

**SECURE COMMUNITIES (S-COMM) DOCUMENTS
INDEX OF RECORDS RELEASED APRIL 10, 2012¹**

**DOCUMENTS RELEASED BY ICE RELATING TO VULNERABLE GROUPS
(VICTIMS, WITNESSES, JUVENILES, U.S. CITIZENS)**

#	Bates Number	Date of Document	Notes
1	ICE 2010FOIA2674.0093781 at 93789	undated	ICE "Secure Communities Fact Sheet," states that in the absence of a policy addressing scenarios where a victim or witness may have been identified by Secure Communities, local law enforcement agencies must take affirmative steps to request that crime victims be permitted to remain in the United States, or refrain from fingerprinting people they regard as victims or witnesses. This approach put the burden on local law enforcement to ensure that victims and witnesses are not deported.
2	ICE 2010FOIA2674.0123674	6/9/2011	ICE indicates that it does not track the number of juveniles arrested and removed through Secure Communities, in draft response to query from California Attorney General Harris's office for updated Secure Communities data and numbers of juvenile arrestees identified and detained or booked by ICE.

¹All documents referenced here were obtained through the *NDLON v. ICE*, 10-cv-3488 (SAS) lawsuit. To learn more, go to <http://ccrjustice.org/secure-communities>.

3	ICE 2010FOIA2674.0117524	6/2/2011	Email regarding a U.S. Citizen caught in S-Comm. The email author admits that the individual's wife provided a U.S. birth certificate and that it's "possible" that the individual was born in the U.S., but wants to "bring him to the office for further interrogation" anyway. Demonstrates that a claim of U.S. citizenship with documentary proof is insufficient for some citizens caught up on in S-Comm.
4	ICE 2010FOIA2674.0159455	4/8-18/2011	ICE emails about a draft DHS Civil Rights Civil Liberties document outlining its approach to handling complaints about S-Comm. ICE Acting Section Chief of the Enforcement Law Section states that "we recommend keeping any language . . . generic to provide ICE the most flexibility to respond to circumstances" and expresses concern that the current language "potentially paints ICE into a corner by stating it will limit its enforcement activity."
5	ICE 2010FOIA2674.016366	3/8-9/2011	Email request for briefing materials for ICE Director Morton's House Appropriations testimony. Morton concerned about how to respond to questions from Congresswoman Royal-Allard about the Maria Bolanos case (Bolanos called the police because of an abusive partner and ended up in deportation proceedings through S-Comm) and about reports from Travis County, Texas showing that 82% of individuals removed through S-Comm were non-criminals. The request shows ICE was aware of domestic violence issues in early 2011.
6	ICE 2010FOIA2674.0088187	11/23/2010	In email about the arrest of a domestic violence victim in Lodi, California, which led to her being deported before trial, ICE Deputy Field Office Director in San Francisco writes "This must have been a good fight!" Shows attitude toward DV victims.

DOCUMENTS RELEASED BY ICE RELATING TO DOMESTIC VIOLENCE VICTIM ISAURA GARCIA

#	Bates Number	Date of Document	Notes
1	ICE 2010FOIA2674.0124721	5/11-12/2011	Emails showing ICE discussions about messaging in response to ACLU-SC press conference about domestic violence victim Isaura Garcia being placed in deportation proceedings through S-Comm after calling 911 for help.
2	ICE 2010FOIA2674.0123372	5/11/2011	ICE Deputy Director Beth Gibson "waiting on facts" re Isaura Garcia case. ERO EAD Gary Mead orders involvement of chief counsel. Gibson orders Enforcement and Removal Operations to "proceed as if the draft [prosecutorial discretion] policy is in effect." The Morton memos on prosecutorial discretion were released June 17, 2011.
3	ICE 2010FOIA2674.0089248	5/11/2011	Agency emails determining how Garcia was identified through S-Comm and detained. Different ICE programs offer different explanations. "CAP [Criminal Alien Program] is saying that the detainer was placed by SC3 [Secure Communities Region 3], they did not place the detainer." "The SC3 screening is stating that she is a level 3 foreign no match, not a biometric hit. SC3 did not take action on this case because we did not have a positive identifier."
4	ICE 2010FOIA2674.0124502	5/12/2011	More agency emails discussing how Garcia was identified by S-Comm and detained.
5	ICE 2010FOIA2674.0089277	5/11/2011	Memo by ICE ERO Los Angeles with information about how Garcia was detained and put into deportation proceedings. The Southern California Secure Communities Support Center investigated the case after Garcia was arrested and booked by the LAPD and issued an immigration detainer with the LAPD for Garcia. Garcia was transferred to the custody of the LA County Sheriffs Department and the criminal charges were dismissed. She was then turned over to ICE ERO Los Angeles.

6	ICE 2010FOIA2674.0124097	5/11/2011	ICE emails demonstrating the agency's process for addressing claim that crime victim Garcia was put into deportation proceedings because of S-Comm. David Venturella writes "Reviewing the attachments and if the same person, v/r'd three times and claims to be single."
7	ICE 2010FOIA2674.0123396	5/11/2011	ICE Deputy Director Beth Gibson looking for other information to justify ICE handling of the Garcia case. She notes that "[w]e can point out that the locals made the arrest decision," and that ICE's response should "certainly emphasize the limited 5-hour period" of detention by ICE. She admits, however, that "this factual scenario will drive home for those already concerned that DV reports can lead to immigration proceedings." She urges immediate release of the DV policy.
8	ICE 2010FOIA2674.0124510	5/12/2011	Draft press statement and commentary from ICE official(s) regarding Garcia, who they refer to as the "domestic violence 'victim.'" Messaging proposed less than two hours from the ACLU-SC press conference with Garcia.
9	ICE 2010FOIA2674.0124517	5/12/2011	Draft ICE statement on the Isaura Garcia case continuing to undergo revision. Gary Mead indicates that "decision was made to move to terminate." ICE has also included note in S-Comm "background" section that ICE will be releasing policy on use of prosecutorial discretion for cases involving victims and witnesses of crime (one of the June 17, 2011 Morton memos).
10	ICE 2010FOIA2674.0124514	5/12/2011	DHS Press Secretary Matthew Chandler emails to stop ICE statement in response to ACLU-SC press conference about Isaura Garcia from going out.

ADDITIONAL MEDIA AND VIDEO LINKS

#	Web Address	Date	Notes
1	http://www.scpr.org/news/2011/05/13/26682/federal-deportation-program-under-fire-los-angeles/	5/13/11	"Federal deportation program under fire in Los Angeles" (Southern California Public Radio). Synopsis of Isaura Garcia's story, testimony, plus sound clip.
2	http://www.aclu.org/human-rights-immigrants-rights/suspend-secure-communities	5/24/11	"Secure Communities: Isaura's Story" (ACLU).
3	http://www.youtube.com/watch?v=7fw5w5_2qik	5/12/11	Video of statement from Isaura Garcia (Spanish).
4	http://www.mcclatchydc.com/2010/11/02/103001/mexican-couples-deportation-leaves.html	11/2/10	"Mexican couple's deportation leaves behind two small children in Lodi, California" (McClatchy). Summary of Lodi case.
5	http://www.nytimes.com/2011/08/26/us/politics/26immig.html?_r=2&ref=us	8/25/11	"Meant to Ease Fears of Deportation Program, Federal Hearings Draw Anger" (NY Times). Article about public hearings held by DHS's S-Comm task force that was met by protests across the country, including in Arlington, Virginia, where domestic violence survivor Maria Bolanos addressed immigration officials.

6	http://jezebel.com/5679542/so-me-women-are-a-lot-less-secure	11/2/10	"Some Women are a Lot Less 'Secure'" (Jezebel). Describes Maria Bolanos's story and situation.
7	http://www.youtube.com/watch?v=szxp18FnIMI	11/19/10	Video of Maria Bolanos testimony (in Spanish and translated into English) at an S-Comm hearing in Virginia.
8	http://www.huffingtonpost.com/arturo-venegas-jr/the-buck-stops-here-how-t_b_1277605.html	2/16/2012	"The Buck Stops Here: How the LA County Sheriff's Participation in Immigration Enforcement is Hurting Community Policing and Public Safety" (Huffington Post). Article by Arturo Venegas, Jr., former Sacramento Police Chief, Director of the Law Enforcement Engagement Initiative.
9	http://www.huffingtonpost.com/jorgemario-cabrera/the-miramonte-school-cons_b_1274519.html	2/15/12	"The Miramonte School Conspiracy of Silence" - by Jorge-Mario Cabrera
10	http://www.youtube.com/watch?v=l2vgR-nB_qE&feature=relmfu	2/10/12	"Miramonte School Abuses: Jessica Dominguez defends rights of undocumented parents"