

Deployment Outreach Deep Dive

Creating SC champions in the AOR

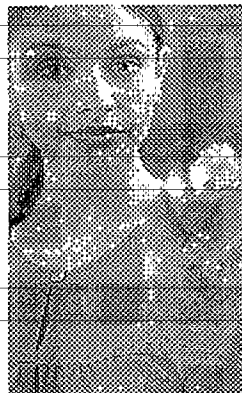
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► **Learning Objectives**

- Describe SC Field Coordinator roles and responsibilities as they relate to deployment outreach
- Present the LEA IDENT/IAFIS Interoperability Deployment Outreach Briefing in accordance with written speaker notes
 - The LEA Briefing – the what and why of the message
 - LEA briefing materials
 - Outreach logistics
 - Guidelines for sensitive jurisdictions
 - Civil Rights Civil Liberties (CRCL) complaint process



Session Timing – 1 hour, 45 minutes

- The goal of this section is to ensure you understand the importance of adhering to the LEA briefing messages, why they matter, and the steps involved in coordinating and conducting deployment outreach.
- As a result, you will gain confidence with the message and the process and be able to execute it effectively in the field.
- First, we are going to listen to the briefing as if it were being presented to an audience of LEA officials.
- Then we'll walk through the newly minted Briefing Booklet, which replaces the packet of handouts some of you may be familiar with.
- We'll go through the Outreach section of the Deployment SOP so you are clear about all the moving parts you'll be managing related to Outreach and finish the day with a group discussion about ways you enhance or build relationships with your LEAs.
- Tomorrow morning we'll talk about some strategies for mitigating resistance that have proved successful in the past, and the complaint process.



- ▶ **Activity – Listen to the LEA briefing as if you were a local law enforcement official**
 - Make notes about the strengths of the presentation
 - Record any questions or concerns the briefing might raise from your law enforcement perspective based on your assigned role

•Before introducing the presenter, ask the group to comment on what they think LEAs will be interested to know about Secure Communities.

•Allow about 10 minutes for discussion of LEA concerns, interests and the benefits of SC that will resonate most.

•Now we'll have an opportunity to hear the LEA outreach briefing as a member of the target audience – a local law enforcement official.

•Ask half the group to imagine that they are police officers working in a local police department or county jail.

•Ask the other half of the group to imagine that they are elected law enforcement officials, such as Sheriff or management-level officers such as police chief.

•Tell them to make notes in the Participant Guide on p. x about the briefing's strengths—such as clarity of message based on the opening dialogue—and questions they might have if in fact they were wearing the hat you assigned them.

•Ask participants to hold questions until the end or until solicited by the presenter.

•Introduce and turn the presentation over to the speaker.

•Allow 30 minutes for the briefing and 15 minutes for Q&A.

**► Outreach Planning**

- Obtain/update LEA POCs with email addresses, telephone numbers
 - POCs may be obtained from the Sheriff's office or SIB if necessary
 - Add validated ORIs to POC repository when available
- Schedule briefings in the order of the approved activation plan
- Reserve briefing venue
 - Scheduling the dates and locations of briefings go hand in hand
 - Consider holding the briefing at a LEA facility, or other publicly available space that can accommodate the number of expected participants, is equipped for a presentation and is geographically desirable
 - Venue should provide a speaker phone, LCD projector and screen
 - Reserve a conference line for remote SC partners
- Update briefing presentation with deployment schedule

- We've heard the briefing, which you'll deliver as SC Champion and LEA Relationship Builder.
- Ideally, you'll convert everyone who hears you into a SC champion too.
- Now we'll look at some of the work you'll do in the Logistician role – planning for and following up the briefing.
- Refer to the Outreach section of the Deployment SOP as we go through these next few slides.
- There are several steps to setting up the briefing, including scheduling the date, time and location, and inviting the POCs.
- The outreach schedule is closely tied to the activation schedule, so you should schedule the briefings in the order of the activation schedule as much as possible.
- Outreach should be planned 4-6 weeks prior to an activation date for LEAs in a jurisdiction—the earlier the better to allow sufficient time for ORI validation and issue resolution, if needed.
- One of the keys to a successful outreach effort is a robust directory of LEA contacts and their contact information, both email and phone numbers.
- Some of your counterparts have conducted outreach at one of the agency's locations, at public libraries or other facilities that are available without charge or for a nominal fee.
- If you plan to use a LEA facility, or want to ensure participation of one or more key agencies in the jurisdiction then you might want to run a few dates by them first to make sure they / the facility are available.
- The SIB may want to take an active role in assisting with LEA outreach coordination. The RCs can help guide you as to the appropriate level of SIB involvement in outreach planning for your AOR based on their experience at the initial SIB outreach meetings.
- The briefing location should allow for a PowerPoint presentation and a teleconference.
- The briefing presentation has a placeholder for the local deployment schedule, which should be filled in before the presentation is emailed, printed or delivered.
- The most current LEA briefing materials will be available in the Resource Kit.

**► Outreach Planning (cont'd)**

- Email briefing invitation to LEA POCs and SC partners
 - SIB and RC may want to attend in person, FBI/CJIS, US-VISIT and RC may attend by conference call
 - Attach .zip file of briefing presentation and SOP
- Track responses and follow up with POCs to maximize participation
 - Make three (3) attempts to contact the POC from every LEA scheduled to activate to invite them to an outreach briefing
- Ensure sufficient inventory of briefing booklets
- Send reminder email, confirm briefing venue and presentation requirements one week in advance
- Review presentation materials in preparation for briefing delivery

•Once you have the email addresses for the LEAs to be activated, the date and location confirmed and the presentation updated with the deployment calendar, you're ready to send the invitations.

•A sample invitation is included in the Resource Kit and online for you to use as a template.

•It is helpful to attach the presentation and the SOP to the email invitation in order to give the participants an opportunity to review the materials in advance of the briefing.

•You may decide to send these when you confirm attendance instead of at the time of initial invitation.

•You'll want to track who was emailed when, and who confirmed, so that you can send at least two reminder messages prior to the outreach date.

•SC PMO policy is that all LEAs be contacted to attend an outreach briefing three times.

•If no response, then as long as the LEA has the outreach materials – presentation and handouts – then you have met the requirement to inform them of deployment.

•It is in everyone's interest to encourage full LEA participation. If the LEA does not attend an outreach briefing, you will still need to obtain a POC for the ORI validation step.

•Make sure that you take some time to go over the presentation so that you are comfortable with the flow and the talking points.

**► Outreach Delivery**

- Distribute a sign-in sheet to collect attendee and ORI POC information
- Collect the POC list before you leave
- Distribute a hard copy of the LEA survey

► Outreach Follow Up

- Send sign-in sheet and ORI POCs to Regional Coordinator for forwarding to FBI/CJIS
- Send a thank you email with the survey link or electronic copy, and request return via secure email or through a secure hard copy delivery process
- Contact LEA after activation to ensure ICE responsiveness and handle any outstanding questions or issues

- During the briefing session, be sure to collect the names and contact numbers of all attendees as well as the POC for ORI validation.
- The ORI validation POC is on the critical path to activation.
- Upon return to the office following a briefing, send the contact information to the RC for forwarding to FBI/CJIS so that the final leg of the ORI validation can be completed. Note that ORI validation is typically a six week interval, with a minimum of two weeks required from the time FBI/CJIS receives the POC information from the outreach meeting.
- The LEA survey can be distributed in hard copy at the briefing, and then again in soft copy when you follow up with a thank you email.
- Reiterate the Field Office points of contact in the thank you email, and the activation date, if firm.
- Make a note in your calendar to call or email the LEA POC after activation to ensure their satisfaction with ICE's responsiveness and to deal with any issues that may have come up with the IDR/IAR or detainer process.
- That concludes the walk through of steps related to outreach.
- The Deployment and Outreach Checklists will remind you of the activities you need to complete for successful LEA outreach.
- Ask for volunteers to share with the group any processes or ideas they have for building relationships with LEAs – such as quarterly teleconferences, networking events or meetings, newsletters, etc.*
- Facilitate a brief discussion about best practices for strengthening LEA relationships.*
- Given the number of sites that need to be activated over the coming years, it will be advantageous to you to consider ways to conduct outreach efficiently.
- Let's look at some options for outreach assistance.

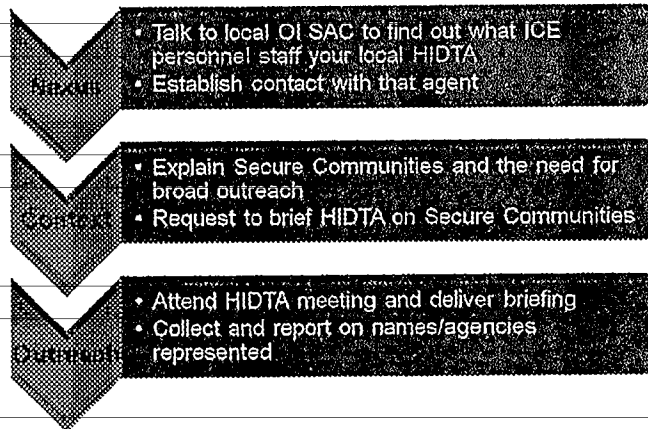


► **Third parties can act as a force multiplier for the Field Office, especially in large or geographically dispersed AORs that present a challenge for face-to-face outreach coverage and coordination**

- State and Local Fusion Centers (SLFCs)
- High Intensity Drug Trafficking Areas (HIDTAs)
- Law Enforcement Coordinating Committees (LECCs)
- Councils of Government (COGs) and Criminal Justice Coordination Councils (CJCCs)
- State Administrative Agencies (SAAs)
- State and local law enforcement associations (e.g., Major Cities Chiefs, State Sheriffs Association)

- There are various law enforcement organizations that might be helpful for you to leverage for outreach, especially in large or geographically dispersed AORs.
- These are some of the organizations that the LEAs may be involved with in your AOR.
- A summary of these organizations and the pros and cons of working with them is included in the Resource Kit.
- By establishing relationships with one or more of these organizations you may be able to arrange time to give the LEA briefing at one of their regular events or conferences.
- Associating Secure Communities and ICE with these entities can also lend credibility to the message and the mission. Third-party organizations with a law enforcement focus can also become SC champions with their constituents.
- When working with and through third-parties, it will still be necessary to obtain LEA POCs for ORI validation to activate Interoperability.
- These organizations also have established channels of communication with their LEA stakeholders using other networks.
- A description of these networks is also included in the Resource Kit for your reference.
- The SC PMO is looking into communication platforms such as these to permit you to conduct outreach briefings via webinar. More information and training about how to do this will be available in the future.
- The SC PMO is also creating a video-based awareness briefing that can become part of your outreach materials, and for those agencies who can't or won't participate in person after three contact attempts.
- Let's take a look at one example of how you could leverage a third party for outreach.

Third-party Outreach Example: HIDTA



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•Here's an example of how you might leverage a High Intensity Drug Trafficking Area (HIDTA) in your AOR.

•HIDTAs tend to work in concert with OI more than with DRO so the OI SAC in your office or area can assist with an introduction for you, in cases where an existing relationship is in place.

•In the event that there isn't a working relationship between OI and a HIDTA, then you could jointly plan an introduction that would be of benefit to all parties.

•Your advance from an initial meeting would be to brief the HIDTA on Secure Communities.

•During the SC briefing you could ask for an opportunity to brief SC to the membership at one of the HIDTA's events and perhaps to include an overview of SC and Interoperability in their stakeholder communications.

•There are several ways to leverage these organizations and co-opt their support for the SC mission of identifying and removing dangerous criminal aliens from the United States.

•Reach out to the RC for your AOR to initiate conversations with SC PMO to strategize options and approaches suitable for your AOR.

•We've covered a lot of ground this afternoon on your duties for deployment activation and outreach.

•Tomorrow we'll look at how to deal with resistance from jurisdictions sensitive to immigration enforcement.

Guidance for Handling Sensitive Jurisdictions



- ▶ **The goal is for all local stakeholders to participate fully in Interoperability and support the SC mission**
 - But, pockets of resistance are inevitable
- ▶ **Resistance to Interoperability deployment may result from**
 - Misunderstanding about Secure Communities – what it is or is not
 - Political direction from elected officials that oversee the LEA
- ▶ **SC PMO and DRO HQ will provide expert guidance and assistance in such circumstances**
 - Coordinate assistance through the Regional Coordinator

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•While we want all of our local stakeholders to participate fully in the SC mission, it is a reality that you will run into pockets of resistance as you go about your deployment work – whether from individuals, LEAs or entire jurisdictions.

•Sometimes the reluctance may be based on misunderstandings about Secure Communities; sometimes it is based on political considerations or direction from elected officials in that jurisdiction who supervise the LEA.

•SC PMO and HQ DRO will provide you expert guidance and assistance if and when you do encounter such circumstances.

•Notify your designated points of contact in HQ DRO and SC PMO as soon as you reasonably can, once it becomes apparent that a jurisdiction is making its reluctance known.

Facts and Benefits of Participation



► Know the facts and the benefits of full participation

- SC enhances public safety in the community – focuses ICE enforcement on the worst of the worst and helps reduce criminal recidivism
- SC does not focus on undocumented aliens who are victims of, or innocent witnesses, to crime
- Biometric identification through Interoperability is fundamentally fair – all arrestees are treated in the same manner and only those whose fingerprints match prior immigration records and are amenable to removal from the U.S. are of interest to ICE
- ICE retains responsibility for enforcing immigration law – LEAs are asked only to honor ICE detainers against a removable criminal alien in their custody

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•Meanwhile, it's important that you can articulate the facts and benefits of full participation so that you can respond confidently in the face of reluctance or resistance during a briefing. (*Refer to the Mythbusters discussion as appropriate.*)

•The key messages for local law enforcement are about safety, fairness, fit into standard booking processes, and relationship building.

Facts and Benefits of Participation (cont'd)



- ▶ **The exchange of fingerprint information between federal, state and local authorities is not new**
 - SC is only different because it is biometrics-based, enabling faster and more accurate information exchanges and decisions
- ▶ **IDENT/IAFIS Interoperability under Secure Communities is part of a larger FBI/CJIS Next Generation Identification (NGI) initiative**
 - FBI/CJIS' phased deployment of a host of new biometric interoperability capabilities to state and local LEAs will be completed within the next five years
 - SC is the first opportunity for LEAs to fully and accurately identify suspects in their custody and gives them a head start on NGI
 - Resolve problems
 - Realign resources
 - Build successes

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•Ultimately, LEA participation is inevitable because SC is simply the first of a number of biometric interoperability systems being brought online by the FBI/CJIS' "Next Generation Identification" (NGI) initiative.

•SC is just one – the first – of these many additional information streams being made available to assist LEAs at every level, to fully and accurately identify suspects in their custody.

•Instead of just flipping the switch in five years, signing on to SC now is an opportunity for LEAs to see the future and become comfortable with it, before multiple-menu NGI activation comes on line.

Facts and Benefits of Participation (cont'd)



- ▶ **LEAs are not required to do anything with the messages returned from Interoperability**
 - **IDRs and IARs can be useful tools for confirming identity, discovering aliases, building criminal cases and conducting additional investigations**
 - **ICE is the responsible party for initiating immigration enforcement actions based on these messages, not the LEA**
 - LEAs may work with the SIB to turn off receipt of IDRs/IARs or ignore them when received
- ▶ **Interoperability works with the LEAs' existing booking process**
 - **It leverages existing communication channels and does not require special equipment or incur costs to participate**

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- Interoperability does not require that the LEAs respond to the messages.
- The messages may be used to help build criminal cases as they reveal aliases and confirm identity.
- *Ask US-VISIT to comment on how LEAs can take advantage of the IDR to strengthen cases and conduct investigations.*
- LEAs may in fact opt out of receiving the messages, but arrestees' fingerprints will be checked against the US-VISIT IDENT and positive matches investigated by ICE.
- There is minimal if any change to the booking process with Interoperability.
- Exceptions are in blind booking locations and in LEAs that do not have the technology to submit electronic fingerprints or that submit them after seven days of arrest.
- With these facts in mind let's consider a general approach to dealing with resistant jurisdictions.



► **While each jurisdiction may require a unique strategy, SC PMO has adopted a three-part approach to dealing with jurisdictions that do not wish to participate**

1. Deploy to as many places as possible in the surrounding locale, creating a “ring of Interoperability” around the resistant site.
2. Deploy selectively to state correctional system facilities, permitting identification of Level 1 offenders who may have been arrested and sentenced in the non-participating jurisdiction.
3. Ensure that the jurisdiction understands that non-participation does not equate to non-deployment.

•Assuming that a jurisdiction has been briefed, its LEA and political leaders met, and nonetheless it opts not to fully participate, what then?

•Each jurisdiction will have its own particular concerns that must be recognized, and addressed with a unique strategy that will be jointly developed and executed by headquarters and the field.

•There are some general guidelines that can helpful in dealing with jurisdictions that do not wish to participate:

•By deploying to as many places as possible in the surrounding locale we create a “ring of interoperability” around the resistant jurisdiction, and subsequently leverage successes and peer relationships to encourage participation.

•In counties with independently functioning municipalities that have their own law enforcement structure, penetrate the jurisdiction by deploying to those municipalities.

•Continue deploying Interoperability selectively to the state correctional system facilities so as to still permit identification of Level 1 offenders who may have been arrested and sentenced out of the non-participating jurisdiction.

•Ensure that LEA officials know that, ultimately, non-participation does not equate to non-deployment. Once interoperability is activated in that jurisdiction, the arrestees’ fingerprints will in fact be checked against the US-VISIT IDENT, and the results vetted through the LESC and forwarded to the appropriate DRO Field Office for information and action as appropriate.

•The LEA is free to work with the SIB to shut off receipt of IDR/IARs, or simply to ignore them when received, but officers may find themselves deprived of substantive information relating to an arrested subject’s true identity, place of origin, and other pertinent data of significant law enforcement value.

•Let’s consider some of the controversial issues that may come up during your briefings and share ideas for how to deal with tough objections.

Activity – Handling Potential Objections



► Activity – Work in small groups to prepare a response to your assigned concern

1. “This sounds like the 287(g) program and we do not support it.”
2. “What happens when immigration reform provides individuals a path toward legal status? Maybe we should wait and see.”
3. “ICE has not been responsive in the past, how will this be any different?”
4. “What about NGO complaints that SC might result in racial profiling by police officers? I don’t need them on my back.”

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- Divide the group into four sections and assign one question to each section.
- Ask people in a section to talk together in twos or threes to determine how they would respond to their assigned objection from a local law enforcement official.
- Allow 5-7 minutes for discussion and then go through each question, asking the people who discussed the answers to share their responses.
- Use the information below to shape participant responses during the debrief.
- Allow 5 minutes for each question.

1. Response You need to know that Secure Communities is fundamentally different than the Section 287(g) cross-designation program. SC asks no LEA to make decisions about, or act upon, an arrestee’s citizenship or immigration status. In this way, LEAs are free to do their job; ICE is free to do its job.

2. Response Even in the event that immigration reform legislation is passed, it is highly unlikely that aliens convicted of any but the most insignificant crimes will be eligible to apply for legalized status.

3. Response ICE is committed to rapid turnaround of IARs from each biometric query resulting in a match. To that end, ICE is committed to a 24x7x365 response to ensure a detainer is filed where the information indicates a removable alien with a Level 1, or a Level 2 mandatory-detention (aggravated felon) criminal history. Filing of detainers against other, lesser Level 2s or Level 3s depends entirely on workload and capacity of the DRO field office. The DRO Field Office will provide a prompt response to information or inquiries from participating LEAs – most particularly, when called upon to honor any detainer filed. Calls requesting ICE to accept custody of an alien against whom a detainer was filed will be honored as soon as possible, but in no event to exceed 48 hours (excluding holidays and weekends, unless arrangements are made otherwise). ICE will also pay a jurisdiction for the period of time the alien is held between the LEA’s call and ICE’s pickup. The ICE DRO field office has dedicated a senior supervisory officer fulltime to coordinate the SC initiative [provide the name, title, and contact information]. This individual will be available to assist at any time issues arise which need clarification, correction, or resolution.

4. Response Allegations of racial profiling are taken seriously, and mechanisms exist for any alien who believes that he or she has been a victim of profiling to report the alleged misconduct to the Department of Homeland Security’s Civil Rights Civil Liberties office. In most LEAs, there are also parallel mechanisms to report inappropriate conduct or activity on the part of officers, as well as policies and training in place to prevent racial profiling. We have seen no instances of profiling in any location where interoperability has been deployed, nor is there any empirical basis to believe that Secure Communities would encourage or result in such inappropriate conduct, although we remain vigilant against the possibility.

- Let’s talk a bit more about what the complaint process is for people who feel their rights have been violated.

FBI-SC-2259



- ▶ **ICE is committed to ensuring that biometric identification through Interoperability is used appropriately**
- ▶ **ICE encourages reporting of any allegations of racial profiling, due process or other violations of civil rights or civil liberties related to the SC initiative**
 - ICE does not have oversight authority over local Law Enforcement Agencies but does conduct and facilitate complaint investigations
- ▶ **The complaint reporting process provides a clear, consistent mechanism by which alleged violations may be addressed**
 - Complaints must be submitted in writing via letter, fax or email
 - Complaints are accepted in languages other than English
 - Complaints may be filed on behalf of someone else (with express written consent)

- One of the duties specified in Mr. Venturella's memo was specific to your supporting any information requests pertaining to CRCL complaints or other investigations into allegations involving Secure Communities.
- SC PMO and DRO HQ will take the lead on any of these issues, but will look to you to gather relevant information from systems and personnel for the response.
- The full complaint process is available in the Resource Kit for your review.
- Let's summarize the various resources you can tap for assistance with sensitive issues in your AOR.

Resources for Sensitive Issues



- ▶ **For help with local NGO issues or concerns**
 - Contact your local / regional Public Affairs Office (PAO) representative
 - Bring potential NGO issues in your AOR to the attention of SC PMO via the Regional Coordinator
- ▶ **For help overcoming resistance to Interoperability deployment from state or local officials**
 - Contact the Regional Coordinator to initiate a collaborative and strategic approach to resolution
- ▶ **For guidance advising local complainants**
 - Refer to the CRCL complaint process in the Resource Kit

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•SC Field Coordinators are asked to involve other local, regional and headquarters personnel to help resolve sensitivities encountered at the local level—don't go it alone

•We've covered a lot of ground related to your duties in carrying out deployment outreach.

•Ask – *what questions do you have that we haven't addressed to your satisfaction?*

•Check for concurrence with session objectives by asking, *Do you agree that you now understand the duties more clearly and are positioned for success in your roles as SC Champion, LEA Relationship Builder, Logistician and Problem Solver?*