

News Release

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ICE Announces Improvements to Secure Communities Program

WASHINGTON— As part of the Obama administration’s continued commitment to smart, effective immigration enforcement, U.S. Immigration and Customs Enforcement (ICE) today announced key improvements to the Secure Communities program—a program that prioritizes removal resources on individuals who are found to be illegally in the country after being arrested for other crimes.

“Secure Communities is a critical tool for law enforcement agencies working to protect the citizens and communities they serve,” said ICE Director John Morton. “However, we need to do a better job of ensuring that the program is more focused on targeting those that pose the biggest risk to communities. Today we are undertaking several reforms—developed in collaboration with our law enforcement partners and other stakeholders—that help us achieve that goal and will improve and strengthen the program.”

Secure Communities currently helps identify dangerous criminals through an information sharing process. When individuals are arrested, they are fingerprinted and booked into jail, and their fingerprints are conveyed to the FBI and checked against the FBI criminal database. That fingerprint data is then also shared with ICE and checked against immigration databases, allowing ICE to identify which individuals may not have legal immigration status.

Through April 30, 2011, more than 77,000 immigrants convicted of crimes, including more than 28,000 convicted of aggravated felony (level 1) offenses like murder, rape and the sexual abuse of children were removed from the United States after identification through Secure Communities. These removals significantly contributed to a 71% increase in the overall percentage of convicted criminals removed by ICE, with 81,000 more criminal removals in FY 2010 than in FY 2008. As a result of the increased focus on criminals, this period also included a 23% reduction or 57,000 fewer non-criminal removals.

Secure Communities has proven to be a critical tool for carrying out ICE’s enforcement priorities. To continue to improve the program, DHS and ICE are committed to addressing concerns that have been raised about its operation including:

- **Limited Removal Resources:** Currently, ICE receives an annual appropriation from Congress sufficient to remove a limited number of the more than 10 million individuals estimated to be in the United States unlawfully. As Secure Communities is continuing to grow each year, and is currently on track to be implemented nationwide by 2013, refining the program will enable ICE to focus its limited resources on the most serious criminals across the country.
- **Community Policing:** Some law enforcement agencies have expressed concerns about whether Secure Communities could have an impact on witnesses and victims of crimes coming forward to report criminal activities in their communities. Given the importance of community policing, ICE is instituting additional training to ensure that law enforcement officers understand the goals and priorities of the program.
- **Civil Rights:** As with all enforcement programs, there is a need to ensure that the civil rights of those who interact with law enforcement are protected. As Secure Communities matures into a national program, ICE is taking additional steps to ensure that it can execute its mission while continuing to respond to any potential civil rights concerns.

These additional safeguards will further protect the program from those who may undermine ICE's enforcement priorities or engage in racial or ethnic profiling.

Today, ICE announced the following reforms:

- **Advisory Committee & Minor Traffic Offenses:** ICE is creating a new advisory committee that will advise the Director of ICE 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. This panel will be composed of chiefs of police, sheriffs, state and local prosecutors, court officials, ICE agents from the field and community and immigration advocates. The first report of this advisory committee will be delivered to the Director within 45 days and will provide recommendations on how ICE can adjust the Secure Communities program to mitigate potential impacts on community policing practices, including how to implement policies stopping the removal of individuals charged with, but not convicted of, minor traffic offenses who have no other criminal history or egregious immigration violations.
- **Prosecutorial Discretion:** ICE Director Morton has issued a new memo providing guidance for ICE law enforcement personnel and attorneys regarding their authority to exercise discretion when appropriate—authority designed to help ICE better focus on meeting the priorities of both the agency and the Secure Communities program to use limited resources to target criminals and those that put public safety at risk. This memo also directs the exercise of prosecutorial discretion to ensure that victims of and witnesses to crimes are properly protected. The memo clarifies that the exercise of discretion is inappropriate in cases involving threats to public safety, national security and other agency priorities.

- **Training for States:** ICE and the DHS Office for Civil Rights and Civil Liberties (CRCL) have developed a new training program for state and local law enforcement agencies to provide more information for state and local law enforcement about how Secure Communities works and how it relates to laws governing civil rights. [The first set of training materials can be accessed here.](#)
- **Protecting Victims & Witnesses of Crimes:** At the direction of Secretary of Homeland Security Janet Napolitano, ICE, in consultation with CRCL, has developed [a new policy specifically to protect victims of domestic violence and other crimes](#) and to ensure these crimes continue to be reported and prosecuted. This policy directs ICE officers to exercise appropriate discretion to ensure victims and witnesses to crimes are not penalized by removal. ICE is also working to develop additional tools that will help identify people who may be a victim, witness, or member of a vulnerable class so officers can exercise appropriate discretion.
- **Detainer Policy:** ICE has [revised the detainer form](#) that ICE sends to local jurisdictions to emphasize the longstanding guidance that state and local authorities are not to detain an individual for more than 48 hours. The form also requires local law enforcement to provide arrestees with a copy, which has a number to call if they believe their civil rights have been violated.
- **Data Collection:**
 - ICE and CRCL have [created a new complaint system](#) whereby individuals or organizations who believe civil rights violations connected to Secure Communities have occurred can file a complaint. For example, CRCL will investigate complaints of ethnic discrimination by policing jurisdictions for which Secure Communities has been activated, and DHS will take steps to ensure that bias or other abuses do not affect immigration enforcement.
 - ICE and CRCL have created an [ongoing quarterly statistical review](#) of the program to examine data for each jurisdiction where Secure Communities is activated to identify effectiveness and any indications of potentially improper use of the program. Statistical outliers in local jurisdictions will be subject to an in-depth analysis and DHS and ICE will take appropriate steps to resolve any issues.

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ICE

U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security.

ICE is a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities. For more information, visit: www.ICE.gov. To report suspicious activity, call [1-866-347-2423](tel:1-866-347-2423).