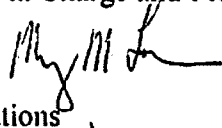


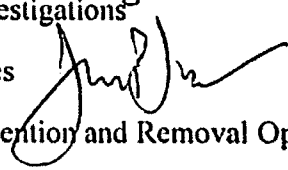


U.S. Immigration  
and Customs  
Enforcement

OCT 1 2007

MEMORANDUM FOR: All Special Agents in Charge and Field Office Directors

FROM: Marcy M. Forman   
Director  
Office of Investigations

John P. Torres   
Director  
Office of Detention and Removal Operations

SUBJECT: DRO/OI Protocols and Handling Unaccompanied Alien Children

On August 20, 2007, the Office of Investigations (OI) and Office of Detention and Removal Operations (DRO) jointly issued protocols providing national guidance to DRO Field Office Directors (FODs) and OI Special Agents in Charge (SACs) regarding a myriad of issues. The protocols did not specifically address the handling of unaccompanied alien children. Section 462 in Title IV of the Homeland Security Act defines the term "unaccompanied alien child" to mean a child who "(A) has no lawful immigration status in the United States; (B) has not attained 18 years of age; and (C) with respect to whom- (i) there is no parent or legal guardian in the United States; or (ii) no parent or legal guardian in the United States is available to provide care and physical custody."

While the apprehension and arrest of alien juveniles rests with U.S. Immigration and Customs Enforcement (ICE), DRO, and U.S. Customs and Border Protection (CBP), the responsibility for detaining and placement of unaccompanied alien children rests with the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services. ORR has limited facilities to house children and has not yet developed a transport infrastructure. DRO Field Office Juvenile Coordinators (FOJCs) are responsible for coordinating the actual placement of juveniles with ORR. Both OI and DRO face formidable challenges and liability attempting to secure juveniles until ORR can find placements.

On September 10, 2007, DRO issued guidance to the FODs instructing them to support OI when a juvenile alien has been arrested and processed for immigration proceedings. DRO supervisors were instructed to have FOJCs immediately respond when OI makes notification that an alien juvenile has been arrested and processed for removal proceedings. FOJCs are then responsible for obtaining and facilitating the placement of an alien juvenile to the appropriate ORR shelter or facility. FOJCs will make all required travel and/or transportation arrangements to facilitate the juvenile's temporary transfer into DRO custody pending final ORR placement.

DRO will provide priority attention to unaccompanied alien children, including placement to an ORR-approved facility within 72 hours locally, and within 5 days outside of the local area of responsibility (AOR).

Juveniles with criminal adjudications who are identified as "accompanied" will be placed in an approved ICE secure juvenile facility. If a juvenile has been convicted as an adult, FOJCs are to provide the detaining facility and DRO office with complete information regarding the conviction(s) and prior to, or as soon as possible following, the placement of the alien in an ICE facility. FOJCs will also assist with mandatory reunification efforts of any releasable alien juvenile to a family member or legal guardian per applicable provisions of 8 CFR § 236.3.

SACs will administratively process all unaccompanied juveniles prior to transfer to DRO custody. To facilitate this transfer, the current contact list for FOJCs is attached. The FOJCs may be unable to respond to simultaneous calls within their AOR. Therefore, SACs will meet with FODs to identify and remedy transportation deficiencies within their AOR and will jointly identify solutions using the coordination, de-confliction, transportation, and conflict resolution portions of the DRO/OI protocols.

OI and DRO will continue to work with CBP and ORR on a long-term solution of handling unaccompanied children and will issue further guidance as appropriate.

**Detention and Removal Operations  
 Juvenile Coordinator Contact List - Sept 2007**

Field Office	Primary FOJC Name	Back-Up FOJC Name	Desk Phone	Ext#	Cell Phone	SDDO	Fax Number	Mailing Address
ANCHORAGE								
ATLANTA								
BALTIMORE								
BOSTON-CT,VT,ME								
BOSTON-MA,RI,NH								
BUFFALO								
CHICAGO								
CLEVELAND								
DALLAS								
DENVER								
DETROIT								
EL PASO								
HARLINGEN								
HOUSTON								
KANSAS								
LOS ANGELES								
MIAMI								
MEMPHIS								
NEWARK								

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~~CONFIDENTIAL~~

Field Office	Primary FOJC Name	Back-Up FOJC Name	Desk Phone	Ext#	Cell Phone	SDDO	Fax Number	Mailing Address
NEW YORK								
NOL (BP)								
NEW ORLEANS								
OMAHA								
PHILADELPHIA								
PITTSBURGH								
PHOENIX								
PORTLAND								
SALT LAKE CITY								
SAN ANTONIO								
SAN DIEGO								
SAN FRANCISCO								
SAN JUAN								
SEATTLE								
ST. PAUL								
TAMPA								
WASHINGTON								
HQ/DRO/Natl JC								

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