



U.S. Department of Justice
Immigration and Naturalization Service

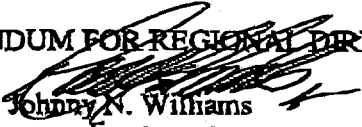
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Office of the Executive Associate Commissioner

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Washington, DC 20536

MAY 23 2002

MEMORANDUM FOR REGIONAL DIRECTORS

FROM:  Johnny N. Williams
Executive Associate Commissioner
Office of Field Operations

SUBJECT: Level of Parole Authorization Required for Detained Aliens

The purpose of this memorandum is to clarify the status of an alien detained in the custody of the Immigration and Naturalization Service (INS) or released to the custody of another agency and the level of authority required to authorize such status.

Parole of an Alien into other Law Enforcement Agencies for Procession: The level of parole authorization established in the Deferred Inspection, Parole and Waivers of Documentary Requirements dated November 28, 2001, is not required for aliens transferred into the custody of another law enforcement agency, such as for criminal prosecution. Under such circumstances, the supervisory immigration inspector may authorize the parole. To prevent the alien's release into the United States, the port-of-entry will issue a Form I-247, *Immigration Detainer* to the law enforcement agency assuming custody of the alien. 8 CFR 287.7

Aliens Placed in INS Custody: An alien who is placed in a special processing center, contract detention facility, or otherwise detained by the INS, remains in the custody of the INS and is not considered in parole status. Therefore, such alien should not be processed or reported as a paroled alien.

Any questions can be referred to  Office of Inspections at (202) 305-