

April Fool's Prank Reveals Flaws in Alien Detention System

The DHS OIG recently concluded an investigation that found that an employee whose official duties involved both Citizenship and Immigration Services (CIS) and Immigration and Customs Enforcement (ICE) sent an "April Fool's" e-mail message to 16 deportation officers (DO's) and supervisors that resulted in the unauthorized release of a detainee. Fortunately, the detainee, who had a prior conviction for kidnapping, surrendered himself to ICE DO's two days later without incident. This incident was referred to the local United States Attorney's Office for prosecution of the employee who sent the e-mail, but the matter was declined. In this case, on April 1, 2003, the employee's government computer was used to send the "April Fool's" e-mail to 16 ICE DO's and supervisors, advising them that a detainee's U.S. citizenship had been established with a Puerto Rican birth certificate, thereby permitting the detainee's release. At the end of the e-mail, the employee wrote, "Now about that bridge I'm selling. April Fools!" Nine minutes later, the employee sent a second e-mail that began by saying, "In case you didn't get to the end of my previous message, here's what really happened today." In that message, the employee reported that the detainee had been ordered deported to the Dominican Republic and not released, as the employee had previously reported.

On April 2, 2003, one of the DO's who received the e-mails failed to see the "April Fool's" reference in the first e-mail and also failed to read the second e-mail advising that the first e-mail was intended to be a joke. Consequently, the DO signed the internal paperwork that resulted in the detainee's unauthorized release from a local county jail. The DO realized the error on the evening of April 3, 2003, but did not notify a supervisor until the morning of April 4, 2003.

Our investigation further revealed that there is no written authority, policy and/or procedure for the approval of detainee release documents. Practices were found to vary between groups in the same office.

The OIG recommended that written procedures be created and implemented to prevent a recurrence. Specifically, the OIG recommended that ICE DO's obtain a copy of the release order before releasing detainees. The OIG further recommended that a supervisor's signature be required on the documentation effecting release of detained aliens. On October 27, 2003, Border and Transportation Security advised OIG that the employee was placed on paid administrative leave April 4 through October 20, 2003, and was subsequently suspended without pay from October 20, 2003, through November 19, 2003.