

Microsoft Outlook

From: [REDACTED] S
Sent: Friday, July 08, 2011 5:00 PM
To: [REDACTED] [REDACTED]
Subject: RE: Secure Communities
SCAPP won't apply to a lot of cases, but some.

To my recollection,

SCAAP can apply to detainer cases if the alien has been detained for more than 4 days and has been convicted of a felony or 2 or more misdemeanors.

So it's sort-of true... and that's good enuf!

[REDACTED]

Deputy Director, Seattle Field Office,
ICE Enforcement & Removal Operations

From: [REDACTED]
Sent: Friday, July 08, 2011 1:39 PM
To: [REDACTED] [REDACTED]
Subject: Re: Secure Communities

Saying that SCAAP money is available for detainer cases is a little out of whack. I realize they are omnipotent, so it is hard to say anything. Will it cause problems, only if a Sheriff wants to know how he gets reimbursed and then learns we don't reimburse for those periods. I haven't looked at SCAAP funding requirements for a few years.

[REDACTED]
Assistant Field Office Director
[REDACTED] (o)
[REDACTED] (c)
[REDACTED]

MODIFIED BY BLACKBERRY

From: [REDACTED] S
To: [REDACTED] [REDACTED]
Sent: Fri Jul 08 10:42:20 2011
Subject: RE: Secure Communities

Perhaps when its something obviously out of whack and we think it might cause real problems for ERO.

[REDACTED]

Deputy Director, Seattle Field Office,

ICE Enforcement & Removal Operations

8/10/2011

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From: [REDACTED] b6, b7c
Sent: Friday, July 08, 2011 6:12 AM
To: [REDACTED] b6, b7c [REDACTED] b6, b7c
Subject: FW: Secure Communities

Should we CC: [REDACTED] b6, b7c on these BG cleared responses, so at least ERO knows what ICE is saying?

[REDACTED] b6, b7c
Assistant Field Office Director
ICE/Enforcement and Removal Operations
Seattle, Washington

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From: [REDACTED] b6, b7c
Sent: Thursday, July 07, 2011 1:24 PM
To: Gibson, Beth N; [REDACTED] b6, b6, b7c c
Cc: [REDACTED] b6, b7c
Subject: OPA: Secure Communities

Hi Beth and [REDACTED] b6, b7c

Issue:

Reporter with the Wenatchee (Wash.) World has asked a series of questions related to Secure Communities deployment and requested ICE's response to criticisms from advocacy groups about the program.

Background:

On June 21, Yakima County became the first jurisdiction in Washington state to activate Secure Communities. This deployment generated significant media attention and continues to generate residual interest from reporters.

Proposed responses:

The reporter has posed the following questions, which are bolded below. The proposed responses are from previously DHS-cleared material and the Secure Communities website.

How many states have opted in entirely?

Currently, 1,442 jurisdictions in 43 states and one U.S. territory now have this beneficial law enforcement information sharing capability.

How many counties have opted in Washington state?

Currently, Yakima county is the only Washington State county with this enhanced federal information sharing capability.

The program will cost counties money because ICE will not reimburse counties for daily fees associated with holding a person in jail days longer than the county would normally have held the person in jail. For example, a person with a minor offense might be let out of jail on a Friday, but, because there is a hold on them, the person would have to be held until an ICE agent can come and get them, possibly on a Monday.

ICE's use of the federal biometric information sharing capability requires no change to law enforcement agencies' customary booking process. And, law enforcement agencies that use digital fingerprint scanners incur no additional cost. Additionally, Secure Communities helps identify aliens when they are arrested for a crime and booked into state or local law enforcement custody. This capability helps ICE prioritize immigration enforcement action on criminal aliens and furthermore Secure Communities does not issue detainers or hold aliens.

The Department of Justice annually awards millions of dollars in grants to local governments to compensate for the cost of jailing illegal aliens, even when those governments have policies obstructing immigration law enforcement or encouraging illegal settlement. In 2010, the grant program, known as the State Criminal Alien Assistance Program (SCAAP), distributed a total of roughly \$400 million to about 850 cities, counties, and states. For example Washington State received over 4 million in SCAAP funding in 2010.

Secure Communities targets people whose charges are later dismissed.

The federal biometric information sharing capability does not target people. It is a capability that takes the fingerprints of every individual arrested and booked into custody checks them against immigration records to identify aliens when they are arrested for a crime and booked into state or local law enforcement custody. This strategy helps ICE prioritize immigration enforcement action on aliens. If charges are later dismissed an alien will be processed according to ICE's priorities.

(PAO will recommend that the reporter contact State attorney/courts as to why case are dismissed.)

The program gives local law enforcement officers a bad name among minority groups who see someone arrested for a crime, then arrested by ICE. The result might be a minority person who is distrustful of local law enforcement.

The highest priority of any law enforcement agency is to protect citizens and communities it serves. When it comes to enforcing our nation's immigration laws, U.S. Immigration and Customs Enforcement (ICE) is focusing its limited resources on those in our country illegally who have also broken criminal laws.

Secure Communities is a critical part of this approach and is an information sharing partnership between two federal agencies – DHS and the FBI. Secure Communities imposes no new or additional requirements on state and local law enforcement. When state and local authorities arrest and book into jail a criminal offender, they routinely submit fingerprints to the Federal Bureau of Investigation. FBI then automatically shares these fingerprints with DHS to check against immigration databases. If the fingerprint check reveals that an individual is unlawfully present in the United States, ICE takes enforcement action – prioritizing the removal of individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history and other factors.

The federal government, not the state or local law enforcement agency, determines what immigration enforcement action, if any, is appropriate. Only federal officers make immigration decisions, and they do so only after an individual is arrested for a criminal violation of state law, separate and apart from any violations of immigration law. Similarly, the decision to activate Secure Communities in a jurisdiction rests with the federal government. No MOAs are required to activate the federal information sharing technology

Last month, ICE announced key improvements to the Secure Communities program, including the creation of a new advisory committee that will advise the Director on ways to improve Secure Communities, including making recommendations on how to best focus on individuals who pose a true public safety or national security threat; the issuance of a new memo providing guidance for ICE law enforcement personnel and attorneys regarding their authority to exercise discretion

when appropriate; a new training program for state and local law enforcement about how Secure Communities works and how it relates to laws governing civil rights; and a new policy directing ICE officers to exercise appropriate discretion to ensure victims and witnesses to crimes are not penalized by removal.

The reporter's deadline is 3 PM PDT today.

[REDACTED] b6, b7c

[REDACTED] b6, b7c

Spokeswoman & Public Affairs Officer
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