

## SECURE COMMUNITIES (S-COMM) DOCUMENTS INDEX OF RECORDS RELEASED MARCH 16, 2012<sup>1</sup>

### DOCUMENTS RELEASED BY ICE RELATING TO DETAINERS (“ICE HOLDS”)

#	Bates Number	Date of Document	Summary
1	ICE 2010FOIA2674.0087733	1/27/2009	Boston ICE DRO places detainers on <i>all</i> biometric hits/matches where there is evidence of removability. Note that this would include non-criminals and traffic offenders. Boston DRO follows up on all no-matches if suspected foreign born and subject is established to be removable through other means such as records checks/self reporting and interviews.
2	ICE 2010FOIA2674.020610	10/29/2010	DHS Notes from Oct. 2010 Congressional Hispanic Caucus Briefing on S-Comm. ICE says: "local LE's are not mandated to honor a detainer, and in some jurisdictions they do not." States that ICE can shut off access to any local that is misusing the system. ICE can suspend an agency's access to Secure Communities because each booking location has a unique coded identifier that can be turned off.
3	ICE 2010FOIA2674.0160775	1/11/2011	Directive from North East Regional Command Center to New York County about detainers and offense Levels.
4	ICE 2010FOIA2674.017695	1/26/2011	This email states that an ICE detainer is a request to the local law enforcement agency and there is no penalty for non-compliance. This position was sent in a cleared email to the House Judiciary Committee on Decemeber 20, 2010.

<sup>1</sup>All 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>.

5	ICE 2010FOIA2674.016242	2/7/2011	Staff of Representative Dan Burton (R-IN) contacted ICE's Office of Congressional Relations to report that an ICE detainer had been lodged against a naturalized U.S. Citizen arrested in Indiana. DHS was initially unable to find any record of the individual's naturalization. One week later, they determined that he had indeed naturalized -- over thirty years ago, in 1974.
6	ICE 2010FOIA2674.0171553	3/25/2011	Emails regarding follow up to ICE Dep. Director Kumar Kibble tasking on detainer position and explanation of interoperability mandate.
7	ICE 2010FOIA2674.0171563	3/29/2011	Follow up email regarding ICE Dep. Director Kumar Kibble request for info on detainers and jurisdictions that don't honor them. Question directed to Randi Greenberg.
8	ICE 2010FOIA2674.0141032	4/1/2011	Action items following ICE Dep. Director Kumar Kibble meeting with New York City Council members, including assignment to OPLA to provide summary addressing ICE's authority with respect to detainers.
9	ICE 2010FOIA2674.0171596	4/1/2011	Emails about completion of memo regarding detainers and jurisdictions that do not honor them.
10	ICE 2010FOIA2674.0159738	5/4/2011	Action items following ICE Dep. Director Kumar meeting with NYC City Council, including items regarding detainers, interoperability mandate, Rikers Island statistics.
11	ICE 2010FOIA2674.0160069	5/5/2011	Email subject "Post-Conviction Approach" - Mostly redacted email includes piece about people being deported through S-Comm who have not yet been convicted.
12	ICE 2010FOIA2674.0158785	5/6/2011	Emails about setting up a SC advisory committee and a list of actions to be undertaken, including release of the PD memos, new detainer form, creation of CRCL statistical oversight system, new SC complaint process, new training programs for local LEAs, new SC website, SC advisory committee, and rescission of the MOUs. Notes that information was sent to the White House.
13	ICE 2010FOIA2674.0158816	5/8/2011	Emails regarding Kentucky detainer on USC and ICE's legal authority to issue detainers.

14	ICE 2010FOIA2674.0089248	5/11/2011	Emails discussing detainer lodged against Isaura Garcia, domestic violence victim in California.
15	ICE 2010FOIA2674.0124510	5/12/2011	Draft press statement and commentary from ICE official(s) about domestic violence victim in Los Angeles. Emailer refers to the victim as "victim" (with quotes).
16	ICE 2010FOIA2674.0124512	5/12/2011	ICE concerned about ACLU press conference about domestic violence victim getting caught up in S-Comm in Los Angeles.
17	ICE 2010FOIA2674.0124514	5/12/2011	DHS Press Secretary Matthew Chandler emails to stop an ICE statement on LA domestic violence victim from going out.
18	ICE 2010FOIA2674.0124742	5/16/2011	Email between Peter Vincent and ICE Dep. Director Kumar Kibble about detainer policy, specifically New York.
19	ICE 2010FOIA2674.0153656	5/25/2011	ICE notes that the statutes/regulations provide no procedures to enforce detainers.
20	ICE 2010FOIA2674.0158796	6/6/2011	Email regarding S-Comm advisory committee.
21	ICE 2010FOIA2674.0140824	Undated	States that S-Comm responses contain "Personally Identifying Information", and must be protected. Also states that "DHS does not guarantee the accuracy of the information that is returned in the S-Comm response as most DHS information is collected directly from the individual enrolled in IDENT.
22	ICE 2010FOIA2674.0159103	Undated	ICE overview of the NYC Criminal Justice System, including role of ICE Buffalo Field Office in issuing detainers.