



# U.S. Immigration and Customs Enforcement

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**STATEMENT**

**OF**

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**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT  
DEPARTMENT OF HOMELAND SECURITY**

**REGARDING A HEARING ON**

**“CROSSING THE BORDER: IMMIGRANTS IN DETENTION AND  
VICTIMS OF TRAFFICKING”**

**BEFORE THE**

**HOUSE COMMITTEE ON HOMELAND SECURITY  
SUBCOMMITTEE ON BORDER, MARITIME AND GLOBAL  
COUNTERTERRORISM**

**Thursday, March 15, 2007 @ 10:00 am  
311 Cannon House Office Building**

## **INTRODUCTION**

Good afternoon, Chairwoman Sanchez, and distinguished Members of the Subcommittee. My name is John Torres, and I am the Director of the Office of Detention and Removal Operations (DRO) at U.S. Immigration and Customs Enforcement (ICE). It is my privilege to appear before you to discuss the enforcement mission of DRO.

DRO is responsible for promoting public safety and national security by ensuring the safe and efficient departure from the United States of all removable aliens through the fair enforcement of the nation's immigration laws. As such, DRO's core mission is the apprehension, detention, and removal of inadmissible and deportable aliens, the management of non-detained aliens as their cases progress through immigration proceedings, and the enforcement of orders of removal.

## **DISCUSSION**

DRO employs a number of tools to accomplish this mission. Using these tools, DRO has achieved considerable success in executing its immigration enforcement mission.

**Increased Detention Capacity:** Since 2006, ICE increased its detention capacity by more than 7,500 beds in Alabama, Arizona, California, Georgia, New Mexico and Texas.

**Improved Detention Management:** In addition to adding detention resources to prevent the release of illegal aliens, ICE has achieved a number of important successes in appropriately deploying this added capacity:

- In 2006, DRO deployed a strategy to realize cost efficiencies, by relying more heavily on larger regional facilities and thereby realize economies of scale while relieving the burden on Field Offices facing detention shortages.
- ICE created the Detention Operations Coordination Center (DOCC) in July 2006. The DOCC monitors DRO Field Office detained dockets in order to coordinate movement of detained aliens from Field Offices with detention shortages to Field Offices with surplus capacity. The DOCC also actively ensures that all enforcement efforts by DRO and other apprehending entities are matched with adequate detention space. As a result the average daily population has risen from approximately 18,000 in July, 2006 to approximately 28,000 today.
- DRO began to restructure the detainee transportation system in order to utilize ICE staff and transportation resources as effectively as possible. In particular, DRO expanded the use of ground transportation in order to minimize inefficient and costly short-range Justice Prisoner and Alien Transportation System (JPATS) flights and increase flight service routes for longer, more cost-effective flights.
- DRO expanded its Alternatives to Detention programs to reduce the cost of monitoring aliens under supervision. Under this program, the Electronic Monitoring Program utilizes radio frequency ankle bracelets and a telephonic reporting system to remotely manage detention cases. In addition, the Intensive Supervision Appearance Program utilizes home and office visits, mandatory curfews, as well as radio frequency ankle bracelets, as effective alternative case management techniques.
- As detention space is added, DRO continues to ensure that all facilities comply with the 38 ICE National Detention Standards. These standards were developed in partnership with Nongovernmental Organizations, such as the American Bar Association, and

building upon standards established by the American Correctional Association, meet or exceed correctional industry standards.

**Expanded Use of Legal Authority:** In 2006, the Department of Homeland Security employed Expedited Removal authority under the Immigration and Nationality Act to streamline the processing of aliens apprehended at or near the border. Under Expedited Removal, aliens who present no claim for asylum or other protection are removed under streamlined processes, which reduce both the period of time such aliens are detained and the enforcement resources necessary to secure orders of removal.

**Technological Enhancements:** In addition to increased detention capacity, improved management of that capacity, and mechanisms to improve removal and transportation processes, DRO has also used key technological tools to further its mission. These tools include the Electronic Travel Document system and Video Conferencing capability.

- The electronic travel document allows us to work with cooperating foreign governments to process and obtain travel documents required for removal electronically, avoiding the need for slower, less efficient, mail-based correspondence. This system has reduced the processing times for travel document issuance from weeks to days.
- Video Conferencing capability allows DRO to provide for remote interviews of detainees by foreign consular officials, thereby reducing the need for in-person interviews during the travel document issuance process.

Combined, these tools have allowed DRO and the Department of Homeland Security to realize significant and concrete gains:

- For example, in 2006, DRO made record use of JPATS. Compared to 10,352 movements in 1995, we moved 115,000 aliens in 2006. DRO is currently on pace to move 170,000 aliens through the use of JPATS in 2007.
- Also in 2006, DRO removed a record number of aliens—more than 190,000, of whom nearly 90,000 were criminal aliens.
- In addition, through the expanded use of Expedited Removal, DRO was able to decrease the time aliens spend in custody, effectively increasing the bedspace available for detention each year. Specifically, while the average length of detention for aliens in traditional removal proceedings is 89 days, the length of detention for aliens removed under Expedited Removal processing is 19 days.
- Finally, through the increased and more efficient use of bedspace, DRO now ensures that no alien apprehended at the border is released for lack of detention capacity, thereby effectively ending “catch and release” at our borders.

In addition to these gains, and consistent with DRO’s mission to promote public safety and national security, DRO has committed significant resources to the apprehension, detention, and removal of criminal and fugitive aliens.

**Criminal Alien Program:** ICE has worked aggressively to transition criminal alien enforcement efforts from its Office of Investigations, while making the most of DRO’s specialized administrative immigration processing capabilities and expertise.

- Most recently, 2007 began with an aggressive push to transition all remaining Institutionalized Criminal Alien Operations from the Office of Investigations to DRO.

This transition is scheduled to be completed by June 1, 2007. Currently, 11 out of 24 DRO Field Offices have fully transitioned.

- In June 2006, DRO established the National Detention Enforcement and Processing Offenders by Remote Technology (DEPORT) Center, a Chicago-based center that supports the screening, interviewing, and removal processing of criminal aliens detained in federal custody throughout the United States.
- Since its inception, DEPORT has screened nearly 10,000 cases, issued over 7,100 charging documents, located almost 100 alien absconders, and lodged more than 2,600 detainees.

**National Fugitive Operations Program:** Established in 2003 and tasked with locating, apprehending, and effecting the removal of fugitive aliens, the ICE National Fugitive Operations Program within DRO has been working aggressively to reduce the number of fugitive aliens.

- DRO has currently deployed 53 teams, nearly tripling the number of teams in 2005, and continues to work on deploying the additional 22 Fugitive Operations Teams funded by Congress.
- Team enforcement activities prioritize alien absconder cases in the following order: aliens identified as threats to national security; those who pose a threat to the community; those convicted of violent crimes; those with criminal records; non-criminal absconders.

**State and Local Responses:** In addition to partnerships with state and local law enforcement agencies under section 287(g) of the Immigration and Nationality Act ICE is taking steps to explore increasing responsiveness to state and local law enforcement agency requests for assistance. One example of these exploratory efforts is the creation of a pilot program in the Phoenix, AZ, metropolitan area to service such requests.

- Under this pilot program, which began in September 2006, ICE created a dedicated unit in DRO's Phoenix Field Office, called a Law Enforcement Agency Response Unit, to provide primary rapid response to law enforcement agency requests for assistance in immigration-related cases on a 24-hour-per-day, 365-day-per-year basis.
- From September 4, 2006, through March 4, 2007, this unit received 468 calls for assistance from state, local, and federal law enforcement agencies in the Phoenix area, encountering over 2,700 aliens.
- ICE will continue to study the successes of this pilot program and the feasibility of adopting similar programs in other localities.

## **CONCLUSION**

The integrity of our immigration system requires fair and effective enforcement of our Nation's immigration laws. By aggressively enforcing these laws, we seek to deter criminal and terrorist organizations who threaten our way of life, and we seek to strengthen the legal immigration process for worthy applicants.

I would like to thank you, Ms. Chairwoman and Members of the Subcommittee, for the opportunity to testify today on behalf of the men and women of DRO, and I look forward to answering any questions you may have.