance from the field office and your sub-office to the County Sheriff's Office Detention Center.

Any media support or opposition received for or against the County request?

Congressional support for or against the County request?

Is there any pending litigation or substantial settlements involving civil rights violations by County?

Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?

Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.

Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Very respectfully,

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

**287(g) National Program Manager
Enforcement, Criminal Alien Division
DHS/ICE/ERO/HQ**

**202-732-(b)(6);(b)(7)(C) (o)
405-706-(b)(7)(C) (c)**

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To: (b)(6);(b)(7)(C)
From: Keith Hughes
Sent: Tue 12/19/2017 7:24:02 PM
Subject: Re: 287g Point of Contact Info.

Good Afternoon
Here is the requested information. If you need anything else, please don't hesitate

1. Site address of where our equipment will be installed.

105 E Hackberry Sanderson TX

2. Name, title, desk phone, cell phone and email for each of the follows:

- a. Sheriff's Office Authorizing Official Point of Contact (POC) – Terrell County
 - i. Name: Keith Hughes
 - ii. Title: Sheriff
 - iii. Office Phone: (432) 345-(b)(6)
 - iv. Mobile Phone: (915) 526-(b)(6)
 - v. Email: (b)(6);(b)(7)(C)
- b. Local Sheriff's Office 287(g) Point of Contact (POC) – Terrell County
 - i. Name: Keith Hughes
 - ii. Title: Sheriff
 - iii. Office Phone: (432) 345-(b)(6)
 - iv. Mobile Phone: (915) 526-(b)(6)
 - v. Email: (b)(6);(b)(7)(C)
- c. Local Law Enforcement Agency IT Point of Contact (POC) – Terrell County
 - i. Name: Keith Hughes
 - ii. Title: Sheriff
 - iii. Office Phone: (432) 345-(b)(6)
 - iv. Mobile Phone: (915) 526-(b)(6)
 - v. Email: (b)(6);(b)(7)(C)

Sheriff Keith Hughes
Terrell County Sheriff's Office

(b)(6);(b)(7)(C)
(432)345-(b)(6)

On Tuesday, December 19, 2017 12:10 PM, (b)(6);(b)(7)(C) wrote:

Good Morning Sheriff,

Please see below and provide information requested from the 287g IT support team in Washington.

- 1. Site address of where our equipment will be installed.
- 2. Name, title, desk phone, cell phone and email for each of the follows:

- a. Sheriff's Office Authorizing Official Point of Contact (POC) – Terrell County
 - i. Name:
 - ii. Title:
 - iii. Office Phone:
 - iv. Mobile Phone:
 - v. Email:
- b. Local Sheriff's Office 287(g) Point of Contact (POC) – Terrell County
 - i. Name:
 - ii. Title: 2018-ICLI-00004 2157

- iii. Office Phone:
 - iv. Mobile Phone:
 - v. Email:
- c. Local Law Enforcement Agency IT Point of Contact (POC) – Terrell County
- i. Name:
 - ii. Title:
 - iii. Office Phone:
 - iv. Mobile Phone:
 - v. Email:

Thank you,

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

Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-(b)(6);(b)(7)(C) desk
(316)250-(b)(7)(C) cell

To: (b)(6);(b)(7)(C)
From: Keith Hughes
Sent: Wed 1/17/2018 8:50:23 PM
Subject: Re: Memorandum Of Agreement 287g
[scan0002.pdf](#)

Good Afternoon Sir
here is the signed MOU. I apologize for the delay. If you need anything else please let me know

Sheriff Keith Hughes
Terrell County Sheriff's Office

(b)(6);(b)(7)(C)
(432)345-2525

On Wednesday, January 17, 2018 8:09 AM, (b)(6);(b)(7)(C) wrote:

Good morning Sheriff,

Just following up with you on this MOA. I will be in and out this week with access to my email. Next week however I will not be in and will have no access to email. I would like to get this back up to HQ before I leave on Friday. Let me know if that does not work and I'll have my Acting keep an eye out for it. His name is (b)(6);(b)(7)(C). I am looping him in on this email.

Regards,

(b)(6);(b)(7)(C)
Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-(b)(6) desk
(316)250-(b)(7) cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, January 11, 2018 9:48 AM
To: (b)(6);(b)(7)(C)
Subject: Re: Memorandum Of Agreement 287g

Good morning
I currently out of the office in training. I'll be back tomorrow and will get it signed and back over to you. I apologize for the delay

Sheriff Keith Hughes
Terrell County Sheriff's Office
Sent from my iPhone

On Jan 10, 2018, at 4:12 PM, (b)(6);(b)(7)(C) wrote:

Good Afternoon Sheriff Hughes,

Just wondering if you have had a chance to review the MOA? It appears HQ is pushing to get some or all of your DIOs to FLETC to participate in May-August classes. Once the MOA is signed I will begin putting together packets to our personnel security unit for your officers. HQ would like these packets by 01/29.

Please let me know if there are any questions,

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

2018-ICLI-00004 2159

Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-(b)(6); desk
(316)250-(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
Sent: Friday, January 05, 2018 3:50 PM
To: (b)(6);(b)(7)(C)
Subject: Memorandum Of Agreement 287g

Good Afternoon Sheriff Hughes,

Please find attached the MOA between ICE and the Terrell County Sheriff's Office in regards to 287g authority.

Please review, sign the document, and return it to me. If there is an issue with any part of the document please let me know.

Thank you,

(b)(6);(b)(7)(C)
Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-(b)(6); desk
(316)250-(b)(7)(C) cell

To: (b)(6);(b)(7)(C)
From: Keith Hughes
Sent: Tue 4/24/2018 9:11:16 PM
Subject: Re: [REDACTED] Academy Availability

Good Afternoon

These dates will work fine. I was also wondering if we should get started on the next deputies application as well

Thanks for everything
Sheriff Keith Hughes
Terrell County Sheriff's Office

(b)(6);(b)(7)(C)
(432)345-(b)(6);(

On Monday, April 23, 2018 2:52 PM, (b)(6);(b)(7)(C) wrote:

Good afternoon Sheriff,

Officer [REDACTED] has cleared the PSU portion of the 287g process. They are proposing an academy date of June 18, 2018 through July 13, 2018. Please advise if he is not available for these dates.

I look forward to hearing from you.

Thank you,

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

To: (b)(6);(b)(7)(C)
From: Keith
Sent: Tue 2/13/2018 6:39:29 PM
Subject: Re: ISA information for Terrell County, TX - 287(g)

Yes sir. That should be fine

Sent from my iPhone

On Feb 13, 2018, at 10:51 AM, (b)(6);(b)(7)(C) wrote:

Good morning Sheriff,

Will 12pm work for you on 02/20? The site visit should only last a couple of hours.

(b)(6);(b)(7)(C)
Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-(b)(6); desk
(316)250-(b)(7)(C) cell

From: Keith Hughes (b)(6);(b)(7)(C)
Sent: Friday, February 09, 2018 1:04 PM
To: (b)(6);(b)(7)(C)
Subject: Re: ISA information for Terrell County, TX - 287(g)

Yes Sir, I can make that work

Thanks

Sheriff Keith Hughes
Terrell County Sheriff's Office
(b)(6);(b)(7)(C)
(432)345-(b)(6);

On Friday, February 9, 2018 12:55 PM, (b)(6);(b)(7)(C) wrote:

Sheriff,

Are you available for the site visit outlined below?

(b)(6);(b)(7)(C)
Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-(b)(6); desk
(316)250-(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
Sent: Friday, February 09, 2018 12:05 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)

2018-ICLI-00004 2162

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

Wanted to check and see if it would be possible to complete a site visit at the new Terrell County site on 2/20?

I'd want to look at the site and see where we would install the computers, network switch and our data circuit.

If this date will work I'll begin my travel authorization. The site visit should only take a couple hours at most – just depends on what we see.

Respectfully,

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

IT Specialist | 287(g) Program Manager
Customer Support Branch | IT Operations Division
Office of the Chief Information Officer
U.S. Immigration and Customs Enforcement
Department of Homeland Security
Tel: (202) 732-(b)(6);
Mobile: (202) 631-(b)(6);

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

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

Sent: Wednesday, December 20, 2017 3:54 PM

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

Cc:

Subject: RE: ISA information for Terrell County, TX - 287(g)

1. Site address of where our equipment will be installed.

105 E. Hackberry Sanderson, TX 79848

2. Name, title, desk phone, cell phone and email for each of the follows:

- a. ICE Office of Enforcement and Removal Operations (ERO) Primary Point of Contact (POC)

- i. Name: (b)(6);(b)(7)(C)
- ii. Title: AFOD
- iii. Office Phone: 432-681-(b)(6);(b)(7)(C)
- iv. Mobile Phone: 316-250-(b)(6);(b)(7)(C)
- v. Email: (b)(6);(b)(7)(C)

- b. ICE Office of Enforcement and Removal Operations (ERO) Secondary Point of Contact (POC)

- i. Name: (b)(6);(b)(7)(C)
- ii. Title: AFOD
- iii. Office Phone: 915-856-(b)(6);(b)(7)(C)
- iv. Mobile Phone: 915-260-(b)(6);(b)(7)(C)
- v. Email: (b)(6);(b)(7)(C)

- c. Sheriff's Office Authorizing Official Point of Contact (POC) – Terrell County

- i. Name: Keith Hughes
- ii. Title: Sheriff
- iii. Office Phone: 432-345-(b)(6);(b)(7)(C)
- iv. Mobile Phone: 915-526-(b)(6);(b)(7)(C)
- v. Email: (b)(6);(b)(7)(C)

d. Local Sheriff's Office 287(g) Point of Contact (POC) – Terrell County

- i. Name: Keith Hughes
- ii. Title: Sheriff
- iii. Office Phone: 432-345-[redacted]
- iv. Mobile Phone: 915-526-[redacted]
- v. Email: [redacted]

e. Local Law Enforcement Agency IT Point of Contact (POC) – Terrell County

- i. Name: Keith Hughes
- ii. Title: Sheriff
- iii. Office Phone: 432-345-[redacted]
- iv. Mobile Phone: 915-526-[redacted]
- v. Email: [redacted]

[redacted]

Assistant Field Office Director
Midland and Pecos Sub-Offices
Enforcement & Removal Operations
U.S. Immigration & Customs Enforcement
1515 Idlewilde
Midland, Texas 79703
(432) 681-[redacted] desk
(316)250-[redacted] cell

From: [redacted]
Sent: Tuesday, December 19, 2017 11:19 AM
To: [redacted]
Cc: [redacted]
Subject: ISA information for Terrell County, TX - 287(g)

Morning [redacted]

[redacted] has said you are currently covering for the new 287(g) sites in Terrell County, TX. In an effort to get a little ahead for the new 287(g) sites I'm working on getting the ISA process started. I realize that this site may not have been notified of entering the program. Could you provide the following information?

- 1. Site address of where our equipment will be installed.
- 2. Name, title, desk phone, cell phone and email for each of the follows:
 - a. ICE Office of Enforcement and Removal Operations (ERO) Primary Point of Contact (POC)

- i. Name:
- ii. Title:
- iii. Office Phone:
- iv. Mobile Phone:
- v. Email:

- b. ICE Office of Enforcement and Removal Operations (ERO) Secondary Point of Contact (POC)

- i. Name:
- ii. Title:
- iii. Office Phone:
- iv. Mobile Phone:
- v. Email:

- c. Sheriff's Office Authorizing Official Point of Contact (POC) – Terrell County

- i. Name:
- ii. Title:
- iii. Office Phone:
- iv. Mobile Phone:
- v. Email:

d. Local Sheriff's Office 287(g) Point of Contact (POC) – Terrell County

- i. Name:
- ii. Title:
- iii. Office Phone:
- iv. Mobile Phone:
- v. Email:

e. Local Law Enforcement Agency IT Point of Contact (POC) – Terrell County

- i. Name:
- ii. Title:
- iii. Office Phone:
- iv. Mobile Phone:
- v. Email:

Please let me I know if you have any questions.
Thank you!

Respectfully,

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

IT Specialist | 287(g) Program Manager
Customer Support Branch | IT Operations Division
Office of the Chief Information Officer
U.S. Immigration and Customs Enforcement
Department of Homeland Security

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

Mobile: (202) 631- (b)(6);7

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

ICE Service Desk: 888-347-7762 or via web <https://servicedesk.ice.dhs.gov/>

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Thur 1/11/2018 4:28:41 PM
Subject: 287g program

Good morning (b)(6);(b)(7)(C)

I have a follow up question on the 287g program that we discussed earlier this week. When you have an opportunity can you please contact me on my cell at 915-269-(b)(6);(

Thank you

(b)(6)

(b)(6);(b)(7)(C), AFOD

DHS/ICE/ERO

11541 Montana Ave, (b)(6);(b)(7)

El Paso, TX 79936

915-856-(b)(6) desk

To: (b)(6),(b)(7)(C)
Cc:
From:
Sent: Thur 1/11/2018 11:48:52 PM
Subject: 287g program

Director Brice,

I understand that you have advised my Assistant Field Office Director, (b)(6),(b)(7)(C) that you are no longer interested in having the 287g program at Luna county. I was advised that this reversal is due to direction from your Commissioner. My management in Washington, D.C. along with upper management here in El Paso would like the opportunity to meet to discuss this issue further. Please advise if we need to elevate this request to your Commissioner. I did not want to elevate this request to the Commissioner level before discussing with you. Please let me know at your earliest convenience.

Thanks,

(b)(6);(

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

Deputy Field Office Director|El Paso Field Office

US Immigration & Customs Enforcement|Enforcement & Removal Operations

915-856-(b)(6) (D) 202-553-(b)(6) (C)

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

To: (b)(6),(b)(7)(C)
Cc:
From:
Sent: Mon 9/11/2017 8:38:17 PM
Subject: RE: Rockwall County Sheriff's Office 287(g) Request with FOD Support Memo

I have 3 of the 4 counties responses. I'll send them soon.

Thanks,

(b)(6),(b)(7)(C)
Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424- (b)(6)
(b)(6),(b)(7)(C)

cid:image001.jpg@01CBB02E.420EC700

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From: (b)(6),(b)(7)(C)
Date: Monday, Sep 11, 2017, 1:23 PM
To: (b)(6),(b)(7)(C)
Cc:
Subject: RE: Rockwall County Sheriff's Office 287(g) Request with FOD Support Memo

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

Would you please respond with answers to these for our upcoming Program Advisory Board for potential 287(g) participant Rockwall? Please let me know if you have any questions or need clarification.

- Any media support or opposition received for or against the County request?
- Congressional support for or against the County request?
- Is there any pending litigation or substantial settlements involving civil rights violations by County?
- Does the County have an IGSA with ICE or the U.S. Marshals? If so, what type?
- Is the detention center accredited and if so, what did they score on their last inspection(s) (ACA, PBNDS, NDS, State certification, USM, PREA, etc.). If a copy of the inspection reports are available, please forward them to me.
- Is there any other pertinent information concerning this request for participation with the County that you would like the PAB members to know prior to voting on the request?

Thanks,

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

From: (b)(6),(b)(7)(C)
Sent: Friday, September 01, 2017 6:50 PM
2018-ICLI-00004 2207

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

Subject: Rockwall County Sheriff's Office 287(g) Request with FOD Support Memo

Importance: High

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

Attached is the FOD support memo and supporting documentation for Rockwall County, Texas Sheriff's office. They are ready for the next PAB tentatively scheduled for October 27, 2017. Contact me if questions arise.

Thanks,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Dallas Field Office
Ofc: 214-424-(b)(6),(7)(C)

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



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To: (b)(6),(b)(7)(C)
From: [Redacted]
Sent: Thur 4/27/2017 4:36:29 PM
Subject: RE: Rockwall County Sheriff's Office

Sheriff Eavenson,

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) Program, one of ICE's top partnership initiatives, allows state and local law enforcement entities to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions. The 287(g) Program has emerged as one of the agency's most successful and popular partnership initiatives as more state and local leaders have come to understand how a shared approach to immigration enforcement can benefit their communities.

The 287(g) Program is one component under the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program umbrella of services, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities. ICE developed the ACCESS program in response to widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) Program, which trains local officers to enforce immigration law as authorized under section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi--authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders when there is an incident or attack against the United States. During the course of daily duties, they often encounter foreign-born criminals and immigration violators who may pose a threat to national security or public safety.

At your request for a meeting with yourself, I would also like to include your jail administrator and gauge your interest in participating in this partnership with ICE and addressing any concerns you may have. Please reply to my email or contact me at either of the phone numbers below for more information. Look forward to hearing from you soon.

R/S,

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

Immigration and Customs Enforcement
Enforcement and Removal Operations
287(g) Field Program Manager
Dallas Outreach Liaison
Ofc: 214-424-(b)(6)(C)

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



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From: (b)(6),(b)(7)(C)
Sent: Wednesday, April 26, 2017 3:40 PM
To: [Redacted]

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

Subject: Rockwall County

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

During a meeting today to discuss the MCAT program with Sheriff Eavenson of Rockwall County, he expressed interest in 287g. I've CC'd him on this email.

Would you please open up a line of communication, I think the sheriff may have a few questions that I'm sure you will be able to explain in better detail.

Sheriff Harold Eavenson

Rockwall County

972-204-1(b)(6);

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

Regards,

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

Deportation Officer

Mobile Criminal Alien Team (MCAT)

U.S. Immigration and Customs Enforcement

Athens, TX | M:(214) 629-(b)(6);(

Please excuse any typos or errors in grammar, This email was created and sent via iPhone.

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



U.S. Immigration
and Customs
Enforcement

Sheriff Chris Kleinberg
Dakota County Sheriff's Office
1601 Broadway Street
Dakota City, NE 68731

Dear Sheriff Kleinberg,

Thank you for your interest in the 287(g) Delegation of Authority Program. On November 14, 2017, U.S. Immigration and Customs Enforcement (ICE) convened a meeting of the 287(g) Program Advisory Board (PAB). After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On December 12, 2017, Acting ICE Director Thomas D. Homan approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Dakota County Sheriff's Office under a joint Memorandum of Agreement (MOA). A representative from the ICE St. Paul Field Office, Enforcement & Removal Operations, will contact you to discuss the implementation of the MOA.

Your local ICE point of contact for the St. Paul Field Office is Assistant Field Office Director (AFOD) (b)(6);(b)(7)(C) AFOD (b)(6);(b)(7)(C) can be reached at (402) 536-(b)(6);(C)

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,

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

Assistant Director
Enforcement

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Dakota County Jail, Nebraska (DAKOTNE), pursuant to which ICE delegates to nominated, trained, certified, and authorized DAKOTNE personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the DAKOTNE to identify and process for removal, under ICE supervision, aliens in DAKOTNE jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The DAKOTNE and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected DAKOTNE personnel (participating DAKOTNE personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the DAKOTNE's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating DAKOTNE personnel as members of the DAKOTNE. However, the exercise of the immigration enforcement authority delegated under this MOA to participating DAKOTNE personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating DAKOTNE personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating DAKOTNE personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the DAKOTNE is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating DAKOTNE personnel only as to immigration enforcement functions as authorized in this MOA. The DAKOTNE retains supervision of all other aspects of the employment and performance of duties by participating DAKOTNE personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The DAKOTNE is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the DAKOTNE has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from DAKOTNE custody. The DAKOTNE agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating DAKOTNE personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the DAKOTNE may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the DAKOTNE will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the DAKOTNE enter into an IGSA, the DAKOTNE must meet applicable detention standards.

In addition to detention services, ICE and the DAKOTNE may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the DAKOTNE will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the DAKOTNE will occur only when the DAKOTNE obtained prior ICE approval for the transportation. ICE will not reimburse if the DAKOTNE did not obtain prior approval from ICE.

The parties understand that the DAKOTNE will not continue to detain an alien after that alien is eligible for release from the DAKOTNE's custody in accordance with applicable law and DAKOTNE policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The DAKOTNE will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All DAKOTNE candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All DAKOTNE candidates shall have experience supervising inmates, have been trained on maintaining the security of DAKOTNE facilities, and have enforced rules and

regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The DAKOTNE is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the DAKOTNE will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the DAKOTNE background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the DAKOTNE will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The DAKOTNE agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If DAKOTNE personnel under consideration are in a collective bargaining unit, the DAKOTNE must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the DAKOTNE to fulfill this commitment could jeopardize the terms of this MOA.

All DAKOTNE candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating DAKOTNE personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating DAKOTNE personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each DAKOTNE nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an DAKOTNE nominee fails to attain a 70-percent rating on an examination, the DAKOTNE nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the DAKOTNE nominee will be

offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the DAKOTNE nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating DAKOTNE personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained DAKOTNE personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the DAKOTNE's Designated Accreditation Authority (DAA). The DAKOTNE agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, DAKOTNE personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those DAKOTNE personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in ERO St. Paul will provide the participating DAKOTNE personnel a signed authorization letter allowing the named DAKOTNE personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the DAKOTNE. Only those certified DAKOTNE personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified DAKOTNE personnel official immigration officer credentials. Upon receipt of the credentials, DAKOTNE personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating DAKOTNE personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating DAKOTNE employee ceases his/her participation, or when deemed necessary by the ICE FOD in ERO St. Paul.

Authorization of participating DAKOTNE personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the DAKOTNE. The DAKOTNE and the ICE FOD in ERO St. Paul will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The DAKOTNE will notify ICE within 48 hours of when participating DAKOTNE personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The DAKOTNE is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The DAKOTNE is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating DAKOTNE personnel while they are receiving training. The DAKOTNE will cover the costs of all DAKOTNE personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The DAKOTNE remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating DAKOTNE personnel at each DAKOTNE facility with an active

287(g) program. Only participating DAKOTNE personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating DAKOTNE personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in ERO St. Paul.

The DAKOTNE is responsible for covering all expenses at the DAKOTNE facility regarding cabling and power upgrades. If the connectivity solution for the DAKOTNE is determined to include use of the DAKOTNE's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the DAKOTNE will be responsible for covering any installation and recurring costs associated with the DAKOTNE line.

The DAKOTNE is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The DAKOTNE is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the DAKOTNE will provide at no cost to ICE, an office within participating DAKOTNE facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating DAKOTNE personnel will be supervised and directed by ICE supervisory officers. Participating DAKOTNE personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating DAKOTNE personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating DAKOTNE personnel only as to immigration enforcement functions conducted in conjunction to this authority. The DAKOTNE retains supervision of all other aspects of the employment of and performance of duties by participating DAKOTNE personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating DAKOTNE personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the DAKOTNE with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating DAKOTNE personnel will be expected or required to violate or otherwise fail to maintain the DAKOTNE's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the DAKOTNE's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The DAKOTNE will provide statistical or aggregated arrest data to ICE, as requested by ICE. The DAKOTNE will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the DAKOTNE's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the DAKOTNE will be responsible and bear the costs of participating DAKOTNE personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating DAKOTNE personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating DAKOTNE personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating DAKOTNE personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. DAKOTNE personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 1717 Avenue H, Omaha, NE 68110. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist DAKOTNE personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating DAKOTNE personnel only to the extent authorized by law.

The DAKOTNE agrees to cooperate with any Federal investigation related to this MOA to the

full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating DAKOTNE employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The DAKOTNE agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any DAKOTNE personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating DAKOTNE personnel under this MOA are undertaken under Federal authority, the participating DAKOTNE personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The DAKOTNE and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating DAKOTNE personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating DAKOTNE personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating DAKOTNE personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the DAKOTNE, as needed.

The DAKOTNE will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the

proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include DAKOTNE personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in ERO St. Paul, and the DAKOTNE shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating DAKOTNE personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the DAKOTNE may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in ERO St. Paul at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in ERO St. Paul. An initial review meeting will be held no later than nine months after certification of the initial class of participating DAKOTNE personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The DAKOTNE will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the DAKOTNE's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The DAKOTNE may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the DAKOTNE is authorized to do the same.

The DAKOTNE hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the DAKOTNE must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the DAKOTNE for this purpose are identified in Appendix C. For releases of information to all other parties, the DAKOTNE must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the DAKOTNE that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the DAKOTNE has coordinated in advance of release

with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

DAKOTNE questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating DAKOTNE personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the DAKOTNE points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the DAKOTNE shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the DAKOTNE and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the DAKOTNE shall be given to the ICE FOD in ERO St. Paul and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the DAKOTNE.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: _____

Date: _____

Matthew T. Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Chris Kleinberg
Sheriff
Dakota County Jail, Nebraska
1601 Broadway Street
P.O. Box 305
Dakota City, NE 68731

APPENDIX A
POINTS OF CONTACT

The ICE and DAKOTNE points of contact for purposes of implementation of this MOA are:

For the DAKOTNE:

LEA POC (hit ENTER for new line)

For ICE Enforcement and Removal Operations (ERO):

FOD POC (hit ENTER for new line)

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Dakota County Jail, Nebraska, (DAKOTNE), pursuant to which selected DAKOTNE personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating DAKOTNE personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain DAKOTNE personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the DAKOTNE and be handled in accordance with the DAKOTNE's applicable rules, policies, and procedures.

If any participating DAKOTNE personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the DAKOTNE shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in ERO St. Paul and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating DAKOTNE personnel shall be handled as described below.

The DAKOTNE will also handle complaints filed against DAKOTNE personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated DAKOTNE personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating DAKOTNE personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the DAKOTNE within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, DAKOTNE, participating DAKOTNE personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6):(b)(7)(C), or
- C. Via mail as follows:
Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of Professional Responsibility
P.O. Box 14475
Pennsylvania Avenue NW
Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the DAKOTNE directly that involve DAKOTNE personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the DAKOTNE's Internal Investigations Unit when the complaint involves DAKOTNE personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each

complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the DAKOTNE's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving DAKOTNE personnel to the DAKOTNE's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against DAKOTNE's participating officers.

B. Interim Action Pending Complaint Resolution

When participating DAKOTNE personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the DAKOTNE's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide DAKOTNE with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the DAKOTNE:

LEA PUBLIC AFFAIRS OFFICER (hit ENTER for new line)

For ICE:

Office of Public Affairs
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536

202-732-(b)(6);

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

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the DAKOTNE.

Pursuant to this MOA, the DAKOTNE has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the DAKOTNE's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the DAKOTNE to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the DAKOTNE shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating DAKOTNE personnel performing immigration-related functions pursuant to this MOA will be DAKOTNE officers assigned to detention operations supported by ICE. Those participating DAKOTNE personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to DAKOTNE jail/correctional facilities. Participating DAKOTNE personnel will identify and process for removal aliens in DAKOTNE jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating DAKOTNE personnel are delegated only those authorities listed below:

The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;

The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);

The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;

The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and

The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the DAKOTNE to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating DAKOTNE personnel will be supervised and directed by ICE supervisory officers. Participating DAKOTNE personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating DAKOTNE personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The DAKOTNE shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The DAKOTNE is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The DAKOTNE must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in ERO St. **Paul** through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the DAKOTNE's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the DAKOTNE and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an DAKOTNE facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc:
Subject: FW: FINAL NOTICE for (b)(6);(b)(7)(C)
Date: Monday, May 07, 2018 8:20:36 AM

(b)(6);(b)

Good morning.

In my mass of emails, this was sent to me on Friday. I wasn't getting emails until late Saturday, but it appears that they're still needing some information from you? Give me a call when you can and we'll get it worked out.

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

From: (b)(6);(b)(7)(C)
Sent: Friday, May 4, 2018 2:52 PM
(b)(6);(b)(7)(C)
Cc: 287(g) Training <287gTraining@ice.dhs.gov>
Subject: FW: FINAL NOTICE for (b)(6);(b)(7)(C)

Good afternoon,

Per the email below, Officer (b)(6);(b)(7)(C) has not provided the missing information. Please encourage the officer to do so to keep the investigation moving forward.

Thanks,

(b)(6);(b)(7)(C)
Unit Chief, Program Management Office
Criminal Alien Division, Enforcement Division
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
500 12th Street, (b)(6);(b)(7)(C)
Washington, DC 20536
202-732-(b)(6);
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 01, 2018 9:26 AM
To: 287gProgramManagementOffice (b)(6);(b)(7)(C) →
Cc: (b)(6);(b)(7)(C)
Subject: FINAL NOTICE for (b)(6);(b)(7)(C)

FINAL NOTICE FOR (b)(6);(b)(7)(C)

This e-mail will serve as the final notification of process.

In accordance with the email sent **April 23, 2018** PSU still has not received a complete security packet for (b)(6);(b)(7)(C) within the required 10 day processing period.

As part of the ICE adjudication process, this information is required for the background investigation or vetting to determine their eligibility for participating on an ICE program. Failure to submit the required documentation (in its entirety) to this office by **COB May 3, 2018** will result in an "automatic" termination of the security process.

If you have any questions (and/or) would like to request an extension beyond **COB May 3, 2018** please feel free to respond, (reply all) via this email, **prior to the date of termination**, in order to ensure adequate correspondence coverage. On a case by case basis, reconsideration beyond the COB Date will be considered.

Regards,

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

Personnel Security Assistant
Technical and Project Engineering, LLC (TAPE)
DHS/ICE/OPR/PSU
4050 Alpha Road, (b)(6);(b)(7)(C)
Farmers Branch, TX 75244
Phone: 972.455.(b)(6)
Fax: 972.455.5198

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

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

Sent: Monday, April 23, 2018 11:17 AM

To: 287gProgramManagementOffice <(b)(6);(b)(7)(C)>

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

Subject: Missing information for (b)(6);(b)(7)(C)

Importance: High

Please be advised-

PSU received the security packet for (b)(6);(b)(7)(C). At this time, no further action is required from your office. However, after a review of the document(s) submitted, PSU will need to work with the applicant to clarify and/or request missing document(s) to continue further processing.

A separate e-mail has been sent directly to the individual outlining the missing documents required. The applicant has until **COB May 3, 2018** to submit the required information. Failure by the applicant to meet this suspense will result in the termination of the security process.

If you have any questions, please feel free to respond via email in order to ensure adequate correspondence coverage.

Thank you,

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

Personnel Security Assistant
Technical and Project Engineering, LLC (TAPE)
DHS/ICE/OPR/PSU
4050 Alpha Road, (b)(6);(b)(7)(C)
Farmers Branch, TX 75244
Phone: 972.455.(b)(6)
Fax: 972.455.5198

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

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From: [ERO Taskings](#)
Subject: 287(g) Program Outreach
Date: Tuesday, February 7, 2017 9:58:16 AM

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 and Deputy Field Office Directors
Subject: 287(g) Program Outreach

The President's Executive Order, entitled *Border Security and Immigration Enforcement Improvements*, provides direction to "take appropriate action to engage with ... local officials for the purpose of preparing to enter into agreements under section 287(g) of the INA." To that end, each Field Office Director (FOD) will examine their local operational needs and conduct liaison with potential 287(g) partners. As outreach occurs, these efforts will be reported by the FOD's delegate to the 287(g) Headquarters Unit group mailbox at

[\(b\)\(6\);\(b\)\(7\)\(C\)](#)

The requirements for bringing new partners before the Program Advisory Board are:

- Memorandum of interest from the requesting agency
- Needs Assessment
- Letter of Support from the FOD

If you have any questions, please contact your local 287(g) Field Program Manager or the acting 287(g) HQ Unit Chief [\(b\)\(6\);\(b\)\(7\)\(C\)](#) at (202) 732-[\(b\)\(6\);\(7\)](#) or

[\(b\)\(6\);\(b\)\(7\)\(C\)](#).

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



U.S. Immigration
and Customs
Enforcement

Sheriff Cory C. Pulsipher
Washington County Sheriff's Office
750 South 5300 West
Hurricane, UT 84737

Dear Sheriff Pulsipher,

Thank you for your interest in the 287(g) Delegation of Authority Program. On November 14, 2017, U.S. Immigration and Customs Enforcement (ICE) convened a meeting of the 287(g) Program Advisory Board (PAB). After careful review and consideration, the PAB voted to recommend approval of your request to participate in the 287(g) Program. On December 12, 2017, Acting ICE Director Thomas D. Homan approved your request for Delegation of Authority under Section 287(g) of the Immigration and Nationality Act, 8 U.S.C. 1357(g).

Participation in the 287(g) Program involves a partnership between ICE and the Washington County Sheriff's Office under a joint Memorandum of Agreement (MOA). A representative from the ICE Salt Lake City Field Office, Enforcement & Removal Operations, will contact you to discuss the implementation of the MOA.

Your local ICE point of contact for the Salt Lake City Field Office is 287(g) Program Manager (PM) (b)(6),(b)(7)(C) can be reached at (702) 349-(b)(6),(b)(7)(C).

ICE appreciates your willingness to partner with us in furtherance of public safety and national security. We look forward to working with you and your department.

Sincerely,



Corey A. Price
Assistant Director
Enforcement



Washington County Sheriff's Office

750 South 5300 West - Hurricane, UT 84737

Cory C. Pulsipher, Sheriff

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

Undersheriff

435-656-(b)(6) (phone)

435-656-6599 (fax)

APPLICATION SUSPENSION

February 27, 2018.

After carefully considering a number of local factors, the Washington County Sheriff's Office has determined that it will not be requesting participation in the 287(g) program at this time. As such, we are requesting that our application be suspended for the immediate future. We value our partnership with our local and regional ICE agents, and this request is in no way related to the performance of their duties within Washington County. It is simply not the right time for our agency to engage in this particular program. Thank you for your understanding in regards to this decision. We look forward to continuing our relationship with our local ICE agents, and we will continue to support them in any way that we can.

Respectfully submitted,

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

Authorized Signature

(b)(6);(b)(7)(C) Chief Deputy

Print Name and Title



Davis County
SHERIFF'S Office

TODD RICHARDSON
SHERIFF

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

UNDERSHERIFF

CHIEF DEPUTY

April 19, 2018

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Homan:

I am writing to request the participation of the Davis County Sheriff's Office (DCSO) in the Delegation of Authority Program Pursuant to 287(g) of the Immigration and Naturalization Act. Given our current relationship with Immigration and Customs Enforcement (ICE), the partnership will enable us to better serve and meet the needs of the residents of Davis County, Utah.

I have been in communication with your office in Las Vegas, Nevada. Your staff in Las Vegas was very helpful and with their advice, I am recommending and requesting your assistance in the following:

The establishment of a 287(g) Jail Enforcement Model (JEM) program to be located at the Davis County Correctional Facility located in Farmington, Utah. This is the primary detention and processing facility in Davis County and one of the largest in the State of Utah.

Upon establishing this program, train at least four DCSO Deputies assigned to the facility. These deputies will be required to have a minimum of two consecutive years of work experience and be able to pass a security background that will be satisfactory to your organization at ICE.

This program will allow us to enter into a Memorandum of Understanding (MOU) that will enable DCSO to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Davis County and State of Utah. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

As always, if you or your staff have any questions or other needs to assist in processing this request, please do not hesitate to contact myself or my staff at DCSO.

Respectively,

A handwritten signature in black ink, appearing to read "Todd Richardson", written over a horizontal line.

Todd Richardson
Sheriff

From: [ERO Taskings](#)
Subject: Expansion of 287(g) Partnerships
Date: Tuesday, August 30, 2016 8:48:23 AM

The following message is sent on behalf of Matthew T. Albence, Assistant Director for Enforcement, with the concurrence of Christopher Shanahan, Acting Assistant Director for Field Operations:

To: Field Office Directors and Deputy Field Office Directors

Subject: Expansion of 287(g) Partnerships

Earlier this year, the Secretary of Homeland Security authorized Enforcement and Removal Operations (ERO) to expand the 287(g) program.

In June, ERO held its first Program Advisory Board (PAB) in nearly four years to review existing applications. The PAB recommended six (6) new law enforcement agencies (LEAs) for participation. HQ Enforcement is anticipating holding another PAB prior to the end of the calendar year and is requesting that Field Office Directors review their local operations to determine potential LEAs with which to form additional partnerships. Ideal strategic partners include those LEAs/facilities in which numerous Criminal Alien Program resources are assigned, are geographically dispersed from the nearest ERO office, and/or where a 287(g) field program manager is able to provide oversight.

HQ Enforcement stands ready to assist in this process and will provide any logistical or operational support that is required.

Please contact Deputy Assistant Director Thomas Feeley via email at [\(b\)\(6\):\(b\)\(7\)\(C\)](#) or at (202)732-[\(b\)\(6\)](#) with any questions or requests for assistance.

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

April 20, 2018

MEMORANDUM FOR: Corey A. Price
Assistant Director
Enforcement Division

THROUGH: (b)(6);(b)(7)(C)
Unit Chief
287(g) Program (b)(6);(b)(7)(C)

FROM: Robert M. Culley
Field Office Director
Salt Lake City Field Office

SUBJECT: Davis County UT Sheriff Office's Request for 287(g) Program

On April 2, 2018, the Las Vegas sub-office contacted by the Davis County Sheriff Office's (DCSO) about participating in ICE's 287(g) program. DCSO was provided with information for ICE's 287(g) Jail Enforcement Model program.

After a review, DCSO has decided to pursue 287(g) authority and has submitted a letter of request to ICE Director Thomas D. Homan. The letter requests a 287(g) Jail Enforcement Model program at the Davis County Correctional Facility (DCCF) in Farmington, Utah and specifies that at least four (4) DCSO deputies be trained under the program. A needs assessment has been requested to be returned to the Las Vegas sub-office.

The Salt Lake City Field Office (FSL) has reviewed the 287(g) request and has determined that the field office will support DCSO's request for a 287(g) program and we look forward to expanding our law enforcement partnership with DCSO. FSL would like to request additional staff to provide the required amount of oversight and supervision. One (1) 287(g) Field Program Manager GS-14 (FPM) and one (1) Mission Support Specialist GS-9/12 (MSS) to be located at the Salt Lake City Filed Office to ensure a successful 287(g) program that focuses on ICE's enforcement priorities. An operational 287(g) program at this facility will enhance ICE's presence within FSL's area of responsibility (AOR) and contribute to ICE's mission of protecting the homeland by making our communities safer.

SUBJECT: Davis County UT Sheriff Office's Request for 287(g) Program

Page 2

DCCF in Farmington is within the Salt Lake City Field Office's AOR. FSL will pursue detention space within the Field Office's AOR. Aliens that are to be placed into removal proceedings and detained by ICE will be picked up from the facility within 48 hours.

FSL looks forward to furthering our continued law enforcement partnership with DCSO. If you have any questions concerning this matter, please contact Las Vegas 287(g) FPM (b)(6),(b)(7)(C) at 702-349-(b)(6)(C)



Davis County
SHERIFF'S Office

TODD RICHARDSON
SHERIFF

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

UNDERSHERIFF

CHIEF DEPUTY

April 19, 2018

Subject: Official Request to Participate in 287(g) Cross-Designation Program

Dear Director Homan:

I am writing to request the participation of the Davis County Sheriff's Office (DCSO) in the Delegation of Authority Program Pursuant to 287(g) of the Immigration and Naturalization Act. Given our current relationship with Immigration and Customs Enforcement (ICE), the partnership will enable us to better serve and meet the needs of the residents of Davis County, Utah.

I have been in communication with your office in Las Vegas, Nevada. Your staff in Las Vegas was very helpful and with their advice, I am recommending and requesting your assistance in the following:

The establishment of a 287(g) Jail Enforcement Model (JEM) program to be located at the Davis County Correctional Facility located in Farmington, Utah. This is the primary detention and processing facility in Davis County and one of the largest in the State of Utah.

Upon establishing this program, train at least four DCSO Deputies assigned to the facility. These deputies will be required to have a minimum of two consecutive years of work experience and be able to pass a security background that will be satisfactory to your organization at ICE.

This program will allow us to enter into a Memorandum of Understanding (MOU) that will enable DCSO to participate with ICE in identifying criminal illegal aliens who pose a risk to the citizens of Davis County and State of Utah. I look forward to your speedy endorsement of this request and moving forward with the program for the benefit of all.

As always, if you or your staff have any questions or other needs to assist in processing this request, please do not hesitate to contact myself or my staff at DCSO.

Respectively,

A handwritten signature in black ink, appearing to read "Todd Richardson", written over a horizontal line.

Todd Richardson
Sheriff



U.S. Immigration
and Customs
Enforcement

August 29, 2017

MEMORANDUM FOR: (b)(6);(b)(7)(C)
(A) Assistant Director
Enforcement Division

THROUGH: (b)(6);(b)(7)(C)
(A) Unit Chief
287(g) Program

FROM: (b)(6);(b)(7)(C)
Robert M. Culley
Field Office Director
Salt Lake City Field Office

SUBJECT: Nevada Department of Corrections' Request for 287(g) Programs

On May 5, 2016, the Las Vegas sub-office contacted the Nevada Department of Corrections (NDOC) about participating in ICE's 287(g) program. Director James E. Dzurenda responded on June 3, 2016 that NDOC would be interested in participating in the program and a point of contact (POC) was provided.

After a thorough review, NDOC decided to pursue 287(g) authority and has submitted a letter of request to ICE Director Thomas D. Homan. The letter requests a 287(g) Jail Enforcement Model program at NDOC's three (3) intake facilities and specifies that nine (9) NDOC officers be trained under the program. A needs assessment has been completed and returned to the Las Vegas sub-office.

The Salt Lake City Field Office (FSL) has reviewed the 287(g) request and has determined that the field office will support NDOC's request for three (3) 287(g) programs and we look forward to expanding our law enforcement partnership with NDOC. FSL would like to request additional staff to provide the required amount of oversight and supervision. One (1) 287(g) Field Program Manager GS-14 (FPM) and one (1) Mission Support Specialist GS-9/11 (MSS) to be located at the Reno sub-office and one (1) 287(g) FPM GS-14, one (1) MSS GS-9/11 and one (1) IT support position to be located at the Las Vegas sub-office to ensure successful 287(g) programs that focuses on ICE's enforcement priorities. Operational 287(g) programs at these three (3) facilities will enhance ICE's presence within FSL's area of responsibility (AOR) and contribute to ICE's mission of protecting the homeland by making our communities safer.

SUBJECT: Nevada Department of Corrections' Request for 287(g) Programs

Page 2

NDOC has two (2) intake facilities in Southern Nevada. The Florence McClure Women's Correctional Center in Las Vegas and the High Desert State Prison in Indian Springs are within the Las Vegas sub-office's AOR. NDOC has one (1) facility in Northern Nevada. The Northern Nevada Correctional Center in Carson City is within the Reno sub-office's AOR. FSL will pursue detention space within Nevada. Aliens that are to be placed into removal proceedings and detained by ICE will be picked up from the facilities within 48 hours.

FSL looks forward to furthering our continued law enforcement partnership with NDOC. If you have any questions concerning this matter, please contact Las Vegas 287(g) FPM (b)(6);(b)(7)(C) at 702-349-(b)(6);(b)(7)(C).



U.S. Immigration
and Customs
Enforcement

September 14, 2017

MEMORANDUM FOR: Corey A. Price
Assistant Director
Enforcement Division

THROUGH: (b)(6);(b)(7)(C)
(A) Unit Chief
287(g) Program

FROM: Robert M. Culley
Field Office Director
Salt Lake City Field Office

SUBJECT: Washington County UT Sheriff Office's Request for 287(g) Programs

In March 2017, the St. George sub-office was contacted by the Washington County Sheriff Office's (WCSO) about participating in ICE's 287(g) program. WCSO was provided with the contact information for 287(g) Field Program Manager (FPM) Henry Yates in Las Vegas and a point of contact (POC) was provided.

After a review, WCSO has decided to pursue 287(g) authority and has submitted a letter of request to ICE Director Thomas D. Homan. The letter requests a 287(g) Jail Enforcement Model program at the Purgatory Correctional Facility in Hurricane, Utah (PCF) and specifies that two (2) WCSO officers be trained under the program. A needs assessment has been completed and returned to the Las Vegas sub-office.

The Salt Lake City Field Office (FSL) has reviewed the 287(g) request and has determined that the field office will support WCSO's request for a 287(g) program and we look forward to expanding our law enforcement partnership with WCSO. FSL would like to request additional staff to provide the required amount of oversight and supervision. One (1) 287(g) Supervisory Detention and Deportation Officer GS-13 (SDDO) and one (1) Mission Support Specialist GS-9/11 (MSS) to be located at the St. George sub-office to ensure a successful 287(g) program that focuses on ICE's enforcement priorities. An operational 287(g) program at this facility will enhance ICE's presence within FSL's area of responsibility (AOR) and contribute to ICE's mission of protecting the homeland by making our communities safer.

PCF in Hurricane is within the St. George sub-office's AOR. FSL will pursue detention space within Utah. Aliens that are to be placed into removal proceedings and detained by ICE will be picked up from the facility within 48 hours.

FSL looks forward to furthering our continued law enforcement partnership with WCSO. If you have any questions concerning this matter, please contact Las Vegas 287(g) FPM (b)(6);(b)(7)(C) at 702-349-(b)(6);(b)

From: (b)(6);(b)(7)(C)
To:
Subject: FW: 287(g) Program Outreach
Date: Wednesday, February 8, 2017 7:44:18 AM
Importance: High

fyi

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

Desk: (801) 886-(b)(6);(C) • Cell: (801) 514-(b)(6);(C)

From: Feeley, Thomas E
Sent: Wednesday, February 8, 2017 8:43 AM

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

Subject: FW: 287(g) Program Outreach
Importance: High

Good Morning!

My apologies in advance. This outreach is only for the Jail Model of 287(g). HSI will not be reinstating the Task Force Modal and ICE/ERO is currently working on different approaches to 287(g) outside of the Jail Model. When I get more information on how we are going to move forward I will pass it on.

I appreciate your patience as we try to grow what has become a very popular program. If you have any questions or I can be of further assistance let me know!

Thanks,

Tom

Thomas E. Feeley

(A) Assistant Director
Enforcement Division
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
(202) 732-(b)(6);(C) (O) / (202) 271-(b)(6);(C) (C)

From: ERO Taskings
Sent: Tuesday, February 07, 2017 12:58 PM
Subject: 287(g) Program Outreach

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 and Deputy Field Office Directors

Subject: 287(g) Program Outreach

The President's Executive Order, entitled *Border Security and Immigration Enforcement Improvements*, provides direction to "take appropriate action to engage with ... local officials for the purpose of preparing to enter into agreements under section 287(g) of the INA." To that end, each Field Office Director (FOD) will examine their local operational needs and conduct liaison with potential 287(g) partners. As outreach occurs, these efforts will be reported by the FOD's delegate to the 287(g) Headquarters Unit group mailbox at

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

The requirements for bringing new partners before the Program Advisory Board are:

- Memorandum of interest from the requesting agency
- Needs Assessment
- Letter of Support from the FOD

If you have any questions, please contact your local 287(g) Field Program Manager or the acting 287(g) HQ Unit Chief (b)(6);(b)(7)(C) at (202) 732-(b)(6) or

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

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MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the U.S. Department of Homeland Security (DHS), and the Lyon County Sheriff's Office (LCSO), pursuant to which ICE delegates to nominated, trained, certified, and authorized LCSO personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the LCSO to identify and process for removal, under ICE supervision, aliens in LCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The LCSO and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected LCSO personnel (participating LCSO personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the LCSO's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating LCSO personnel as members of the LCSO. However, the exercise of the immigration enforcement authority delegated under this MOA to participating LCSO personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating LCSO personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating LCSO personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the LCSO is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating LCSO personnel only as to immigration enforcement functions as authorized in this MOA. The LCSO retains supervision of all other aspects of the employment and performance of duties by participating LCSO personnel.

ICE retains sole discretion in determining how it will manage its detention resources and

advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The LCSO is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the LCSO has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from LCSO custody. The LCSO agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating LCSO personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the LCSO may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the LCSO will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the LCSO enter into an IGSA, the LCSO must meet applicable detention standards.

In addition to detention services, ICE and the LCSO may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the LCSO will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the LCSO will occur only when the LCSO obtained prior ICE approval for the transportation. ICE will not reimburse if the LCSO did not obtain prior approval from ICE.

The parties understand that the LCSO will not continue to detain an alien after that alien is eligible for release from the LCSO's custody in accordance with applicable law and LCSO policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The LCSO will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All LCSO candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All LCSO candidates shall have experience supervising inmates, have been trained on maintaining the security of LCSO facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The LCSO is responsible for conducting a criminal background check covering the last five

years for all nominated candidates. Upon request, the LCSO will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the LCSO background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the LCSO will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The LCSO agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the LCSO to fulfill this commitment could jeopardize the terms of this MOA.

All LCSO candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating LCSO personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating LCSO personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each LCSO nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an LCSO nominee fails to attain a 70-percent rating on an examination, the LCSO nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the LCSO nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the LCSO nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil

rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating LCSO personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained LCSO personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the LCSO's Designated Accreditation Authority (DAA). The LCSO agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, LCSO personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those LCSO personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Salt Lake City, Utah will provide the participating LCSO personnel a signed authorization letter allowing the named LCSO personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the LCSO. Only those certified LCSO personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified LCSO personnel official immigration officer credentials. Upon receipt of the credentials, LCSO personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating LCSO personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating LCSO employee ceases his/her participation, or when deemed necessary by the ICE FOD in Salt Lake City, Utah.

Authorization of participating LCSO personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the LCSO. The LCSO and the ICE FOD in Salt Lake City, Utah will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The LCSO will notify ICE within 48 hours of when participating LCSO personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The LCSO is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The LCSO is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating LCSO personnel while they are receiving training. For LCSO personnel selected by ICE to attend training required for participation of this MOA, ICE will cover the costs of the chosen LCSO personnel's travel, housing, and per diem affiliated with the training. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

The LCSO remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating LCSO personnel at each LCSO facility with an active 287(g) program. Only participating LCSO personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating LCSO personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Salt Lake City, Utah.

The LCSO is responsible for covering all expenses at the LCSO facility regarding cabling and power upgrades. If the connectivity solution for the LCSO is determined to include use of the LCSO's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the LCSO will be responsible for covering any installation and recurring costs associated with the LCSO line.

The LCSO is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The LCSO is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the LCSO will provide at no cost to ICE, an office within participating LCSO facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating LCSO personnel will be supervised and directed by ICE supervisory officers. Participating LCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating LCSO personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating LCSO personnel only as to immigration enforcement functions conducted in conjunction to this authority. The LCSO retains supervision of all other aspects of the employment of and performance of duties by participating LCSO personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating LCSO personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the LCSO with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating LCSO personnel will be expected or required to violate or otherwise fail to maintain the LCSO's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the LCSO's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The LCSO will provide statistical or aggregated arrest data to ICE, as requested by ICE. The LCSO will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the LCSO's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the LCSO will be responsible and bear the costs of participating LCSO personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating LCSO personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. See 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating LCSO personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. See 8 U.S.C. § 1357(g)(8).

Participating LCSO personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. See 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. LCSO personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 501 S. Las Vegas Blvd. Las Vegas, NV 89101. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist LCSO personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating LCSO personnel only to the extent authorized by law.

The LCSO agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating LCSO employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The LCSO agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any LCSO personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating LCSO personnel under this MOA are undertaken under Federal authority, the participating LCSO personnel will comply with Federal standards and guidelines

relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The LCSO and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating LCSO personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating LCSO personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42. U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating LCSO personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the LCSO, as needed.

The LCSO will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include LCSO personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Salt Lake City, Utah and the LCSO shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating LCSO personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the LCSO may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Salt Lake City, Utah at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case

reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Salt Lake City, Utah. An initial review meeting will be held no later than nine months after certification of the initial class of participating LCSO personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The LCSO will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the LCSO's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The LCSO may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the LCSO is authorized to do the same.

The LCSO hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the LCSO must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the LCSO for this purpose are identified in Appendix C. For releases of information to all other parties, the LCSO must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the LCSO that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the LCSO has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

LCSO questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating LCSO personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the LCSO points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the LCSO shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the LCSO and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the LCSO shall be given to the ICE FOD in Salt Lake City, Utah and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the LCSO.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date:

5/4/18

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

Corey A. Price
Assistant Director
Enforcement
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 4/19/18

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

Chair
Lyon County Commission
2017 S. Main St.
Yerington, NV 89447

APPENDIX A
POINTS OF CONTACT

The ICE and LCSO points of contact for purposes of implementation of this MOA are:

For the LCSO:

Commander (b)(6);(b)(7)(C)
911 Harvey Way
Yerington, NV 89447
Office: (775) 463-(b)(6);(b)(7)(C)

For ICE Enforcement and Removal Operations (ERO):

(b)(6);(b)(7)(C) **287(g) FPM**
501 S. Las Vegas Blvd.
(b)(6);(b)(7)(C)
Las Vegas, NV 89101
Office: (702) 388-(b)(6);(C)

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Lyon County Sheriff's Office, (LCSO), pursuant to which selected LCSO personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating LCSO personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain LCSO personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the LCSO and be handled in accordance with the LCSO's applicable rules, policies, and procedures.

If any participating LCSO personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the LCSO shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Salt Lake City, Utah and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating LCSO personnel shall be handled as described below.

The LCSO will also handle complaints filed against LCSO personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated LCSO personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating LCSO personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the LCSO within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, LCSO, participating LCSO personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6);(b)(7)(C) or
- C. Via mail as follows:
Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of Professional Responsibility
P.O. Box 14475
Pennsylvania Avenue NW
Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the LCSO directly that involve LCSO personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the LCSO's Internal Investigations Unit when the complaint involves LCSO personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the LCSO's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving LCSO personnel to the LCSO's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against LCSO's participating officers.

B. Interim Action Pending Complaint Resolution

When participating LCSO personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the LCSO's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide LCSO with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the LCSO:

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

911 Harvey Way

Yerington, NV 89447

Office: (775) 463-(b)(6),(b)(7)(C)

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

For ICE:

Office of Public Affairs

U.S. Department of Homeland Security

U.S. Immigration and Customs Enforcement

Washington, DC 20536

202-732-(b)(6),(b)(7)(C)

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

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the LCSO.

Pursuant to this MOA, the LCSO has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the LCSO's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the LCSO to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the LCSO shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating LCSO personnel performing immigration-related functions pursuant to this MOA will be LCSO officers assigned to detention operations supported by ICE. Those participating LCSO personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to LCSO jail/correctional facilities. Participating LCSO personnel will identify and process for removal aliens in LCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities.

Participating LCSO personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the LCSO to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating LCSO personnel will be supervised and directed by ICE supervisory officers. Participating LCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating LCSO personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The LCSO shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The LCSO is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The LCSO must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Salt Lake City, Utah through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the LCSO's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the LCSO and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an LCSO facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Las Vegas Metropolitan Police Department (LVMPD), pursuant to which ICE delegates to nominated, trained, certified, and authorized LVMPD personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the LVMPD to identify and process for removal, under ICE supervision, aliens in LVMPD jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The LVMPD and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected LVMPD personnel (participating LVMPD personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the LVMPD'S jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating LVMPD personnel as members of the LVMPD. However, the exercise of the immigration enforcement authority delegated under this MOA to participating LVMPD personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating LVMPD personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating LVMPD personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the LVMPD is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating LVMPD personnel only as to immigration enforcement functions as authorized in this MOA. The LVMPD retains supervision of all other aspects of the employment and performance of duties by participating LVMPD personnel.

ICE retains sole discretion in determining how it will manage its detention resources and advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The LVMPD is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the LVMPD has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from LVMPD custody. The LVMPD agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating LVMPD personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the LVMPD may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the LVMPD will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the LVMPD enter into an IGSA, the LVMPD must meet applicable detention standards.

In addition to detention services, ICE and the LVMPD may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the LVMPD will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the LVMPD will occur only when the LVMPD obtained prior ICE approval for the transportation. ICE will not reimburse if the LVMPD did not obtain prior approval from ICE.

The parties understand that the LVMPD will not continue to detain an alien after that alien is eligible for release from the LVMPD's custody in accordance with applicable law and LVMPD policy, except for a period of up to 48 hours, pursuant to an Immigration Detainer/Request for Voluntary Action or Request for Voluntary Transfer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The LVMPD will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All LVMPD candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All LVMPD candidates shall have experience supervising inmates, have been trained on maintaining the security of LVMPD facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The LVMPD is responsible for conducting a criminal background check covering the last five years for all nominated candidates. Upon request, the LVMPD will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the LVMPD background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the LVMPD will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The LVMPD agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If LVMPD personnel under consideration are in a collective bargaining unit, the LVMPD must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the LVMPD to fulfill this commitment could jeopardize the terms of this MOA.

All LVMPD candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating LVMPD personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating LVMPD personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each LVMPD nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an LVMPD nominee fails to attain a 70-percent rating on an examination, the LVMPD nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the LVMPD nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the

LVMPD nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating LVMPD personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained LVMPD personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the LVMPD's Designated Accreditation Authority (DAA). The LVMPD agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, LVMPD personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those LVMPD personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Salt Lake City District will provide the participating LVMPD personnel a signed authorization letter allowing the named LVMPD personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the LVMPD. Only those certified LVMPD personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified LVMPD personnel official immigration officer credentials. Upon receipt of the credentials, LVMPD personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to

Employee (Form G-570). Participating LVMPD personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating LVMPD employee ceases his/her participation, or when deemed necessary by the ICE FOD in Salt Lake City District.

Authorization of participating LVMPD personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the LVMPD. The LVMPD and the ICE FOD in Salt Lake City District will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The LVMPD will notify ICE within 48 hours of when participating LVMPD personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The LVMPD is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The LVMPD is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating LVMPD personnel while they are receiving training. The LVMPD will cover the costs of all LVMPD personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The LVMPD remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/ Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating LVMPD personnel at each LVMPD facility with an active 287(g) program. Only participating LVMPD personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating LVMPD personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Salt Lake City District.

The LVMPD is responsible for covering all expenses at the LVMPD facility regarding cabling and power upgrades. If the connectivity solution for the LVMPD is determined to include use of the LVMPD's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the LVMPD will be responsible for covering any installation and recurring costs associated with the LVMPD line.

The LVMPD is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The LVMPD is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the LVMPD will provide at no cost to ICE, an office within participating LVMPD facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating LVMPD personnel will be supervised and directed by ICE supervisory officers. Participating LVMPD personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating LVMPD personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating LVMPD personnel only as to immigration enforcement functions conducted in conjunction to this authority. The LVMPD retains supervision of all other aspects of the employment of and performance of duties by participating LVMPD personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating LVMPD personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the LVMPD with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating LVMPD personnel will be expected or required to violate or otherwise fail to maintain the LVMPD's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the LVMPD's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The LVMPD will provide statistical or aggregated arrest data to ICE, as requested by ICE. The LVMPD will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the LVMPD's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the LVMPD will be responsible and bear the costs of participating LVMPD personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating LVMPD personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating LVMPD personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating LVMPD personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. LVMPD personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 3373 Pepper Lane, Las Vegas, Nevada 89120. The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist LVMPD personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional

misconduct on the part of the participating LVMPD personnel only to the extent authorized by law.

The LVMPD agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating LVMPD employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The LVMPD agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any LVMPD personnel under threat of disciplinary action in an administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating LVMPD personnel under this MOA are undertaken under Federal authority, the participating LVMPD personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The LVMPD and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating LVMPD personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating LVMPD personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating LVMPD personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the LVMPD, as needed.

The LVMPD will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include LVMPD personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Salt Lake City District, and the LVMPD shall meet at least annually, and as needed, to review and assess the immigration enforcement activities conducted by the participating LVMPD personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the LVMPD may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Salt Lake City District at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Salt Lake City District. An initial review meeting will be held no later than nine months after certification of the initial class of participating LVMPD personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The LVMPD will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the LVMPD's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The LVMPD may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the LVMPD is authorized to do the same.

The LVMPD hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the LVMPD must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the LVMPD for this purpose are identified in Appendix C. For releases of information to all other parties, the LVMPD must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the LVMPD that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the LVMPD has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

LVMPD questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating LVMPD personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

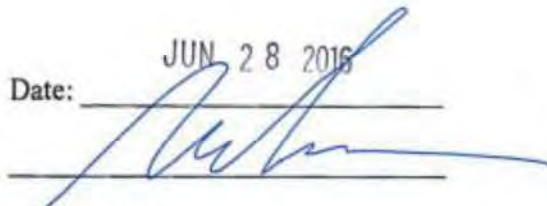
ICE and the LVMPD points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the LVMPD shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the LVMPD and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the LVMPD shall be given to the ICE FOD in Salt Lake City District and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the LVMPD.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: JUN 28 2016


Thomas D. Homan
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 6.16.16


Joseph Lombardo
Sheriff
Las Vegas Metropolitan Police Department

APPENDIX A
POINTS OF CONTACT

The ICE and LVMPD points of contact for purposes of implementation of this MOA are:

For the LVMPD:

Lieutenant (b)(6),(b)(7)(C)
330 S. Casino Center Blvd.
Las Vegas, Nevada 89101
702-416-(b)(6),(

Captain (b)(6),(b)(7)(C)
330 S. Casino Center Blvd.
Las Vegas, Nevada 89101
702-401-(b)(6),(

For ICE Enforcement and Removal Operations (ERO):

(b)(6),(b)(7)(C) - 287(g) Program Manager
3373 Pepper Lane
Las Vegas, Nevada 89120
702-388-(b)(6),(office

New Address starting late June 2016
501 S. Las Vegas Blvd., (b)(6),(b)(7)(C)
Las Vegas, Nevada 89101

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Law Enforcement LVMPD, (LVMPD), pursuant to which selected LVMPD personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating LVMPD personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain LVMPD personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the LVMPD and be handled in accordance with the LVMPD's applicable rules, policies, and procedures.

If any participating LVMPD personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the LVMPD shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Salt Lake City District and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating LVMPD personnel shall be handled as described below.

The LVMPD will also handle complaints filed against LVMPD personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated LVMPD personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating LVMPD personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the LVMPD within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, LVMPD, participating LVMPD personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6);(b)(7)(C) or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the LVMPD directly that involve LVMPD personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the LVMPD's Internal Investigations Unit when the complaint involves LVMPD personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the LVMPD's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving LVMPD personnel to the LVMPD's Internal Investigations Unit for resolution. The Facility Chief will inform ICE OPR of the disposition and resolution of any complaints or allegations against LVMPD's participating officers.

B. Interim Action Pending Complaint Resolution

When participating LVMPD personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the LVMPD's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide LVMPD with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the LVMPD:

Public Information Officer (b)(6);(b)(7)(C)
400 S. Martin Luther King Blvd. (b)(6);(b)(7)(C)
Las Vegas, Nevada 89106
702-828-(b)(6);(b)(7)(C)

For ICE:

Public Affairs Office
Office of Public Affairs and Internal Communication
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Washington, DC 20536
202-732-(b)(6);(b)(7)(C)

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the LVMPD.

Pursuant to this MOA, the LVMPD has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the LVMPD's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the LVMPD to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the LVMPD shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating LVMPD personnel performing immigration-related functions pursuant to this MOA will be LVMPD officers assigned to detention operations supported by ICE. Those participating LVMPD personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to LVMPD jail/correctional facilities. Participating LVMPD personnel will identify and process for removal aliens in LVMPD jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating LVMPD personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement LVMPD's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue Forms I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, I-247D, Immigration Detainer – Request for Voluntary Action, and I-247X, Request for Voluntary Transfer, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the LVMPD to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating LVMPD personnel will be supervised and directed by ICE supervisory officers. Participating LVMPD personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

The LVMPD shall provide notification to the ICE supervisor of any Form I-247N, Request for Voluntary Notification of Release of Suspected Priority Alien, Form I-247D, Immigration Detainer – Request for Voluntary Action, and Form I-247X, Request for Voluntary Transfer lodged under the authority conferred by the MOA within 24 hours.

The LVMPD shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The LVMPD is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The LVMPD must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Salt Lake City District through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the LVMPD's officers. Upon review and auditing of the entries and

records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the LVMPD and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an LVMPD facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) constitutes an agreement between U.S. Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Nye County Sheriff's Office (NCSO), pursuant to which ICE delegates to nominated, trained, certified, and authorized NCSO personnel the authority to perform certain immigration enforcement functions as specified herein. It is the intent of the parties that these delegated authorities will enable the NCSO to identify and process for removal, under ICE supervision, aliens in NCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities. The NCSO and ICE enter into this MOA in good faith and agree to abide by the terms and conditions contained herein.

I. PURPOSE

The purpose of this collaboration is to enhance the safety and security of communities by focusing resources on identifying and processing for removal aliens who fall into ICE's civil immigration enforcement priorities. This MOA sets forth the terms and conditions pursuant to which selected NCSO personnel (participating NCSO personnel) will be nominated, trained, and approved by ICE to perform certain functions of an immigration officer within the NCSO's jail/correctional facilities. Nothing contained herein shall otherwise limit the jurisdiction and powers normally possessed by participating NCSO personnel as members of the NCSO. However, the exercise of the immigration enforcement authority delegated under this MOA to participating NCSO personnel shall occur only as provided in this MOA.

II. AUTHORITY

Section 287(g) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. § 1357(g) (1996), as amended by the Homeland Security Act of 2002, Public Law 107-296, authorizes the Secretary of DHS to enter into written agreements with a State or any political subdivision of a State so that qualified personnel can perform certain functions of an immigration officer. Such authority has been delegated by the Secretary to ICE, and this MOA constitutes such a written agreement.

III. POLICY

This MOA sets forth the following: 1) the functions of an immigration officer that DHS is authorizing the participating NCSO personnel to perform; 2) the duration of the authority conveyed; 3) the supervisory requirements, including the requirement that participating NCSO personnel are subject to ICE supervision while performing immigration-related duties pursuant to this MOA; and 4) program information or data that the NCSO is required to collect as part of the operation of the program. For the purposes of this MOA, ICE officers will provide supervision for participating NCSO personnel only as to immigration enforcement functions as authorized in this MOA. The NCSO retains supervision of all other aspects of the employment and performance of duties by participating NCSO personnel.

ICE retains sole discretion in determining how it will manage its detention resources and

advance its mission. ICE will prioritize the detention of aliens in conformity with its civil immigration enforcement priorities. ICE reserves the right to detain aliens to the extent provided by law.

The NCSO is expected to pursue to completion all criminal charges that caused the alien to be taken into custody and over which the NCSO has jurisdiction. Subject to its civil immigration enforcement priorities, ICE will assume custody of an alien for purposes of removal, only after said individual has been released from NCSO custody. The NCSO agrees to use its 287(g) authority in a manner consistent with ICE's civil immigration enforcement priorities.

IV. DESIGNATION OF AUTHORIZED FUNCTIONS

Approved participating NCSO personnel will be authorized to perform only those immigration officer functions that are set forth in the Standard Operating Procedures (SOP) in Appendix D to this MOA.

V. OPTIONAL INTER-GOVERNMENTAL SERVICE AGREEMENTS

ICE and the NCSO may enter into an Inter-Governmental Service Agreement (IGSA) pursuant to which the NCSO will continue to detain, for a reimbursable fee, aliens for immigration purposes, if ICE so requests, following completion of the alien's criminal incarceration. If ICE and the NCSO enter into an IGSA, the NCSO must meet applicable detention standards.

In addition to detention services, ICE and the NCSO may enter into an IGSA provide for transportation services relating to incarcerated aliens. Under a transportation IGSA, the NCSO will transport incarcerated aliens who have completed their criminal sentences to a facility or location designated by ICE, if ICE makes such a request. Reimbursement to the NCSO will occur only when the NCSO obtained prior ICE approval for the transportation. ICE will not reimburse if the NCSO did not obtain prior approval from ICE.

The parties understand that the NCSO will not continue to detain an alien after that alien is eligible for release from the NCSO's custody in accordance with applicable law and NCSO policy, except for a period of up to 48 hours, pursuant to an immigration detainer issued in accordance with 8 C.F.R. § 287.7, absent an IGSA in place as described above.

VI. NOMINATION OF PERSONNEL

The NCSO will nominate candidates for ICE training and approval under this MOA. All candidates must be United States citizens. All NCSO candidates shall have knowledge of and have enforced laws and regulations pertinent to their law enforcement activities and their jurisdictions, All NCSO candidates shall have experience supervising inmates, have been trained on maintaining the security of NCSO facilities, and have enforced rules and regulations governing inmate accountability and conduct. Candidates must also show an ability to meet and deal with people of differing backgrounds and behaviors.

The NCSO is responsible for conducting a criminal background check covering the last five

years for all nominated candidates. Upon request, the NCSO will provide all related information and materials it collected, referenced, or considered during the criminal background check for nominated candidates to ICE.

In addition to the NCSO background check, ICE will conduct an independent background check for each candidate. This background check requires all candidates to complete a background questionnaire. The questionnaire requires, but is not limited to, the submission of fingerprints, a personal history questionnaire, and the candidate's disciplinary history (including allegations of excessive force or discriminatory action). ICE reserves the right to query any and all national and international law enforcement databases to evaluate a candidate's suitability to exercise immigration enforcement functions under this MOA. Upon request by ICE, the NCSO will provide continuous access to disciplinary records of all candidates along with a written privacy waiver signed by the candidate allowing ICE to have continuous access to his or her disciplinary records.

The NCSO agrees to use due diligence to screen individuals nominated for training and agrees that individuals who successfully complete the training under this MOA will perform immigration officer functions authorized under section 287(g) of the INA for a minimum of two years. If NCSO personnel under consideration are in a collective bargaining unit, the NCSO must, prior to the execution of the MOA, have an agreement with the exclusive representative that allows the designated officers to remain in their position for a minimum of two years. This two-year requirement may be waived solely at the discretion of ICE for good cause in situations that involve, among other things, imminent promotion, officer career development, and disciplinary actions. Failure by the NCSO to fulfill this commitment could jeopardize the terms of this MOA.

All NCSO candidates must be approved by ICE and must be able to qualify for access to the appropriate DHS and ICE databases/systems and associated applications. Should a candidate not be approved, a qualified substitute candidate may be submitted. Any future expansion in the number of participating NCSO personnel or scheduling of additional training classes is subject to all the requirements of this MOA and the accompanying SOP.

VII. TRAINING OF PERSONNEL

Before participating NCSO personnel receive authorization to perform immigration officer functions under this MOA, they must successfully complete the Immigration Authority Delegation Program (IADP) training provided by ICE. IADP training will be taught by ICE instructors and tailored to the immigration enforcement functions to be performed. Each NCSO nominee must pass each IADP examination with a minimum score of 70 percent to receive certification. If an NCSO nominee fails to attain a 70-percent rating on an examination, the NCSO nominee will have 1 opportunity to review the testing material and re-take a similar examination. During the entirety of the IADP, the NCSO nominee will be offered a maximum of 1 remedial examination. Failure to achieve a 70-percent rating on any 2 examinations (inclusive of any remedial examination), will result in the disqualification of the NCSO nominee and discharge of the nominee from the IADP.

Training will include, among other topics: (i) discussion of the terms and limitations of this MOA; (ii) the scope of delegated immigration officer authority; (iii) relevant immigration laws; (iv) ICE's civil immigration enforcement priorities, including prosecutorial discretion; (v); civil rights laws; (vi) the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014, and related DHS guidance; (vii) public outreach and complaint procedures; (viii) liability issues; (ix) cross-cultural issues; and (x) obligations related to consular notification concerning the arrest or detention of foreign nationals.

Participating NCSO personnel will also be required to complete refresher training, Immigration Authority Delegation Refresher Program (IADRP), every two years, and any additional training required by ICE on relevant administrative, legal, and operational issues related to the performance of immigration officer functions.

ICE will review the training requirements annually and reserves the right to amend them.

Trained NCSO personnel will receive a DHS email account and access to the necessary DHS systems and associated applications. The use of the information technology (IT) infrastructure and the DHS/ICE IT security policies are defined in the Interconnection Security Agreement (ISA). The ISA is the agreement between ICE's Chief Information Security Officer (CISO) and the NCSO's Designated Accreditation Authority (DAA). The NCSO agrees that each of its sites using an ICE-provided network access or equipment will sign the ISA, which defines the IT policies and rules of behavior for each user granted access to the DHS network and applications. Failure to adhere to the terms of the ISA could result in the loss of all user privileges.

VIII. CERTIFICATION AND AUTHORIZATION

Upon successful completion of IADP training, NCSO personnel shall be deemed "certified" under this MOA.

On a yearly basis, ICE will certify in writing the names of those NCSO personnel who successfully complete training and pass all required test(s). Upon receipt of the certification, the ICE Field Office Director (FOD) in Salt Lake City, Utah will provide the participating NCSO personnel a signed authorization letter allowing the named NCSO personnel to perform specified functions of an immigration officer for an initial period of one year from the date of the authorization. ICE will also provide a copy of the authorization letter to the NCSO. Only those certified NCSO personnel who receive authorization letters issued by ICE and whose immigration enforcement efforts are overseen by an ICE supervisor may conduct immigration officer functions described in this MOA.

Along with the authorization letter, ICE will issue the certified NCSO personnel official immigration officer credentials. Upon receipt of the credentials, NCSO personnel will provide ICE a signed receipt of the credentials on the ICE Record of Receipt – Property Issued to Employee (Form G-570). Participating NCSO personnel shall carry their ICE-issued credentials while performing immigration officer functions under this MOA. Such credentials provided by

ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, when a participating NCSO employee ceases his/her participation, or when deemed necessary by the ICE FOD in Salt Lake City, Utah.

Authorization of participating NCSO personnel to act pursuant to this MOA may be withdrawn at any time and for any reason by ICE and must be memorialized in a written notice of withdrawal identifying an effective date of withdrawal and the personnel to whom the withdrawal pertains. Such withdrawal may be effectuated immediately upon notice to the NCSO. The NCSO and the ICE FOD in Salt Lake City, Utah will be responsible for notification of the appropriate personnel in their respective agencies. The termination of this MOA shall constitute immediate revocation of all immigration enforcement authorizations delegated hereunder.

The NCSO will notify ICE within 48 hours of when participating NCSO personnel cease their participation in the 287(g) program, so that appropriate action can be taken in accordance with ICE policies, including inventorying and retrieval of credentials and termination of user account access to the appropriate DHS and ICE databases/systems and associated applications.

IX. COSTS AND EXPENDITURES

The NCSO is responsible for personnel expenses, including, but not limited to, salaries and benefits, local transportation, and official issue material. The NCSO is responsible for the salaries and benefits, including overtime, of all of its personnel being trained or performing duties under this MOA and of those personnel performing the regular functions of the participating NCSO personnel while they are receiving training. The NCSO will cover the costs of all NCSO personnel's travel, housing, and per diem affiliated with the training required for participation in this MOA. ICE is responsible for the salaries and benefits of all of its personnel, including instructors and supervisors.

If ICE determines the training provides a direct service for the Government and it is in the best interest of the Government, the Government may issue travel orders to selected personnel and reimburse travel, housing, and per diem expenses only. The NCSO remains responsible for paying salaries and benefits of the selected personnel.

ICE will provide instructors and training materials.

Subject to the availability of funds, ICE will be responsible for the purchase, installation, and maintenance of technology (computer/Integrated Automated Fingerprint Identification System/Photo and similar hardware/software) necessary to support the immigration enforcement functions of participating NCSO personnel at each NCSO facility with an active 287(g) program. Only participating NCSO personnel certified by ICE may use this equipment. ICE will also provide the necessary technological support and software updates for use by participating NCSO personnel to accomplish the delegated functions. Such hardware, software, and other technology purchased or provided by ICE shall remain the property of ICE and shall be returned to ICE upon termination of this agreement, or when deemed necessary by the ICE FOD in Salt Lake City, Utah.

The NCSO is responsible for covering all expenses at the NCSO facility regarding cabling and power upgrades. If the connectivity solution for the NCSO is determined to include use of the NCSO's own communication lines - (phone, DSL, site owned T-1/T-3, etc.), the NCSO will be responsible for covering any installation and recurring costs associated with the NCSO line.

The NCSO is responsible for providing all administrative supplies, such as paper, toner, pens, pencils, or other similar items necessary for normal office operations. The NCSO is also responsible for providing the necessary security equipment, such as handcuffs, leg restraints and flexi cuffs, etc.

Also, if requested by ICE, the NCSO will provide at no cost to ICE, an office within participating NCSO facilities from which ICE supervisory employees can work.

X. ICE SUPERVISION

Immigration enforcement activities conducted by the participating NCSO personnel will be supervised and directed by ICE supervisory officers. Participating NCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities are specified in the SOP in Appendix D.

The actions of participating NCSO personnel will be reviewed by ICE supervisory officers on an ongoing basis to ensure compliance with the requirements of the immigration laws and procedures and to assess the need for individual training or guidance.

For purposes of this MOA, ICE officers will provide supervision of participating NCSO personnel only as to immigration enforcement functions conducted in conjunction to this authority. The NCSO retains supervision of all other aspects of the employment of and performance of duties by participating NCSO personnel.

In the absence of a written agreement to the contrary, the policies and procedures to be utilized by the participating NCSO personnel in exercising these delegated authorities under this MOA shall be DHS and ICE policies and procedures. ICE is responsible for providing the NCSO with the applicable DHS and ICE policies.

However, when engaged in immigration enforcement activities, no participating NCSO personnel will be expected or required to violate or otherwise fail to maintain the NCSO's rules, standards, or policies, or be required to fail to abide by restrictions or limitations as may otherwise be imposed by law.

If a conflict arises between an order or direction of an ICE supervisory officer or a DHS or ICE policy and the NCSO's rules, standards, or policies, the conflict shall be promptly reported to the points of contact listed in Appendix A who shall attempt to resolve the conflict.

XI. REPORTING REQUIREMENTS

The NCSO will provide statistical or aggregated arrest data to ICE, as requested by ICE. The

NCSO will also provide specific tracking data and/or any information, documents, or evidence related to the circumstances of a particular arrest upon request. ICE may use this data to compare and verify ICE's own data, and to fulfill ICE's statistical reporting requirements, or to assess the progress and success of the NCSO's 287(g) program.

XII. LIABILITY AND RESPONSIBILITY

Except as otherwise noted in this MOA or allowed by Federal law, and to the extent required by 8 U.S.C. § 1357(g)(7) and (8), the NCSO will be responsible and bear the costs of participating NCSO personnel with regard to their property or personal expenses incurred by reason of death, injury, or incidents giving rise to liability.

Participating NCSO personnel will be treated as Federal employees only for purposes of the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680, and worker's compensation claims, 5 U.S.C. § 8101 et seq., when performing a function on behalf of ICE as authorized by this MOA. *See* 8 U.S.C. § 1357(g)(7); 28 U.S.C. § 2671. In addition, it is the understanding of the parties to this MOA that participating NCSO personnel will enjoy the same defenses and immunities from personal liability for their in-scope acts that are available to ICE officers based on actions conducted in compliance with this MOA. *See* 8 U.S.C. § 1357(g)(8).

Participating NCSO personnel named as defendants in litigation arising from activities carried out under this MOA may request representation by the U.S. Department of Justice. *See* 28 C.F.R. § 50.15. Absent exceptional circumstances, such requests must be made in writing. NCSO personnel who wish to submit a request for representation shall notify the local ICE Office of the Chief Counsel at 3373 Pepper Lane, Las Vegas, Nevada 89120 (will be moving to 501 S. Las Vegas Blvd., Las Vegas, Nevada 89101). The Office of the Chief Counsel in turn will notify the ICE Headquarters Office of the Principal Legal Advisor (OPLA), which will assist NCSO personnel with the request for representation, including the appropriate forms and instructions. Unless OPLA concludes that representation clearly is unwarranted, it will forward the request for representation, any supporting documentation, and an advisory statement opining whether: 1) the requesting individual was acting within the scope of his/her authority under 8 U.S.C. § 1357(g); and, 2) such representation would be in the interest of the United States, to the Director of the Constitutional and Specialized Tort Litigation Section, Civil Division, Department of Justice (DOJ). Representation is granted at the discretion of DOJ; it is not an entitlement. Subject to DHS Policy, ICE may defend or indemnify acts of intentional misconduct on the part of the participating NCSO personnel only to the extent authorized by law.

The NCSO agrees to cooperate with any Federal investigation related to this MOA to the full extent of its available powers, including providing access to appropriate databases, personnel, individuals in custody and documents. Failure to do so may result in the termination of this MOA. Failure of any participating NCSO employee to cooperate in any Federal investigation related to this MOA may result in revocation of such individual's authority provided under this MOA. The NCSO agrees to cooperate with Federal personnel conducting reviews to ensure compliance with the terms of this MOA and to provide access to appropriate databases, personnel, and documents necessary to complete such compliance review. It is understood that information provided by any NCSO personnel under threat of disciplinary action in an

administrative investigation cannot be used against that individual in subsequent criminal proceedings, consistent with *Garrity v. New Jersey*, 385 U.S. 493 (1967), and its progeny.

As the activities of participating NCSO personnel under this MOA are undertaken under Federal authority, the participating NCSO personnel will comply with Federal standards and guidelines relating to the Supreme Court's decision in *Giglio v. United States*, 405 U.S. 150 (1972), and its progeny, which govern the disclosure of potential impeachment information about possible witnesses or affiants in a criminal case or investigation.

The NCSO and ICE are each responsible for compliance with the Privacy Act of 1974, 5 U.S.C. §552a, DHS Privacy Act regulations, 6 C.F.R. §§ 5.20-5.36, as applicable, and related system of records notices with regard to data collection and use of information under this MOA.

XIII. COMPLAINT PROCEDURES

The complaint reporting procedure for allegations of misconduct by participating NCSO personnel, including activities undertaken under the authority of this MOA, is included in Appendix B.

XIV. CIVIL RIGHTS STANDARDS

Participating NCSO personnel are bound by all Federal civil rights laws, regulations, and guidance relating to non-discrimination, including the U.S. Department of Justice "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, or Gender Identity," dated December 2014," and Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq., which prohibits discrimination based upon race, color, or national origin (including limited English proficiency) in any program or activity receiving Federal financial assistance.

XV. INTERPRETATION SERVICES

Participating NCSO personnel will provide an opportunity for subjects with limited English language proficiency to request an interpreter. Qualified foreign language interpreters will be provided by the NCSO, as needed.

The NCSO will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. Participating law enforcement personnel will be instructed on the proper administrative procedures to follow to obtain the services of an interpreter. A qualified interpreter, which may include NCSO personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary. If an interpreter is used when a designated officer is performing functions under this MOA, the interpreter must be identified, by name, in records.

XVI. COMMUNICATION

The ICE FOD in Salt Lake City, Utah, and the NCSO shall meet at least annually, and as needed,

to review and assess the immigration enforcement activities conducted by the participating NCSO personnel, and to ensure compliance with the terms of this MOA. When necessary, ICE and the NCSO may limit the participation of these meetings in regards to non-law enforcement personnel. The attendees will meet in Salt Lake City, Utah at locations to be agreed upon by the parties, or via teleconference. The participants will be supplied with specific information on case reviews, individual participants' evaluations, complaints filed, media coverage, and, to the extent practicable, statistical information on immigration enforcement activity in Salt Lake City, Utah. An initial review meeting will be held no later than nine months after certification of the initial class of participating NCSO personnel under Section VII, above.

XVII. COMMUNITY OUTREACH

The NCSO will, as necessary, engage in Steering Committee meetings and may engage in other community outreach with individuals and organizations expressing an interest in this MOA. ICE may participate in such outreach upon the NCSO's request. Nothing in this MOA shall limit ICE's own community outreach efforts.

XVIII. RELEASE OF INFORMATION TO THE MEDIA AND OTHER THIRD PARTIES

The NCSO may, at its discretion, communicate the substance of this agreement to organizations and groups expressing an interest in the law enforcement activities to be engaged in under this MOA. It is the practice of ICE to provide a copy of this MOA, only after it has been signed, to requesting media outlets; the NCSO is authorized to do the same.

The NCSO hereby agrees to coordinate with ICE prior to releasing any information relating to, or exchanged under, this MOA. For releases of information to the media, the NCSO must coordinate in advance of release with the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval prior to any release. The points of contact for ICE and the NCSO for this purpose are identified in Appendix C. For releases of information to all other parties, the NCSO must coordinate in advance of release with the applicable ICE Field Office.

Information obtained or developed as a result of this MOA, including any documents created by the NCSO that contain information developed or obtained as a result of this MOA, is under the control of ICE and shall not be disclosed unless: 1) permitted by applicable laws, regulations, or executive orders; and 2) the NCSO has coordinated in advance of release with (a) the ICE Office of Public Affairs, which will consult the ICE Privacy Office for approval, prior to any release to the media, or (b) an ICE supervisor prior to releases to all other parties.

NCSO questions regarding the applicability of this section to requests for the release of information shall be directed to an ICE supervisor.

Appendix B to this MOA describes the complaint procedures available to members of the public regarding actions taken by participating NCSO personnel pursuant to this agreement.

XIX. MODIFICATIONS TO THIS MOA

Modifications to this MOA must be proposed in writing and approved and signed by both

parties. Modification to Appendix D shall be done in accordance with the procedures outlined in the SOP.

XX. POINTS OF CONTACT

ICE and the NCSO points of contact for purposes of this MOA are identified in Appendix A. Points of contact (POC) can be updated at any time by providing a revised Appendix A to the other party to this MOA.

XXI. DURATION AND TERMINATION OF THIS MOA

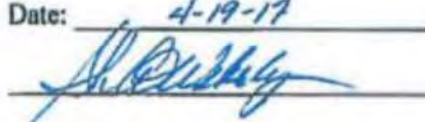
This MOA will remain in effect from the date of signing to June 30, 2019 unless terminated earlier by either party. Prior to the expiration of the effective period, ICE and the NCSO shall review the MOA for consideration whether to modify, extend, or permit the MOA to lapse. During the MOA's effective period, either party, upon written notice to the other party, may terminate or suspend the MOA at any time. A termination or suspension notice by ICE shall be delivered personally or by certified or registered mail to the NCSO and termination or suspension shall take effect immediately upon receipt of such notice. Notice of termination or suspension by the NCSO shall be given to the ICE FOD in Salt Lake City, Utah and termination or suspension shall take effect immediately upon receipt of such notice. Upon a subsequent demonstration of need, all costs to reinstate access to such authorities and/or program services will be incurred by the NCSO.

This MOA does not, is not intended to, shall not be construed to, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any person in any matter, civil or criminal.

By signing this MOA, each party represents it is fully authorized to enter into this MOA, accepts the terms, responsibilities, obligations, and limitations of this MOA, and agrees to be bound thereto to the fullest extent allowed by law.

Date: APR 20 2017


Matthew Albence
Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
Department of Homeland Security

Date: 4-19-17


Sharon Wehrly
Sheriff
Nye County Sheriff's Office
1520 E. Basin Avenue
Pahrump, Nevada 89060

APPENDIX A
POINTS OF CONTACT

The ICE and NCSO points of contact for purposes of implementation of this MOA are:

For the NCSO:

Sergeant (b)(6);(b)(7)(C)
1520 E. Basin Avenue
Pahrump, Nevada 89060
775-751-(b)(6) office
775-253-(b)(7)(C) cell

For ICE Enforcement and Removal Operations (ERO):

(b)(6);(b)(7)(C) 287(g) Program Manager
501 S. Las Vegas Blvd., (b)(6);(b)(7)(C)
Las Vegas, Nevada 89101
702-388-(b)(6) office
702-349-(b)(7)(C) cell

APPENDIX B

COMPLAINT PROCEDURE

This Memorandum of Agreement (MOA) is between the U.S. Department of Homeland Security's U.S. Immigration and Customs Enforcement (ICE) and the Nye County Sheriff's Office, (NCSO), pursuant to which selected NCSO personnel are authorized to perform immigration enforcement duties in specific situations under Federal authority. As such, the training, supervision, and performance of participating NCSO personnel pursuant to the MOA, as well as the protections for U.S. citizens' and aliens' civil and constitutional rights, are to be monitored. Part of that monitoring will be accomplished through these complaint reporting and resolution procedures, which the parties to the MOA have agreed to follow.

The MOA sets forth the process for designation, training, certification, and authorization of certain NCSO personnel to perform certain immigration enforcement functions specified herein. Complaints filed against those personnel in the course of their non-immigration duties will remain the domain of the NCSO and be handled in accordance with the NCSO's applicable rules, policies, and procedures.

If any participating NCSO personnel are the subject of a complaint or allegation involving the violation of the terms of this MOA or a complaint or allegation of any sort that may result in that individual receiving professional discipline or becoming the subject of a criminal investigation or civil lawsuit, the NCSO shall, to the extent allowed by State law, notify ICE within 48 hours of the existence and nature of the complaint or allegation. The results of any internal investigation or inquiry connected to the complaint or allegation and the resolution of the complaint shall also be promptly reported to ICE. The ICE notifications must be made locally to the ICE FOD in Salt Lake City, Utah and to the ICE Office of Professional Responsibility (OPR) via the Joint Intake Center (JIC) at (b)(6);(b)(7)(C). Complaints regarding the exercise of immigration enforcement authority by participating NCSO personnel shall be handled as described below.

The NCSO will also handle complaints filed against NCSO personnel who are not designated and certified pursuant to this MOA but are acting in immigration functions in violation of this MOA. Further, any such complaints regarding non-designated NCSO personnel must be forwarded to the JIC.

In order to simplify the process for the public, complaints against participating NCSO personnel relating to their immigration enforcement can be made according to the procedures outlined below.

1. Complaint and Allegation Reporting Procedures

Complaint reporting procedures shall be disseminated by the NCSO within facilities under its jurisdiction (in English and other languages as appropriate) in order to ensure that all individuals are aware of the availability of such procedures. Such material must include up-to-date contact information necessary to file the complaint.

Complaints will be accepted from any source (e.g., ICE, NCSO, participating NCSO personnel, inmates, and the public). ICE will immediately forward a copy of the complaint to the DHS Office for Civil Rights and Civil Liberties (CRCL).

Complaints can be reported to Federal authorities as follows:

- A. Telephonically to the DHS Office of the Inspector General (DHS OIG) at the toll free number 1-800-323-8603, or
- B. Telephonically to the ICE OPR at the Joint Intake Center (JIC) in Washington, D.C., at the toll-free number 1-877-246-8253, email (b)(6):(b)(7)(C), or
- C. Via mail as follows:
 - Department of Homeland Security
 - U.S. Immigration and Customs Enforcement
 - Office of Professional Responsibility
 - P.O. Box 14475
 - Pennsylvania Avenue NW
 - Washington D.C. 20044

2. Review of Complaints

All complaints or allegations (written or oral) reported to the NCSO directly that involve NCSO personnel with ICE delegated authority will be reported to ICE OPR via the JIC. ICE OPR will verify participating personnel status under the MOA with the assistance of the ICE Headquarters. Complaints received by any ICE entity will be reported directly to ICE OPR as per existing ICE policies and procedures.

ICE OPR, as appropriate, will make an initial determination regarding ICE investigative jurisdiction and refer the complaint to the appropriate ICE office for action as soon as possible, given the nature of the complaint.

Complaints reported directly to ICE OPR will be shared with the NCSO's Internal Investigations Unit when the complaint involves NCSO personnel. Both offices will then coordinate appropriate investigative jurisdiction, which may include initiation of a joint investigation to resolve the issue(s).

3. Complaint and Allegations Resolution Procedures

Upon receipt of any complaint or allegation, ICE OPR will undertake a complete review of each complaint in accordance with existing ICE allegation criteria and reporting requirements. As stated above, ICE OPR will adhere to the reporting requirements as stated above and as they relate to the DHS OIG and CRCL and/or the DOJ Civil Rights Division. Complaints will be resolved using the existing procedures, supplemented as follows:

A. Referral of Complaints or Allegations to the NCSO's Internal Investigations Unit.

The ICE OPR will refer complaints, as appropriate, involving NCSO personnel to the NCSO's Internal Investigations Unit for resolution. The facility commander will inform ICE OPR of the disposition and resolution of any complaints or allegations against NCSO's participating officers.

B. Interim Action Pending Complaint Resolution

When participating NCSO personnel are under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, or are alleged to have violated the terms of this MOA, ICE may suspend or revoke an individual's immigration enforcement authority and have that individual removed from participation in the activities covered under the MOA.

C. Time Parameters for Resolution of Complaints or Allegations

It is expected that any complaint received will be resolved within 90 days of receipt. However, this will depend upon the nature and complexity of the substance of the complaint itself.

D. Notification of Resolution of a Complaint or Allegation

ICE OPR will coordinate with the NCSO's Internal Investigations Unit to ensure notification as appropriate to the JIC, the subject(s) of a complaint, and the person filing the complaint regarding the resolution of the complaint.

These Complaint Reporting and Allegation Procedures are ICE's internal policy and may be supplemented or modified by ICE unilaterally. ICE will provide NCSO with written copies of any such supplements or modifications. These Complaint Reporting and Allegation Procedures apply to ICE and do not restrict or apply to other investigative organizations within the federal government.

APPENDIX C

PUBLIC INFORMATION POINTS OF CONTACT

Pursuant to Section XVIII of this MOA, the signatories agree to coordinate appropriate release of information to the media, provided the release has been previously approved by the ICE Privacy Officer, regarding actions taken under this MOA before any information is released. The points of contact for coordinating such activities are:

For the NCSO:

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

Public Information Officer
Nye County Administration
2100 E. Walt Williams Drive, (b)(6);(b)(7)(C)
Pahrump, Nevada 89048
775-751-(b)(6);(b)(7)(C) office
775-751-7093 fax

For ICE:

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

Public Affairs Office
Office of Public Affairs and Internal Communication
U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
24000 Avila Road
Laguna Niguel, California 92677
949-360-(b)(6) office

APPENDIX D

STANDARD OPERATING PROCEDURE (SOP)

The purpose of this appendix is to establish standard, uniform procedures for the implementation and oversight of the 287(g) delegation of authority program within the FOD area of responsibility. This appendix can be modified only in writing and by mutual acceptance of ICE and the NCSO.

Pursuant to this MOA, the NCSO has been delegated authorities under the Jail Enforcement Officer (JEO) model as outlined below. A 287(g) JEO model is designed to identify and process aliens amenable for removal within the NCSO's jail/correctional facilities pursuant to ICE's civil immigration enforcement priorities

Prioritization:

ICE retains sole discretion in determining how it will manage its limited resources and meet its mission requirements. To ensure resources are managed effectively, ICE requires the NCSO to also manage its resources dedicated to 287(g) authority under the MOA. To that end, the NCSO shall follow ICE's civil immigration enforcement priorities.

Authorized Functions:

Participating NCSO personnel performing immigration-related functions pursuant to this MOA will be NCSO officers assigned to detention operations supported by ICE. Those participating NCSO personnel will exercise their immigration-related authorities only during the course of their normal duties while assigned to NCSO jail/correctional facilities. Participating NCSO personnel will identify and process for removal aliens in NCSO jail/correctional facilities who fall within ICE's civil immigration enforcement priorities .

Participating NCSO personnel are delegated only those authorities listed below:

- The power and authority to interrogate any person detained in the participating law enforcement agency's detention center who the officer believes to be an alien about his or her right to be or remain in the United States, 8 U.S.C. § 1357(a)(1) and 8 C.F.R. § 287.5(a)(1), and to process for immigration violations any removable alien or those aliens who have been arrested for violating a Federal, State, or local offense;
- The power and authority to serve warrants of arrest for immigration violations pursuant to 8 U.S.C. § 1357(a) and 8 C.F.R. § 287.5(e)(3);
- The power and authority to administer oaths and to take and consider evidence, 8 U.S.C § 1357(b) and 8 C.F.R. § 287.5(a)(2), to complete required alien processing, including fingerprinting, photographing, and interviewing of aliens, as well as the preparation of affidavits and the taking of sworn statements for ICE supervisory review;

- The power and authority to prepare charging documents, 8 U.S.C. §§ 1225(b)(1), 1228, 1229, and 1231(a)(5); 8 C.F.R. §§ 235.3, 238.1, 239.1, and 241.8, including the preparation of a Notice to Appear (NTA) or other charging document, as appropriate, for the signature of an ICE officer;
- The power and authority to issue immigration detainers, 8 U.S.C. §§ 1226 and 1357, and 8 C.F.R. § 287.7, and I-213, Record of Deportable/Inadmissible Alien, for processing aliens; and
- The power and authority to detain and transport, 8 U.S.C. § 1357(g)(1) and 8 C.F.R. § 287.5(c)(6), arrested aliens subject to removal to ICE-approved detention facilities.

As previously noted in this Appendix, ICE requires the NCSO to follow ICE's civil immigration enforcement priorities.

Additional Supervisory and Administrative Responsibilities:

Immigration enforcement activities conducted by the participating NCSO personnel will be supervised and directed by ICE supervisory officers. Participating NCSO personnel are not authorized to perform immigration officer functions except when working under the supervision or guidance of ICE. Additional supervisory and administrative responsibilities for each entity include, but are not limited to:

When issuing any immigration detainer, participating NCSO personnel must follow applicable DHS and ICE policies, and must notify the ICE supervisor of any immigration detainer issued under the authority conferred by the MOA within 24 hours.

The NCSO shall coordinate transportation of detainees processed under the authority conferred by the MOA in a timely manner, in accordance with the MOA and/or IGSA.

All alien processing in applicable ICE databases/systems and associated applications must be completed in accordance with established ICE policies and guidance.

The NCSO is responsible for ensuring proper record checks have been completed, obtaining the necessary court/conviction documents, and ensuring that the alien is served with the appropriate charging documents.

The NCSO must report all encounters with asserted or suspected claims of U.S. citizenship to the ICE FOD in Salt Lake City, Utah through their chain of command within one hour of the claim. The FOD shall make the appropriate notification to ERO headquarters.

On a regular basis, the ICE supervisors are responsible for conducting an audit of the processing entries and records made by the NCSO's officers. Upon review and auditing of the entries and records, if errors are found, the ICE supervisor will communicate those errors in a timely manner to the responsible official for the NCSO and ensure that steps are taken to correct, modify, or prevent the recurrence of errors that are discovered.

Administrative files (A-files) are Federal records, subject to the Federal Records Act and applicable Federal confidentiality statutes. It follows that the utilization and handling of the A-files must be consistent with applicable laws and DHS and ICE policy. The ICE supervisor is responsible for requesting A-files and reviewing them for completeness. A-files can be maintained at an NCSO facility as long as there are ICE personnel assigned to that facility and the personnel have a work area where documents can be adequately secured and stored by ICE personnel. Representatives from DHS must be permitted access to the facility where ICE records are maintained.

From: (b)(6);(b)(7)(C)
To: "Mike Linder"
Subject: RE: 287(g)
Date: Monday, August 14, 2017 2:44:00 PM

Hello Sheriff Linder,

Thank you for your reply.

If at a later date, you wish to consider joining the program please contact me.

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

From: Mike Linder (b)(6);(b)(7)(C)
Sent: Monday, August 14, 2017 2:12 PM
To: (b)(6);(b)(7)(C)
Subject: 287(g)

From: (b)(6);(b)(7)(C)
Sent: Thursday, July 06, 2017 2:07 PM
To: SHR-website_email
Subject: ICE 287(g) program

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

At this time we do not have an interest in participating in the 287(g) field program. The primary reason is the lack of manpower. We might consider it at some point but for now we will need to pass,

Regards,

Sheriff Mike Linder
Yellowstone County Sheriff's Office
2550 3rd Ave. North
Billings, MT. 59101

406-256-(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)



Hello Sheriff Linder,

My name is (b)(6);(b)(7)(C) I am a 287(g) field program manager within ICE's Salt Lake City Field Office covering Idaho, Montana, Nevada and Utah.

I reaching out to inquiry if the Yellowstone County Sheriff's Office would be interested in participating in the program's jail enforcement model. In this program, law enforcement agencies participate by designating local officers to assist ICE with the identification and processing of criminal aliens who have been booked into their detention facilities pursuant to Section 287(g) of the Immigration and Nationality Act.

The purpose of this email is to make you aware that this program still exists and that resources may be available to bring new jurisdictions on board. The 287(g) Program's Jail Enforcement Model is currently being run in seventeen states with forty-two participating law enforcement agencies. If you think that the Yellowstone County Sheriff's Office would be interested in participating please let me know. Please feel free to contact me directly with any questions or to discuss further.

Here is a link to information on the program.

<http://www.ice.gov/287g/>

Thank you,

(b)(6);(b)(7)(C) 287g FPM
Salt Lake City Field Office
Las Vegas ICE/ERO
(702) 388-(b)(6) Office
(702) 349-(b)(7)(C) Cell

From: (b)(6),(b)(7)(C)
To: (b)(6),(b)(7)(C)
Subject: RE: 287(g) Information
Date: Tuesday, April 3, 2018 2:39:52 PM

Thank you

If in the future Ada County may be interested, please let me know.

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

Sent with BlackBerry Work (www.blackberry.com)

From: (b)(6),(b)(7)(C)
Date: Tuesday, Apr 03, 2018, 14:15
To: (b)(6),(b)(7)(C)
Subject: RE: 287(g) Information

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

We are not interested.

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

From: (b)(6),(b)(7)(C)
Sent: Tuesday, April 3, 2018 2:54 PM
To: (b)(6),(b)(7)(C)
Subject: [EXTERNAL] FW: 287(g) Information

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

I am following up to see if you have had a chance to review/consider the 287g program.

If you would like to have me come up for a meeting, I can request travel funding.

Please let me know.

Thanks you,

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

From: (b)(6),(b)(7)(C)
Sent: Thursday, February 22, 2018 1:14 PM
To: (b)(6),(b)(7)(C)
Subject: FW: 287(g) Information

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

I am following up to see if you have had a chance to review/consider ICE's 287g program and if you may have any questions.

Please let me know.

Thank you,

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 6, 2018 8:36 AM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g) Information

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

I am following up to see if you have had a chance to review/consider ICE's 287g program or if there are any questions.

Please let me know.

Thank you,

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

From: (b)(6);(b)(7)(C)
Sent: Friday, January 19, 2018 4:02 PM
To: (b)(6);(b)(7)(C)
Subject: 287(g) Information

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

I want to thank you for taking the time to talk with me.

Please see below; summary of the 287(g) program. It will give you an quick overview of the program and it's benefits.

Summary

- This would be a 287(g) Jail Enforcement Model. Only subjects that are booked into the Ada County Jail would be screened by 287(g) officers.
- By working together, local and federal officers can better identify and remove criminal aliens – a tremendous benefit to public safety.
- One of the biggest benefits to our 287(g) partners is that they are able to better identify individuals in custody.
- The 287(g) program continues to receive overwhelmingly positive feedback from its partners.
- Prior to being delegated ICE immigration authority, selected state and local officers must attend and successfully complete ICE's 287(g) Immigration Authority Delegation Program (IADP), which is the 287(g) basic training course.

- The basic training program is four weeks in duration and includes coursework in immigration law, the use of ICE databases, multi-cultural communication and the avoidance of racial profiling. This training is conducted at the Federal Law Enforcement Training Center – Charleston, SC
- Additionally, every two years, every 287(g) state and local officer must return to the Federal Law Enforcement Training Center in Charleston, SC and successfully complete Immigration Authority Delegation Refresher Training Program (IADRP).

Here is a link to the website with the 287g information.

<http://www.ice.gov/287g/>

If you have any questions or would like me to come up for a meeting, please let me know.

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

287g FPM

Salt Lake City Field Office

Las Vegas ICE/ERO

702-388- (b)(6);(b)(7)(C) Office

702-349- (b)(6);(b)(7)(C) Cell

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: RE: 287(g) Information
Date: Wednesday, August 16, 2017 1:20:00 PM

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

Thank you for getting back to me.

If in the future, you would like to join the program please let me know.

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 16, 2017 8:36 AM
To: (b)(6);(b)(7)(C)
Subject: RE: 287(g) Information

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

We just don't have the inmate population to justify the involvement, we will pass for now.

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

From: (b)(6);(b)(7)(C)
Sent: Monday, August 14, 2017 10:49 AM
To: (b)(6);(b)(7)(C)
Subject: RE: 287(g) Information

Hello Undersheriff (b)(6);(b)(7)(C)

I am following up to see if you have had a chance to review/consider the ICE 287(g) program and if you may have any questions.

Please let me know,

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 21, 2017 12:47 PM
To: (b)(6);(b)(7)(C)
Subject: RE: 287(g) Information

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

Thanks for the information, we will review it and make a determination on the applicability to our resources and jail operations.

(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Friday, June 16, 2017 2:19 PM
To: (b)(6);(b)(7)(C)
Subject: 287(g) Information

Hello Undersheriff (b)(6);(b)(7)(C)

I want to thank you calling me back and taking the time to talk with me.

Here is a summary for the program.

- ICE has increased its human capital resources to enhance 287(g) program's mission and objectives and implemented national training programs for ICE field personnel and Law Enforcement Agency (LEA) personnel.
- There are currently 42 participating agencies in 17 States.
- By working together, local and federal officers can better identify and remove criminal aliens – a tremendous benefit to public safety.
- One of the biggest benefits to our 287(g) partners is that they are able to better identify individuals in custody.
- The 287(g) program continues to receive overwhelmingly positive feedback from its partners.
- Our state and local law enforcement partners have become a force multiplier, allowing ICE to actively engage more officers/agents into ongoing enforcement operations nationwide that require increased manpower.
- Prior to being delegated ICE immigration authority, selected state and local officers must attend and successfully complete ICE's 287(g) Immigration Authority Delegation Program (IADP), which is the 287(g) basic training course.
- The basic training program is four weeks in duration and includes coursework in immigration law, the use of ICE databases, multi-cultural communication and the avoidance of racial profiling. This training is conducted at Federal Law Enforcement Training Center – Charleston.
- Additionally, every two years, every 287(g) state and local officer must return to the Federal Law Enforcement Training Center in Charleston, SC and successfully complete Immigration Authority Delegation Refresher Training Program (IADRP).

Here is a link to the website.

<http://www.ice.gov/287g/>

I have attached the template for the 287g MOA and the needs assessment.

If you have any questions or would like me to come up for a meeting, please let me know.

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

287g FPM

Salt Lake City Field Office

Las Vegas ICE/ERO

702-388-(b)(6),
(b)(7)(C) Office

702-349-(C) Cell

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Cc: Sheriff Kerry Lee
Subject: Re: 287g meeting with Sheriff Lee
Date: Friday, November 24, 2017 4:48:38 PM

Perfect (b)(6);(b)(7)(C) we'll see you then.

Thanks,

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

On Nov 24, 2017, at 12:14, (b)(6);(b)(7)(C) wrote:

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

I'll see you on the 4th.

Let me know when you are about 10/15 minutes out. I'll meet you at our parking garage entrance so you can park in the building.

Entrance is the corner of Clark and 6th.

Thanks,

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, November 23, 2017 6:20 PM
To: (b)(6);(b)(7)(C)
Cc: Sheriff Kerry Lee
Subject: Re: 287g meeting with Sheriff Lee

Hello (b)(6);(b)(7)(C), Happy Thanksgiving to you and yours! Sheriff Lee and I would like to meet with you 4 Dec @ 1100 at your office in Las Vegas if that works for you.

Thanks,

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

775-962-(b)(6);(b)(7)(C)

On Nov 17, 2017, at 16:08, (b)(6);(b)(7)(C) wrote:

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

Just sending you an update .

I will not be available on the 5th in the morning. I am still free after 13:00.

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

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

From: (b)(6);(b)(7)(C)
Sent: Thursday, November 16, 2017 8:53 AM
To: (b)(6);(b)(7)(C)
Cc: Sheriff Kerry Lee
Subject: RE: 287g meeting with Sheriff Lee

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

Thanks for getting back to me. Sorry for the delay, I was out yesterday.

I am free on the 4th, 5th and 8th at any time. If possible, 10:00 or later.

I have a tentative meeting scheduled for the 6th, just waiting on the reply and will not be in on the 7th.

I can come out to Pioche.

Let me know, if these are good dates.

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

287g FPM

Salt Lake City Field Office
Las Vegas ICE/ERO
702-388-(b)(6);(b)(7)(C) office
702-349-(b)(6);(b)(7)(C) cell

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 15, 2017 4:36 PM
To: (b)(6);(b)(7)(C)
Cc: Sheriff Kerry Lee; Captain (b)(6);(b)(7)(C)
Subject: 287g meeting with Sheriff Lee

Hello again (b)(6);(b)(7)(C)

I apologize for the delayed in scheduling our 287g meeting with Sheriff Lee, he is a busy man! However, he has scheduled time during the first week of December for your presentation. Please let me know if you are available sometime during that week and how you would like to proceed. If you want us to come to your facility or you come to ours, or both... it's up to you.

Hope to hear from you soon,

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

Liaison Officer
Lincoln County Sheriff's Office
225 Justice Way
Pioche, NV 89043
775-962-(b)(6); off

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program
Date: Tuesday, April 18, 2017 1:37:53 PM
Attachments: [image001.png](#)

Thank you.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, April 18, 2017 2:32 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

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

Thank you for talking with me.

Please feel free to contact me if in the future, IDOC would be interested in the 287g program.

(b)(6);(b)(7)(C)
287g PM
Las Vegas ICE/ERO
702-388-(b)(6);(b)(7)(C) office
702-349-(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
Sent: Monday, April 17, 2017 7:13 AM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

It will.

Thanks

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

From: (b)(6);(b)(7)(C)
Sent: Friday, April 14, 2017 12:41 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

The 18th is good. Will 14:00 Mountain Time work?

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

From: (b)(6);(b)(7)(C)
Sent: Friday, April 14, 2017 6:59 AM
To: (b)(6);(b)(7)(C)

Subject: RE: ICE 287(g) Program

How about the afternoon of the 18th?

Thanks

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, April 12, 2017 3:23 PM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287(g) Program

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

I am following up to see if you would be available the week of April 17th?

(b)(6);(b)(7)(C)
287g PM
Las Vegas ICE/ERO
702-388-(b)(6);(b)(7)(C) Office
702-349-(b)(7)(C) Cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 23, 2017 1:29 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287(g) Program

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

Yes, anytime on or after April 4th would be fine.

Please let me know what date/time works for you.

Thanks,

(b)(6);(b)(7)(C)
287g PM
Las Vegas ICE/ERO
702-388-(b)(6);(b)(7)(C) Office
702-349-(b)(7)(C) Cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 23, 2017 1:04 PM
To: (b)(6);(b)(7)(C)

Subject: RE: ICE 287(g) Program

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

I apologize for the delay in responding.

I would be interested in learning more about the ICE 287g program.

I will be out of town next week. Is it possible to connect during or after the week of April 4th?

Thanks

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



Henry Atencio
Director
1299 N. Orchard, (b)(6);(b)(7)(C)
Boise, ID 83706
(b)(6);(b)(7)(C)
Office: (208) 658-(b)(6)

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From: (b)(6);(b)(7)(C)
Sent: Thursday, March 23, 2017 12:22 PM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287(g) Program

Hello Director Atencio,

I am following up to see if you have had a chance to review the ICE 287g program.

Please contact me if you have any questions.

Thank you,

(b)(6);(b)(7)(C); 287g PM
Las Vegas ICE/ERO
702-388-(b)(6); Office

702-349-(b)(6) Cell

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 22, 2017 2:14 PM
To: (b)(6);(b)(7)(C)
Subject: ICE 287(g) Program

Hello Director Atencio,

My name is (b)(6);(b)(7)(C) I am a 287(g) program manager within U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) Salt Lake City Field Office covering Idaho, Montana, Nevada and Utah.

I reaching out to make you aware of the availability of the 287(g) Program to agencies in our jurisdiction and inquiry if the Idaho Department of Corrections would be interested in participating. I am sure you are aware of this program in which law enforcement agencies participate by designating local officers to assist ICE with the identification and processing of criminal aliens who have been booked into their detention facilities pursuant to Section 287(g) of the Immigration and Nationality Act.

The purpose of this email is to make you aware that this program still exists and that resources may be available to bring new jurisdictions on board. The 287(g) Program's Jail Enforcement Model is currently being run in sixteen states with thirty-two participating law enforcement agencies. If you think that IDOC would be interested in participating please let me know. Please feel free to contact me directly with any questions or to discuss further.

Here is a link to information on the program.

<http://www.ice.gov/287g/>

Thank you,

(b)(6);(b)(7)(C) 287g PM
Las Vegas ICE/ERO
(702) 388-(b)(6) Office
(702) 349-(b)(7)(C) Cell

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g Information
Date: Tuesday, August 15, 2017 4:54:06 PM

Thanks (b)(6);(b)(7)(C) be safe!

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

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

Sent: Tuesday, August 15, 2017 4:00:56 PM
Subject: RE: ICE 287g Information

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

Thanks for getting back to me.

FYI - I will be out of state starting the 18th and will be back in the office on the 24th.

Henry

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

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 15, 2017 3:56 PM
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g Information

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

Sheriff Lee has reviewed the program info and wants to discuss it with me next week. I'm hopeful that we can then meet with you.

Thanks,

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

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

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

Sent: Monday, August 14, 2017 10:46:59 AM
Subject: RE: ICE 287g Information

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

I am following up to see if Sheriff Lee was able to review/consider the 287g program.

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

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

From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 21, 2017 10:23 AM
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g Information

Good Morning (b)(6);(C)

I have sent the electronic version of the information and have prepared a paper folder of the same for him to review. However he has not been in the office much with out-of-town meetings and summer vacation but I hope to present it to him soon.

Hope all is well. BTW: Do you know anything about the status of our South Korean?

(b)(6);(C)

775-962-(b)(6);(C)

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

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

Sent: Friday, June 16, 2017 2:31:27 PM

Subject: FW: ICE 287g Information

Hello (b)(6);(C)

I am following up to see if Sheriff Lee has had a chance to consider the 287g program and if there are any questions.

Please let me know,

(b)(6);(C)

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

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

Sent: Friday, May 12, 2017 4:05 PM

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

Subject: ICE 287g Information

Hello (b)(6);(C)

Here is a link to information on the program.

<http://www.ice.gov/287g/>

I have also attached the MOA template, Needs Assessment and request letter template.

The letter should be on agency letterhead and signed by Sheriff Lee. Just change whatever you need to on it.

If you have any questions, please let me know.

(b)(6);(b)(7)(C)

287g PM

Las Vegas ICE/ERO

702-388-(b)(6);(C) office

702-349-(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g Program
Date: Thursday, August 25, 2016 12:59:00 PM

Thank you

From: (b)(6);(b)(7)(C)
Sent: Thursday, August 25, 2016 12:59 PM
To: (b)(6);(b)(7)(C)
Subject: RE: ICE 287g Program

Hello (b)(6);(b)(7)(C)

After speaking with Sheriff Furlong, he stated he is not interested in the program.

Thank You

(b)(6);(b)(7)(C)
Undersheriff
Carson City Sheriff's Office
911 E. Musser Street
Carson City, Nevada 89701
(775) 283-(b)(6) Desk
(775) 721-(b)(7)(C) Cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, August 25, 2016 10:50 AM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287g Program
Importance: High

Hello Undersheriff (b)(6);(b)(7)(C)

I am following up to see if you have had a chance to consider the 287g program.

If you could please let me know, I would be grateful,

Thank you,

(b)(6);(b)(7)(C) 287g PM
Las Vegas ICE/ERO
702-349-(b)(6) cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, August 04, 2016 9:37 AM
To: (b)(6);(b)(7)(C)
Subject: FW: ICE 287g Program

Hello Undersheriff (b)(6);(b)(7)(C)

I am following up to see if you have had a chance to consider the 287g program.

If you could please let me know, I would be grateful,

Thank you,

(b)(6);(b)(7)(C) 287g PM

Las Vegas ICE/ERO

702-349-(b)(6) cell

From: (b)(6);(b)(7)(C)

Sent: Wednesday, July 06, 2016 2:12 PM

To: (b)(6);(b)(7)(C)

Subject: FW: ICE 287g Program

Hello Undersheriff (b)(6);(b)(7)(C)

I am following up to see if you have had a chance to consider the 287g program.

Please let me know,

(b)(6);(b)(7)(C) 287g PM

Las Vegas ICE/ERO

702-349-(b)(6) cell

From: (b)(6);(b)(7)(C)

Sent: Thursday, June 02, 2016 9:40 AM

To: (b)(6);(b)(7)(C)

Subject: FW: ICE 287g Program

Hello Undersheriff (b)(6);(b)(7)(C)

I am following up to see if you have had a chance to consider the 287g program.

Thank you,

(b)(6);(b)(7)(C) 287g PM

Las Vegas ICE/ERO

(702) 388-(b)(6); Office

(702) 349-(b)(7)(C) Cell

From: (b)(6);(b)(7)(C)

Sent: Wednesday, May 04, 2016 10:40 AM

To: (b)(6);(b)(7)(C)

Subject: ICE 287g Program

Hello Undersheriff (b)(6);(b)(7)(C)

I reaching out to make you aware of the availability of the 287g Program to agencies in our jurisdiction and inquiry if the Carson City Sheriff's Office would be interested. I am sure you are aware of this program in which law enforcement agencies participate by designating local officers to assist ICE with the identification and processing of criminal aliens who have been booked into their detention facilities pursuant to Section 287(g) of the Immigration and Nationality Act.

The purpose of this email is to make you aware that this program still exists and that resources may be available to bring new jurisdictions on board. The 287g Program currently being run at the Clark County Detention Center in Las Vegas is one of the most successful such programs in the country. If you think that your agency would be interested in participating please let me know. Please feel free to contact me directly with any questions or to discuss further.

Here is a link to information on the program.

<http://www.ice.gov/287g/>

Thank you,

(b)(6);(b)(7)(C) 287g PM

Las Vegas ICE/ERO

(702) 388-(b)(6);(b)(7)(C) Office

(702) 349-(b)(6);(b)(7)(C) Cell

From: (b)(6),(b)(7)(C)
To:
Subject: Re: ICE 287g program
Date: Wednesday, January 24, 2018 8:18:01 PM

(b)(6);(b)(7)(C)

Any chance you are coming to Montana? It would be good to visit with the Patrol Captain as well.

(b)(6);(b)(7)(C)

From: (b)(6),(b)(7)(C)
Sent: Wednesday, January 24, 2018 4:14:16 PM
To: (b)(6),(b)(7)(C)
Subject: ICE 287g program

Hello Captain (b)(6),(b)(7)(C)

I am following up to see if Lewis and Clark County has had a chance to review/consider ICE's 287g program?

Please let me know if you have any question or would like to schedule a meeting.

Thanks,

(b)(6),(b)(7)(C)

287g FPM

Salt Lake City Filed Office

Las Vegas ICE/ERO

702-388 (b)(6),(b)(7)(C) office

702-349 (b)(6),(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g program
Date: Thursday, November 17, 2016 11:37:26 AM

Sounds good. Thank you, (b)(6);(b)(7)(C)

On Thu, Nov 17, 2016 at 12:35 PM, (b)(6);(b)(7)(C) wrote:

Hello (b)(6);(b)(7)(C)

Thank you for getting back to me.

If in the future, UDOC would like to participate in the 287g program please feel free to contact me.

Thanks,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) 287g PM

Las Vegas ICE/ERO

[702-388-](tel:702-388-)(b)(6);(b)(7)(C) office

[702-349-](tel:702-349-)(b)(6);(b)(7)(C) cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, November 17, 2016 11:30 AM
To: (b)(6);(b)(7)(C)
Subject: Re: ICE 287g program

Hi (b)(6);(b)(7)(C)

Thank you for the message. (b)(6);(b)(7)(C) forwarded it up to me. I reached out to our Department of Corrections leadership, and we decline to participate at this time. We

appreciate you thinking of us and reaching out.

Best,

(b)(6);(b)(7)(C)

--

(b)(6);(b)(7)(C)

Director of Admin Services/Quality & Process Improvement

Utah Department of Corrections

801-545-(b)(6);(b)(7)(C)

----- Forwarded message -----

From: (b)(6);(b)(7)(C)

Date: Thu, Nov 17, 2016 at 11:31 AM

Subject: ICE 287g program

To: (b)(6);(b)(7)(C)

Hello (b)(6);(b)(7)(C)

My name is (b)(6);(b)(7)(C). I am a 287g program manager within U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) Salt Lake City Field Office covering Idaho, Montana, Nevada and Utah.

I am trying to find out who I would need to contact with the Utah Department of Corrections to see if UDOC would be interested in participating in the ICE 287g program.

Any help you could provide would be very appreciated.

Thank you,

(b)(6);(b)(7)(C) 287g PM

Las Vegas ICE/ERO

702-388-(b)(6);(b)(7)(C) office

702-349- cell

Here is a link to information on the program.

<http://www.ice.gov/287g/>

--

(b)(6);(b)(7)(C)

Director of Quality and Process Improvement
Utah Department of Corrections

801-545-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
To: Allen, Chuck
Cc: (b)(6);(b)(7)(C)
Bcc:
Subject: RE: ICE 287g Program
Date: Monday, May 23, 2016 2:32:00 PM
Attachments: [image001.png](#)

Hello Sherriff Allen,

Thanks for getting back to me.

Please feel free to contact me if in the future, Washoe County would be interested in the 287g program.

Respectfully,

(b)(6);(b)(7)(C) 287g PM
Las Vegas ICE/ERO
(702) 388-(b)(6); Office
(702) 349-(b)(7)(C) Cell

From: Allen, Chuck (b)(6);(b)(7)(C)
Sent: Monday, May 23, 2016 1:42 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: ICE 287g Program

Hi (b)(6);(b)

Sorry for the delay in getting back to you. In regards to the 287g program, I will continue to work closely with your agency in housing those individuals arrested and booked into our facility who are undocumented or arrested for other federal/local charges. With the current staffing levels at this agency, I don't have the personnel resources to support entering into an official agreement or MOA with DHS/ICE. I will, however, continue to provide security to your officers/agents as needed, in an effort to maximize the safety of such initiatives conducted in Washoe County when requested.

If you would like to discuss this topic in greater detail, please let me know and I will get that calendared.

Respectfully,

Sheriff Chuck Allen
911 Parr Blvd
Reno, NV 89512

(b)(6);(b)(7)(C)



From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 04, 2016 10:19 AM
To: Allen, Chuck
Subject: FW: ICE 287g Program

Hello Sheriff Allen,

I am just following up to see if you have had a chance to consider the 287g program.

Thank you,

(b)(6);(b)(7)(C) 287g PM
Las Vegas ICE/ERO
702-388-(b)(6);
702-349-(b)(7)(C) Office
Cell

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 03, 2016 10:00 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: ICE 287g Program

Good Morning Sheriff,

I have been asked to make you aware of the availability of the 287g Program to some of the counties in our jurisdiction. I am sure you are aware of this program in which counties participate by designating local law enforcement officers to assist ICE with the identification and processing of criminal aliens who are booked into local detention facilities pursuant to Section 287(g) of the Immigration and Nationality Act. We previously met with Sheriff Haley a few years back and at the time he indicated that Washoe was not interested in pursuing this authority at that time.

This purpose of this email is to make you aware that this program still exists and that resources may be available to bring new jurisdictions on board. The 287g Program currently being run in Clark County is one of the most successful such programs in the country. If you think that you would be interested in exploring this for Washoe please let me know and I can set up a meeting with the Nevada 287g Program coordinator for you or any of your staff you may wish to designate. Please feel free to contact me directly with any questions or to discuss further.

Thanks,

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Wed 3/1/2017 9:13:50 PM
Subject: RE: 287(g) Program Outreach - Pennsylvania FY 16 stats

Thank you, (b)(6);(b)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, March 1, 2017 4:03 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: 287(g) Program Outreach - Pennsylvania FY 16 stats

Good afternoon,

I looked into the below information as it relates to the York, Charleston, Pittsburgh and Berks AOR. I also reached out to (b)(6);(b)(7)(C) to get a better idea of where these numbers were coming from and how they were attributed. Based on that information, the INM Cambria numbers appear to be attributed to a large number of PSP ORI numbers being attributed to that location, so while the numbers are substantial, I can assure you that (b)(6);(b)(7)(C) As for the other locations, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Thanks,

(b)(6);(

From: (b)(6);(b)(7)(C)
Sent: Friday, February 24, 2017 1:06 PM
To: (b)(6);(b)(7)(C)
Subject: FW: 287(g) Program Outreach - Pennsylvania FY 16 stats
Importance: High

Good afternoon. Please take a look at below/attached and get with your DFODs on your thoughts. I think Cambria's is off-- I'm guessing they run the subjects we hold there which is making them high.

We can discuss further next week.

Thank you,

(b)(6);(b)(7)(

From: (b)(6);(b)(7)(C)
Date: Friday, Feb 24, 2017, 10:32 AM
To: (b)(6);(b)(7)(C)
Subject: 287(g) Program Outreach - Pennsylvania FY 16 stats

Good morning,

Below are the numbers for FY16 for the Pennsylvania Jails. The reports attached to this email show the ORI numbers for each county so you can see that these numbers are not all from persons fingerprinted at the jails. I notice INS/ICE ORI numbers for York and Berks so some of the IAR and FBNM numbers are our own data. Also there are ORI numbers from PSP and various Probation offices which may be for persons who were fingerprinted but not necessarily ever incarcerated in that county. The Detainer and Encounter numbers are only as good as the input from the processing officers, the PERC, and the LESC. After you've taken a look at the data, let me know if you want discuss any of it.

COUNTY	IAR (Immigration Alien Response)	INM (Immigration No-Match)(FBNM)	ENCOUNTERS	DETAINERS
Armstrong County, PA	41	96	0	0
Berks County, PA	405	512	222	33
Butler County, PA	49	88	2	3
Cambria County, PA	82	1571	0	1
Chester County, PA	701	5218	89	86
Erie County, PA	112	344	5	5
Franklin County, PA	108	126	8	22
Perry County, PA	10	22	0	0
Westmorland County, PA	74	287	1	1
York County, PA	211	318	10	43

(b)(6);
(b)(7)(C)

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Tue 2/14/2017 8:28:40 PM
Subject: RE: 287(g)

I would like to send an update to HQ by tomorrow COB if possible.

Thank you!

(b)(6);(b)(7)

From: (b)(6);(b)(7)
Sent: Tuesday, February 14, 2017 3:26 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: 287(g)

(b)(6);(b)(7)

We can already add Dauphin County Prison to the list of facilities we reached out to but were not interested. I will continue to update as I receive responses from SDDOs. When are you looking to receive a finalized list?

ERO PHI reached out and they are NOT interested:

- West Virginia Regional Jail Authority
Eastern Regional Jail
94 Grapevine Road
Martinsburg, WV 25405
- **Dauphin County Prison**
501 Mall Road
Harrisburg, Pa 17111

Thanks!

(b)(6);(

(b)(6);(b)(7)(| 267-479-(b)(6) (desk) 267-858-(b)(6) (cell)
DHS ICE/ERO, Philadelphia, PA

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 14, 2017 2:48 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: 287(g)

(b)(6);(b)(7)

Detention facilities can be filed under four different categories with regard to our 287(g) outreach efforts:

1. ERO PHI reached out and they ARE interested:
 - **Chester County Prison**
501 S Wawaset Road
West Chester, PA 19382
 - **York County Prison**
3400 Concord Road
York, PA 17402
 - **Franklin County Prison**

1804 Opportunity Avenue
Chambersburg, PA 17201

- **Perry County Prison**
300 South Carlisle Street
Bloomfield, PA 17068
 - **Pocono Mountain Regional**
2454 PA-940
Pocono Summit, PA 18346

 - **Armstrong County Jail**
171 Staley's Court Road
Kittanning, PA 16201

 - **Butler County Prison**
202 S Washington Street
Butler, PA 16001

 - **Erie County Prison**
1618 Ash Street
Erie, PA 16503

 - **Cambria County Prison**
425 Manor Drive
Ebensburg, PA 15931

 - **Westmorland County Prison**
3000 S Grande Blvd
Greensburg, PA 15601
2. ERO PHI reached out and they are NOT interested:
- West Virginia Regional Jail Authority
Eastern Regional Jail
94 Grapevine Road
Martinsburg, WV 25405
3. ERO PHI considered the facility a candidate, but did not receive an immediate response:
- **Montgomery County Prison**
Address Needed

 - **Bucks County Correctional Facility**
Address Needed

 - **Central Bucks Regional**
Address Needed

 - **Adams County Prison**
Address Needed

 - **Delaware Department of Corrections**
Address Needed
4. ERO PHI never considered the facility a viable candidate and did not reach out:
- **Philadelphia Department of Corrections**

Thanks!

(b)(6);
(b)(7)(C)

(b)(6);(b)(7) | 267-479-(b)(6) (desk) 267-858-(b)(6); (cell)
DHS ICE/ERO, Philadelphia, PA

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 14, 2017 1:56 PM
To: (b)(6);(b)(7)(C)
Cc: [REDACTED]
Subject: 287(g)

(b)(6);
(b)(7)(C)

HQ advised that they would also like to know those jails/facilities that were contacted by ICE regarding 287(g) that are NOT interested in participating.

Can you please prepare this list for me?

Thank you,

(b)(6);(b)(7)(C)

Sent: Tue 2/14/2017 8:04:40 PM
Subject: RE: Tasking for SDDOs - Detention Facilities 287(g)

UPDATE!

For this tasking, do not worry about listing facilities in our AOR we do not consider viable candidates for 287(g)—we do not need a complete roster of facilities, we only need those we've decided to contact.

Thank you,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) 267-479-(b)(6) (desk) 267-858-(b)(6) (cell)
DHS ICE/ERO, Philadelphia, PA

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 14, 2017 3:01 PM

(b)(6);(b)(7)(C)

Subject: Tasking for SDDOs - Detention Facilities 287(g)

Good afternoon SDDOs:

Thanks to all of you for participating in the first round of the 287(g) tasker. Please take a look at the list of facilities below and provide me a status update for any facility on the list that falls within your responsibility/region. Please pay special attention to facilities under Category #3—we will need updates for each of those five facilities. If any facility is listed under an incorrect category or if a facility within your region is not on this list (but should be), please let me know what the facility is and which category it should fall under.

Thank you,
-Troy

1. ERO PHI reached out and they ARE interested:

- **Chester County Prison**
501 S Wawaset Road
West Chester, PA 19382
- **York County Prison**
3400 Concord Road
York, PA 17402
- **Franklin County Prison**
1804 Opportunity Avenue
Chambersburg, PA 17201
- **Perry County Prison**
300 South Carlisle Street
Bloomfield, PA 17068
- **Pocono Mountain Regional**

- **Armstrong County Jail**
171 Staley's Court Road
Kittanning, PA 16201
 - **Butler County Prison**
202 S Washington Street
Butler, PA 16001
 - **Erie County Prison**
1618 Ash Street
Erie, PA 16503
 - **Cambria County Prison**
425 Manor Drive
Ebensburg, PA 15931
 - **Westmorland County Prison**
3000 S Grande Blvd
Greensburg, PA 15601
2. ERO PHI reached out and they are NOT interested:
- West Virginia Regional Jail Authority
Eastern Regional Jail
94 Grapevine Road
Martinsburg, WV 25405
3. ERO PHI considered the facility a candidate, but did not receive an immediate response:
- **Montgomery County Prison**
Address Needed
 - **Bucks County Correctional Facility**
Address Needed
 - **Central Bucks Regional**
Address Needed
 - **Adams County Prison**
Address Needed
 - **Delaware Department of Corrections**
Address Needed
4. ERO PHI never considered the facility a viable candidate and did not reach out:
- **Philadelphia Department of Corrections**

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Fri 2/10/2017 9:09:30 PM
Subject: FW: 287(g) Program Outreach

(b)(6);(

Good afternoon,

The ERO Philadelphia Field Office has made contact with the following additional detention facilities for their expressed interest in the 287(g) program. Please be advised that ERO Philadelphia continues to reach out to local partners to determine additional interest in the program, and will provide updates to this list as necessary.

Thank you, and have nice weekend.

(b)(6);(b)(7)

★ **Western Pennsylvania**

Armstrong County Jail
171 Staley's Court Road
Kittanning, PA 16201

Butler County Prison
202 S Washington Street
Butler, PA 16001

Erie County Prison
1618 Ash Street
Erie, PA 16503

Cambria County Prison
425 Manor Drive
Ebensburg, PA 15931

Westmorland County Prison
3000 S Grande Blvd
Greensburg, PA 15601

From: ERO Taskings
Sent: Tuesday, February 7, 2017 12:58 PM
Subject: 287(g) Program Outreach

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 and Deputy Field Office Directors

Subject: 287(g) Program Outreach

The President's Executive Order, entitled *Border Security and Immigration Enforcement Improvements*, provides direction to "take appropriate action to engage with ... local officials for the purpose of preparing to enter into agreements under section 287(g) of the INA." To that end, each Field Office Director (FOD) will examine their local operational needs and conduct liaison with potential 287(g) partners. As outreach occurs, these efforts will be reported by the FOD's delegate to the 287(g) Headquarters Unit group mailbox at (b)(6);(b)(7)(C)

The requirements for bringing new partners before the Program Advisory Board are:

- Memorandum of interest from the requesting agency
- Needs Assessment

- Letter of Support from the FOD

If you have any questions, please contact your local 287(g) Field Program Manager or the acting 287(g) HQ Unit Chief

(b)(6);(b)(7)(C) at (202) 732-(b)(6); or (b)(6);(b)(7)(C)

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.

(b)(6);(b)(7)(C)

Sent: Fri 2/10/2017 4:32:54 PM
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

(b)(6);(b)(7)(C)

Good morning.

I received notification this morning from the WV Regional Jail Authority and unfortunately they have declined interest at this time in the 287(g) program. I was not given any specifics as to the reason for the "no Interest"; if need be, I could inquire. Possibly as this program progresses, this could be revisited at a later time.

Thanks

(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 9:26 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

(b)(6)

I figured as much for the ERJ interest, whereas I know they're very interested locally, but I didn't think that they have the ability to locally make a decision to join. It's an understatement to say that I think (b)(5) [Redacted]
(b)(5) [Redacted] Let me know how it goes and keep me posted. I greatly appreciate your coordination and outreach with them.

Thank you,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 8, 2017 9:21 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

(b)(6);(b)(7)(C)

I just spoke with (b)(6);(b)(7)(C) Deputy Chief of Operations for the Regional Jail Authority. He has a meeting with the Executive Director (b)(6);(b)(7)(C) and Deputy Director (b)(6);(b)(7)(C) this afternoon at 1:00 PM and will discuss the 287(g) inquiry at that time. He will give me a call afterwards to give me an update. As an FYI in regards to ERJ, there interest/participation would have to get the final approval of the Executive Director. I will keep you all updated.

Thanks

(b)(6);(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 9:14 AM
To: (b)(6);(b)(7)(C)
Cc: [Redacted]
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

Thank you, (b)(6);(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 8, 2017 9:13 AM
To: (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

(b)(6);(b)(7)

Good morning.

I will reach out to them again this morning. I would assume that if ERJ did express interest that it would be all of the Regional Jails as they are directed and fall under the Executive Director who is down here in Charleston. I will keep you all updated.

Thanks

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 9:08 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

(b)(6);

Good morning!

Were you able to receive any feedback from the Regional Jail Authority from West Virginia on their interest in 287(g)?

I don't want to just send up ERJ if the entire Regional Authority is interested. I'd prefer (if they're interested) to submit the Regional Authority as an interested entity to pursue the program with.

Thank you,

(b)(6);(b)(7)

From: (b)(6);(b)(7)(C)
Sent: Friday, February 3, 2017 11:03 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Tasking for SDDOs - Please Respond by COB Tomorrow

Good morning.

I have reached out to the WV Regional Jail Authority which covers all local CAP jails within the State of WV and various local LEA's and am awaiting call backs to discuss the 287 (g) program. If I receive call backs prior to COB, I will provide updates.

Thank You,

(b)(6)

From: (b)(6);(b)(7)(C)
Sent: Thursday, February 02, 2017 11:03 AM
To: Philadelphia ICE ERO AOR Supervisors
Cc: (b)(6);(b)(7)(C)
Subject: Tasking for SDDOs - Please Respond by COB Tomorrow

This message is being forwarded on behalf of (b)(6);(b)(7)(C), Acting Field Office Director, Philadelphia Field Office:

Good morning, SDDOs!

Pursuant to the new Executive Order, we need to work together to quickly identify law enforcement partners within our Field Office who might be productive candidates for 287(g). For those of you assigned to CAP, FUGOps or VCAS with areas in which you are responsible, please respond per your respective AORs. For anything that needs to be reported:

1. Please identify the local law enforcement entities within your AOR
2. Whether contact was made by you with them to discuss 287(g) and when the contact was made
3. If the entity is or is not interested in finding out more about the program and/or wants to participate in the program
4. If the pursuit of the entity becoming part of 287(g) would/would not be beneficial to us (there may be positive/negative comments included)

Please immediately contact your respective Law Enforcement Agencies in your AORs and inquire if they are interested in 287(g). If they seem interested, advise that we will be reviewing our list of interested Agencies and we may coordinate in the future for someone (local field office and/or ICE HQ personnel) to come out and explain the program in more detail if they so desire. Also inform them that four weeks of training in South Carolina are required for those officers participating in the program.

Please provide your lists of potential 287(g) candidates to (b)(6) by COB tomorrow, Friday, 2/3, with a CC: to both your AFOD and (A)DFOD.

Thank you,

(b)(6);(b)(7)

(b)(6);(b)(7)(C)

Sent: Wed 2/8/2017 3:50:14 PM
Subject: RE: 287(g) - ERO PHI

Please disregard. We just receive the guidance that current outreach is only for the 287(g) jail model. None of these participants would necessarily apply to that. Thank you.

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 8, 2017 10:47 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287(g) - ERO PHI
Importance: High

(b)(6);(b)(7)(C)

Good morning. As part of our outreach, we have been contacted by the Warrington Township (PA) Police Chief (b)(6);(b)(7)(C) Chief (b)(6) advised us and invited us to a monthly meeting that takes place in Bucks County, PA, as he feels it would be a great opportunity to educate several department heads in the county regarding the 287(g) program. The meeting encompasses top law enforcement officials throughout the county (i.e. Police Chiefs, Lieutenants, District Attorney's Office, etc.). Chief (b)(6) estimated that approximately 60-70 law enforcement professionals regularly attend the monthly meeting. We have received a high level of interest from various LEAs in this county.

The next meeting will be on **March 14th, from approximately 1130-1330**. The location is still to be determined, but as of now, Chief (b)(6) believes that it may take place at either the Bensalem Country Club or the Spring Mill Country Club (which are both located in Bucks County, PA, just outside of Philadelphia).

Can you please advise if you would be able to send someone to attend this meeting, to discuss the 287(g) program. We could definitely send an AFOD to attend with you, to help try to answer any local questions that may arise.

Thank you for your assistance.

(b)(6);(b)(7)(C)

Acting Deputy Field Office Director

ERO Philadelphia

1600 Callowhill Street, (b)(6);(b)(7)(C) Philadelphia, PA 19130

Office # 267-479-(b)(6) / Fax # (215) 656-7304 / Cell # (610) 587-(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 8, 2017 9:23 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287(g) - ERO PHI

Thanks (b)(6) I appreciate your outreach work.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, February 08, 2017 9:15 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: 287(g) - ERO PHI

(b)(6);

Good morning!

The attached local law enforcement partners are presented on behalf of the ICE/ERO Philadelphia Field Office for their expressed interest in the 287(g) program. Please be advised that many more local agencies—in addition to those listed below—have been contacted, and ERO Philadelphia is currently awaiting their responses. Therefore, this list is subject to future additions.

The list provided is a mixture of local PDs and detention facilities. For clarification, should we be honing our inquiries just to detention locations? If so, we will redirect our inquiries for interest to jails/prisons.

Thank you,

(b)(6);(b)(7)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, February 7, 2017 11:55 AM

To: (b)(6);(b)(7)(C)

Cc:

Subject: RE: 287(g) - ERO PHI

Good morning (b)(6);

For the most part, existing 287(g) Field Program Managers (FPM) have been conducting outreach in their AORs, meeting personally with Law Enforcement Agencies (LEA) who may be receptive to the program, and then forwarding their requests to HQ 287(g). Since PHI does not have a FPM, one of us from the HQ 287(g) Unit can meet with the LEA to explain the program, answer their questions, and facilitate their application. I have met with several LEAs in the last few months and the topic of IGSA's and money typically comes up. Since IGSA's are a separate issue from 287(g), and I am not qualified or authorized to speak to those issues, it would be helpful if an AFOD or someone else familiar with your contracting could also attend to address those questions. We don't have a spreadsheet or request form, so you can just let me know which LEAs have interest in the program and I can get the encounter, detainer, IAQ, and FBNM numbers for those agencies to see whether or not a 287(g) Program would be mutually beneficial. We can then schedule a meeting with the LEAs.

The application process is very simple: the LEA sends a request letter on agency letterhead, and then a Needs Assessment is completed by the LEA usually with the assistance of ERO. After that, the FOD completes a memo of support/non-support and the package is sent to the Enforcement AD for concurrence. I have attached sample documents for your review. A Program Advisory Board then meets to review the LEA requests and votes on each program. Once approved by the Director, we can sign MOAs and start implementing the program. I can discuss all of that over the phone with you or at the meeting with the LEA.

Since the publication of the Executive Orders we have been getting a lot of interest in the Task Force Model (TFO) of 287(g). TFO was disbanded at the end of 2012 and we are not sure how or if it will be reinstated and who will oversee it (ERO, HSI, CBP). If you have LEAs who express interest in the TFO model, we will accept their requests and then make a determination at a later date when further guidance is provided.

Let me know if you have any other questions. It's nice to see the names (b)(6);(b)(7)(C). I hope you guys are doing well.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

287(g) National Program Manager
Immigration and Customs Enforcement
500 12th St. SW
Washington, D.C. 20536
Desk: (202) 732-(b)(6);
Mobile: (202) 507-(b)(6);

From: (b)(6);(b)(7)(C)

2018-ICLI-00004 246

Sent: Tuesday, February 07, 2017 11:02 AM

To: (b)(6);(b)(7)(C)

Cc: [Redacted]
Subject: 287(g) - ERO PHI

(b)(6);(b)(7)(C)

Good morning!

ERO PHI has been actively contacting LEAs in West Virginia, Pennsylvania, and Delaware to gauge interest in participating in the 287(g) program. We plan to have identified several interested LEAs and should be able to forward the information to you by tomorrow. We would like to begin working with the 287(g) unit to initiate communication with some of the LEAs. ERO PHI would respectfully request assistance from HQ in this endeavor of working with the LEAs to explain the program.

If there is an easier process in place for providing this information to your unit (perhaps if an existing form or spreadsheet exists), please let me know.

Thank you in advance for your assistance!

(b)(6);(b)(7)(C)

To: (b)(6);(b)(7)(C)
Cc:
From:
Sent: Tue 2/7/2017 10:57:53 PM
Subject: RE: Meeting with Police Chief's

Sounds good. Please proceed.

Thank you,
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 07, 2017 3:38:02 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Meeting with Police Chief's

(b)(6);(b)(7)(C)

I think this would be a good pitch to (b)(6);(b)(7)(C). He could hit a huge area all at once. We have a high number of interested parties in this area. This would predominantly be a potential Task Force Model group, but his email didn't say that we would pitch to those, just that they are not currently adjudicating them...

I think we can arrange a similar situation in Delaware.

Let me know what you think. I can draft something to (b)(6);(b)(7)(C) if you like.

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, February 7, 2017 3:23 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Meeting with Police Chief's

(b)(6);(b)(7)(C)

I received a call today from Warrington Township Police Chief (b)(6);(b)(7)(C). During the call, Chief (b)(6) advised me of a monthly meeting that takes place in Bucks County, and it encompasses top law enforcement officials throughout the county (i.e. Police Chiefs, Lieutenants, District Attorney's Office, etc.). Chief (b)(6) estimated that approximately 60-70 people attend the monthly meeting. Due to my recent outreach to Chief Friel in regard to the 287g program, Chief (b)(6) expressed that the monthly meeting might be a good opportunity to have someone from HQ come and give further guidance on the 287g program. Also, Chief (b)(6) expressed that this would also be a good opportunity for me to introduce myself, and allow people to put a face with a name.

The next meeting will be on March 14th, from approximately 1130-1330. The location is still to be determined, but as of now, Chief (b)(6) believes that it may take place at either the Bensalem Country Club or the Spring Mill Country Club.

If you could please advise if we would be able to have someone from the 287g program attend, I can then advise Chief (b)(6);(b)(7)(C)

Thanks,

(b)(6);(b)(7)(C)

*Supervisory Deportation Officer
Criminal Alien Program / Violent Criminal Alien Section
Department of Homeland Security*