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Enforcement and Removal Operations
Fugitive Operations Handbook

Version One

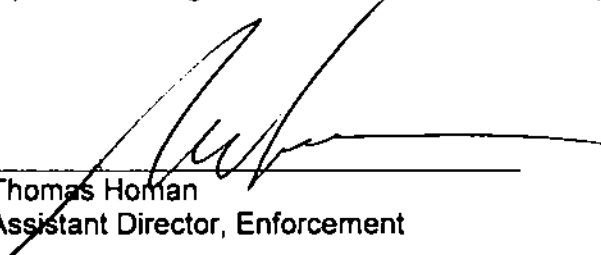
FOREWORD

The Fugitive Operations Handbook compiles, for the first time, all current policies, procedures, and best practices established for the National Fugitive Operations Program within Enforcement and Removal Operations. It takes the place of the long-anticipated, never-issued Chapter 19 of the DRO Policy and Procedure Manual.

This compilation incorporates all current Fugitive Operations-specific processes and procedures, although the memoranda cited in the Handbook may contain more detailed information. The Handbook also includes templates for operational plans and operations worksheets. It is an operational guide for Fugitive Operations Teams.

Previously DRO- or ERO-issued documents that are fugitive operations-specific now take on the status of historical reference material or supplemental information. As a result, all such documents will move from "Current" to "Archived Documents" in the ERO Resource Library. When conducting a search for these documents in the Resource Library, remember to search under "Archived Documents."

Fugitive enforcement is guided by the June 30, 2010, ICE memorandum titled "Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens" (ICE Policy Number 10072.1) and the December 8, 2009, ICE memorandum titled, "National Fugitive Operations Program: Priorities, Goals, and Expectations" (ICE Policy Number 11001.1).



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Date

2/23/10

Table of Contents

FOREWORD	2
PART 1: Fundamentals of the National Fugitive Operations Program (NFOP).....	5
Introduction	5
Authority.....	5
Responsibilities	6
Priorities.....	6
Training.....	7
PART 2: Fugitive Operations Team (FOT) Casework	8
Lead Development.....	8
Case Management.....	8
Docket Management	8
EARM Update	9
A-File Review.....	9
Administrative Subpoenas.....	10
Referral to the Law Enforcement Service Center (LESC).....	10
Administrative Warrants: NCIC Entry Requirements.....	10
Criminal Warrants: NCIC Entry Requirements.....	11
Target Folder Creation	12
ICE "Wanted" Posters	12
Fugitives Located while Incarcerated	13
Operational Plans and Requirements.....	13
Juveniles	13
Field Office-initiated Op Plans	13
HQ-initiated Op Plans.....	14
PART 3: Conducting Operations	15
Surveillance	15
GPS Tracking Devices	15
Communications	15
Law Enforcement Identification	15
High-visibility operational environment	15
Low-visibility operational environment	15

Pre-operational briefing	16
Ruses	16
Consent	16
Travel Documents	17
Vehicle Stops and Pursuits	17
Arrests	17
Special Considerations for Arrest	18
Juveniles	18
USC/LPR Juveniles	18
Prosecutorial Discretion	19
Post-Operational Debrief	19
PART 4: Processing Cases	20
Reporting Requirements	20
FCMS	20
Exhausted Leads	21
Special Activities	21
ATD Violations	21
Escapes	21
Fugitive Alien Removal (FAR) Requests	21
Liaison and Task Forces	22
Media	22
Appendices	
Appendix 1: Field Operations Worksheet	23
Appendix 2: Wanted Poster (Sample)	25
Appendix 3: Operational Plan (Sample)	26
Appendix 4 Fugitive Report (DHS Form 59)	34
Appendix 5 Escape Reporting Worksheet	36
Appendix 6 NFOP Acronym List	37

PART 1: Fundamentals of the National Fugitive Operations Program (NFOP)

Introduction

The National Fugitive Operations Program (NFOP) identifies and arrests fugitive aliens, previously removed aliens, criminal aliens at large, and certain other fugitives in the United States. Fugitive aliens are aliens who have failed to comply with a final order of removal, deportation, or exclusion; or who have failed to report or appear as demanded by Immigration and Customs Enforcement (ICE). "Others" may include alien escapees; Alternatives to Detention (ATD) violators; fugitives wanted by other law enforcement agencies or countries; and immigration status violators, among others.

The main goal of the NFOP is the reduction of the national fugitive alien backlog using targeted operations based on the best available intelligence and investigative techniques. Additionally, NFOP assets bolster the integrity of the immigration system by targeting and arresting previously removed aliens who have re-entered the United States in violation of the law. NFOP assets are also utilized to provide security to America's communities by targeting at-large aliens with criminal convictions for arrest and removal.

Authority

Pursuant to Section 287(a)(1) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1357(a)(1), as amended, an ICE officer has the authority, without a warrant, to interrogate any alien or person believed to be an alien as to his right to be or remain in the United States. INA § 287(a)(2) provides the authority to make an arrest of an alien who the officer/agent has reason to believe is in the United States in violation of the immigration laws and is likely to escape before an arrest warrant can be obtained. Further, INA § 287(a)(5) provides authority to make general arrests without a warrant for crimes recognized under federal law, to carry firearms, and to execute and serve any order, warrant, subpoena, summons, or other process issued under authority of the United States.

To detain an individual for further questioning, the ICE officer must have reasonable suspicion that the individual:

- Committed a crime, or
- Is unlawfully present in the United States, or
- Is an alien with status who is either inadmissible or removable, or
- Is a non-immigrant required to provide truthful information to DHS personnel upon demand (see 8 CFR 214.1(f)).

Responsibilities

Deputy Assistant Director (DAD), Compliance Enforcement Division. Oversees NFOP, including the HQ Fugitive Operations Unit (FOU) and the Fugitive Operations Support Center (FOSC).

Chief, Fugitive Operations Unit. Leads NFOP; serves as main point of contact for all queries about the NFOP from higher level management and the Field Office Directors. Interprets directives of ICE upper management, DHS, Congress, and the Executive Branch and monitors field implementation and reporting of statistical data. Determines geographic locations of Fugitive Operations Teams (FOTs) nationwide.

Chief, Fugitive Operations Support Center (FOSC). Manages and directs the FOSC. Develops leads and analyzes data from multiple sources to support FOT enforcement operations; reviews and updates fugitive cases in the ENFORCE Alien Removal Module (EARM). Reports on the nature and characteristics of the fugitive backlog. Manages the Cold Case docket and is the system owner for the Fugitive Case Management System (FCMS).

Field Office Director (FOD). Oversees local implementation of Fugitive Operations-related policy. Meets NFOP performance goals. Sets policy on rotation and placement of FOT members (FOT locations are determined at headquarters). Fully staffs FOT positions; uses NFOP resources and funding solely to advance the NFOP mission.

Assistant Field Office Director (AFOD). Provides guidance and oversight to FOT SDDOs. Briefs FOD on FOT operations and concerns. During HQ-driven operations, is the main point of contact with the NFOP.

FOT Supervisor. Plans and implements team operations based on guidance and goals set by the NFOP and the FOD. Addresses administrative issues concerning FOT, including performance evaluations, training, leave, and disciplinary actions. Reviews and monitors all FOT processing work: Field Operations Worksheets (FOWs), Enforcement Case Tracking System (ENFORCE), Enforce Alien Removal Module (EARM), Alien-Files (A-Files), and Target Folders. Communicates and monitors compliance with the most recent processing guidance. Provides on-site leadership both in the field and in the office.

Fugitive Operations Team (FOT). Comprised of one Supervisory Detention and Deportation Officer (SDDO), four Deportation Officers (DOs), one Immigration Enforcement Agent (IEA), and one Detention and Removal Assistant (DRA), conducts enforcement activities based on the policies set by the NFOP and the FOD.

Priorities

The FOT Supervisor assigns cases for review and preparation based on the priorities established under "Enforcement Priorities" in the ICE memorandum, "National Fugitive Operations Program: Priorities, Goals, and Expectations," dated December 8, 2009, in descending order of priority, as follows:

Tier 1 Fugitives aliens

- I. Who pose a threat to national security

- II. Convicted of violent crimes or who otherwise pose a threat to the community
- III. With a criminal conviction of other than a violent crime
- IV. With no criminal conviction.

Tier 2 Previously removed aliens

- I. Who pose a threat to national security
- II. Convicted of violent crimes or who otherwise pose a threat to the community
- III. With a criminal conviction of other than a violent crime
- IV. With no criminal conviction

Tier 3 Removable aliens convicted of crimes

- I. Aliens convicted of Level 1 offenses, as defined for purpose of Secure Communities.
- II. Aliens convicted of Level 2 offenses, as defined for purpose of Secure Communities.
- III. Aliens convicted of Level 3 offenses, as defined for purpose of Secure Communities.

For details, see the above-mentioned ICE NFOP memorandum. As priorities may change rapidly, FOT Supervisors should maintain an open dialogue with the NFOP to remain current.

Training

ICE officers participating in fugitive operations must have successfully completed basic immigration law enforcement training (see 8 CFR 287.1(g)).

All Fugitive Operations Team (FOT) members must successfully complete the Fugitive Operations Training Program (FOTP) within two years of assignment to a FOT, or as soon as the training schedule permits. FOT members must obtain and maintain current certifications in Basic First Aid and Cardiopulmonary Resuscitation. FOT Supervisors will provide all officers participating in a fugitive operation with a copy of this handbook. FOT Supervisors will also provide the Senior Field Training Officer with a signed acknowledgment of receipt of this handbook from each permanently assigned FOT member. The Senior Field Training Officer will add these receipts to the officers' training files.

FOTs will receive Fourth Amendment training approved by the ICE Office of Principal Legal Advisor every six months.

FOT Officers are required to attend and pass all quarterly firearms and tactical qualifications consistent with the ICE Firearms Policy and the ICE Use of Force Policy.

Since officers carry different models of firearms, all team members should familiarize themselves with the weapons carried by other team members. For this reason, a second day of Advanced Firearms Training Exercises is considered a best practice to be adopted by the field offices. FOT Supervisors will work closely with the SFTOs to identify training that will improve the skill sets of FOT members, such as officer survival, emergency medical procedures, defensive tactics, and response coordination.

PART 2: Fugitive Operations Team (FOT) Casework

Lead Development

NFOP cases may come from docket management, leads from the Fugitive Operations Support Center (FOSC); the ICE Tip Line (888-DHS-2ICE); INTERPOL; and other FOTs, DHS entities, and law enforcement agencies (LEAs).

Once a case or investigative lead is identified as an NFOP case, it belongs with the FOT with geographical jurisdiction. The originating office will officially transfer the A-file, T-File(s), and Work Folder(s) through the National File Tracking System (NFTS) to the responsible FOT Supervisor. The originating office will then forward these files and folder(s) along with the Target Folder and any other lead information to the FOT.

FOTs may also develop leads for criminal aliens by working with probation and parole offices in their AOR. Consistent with local policy, FOTs may take an active role in the apprehension of criminal violators as identified by CIS Fraud Detection and National Security Units. (For background and clarification on this issue, see the memoranda "Benefits Fraud Units Transfer Of Criminal Alien Referrals from Office of Investigation to Office of Enforcement and Removal Operations" and "Charging Document Issuance and Processing by Enforcement and Removal Operations of Citizenship and Immigration Services Referral Cases," respectively dated April 8, 2005, and October 30, 2006.)

FOTs should use open sources such as television¹, newspaper, and other media outlets that profile wanted individuals to identify and build Target Folders for high-priority fugitive aliens. However, NFOP must review and approve the target folder based on those sources before the FOT conducts an operation involving a high-priority fugitive.

ICE ERO does not have a confidential informant policy or training program established. FOT members can however use other tools to develop sources of information. An FOT Officer, with an FOT Supervisor's approval, may consider the use of prosecutorial discretion, or one of the variety of Alternatives to Detention as a possible means to continue an individual's productive cooperation.

Before making the decision to exercise prosecutorial discretion, the FOT Officer and Supervisor must carefully review the criminal background and the totality of the circumstances that surround the Subject.

The FOD should always be informed and consulted before anyone is given an incentive to provide information as described above.

Case Management

Docket Management

The FOT Supervisor should divide the cases among the team in a fair and intelligent manner. Docket management includes the careful review of cases on each fugitive docket. This will lead to a systematic review and proper vetting of all cases.

¹ Television programs such as Fox Networks "America's Most Wanted"

Proper docket management allows the FOD and FOT Supervisor to track progress made in reducing the fugitive backlog and make adjustments as needed. It also reduces the chances of unnecessary duplication of work. Fugitive cases in each AOR can be identified through EARM as well as with the assistance of the FOSC.

EARM Update

(b)(7)(E)

A-File Review

FOT members will:

- Verify NFOP case status by conducting **mandatory** checks of the following databases:
 - EARM
 - Central Index System (CIS)
 - (b)(7)(E)
 - Computer Linked Application Information Management System (CLAIMS)
 - Board of Immigration Appeals (BIA)
 - National Crime Information Center (NCIC).
- Avoid conflict with other law enforcement investigations by conducting **mandatory** checks of (b)(7)(E) and state and local databases. FOTs should also liaise with local task forces such as the High Intensity Drug Trafficking Areas (HIDTA) Task Force, which may maintain a local deconfliction database.

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- If the fugitive appears to reside outside of the FOT's AOR, update EARM. Establish contact with the FOT with jurisdiction over the apparent new location to request a field investigation. If the alien is located in that jurisdiction, forward the case documents and information to that FOT, following the procedures for case assignment.

Administrative Subpoenas

FOT members use Immigration Enforcement Subpoenas (DHS Form I-138) to compel the appearance and testimony of witnesses and the production of books, papers, and documents, consistent with 8 C.F.R. 287.4.

The NFOP collects data on subpoenas from all field offices, including the number of immigration subpoenas requested, the number issued, and the number served. Each FOD must submit these statistics to the (b)(7)(E) FUGOPS by the close of business each Friday.

Referral to the Law Enforcement Service Center (LESC)

By tapping the resources of other law enforcement agencies to help identify, locate, and arrest fugitives, NCIC acts as a force multiplier. Placing fugitive cases into NCIC via the LESL increases the probability of arrest, providing a service to ICE and the community.

Administrative Warrants: NCIC Entry Requirements

Timely submission of data is key to the effective working of the system. The DRO memorandum, "Placement of Fugitive Cases into the National Crime Information Center's Immigration Violator File," dated August 28, 2005, sets the goal for submission into NCIC at 120 days after the date the final order was issued.

1. Assigned ERO personnel will review the A-File and run all relevant checks to determine the viability of locating the subject.

a. If you do not find a viable address, confirm that the file contains:

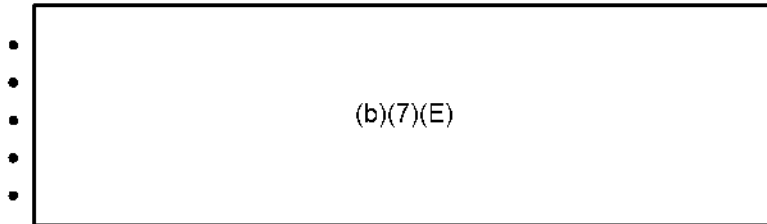
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b. Update the EARM Case Comments box under the Comments tab. Sample comments include:

- "Case reviewed by [Field Office Name] Fugitive Operations. No leads found. Information forwarded to LESL for input into NCIC."
- "Case reviewed by [Field Office Name] Fugitive Operations. Target Folder created. information forwarded to LESL for input into NCIC."
- "[Date], Attempted to locate Subject at [Street Address], [City, State]."
- "[Date], Contacted grandmother [time] at [phone number]. She will bring passport to ERO office at [time]."

- "Negative Contact. No further leads. Information forwarded to LESC for input into NCIC."
- c. Present the A-File to the appropriate mission support personnel, referred to in this Handbook as the Detention Removal Assistant (DRA).
2. Using a color scanner, the DRA will scan the following documents in portable document format (pdf), with a minimum resolution of 600 dots per inch (dpi):



3. The DRA will name the pdf document with the Alien number of the Subject (i.e., "A00 000 000 LAST NAME, First Name.pdf"). Save a copy of the pdf file to the local share drive in the folder designated by the FOT Supervisor.
4. The DRA will then create an e-mail with a Subject line that reads "NCIC: A00 000 000, LAST NAME, First Name" and attach the scanned documents relating to that Subject. The body of the e-mail should read: "Please accept the attached documents that relate to the Subject referenced in the subject line of this e-mail for input into NCIC."
5. The DRA will send the e-mail to (b)(7)(E) with a courtesy copy to the responsible docket officer; and place a copy of the e-mail in the A-file for recordkeeping.

Criminal Warrants: NCIC Entry Requirements

Criminal Warrant NCIC entries must include:

- A copy of the criminal Warrant for Arrest issued by a U.S. District or Magistrate Court, signed by either the Federal District Court Judge, a Magistrate, or other court official.
 - A DHS Form 59, Fugitive Report (see Appendix 4), which must include:
 - All pertinent information, including but not limited to the mandatory blocks highlighted in red, and;
 - The signature of the case officer and the approving SAIC/RAIC/FOD.
 - For an aggravated felon, criminal history documents such as judgment and conviction records providing sentencing information, qualifying the offense as an aggravated felony; and
 - Supporting documentation such as copies of the criminal complaint, indictment, photo, or fingerprints, if available.
1. Scan the Criminal Warrant, DHS Form 59, and the supporting documents.

2. Following the procedures outlined for Administrative Warrants, submit the Criminal Warrant, DHS Form 59, and supporting documents to the LESC within 24 hours of the issuance of the warrant. If the submission is delayed, state why in Block 32, Remarks.
3. If processing multiple defendants under the same case number, use the case number followed by each Subject's last name e.g., CR-1234-10-Jones, CR-1234-10-Smith.
4. Update EARM to reflect all actions taken in the case.

Target Folder Creation

Compile a "target" folder containing the investigative information needed to locate and arrest an NFOP target. Do not take an A-file into the field. Target folders will contain copies of the following documents as they relate to the NFOP case:

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The FOT maintains the Target Folder pending completion of the investigation. Do not combine the target folder with the A-file. FOWs and other documents containing intelligence or sensitive information do not belong in the A-file.

ICE "Wanted" Posters

In certain egregious cases, the FOT may create an ICE "wanted" poster (see [Appendix 2](#)). Before releasing it for circulation, however, the FOT Supervisor must confirm that the subject of the wanted poster has been entered into NCIC by the LESC (see NCIC warrant entry requirements, above). This action will enable other law enforcement agencies to arrest the wanted person.

Exceptions to NCIC warrant entry requirements include an escape, threat to national security, NFOP directive, or other exigent circumstances.

Fugitives Located while Incarcerated

If a fugitive is located while incarcerated, file an immigration detainer with the detention facility (I-247) and prepare an I-213. Change the case category in EARM to reflect that the individual is no longer a fugitive (Case Category 5B to 3, 8E to 8C, 8I to 8G). Update EARM screens accordingly.

For statistical purposes, update the Fugitive Case Management System (FCMS) to read "Located/Detainer (I-247 Lodged)." The FOT member lodging the detainer will then refer the case to the field office section that processes detention releases and detainees.

Operational Plans and Requirements

If the FOT's activities will extend beyond the normal scope of daily operations, prepare an NFOP Operational Plan (Op Plan) (see [Appendix 3](#)). Op Plans are required for operations including, but not limited to, those involving the arrest of a large number of targets or specific target groups; those expected to attract media attention; and those extending beyond the geographical boundaries of the FOT's Area of Responsibility (AOR). Op Plans can originate at either the Field Office or headquarters.

Note: Both HQ- and FOD-approved Operations have special statistical reporting requirements. FOT Supervisors coordinate with their assigned HQ NFOP staff officer and, if needed, the FOOSC, to meet these requirements.

Juveniles

As with other aspects of operational casework, preparation can solve or at least mitigate many problems. Preparatory planning for every operation should include the possibility that the FOT will encounter a juvenile, i.e., a child under the age of eighteen. Determine the local child protective services (CPS) protocol for referring children.

Involve the Field Office Juvenile Coordinator in the planning process when:

- Surveillance, file review, or any other activity leads you to expect a juvenile encounter during a particular operation; and
- The operation will be large scale.

If it appears that the juvenile(s) involved is a lawful permanent resident (LPR) or U.S. citizen (USC), contact CPS.

Field Office-initiated Op Plans

Use a Field Office-initiated Op Plan when:

- Conceived and driven at the local level;
- Taking place within the field office's AOR; and
- Targeting 10 or more NFOP cases per team per day.

Request the current NFOP Op Plan template and Target List template from your assigned NFOP staff officer.

The FOT Supervisor selects the approved enforcement initiative title (i.e., Cross Check, Return to Sender, Secure Streets, Media Ride-along, etc.) and forwards the Op Plan to the FOD for signature. The FOD returns the signed plan to the FOT Supervisor, who then forwards a copy to the Detention Operations Coordination Center (DOCC) mailbox, DOCC, and NFOP. DOCC notification must occur at least two weeks before the operation whether or not logistical assistance is sought.

At least seven business days before the operation, the FOT will notify NFOP of DOCC's response.

NFOP will notify the FOT of concurrence with the Op Plan.

HQ-initiated Op Plans

An HQ-approved Op Plan is required when:

- Targeted enforcement action(s) will extend beyond a field office's AOR; or
- A target or target list expected to draw significant media or departmental attention, including operations concerning sensitive targets, public officials, political candidates, or religious or political organizations, or requests made by foreign governments; or
- HQ NFOP initiates the enforcement action.

The FOT Supervisor will use the HQ-approved NFOP Operational Plan template and Target List template to generate the Op Plan.

In the case of an HQ NFOP-initiated enforcement action, the Op Plan may be generated from headquarters and sent to the FOT. The FOT Supervisor will prepare or update an Op Plan with guidance from HQ NFOP and forward the Op Plan to the FOD for signature. The FOD will return the signed plan to the FOT Supervisor, who will then forward a scanned copy to the DOCC and to (b)(7)(E) DOCC notification must occur at least two weeks before the operation whether or not logistical assistance is sought.

At least seven business days before the operation, the FOT will notify NFOP of DOCC's response.

NFOP will notify the FOT of approval of the Op Plan.

PART 3: Conducting Operations

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Whenever your weapon is visible, your ICE badge must be visible. This means you must either wear the ICE badge on a chain/lanyard around your neck (recommended) or clipped to your belt, in plain sight--unobstructed by any clothing.

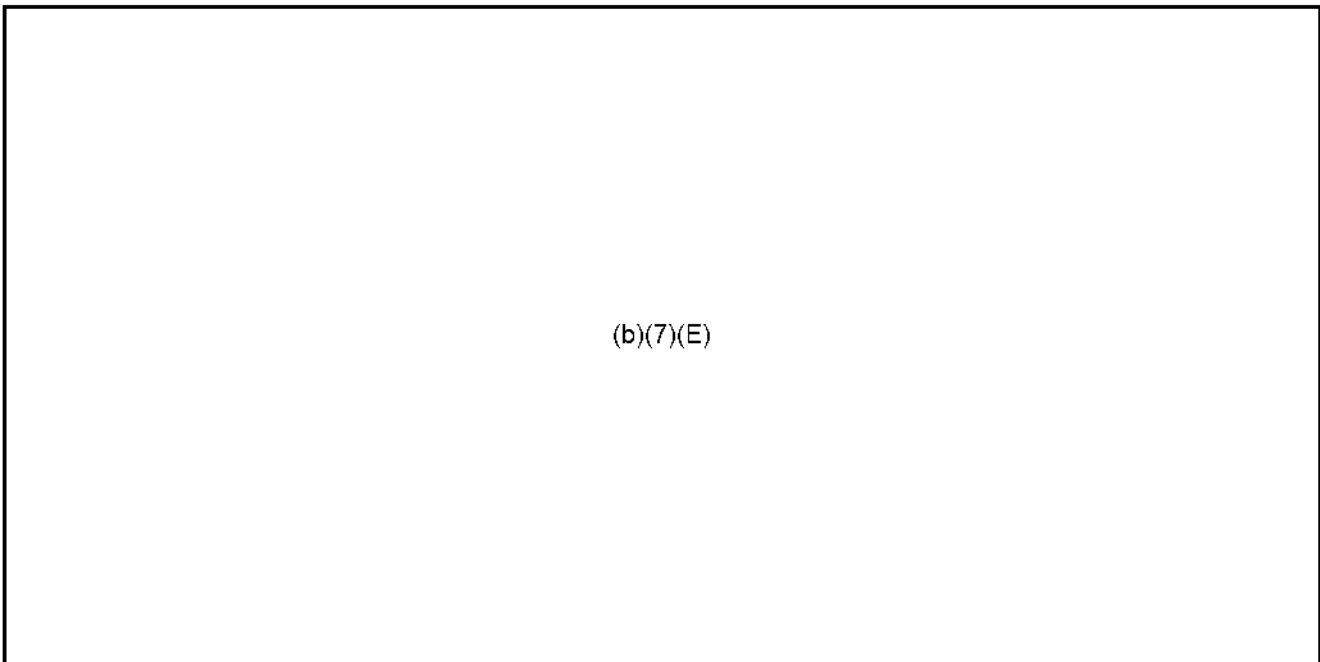
Pre-operational briefing

An operational briefing will precede every enforcement action, absent exigent circumstances. Representatives from other LEAs involved in the operation should participate in the briefing.

The briefing will cover information in the target folder, including the type of warrant being executed (administrative arrest, criminal search, or criminal arrest). Explaining the scope of an ICE administrative warrant is particularly important for officers from other LEAs with limited or no experience participating in ICE administrative arrests.

During the briefing any other operational concerns will be addressed, to include medical, communications, and equipment issues.

Ruses



Consent

Because neither a Warrant for Arrest of Alien (I-200) nor an administrative Warrant of Removal (I-205) authorizes you to enter the subject's residence or anywhere else affording a reasonable expectation of privacy, you must obtain voluntary consent before entering a residence. You may not coerce consent. (See "Documentation of Consent in Enter and Search," dated January 19, 2010.)

Consent is involuntary when it is the product of coercion or threat, express or implied. Other factors affecting voluntariness include: an officer's claim or show of authority, prior illegal government action, mental or emotional state of the person, cooperation or lack thereof, and custody. Officers need not advise the subject that consent may be refused, although whether such an advisory is given is a factor in determining the voluntariness of the consent. Do not

enter, search, or remain inside a residence without the consent of a person with apparent authority, who is at least 18 years of age.

When you request and receive consent, use the FOW to record the name of the person giving consent, the time and scope of the consent, and other relevant factors, such as the names of witnesses to the granting of consent. Also record the time you complete the search.

If an arrest is made, provide the consent information in the arrest narrative of the I-213, including the names of any witnesses to the consent.

If consent is denied, document the denial in the FOW, noting that the FOT departed without entering the residence. Likewise, if the FOT must leave the residence because consent is withdrawn before any FOT member sees the target, note the time consent was withdrawn on the FOW.

Travel Documents

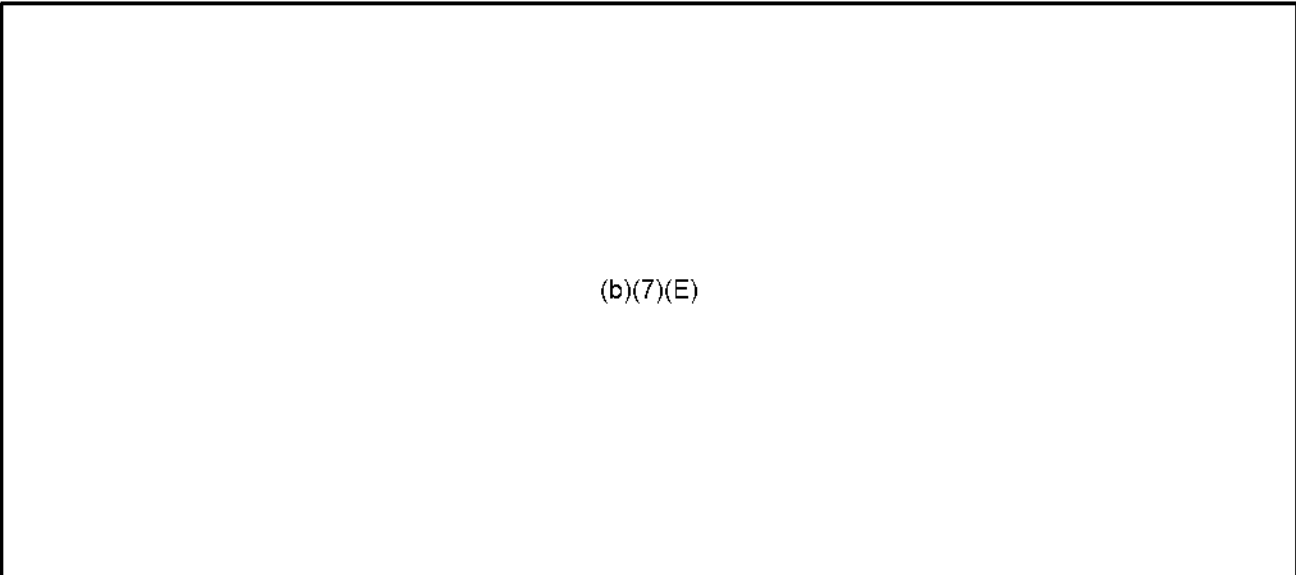
Try to obtain a travel document and birth certificate at the time of arrest. If not in plain view or on the alien's person, request consent to search in areas where documents may be found. Verbal consent in the presence of at least one other LEO is acceptable.

Vehicle Stops and Pursuits

FOT members who have completed FLETC vehicle stop training may conduct vehicle stops. Vehicles used to perform these stops must have emergency equipment in compliance with state laws.

Do not follow a target who fails to pull over. ERO law enforcement officers are not authorized to engage in vehicular pursuits.

Arrests



Special Considerations for Arrest

Upon arrest, ask the Subject at least these questions:

- Do you have any medical issues or concerns?
 - If so, do you have medication or an assistive device to take with you?
- Do you have any children or other custodial responsibilities?
 - If so, are you the sole caregiver?
- Do you have a travel document?

Juveniles

Upon encountering a juvenile, the FOT Supervisor or team leader will contact the Field Office Juvenile Coordinator (if not already on-site) for guidance. Regardless of the juvenile's citizenship, the FOT Supervisor or team leader will carefully weigh the circumstances of the encounter in deciding whether to exercise prosecutorial discretion. Discretionary release options include placing the custodial parent(s) or guardian(s) in the Alternatives to Detention (ATD) program; releasing on bond, Order of Recognizance, Order of Supervision, etc.

If uncertain about whether the young person in question is in fact a juvenile, refer the case to the Field Office Juvenile Coordinator.

In every case:

- Identify the parent(s), family member(s), or legal guardian(s) of each juvenile you encounter during an operation—regardless of the juvenile's citizenship. Document all actions taken.
- Obtain complete biographical information of everyone involved, including witnesses. Document this information on case-related forms (e.g., the I-213 and G-166) and databases (e.g., the Case Comments box under the Comments tab in EARM).
- Separate juveniles and family units from unrelated adults (*Flores settlement agreement*).

USC/LPR Juveniles

If the fugitive alien parent or legal guardian asks that you release the USC/LPR juvenile to a specified **third party**, facilitate contact between the fugitive alien and the third party.

- Document the request—preferably in the fugitive alien's own handwriting.
- Verify the identity of the third party through government issued identity cards before releasing the USC/LPR juvenile into that person's care.

If the parent or legal guardian is subject to **mandatory detention** and the parent/legal guardian does not specify a custodial third party, contact CPS to arrange suitable placement of the USC/LPR juvenile.

- Seek guidance from the FOD if local CPS is unresponsive. It may be necessary to coordinate with local law enforcement to complete the transfer.
- If necessary, document the inability of local CPS to take timely custody of the juvenile in memorandum format.
- If the juvenile or any proposed third party caregiver is known or suspected to be involved in criminal activity (for example, trafficking), contact local law enforcement and/or CPS to review the suitability of placement decisions.
- Forward copies of relevant documents to local CPS for further processing.

Prosecutorial Discretion

As a rule, FOT members will not take into custody aliens who are physically or mentally ill, disabled, elderly, pregnant, nursing, or the sole caretaker(s) of children or the infirm (see ICE NFOP memorandum dated December 8, 2009). FOT members may exercise discretion within the limits of agency authority and are expected to do so in a judicious manner throughout the enforcement process.

For more information on prosecutorial discretion, see ICE memorandum, "Prosecutorial and Custody Discretion," dated November 7, 2007.

Post-Operational Debrief

The FOT Supervisor should hold a debriefing session after the enforcement action to address safety issues and evaluate the operation.

PART 4: Processing Cases

FOTs will follow standard processing procedures for the removal of an alien with a final order (see the CAP/FUGOPS Quick Reference Processing Guide at <http://tinyurl.com/2faphzb>). FOT Supervisors are responsible for implementing any superseding or additional guidance sent out by the NFOP.

Officers will also update FCMS and EARM with criminal activity, case category changes, and case actions. Concisely note the arrest and any special circumstances surrounding the case in the Case Comments box under the Comments tab. If an A-file has to be requested from the National Records Center or another field office, the processing FOT officer will make the request and document it in the A- or T-file and EARM.

Review cases for prosecutability. Present amenable cases to the Assistant U.S. Attorney or refer them to the Violent Criminal Alien Section (VCAS) unit or prosecution officer. An officer will establish a case in (b)(7)(C) and complete a Report of Investigation (ROI). See the (b)(7)(E) Case Management User Guide.

When transferring a case to the detained docket, provide the travel document and birth certificate, if available, and, from the target folder copies of the signed I-205, final order of removal and BIA decisions and any judicial decisions on removal.

Do not place FOWs or investigative paperwork in the A-file. The Field Office must maintain Target Folders indefinitely, pending further guidance.

Reporting Requirements

FCMS

Enter daily enforcement activities into FCMS as they occur, but no later than midnight Friday, as follows:

- **Arrest:** If applicable, select "Arrest" from the "Action" drop-down menu.
- **Located/Detainer (I-247 Lodged):** Select "Located/Detainer (I-247 Lodged)" from the "Action" drop-down menu after locating and placing a detainer on an individual detained by another agency.
- **Case Category Changed:** If the fugitive case category (5B, 8E, or 8I) is no longer appropriate, select "Case Category Changed" from the "Action" drop-down menu.
- **Case Closure:** If the alien is no longer a fugitive and the case should be closed, select "Case Closure – Self Removal," "Case Closure – Deceased," "Case Closure – Benefits REC'D," or "Case Closure – Removed" from the "Action" drop-down menu.

Exhausted Leads

If all leads are exhausted, as confirmed by the Fugitive Alien Cold Case checklist, generate a Report of Investigation (Form G-166C) and give it to the FOT Supervisor for review. The FOT Supervisor will review the G-166C to verify that all investigative leads have been pursued.

NFOP has initiated a process for handling cold cases (see DRO memorandum, "Designation of Cold Case Fugitive Files," dated September 4, 2009). For information on this program, contact your FOSC staff officer.

Special Activities

ATD Violations

The FOT Supervisor should work closely with the Field Office's ATD unit to establish a local plan of action for an ATD violation.

ATD violations are often well-planned events that require immediate action to recover an ATD violator. Therefore, open communication between the FOT and ATD is crucial. The likelihood of recovery decreases substantially as the time between violation and referral to the FOT increases.

The ATD program has an established reporting procedure for ATD violations different from escapes. The ATD officer takes the lead on reporting unless the FOD decides otherwise.

Escapes

In the event of an escape, the FOT Supervisor will be the officer in charge of the escape investigation. The FOT will be responsible for the investigation, tracking, and locating of the escapee. A number of very specific reporting actions need to take place in the event of an escape (see DRO memoranda, "Escape Reporting," dated July 14, 2006; and "Standard Operating Procedure, Escapes and Releases," dated December 11, 2006).

Complete and fax an Escape Worksheet (see Appendix 5) to the HQ ERO Detention Management Division within 24 hours of the escape.

Fugitive Alien Removal (FAR) Requests

A FAR request concerns an international fugitive who has an outstanding Criminal Arrest Warrant issued under the authority of the criminal justice system in the country where the criminal activity took place, provided:

- the international fugitive's crime is also considered a crime within the United States;
- the requesting government has provided evidence of the existence of the arrest warrant through official correspondence such as the issuance of an INTERPOL Red Notice; INTERPOL Diffusion message; or actual, translated copy of the warrant; and

- the requesting government has agreed to expeditious issuance of travel documents to facilitate the target's return, if necessary.

When (b)(7)(E) issues a FAR request (Red Notice, Diffusion Message, or Special Notice) for an international fugitive believed to be in the United States, NFOP will alert the FOT Supervisor with jurisdiction.

Liaison and Task Forces

FOT members are encouraged to interact with other law enforcement agencies, task forces, and non-governmental organizations to foster cooperative relationships. Officers may, with approval from the FOD, serve on law enforcement task forces that share common goals with the NFOP and contribute to the ERO mission as a force multiplier. See the "Building Partnerships" section of ICE Directive 11001.1.

Media

Do not interact with media representatives. Refer media inquiries to the FOD, who will coordinate with the ICE Office of Public Affairs.

Refer requests for "ride-alongs" to the FOD, who will coordinate with the Public Affairs Office, and HQ NFOP. The FOT Supervisor will submit an operational plan and target list to the FOD and HQ NFOP.

Enforcement and Removal Operations
Field Operations Worksheet



U.S. Immigration
and Customs
Enforcement

(b)(7)(E)

Appendix 1: Field Operations Worksheet

SITUATION / MISSION / INVESTIGATIVE LEADS
EQUIPMENT / CLOTHING

Team:		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	
Team:		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	
		Officer/Agency:		Officer/Agency:	

COMMUNICATIONS			
Type:	Channel:	Frequency:	Team/Individual:

LAW ENFORCEMENT NOTIFICATION AND CASE DECONFLICTED (SQ11/SQAD IN TECS)			
Agency:	Name:	Telephone:	
Agency:	Name:	Telephone:	
Agency:	Name:	Telephone:	

EMERGENCY MEDICAL SERVICES/TRAUMA CENTER			
Name:	Telephone:		
Location:			
Name:	Telephone:		
Location:			

Date of Operation:	Time of Operation:	Justification for After Hours Operation:	
Supervisory Concurrence		FOD/DFOD/AFOD Approval	
CONSENT	Name of Consent Provider:	Scope of Consent:	Time Consent Granted:
CONSENT	Witness to Consent:	Time Search Completed:	Time If Consent is Withdrawn:
RESULTS	Date of Arrest:	Location of Arrest:	Additional Information:

U.S. Department of Homeland Security
Immigration and Customs Enforcement (ICE)
Field Office



WANTED



For Immediate Arrest and Deportation

(b)(7)(E)