



# Secure Communities: Quarterly Report

Fiscal Year 2010 Report to Congress  
Second Quarter  
*May 14, 2010*



Homeland  
Security

*U.S. Immigration and Customs Enforcement*

ICE FOIA 10-2674.000395

# Message from the Assistant Secretary

May 14, 2010

I am pleased to present "Secure Communities: Quarterly Report," which was prepared by U.S. Immigration and Customs Enforcement.

This report was prepared in response to language found in the Fiscal Year 2010 (FY) Department of Homeland Security Appropriations Act (P.L. 111-83) and its accompanying Joint Explanatory Statement and covers the second quarter of FY 2010.



Pursuant to congressional language, this report is being provided to the following members of Congress:

The Honorable David E. Price  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Harold Rogers  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Robert Byrd  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable George V. Voinovich  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries about the contents of this report should be directed to me at (202) 732-3000 or to the Department of Homeland Security Deputy Chief Financial Officer, Peggy Sherry, at (202) 447-5751.

Sincerely yours,

A handwritten signature in black ink, which appears to read "John Morton". The signature is written in a cursive, flowing style.

John Morton  
Assistant Secretary  
U.S. Immigration and Customs Enforcement



# Executive Summary

In Fiscal Year (FY) 2008, Congress appropriated \$200 million for U.S. Immigration and Customs Enforcement (ICE) to “improve and modernize efforts to identify aliens convicted of a crime, sentenced to imprisonment, and who may be deportable, and remove them from the United States, once they are judged deportable...”<sup>1</sup> In response, ICE launched Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens (SC/CIRCA) to transform the way ICE identifies and removes criminal aliens from the United States. In the FY 2009 Department of Homeland Security (DHS) Appropriations Act (P.L. 110-329), Congress appropriated an additional \$150 million for SC/CIRCA while expanding the initiative’s scope to “prioritize the identification and removal of aliens convicted of a crime by the severity of that crime”<sup>2</sup> and “identify individuals illegally present in the United States who have criminal records, whether incarcerated or at-large and to remove those aliens once they have been judged deportable in an immigration court.”<sup>3</sup> Congress further required ICE to utilize at least \$850 million of existing program resources to support these efforts.

In the FY 2010 DHS Appropriations Act (P.L. 111-83), Congress required that ICE obligate at least \$1.5 billion from the Salaries and Expenses appropriation “to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable...[and to] prioritize the identification and removal of aliens convicted of a crime by the severity of that crime,” of which \$200 million would be available to SC/CIRCA through FY 2011 to meet its program goals.

To meet a congressional requirement for reporting on exactly how to allocate the funds provided for criminal alien enforcement, ICE prepared the “Plan to Utilize the FY 2010 Appropriation for the Removal of Criminal Aliens in Alignment with Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens.” This document describes ICE plans to obligate \$1.769 billion of ICE base funding (including \$31.4 million from the Automation Modernization appropriation and \$1.8 million from the Construction appropriation), \$56.5 million from the SC/CIRCA 2-year FY 2009 appropriation and \$200.0 million from the SC/CIRCA 2-year FY 2010 appropriation during FY 2010—bringing the total planned FY 2010 obligations in support of criminal alien enforcement to \$2.026 billion. At the end of the second quarter of FY 2010, ICE had obligated \$1.266 billion in alignment with its plan.<sup>4</sup> For additional information on ICE FY 2010 obligations toward criminal alien enforcement, see Appendix A.

This quarterly report describes how SC/CIRCA is utilizing technology to enhance enforcement activities, as well as focusing resources and activities on efforts to identify, arrest, detain, process and remove criminal aliens from the United States. These efforts are strategically planned around and focused on the following three pillars:

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<sup>1</sup> FY 2008 Department of Homeland Security Appropriations Act (P.L. 110-161).

<sup>2</sup> FY 2009 DHS Appropriations Act (P.L. 110-329).

<sup>3</sup> Excerpted from the Joint Explanatory Statement accompanying P.L. 110-329, submitted by Mr. Obey, Chairman of the House Committee on Appropriations, regarding the Amendment of the House of Representatives to the Senate Amendment to H.R. 2638, 571, 634 (2008).

<sup>4</sup> United States Immigration and Customs Enforcement, Federal Financial Management System, *INRI12 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.



Section II of this report describes how ICE is employing technology to support the SC/CIRCA mission to identify and arrest criminal aliens, as well as to detain, process and remove these individuals from the United States. For example, ICE is activating an information-sharing capability between the Department of Justice Federal Bureau of Investigation Criminal Justice Information Services Division Integrated Automated Fingerprint Identification System (IAFIS) and the DHS United States Visitor and Immigrant Status Indicator Technology Automated Biometric Identification System (IDENT), referred to as IDENT/IAFIS Interoperability. IDENT/IAFIS Interoperability has increased the volume of criminal history and immigration status information available to ICE and its law enforcement partners in support of enforcement efforts to identify and process criminal aliens for removal. At the close of the second quarter of FY 2010, IDENT/IAFIS Interoperability had been activated in 135 jurisdictions in 17 states. ICE is also continuing efforts to modernize technological systems, as well as automate research and analysis functions, which contribute to more expeditious immigration status and threat level determinations.

In response to higher volumes of identified criminal aliens eligible for removal as a result of IDENT/IAFIS Interoperability activation and other identification system enhancements, Section II also discusses SC/CIRCA efforts to improve detention, processing and removal operations. For example, funding is provided to implement various initiatives to develop technological capabilities intended to improve the tracking of detainees and resources, expand the use of Video Conferencing units and improve reporting capabilities. These efforts strengthen the capability of ICE to process increasing numbers of detained criminal aliens, decrease the time detainees spend in federal custody and prevent criminal aliens from being released back into the community by removing them as soon as they have completed their sentences.

Section III of the report focuses on efforts to strengthen and expand ICE resources and activities focused on criminal alien enforcement. These activities include initiatives to identify and arrest criminal aliens both in law enforcement custody and at-large. SC/CIRCA also provides funding and support for resources and activities that improve the detention, processing and removal of criminal aliens such as custody operations and removal efforts. In the second quarter of FY 2010, the total number of criminal alien removals began to level out as a result of various challenges in the criminal alien removal process.<sup>5</sup> ICE is working to specifically identify these challenges and develop appropriate mitigation and solution strategies to overcome them and maintain the expeditious removal of criminal aliens.

<sup>5</sup> United States Immigration and Customs Enforcement, Detention and Removal Operations, response to data call, 4/9/2010.



Section III also describes efforts made by the Secure Communities (SC) Program Management Office (PMO) to provide mission support. For example, the office provides outreach and training to support IDENT/IAFIS Interoperability activation, as well as various outreach initiatives for other SC stakeholders. In addition, the PMO conducts modeling and analysis activities that influence mission-centric decision making that impacts efficiencies, resources and funding for criminal alien enforcement activities.

This quarterly report describes in further detail the progress achieved during the second quarter of FY 2010.



# Secure Communities: Quarterly Report Second Quarter Fiscal Year 2010

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# I. Legislative Language

This document responds to the legislative language set forth in the fiscal year (FY) 2010 Department of Homeland Security (DHS) Appropriations Act (P.L. 111-83) and its accompanying Joint Explanatory Statement.

P.L. 111-83 specifically states:

... *Provided further*, That of the total amount available, not less than \$1,500,000,000 shall be available to identify aliens convicted of a crime who may be deportable, and to remove them from the United States once they are judged deportable, of which \$200,000,000 shall remain available until September 30, 2011: *Provided further*, That the Secretary, or the designee of the Secretary, shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 45 days after the end of each quarter of the fiscal year, on progress in implementing the preceding proviso ...

The Joint Explanatory Statement states:

## Prioritizing the Removal of Deportable Criminal Aliens

The conference report includes \$200,000,000 exclusively for ICE efforts to identify and remove deportable criminal aliens as proposed by the House, instead of \$195,589,000 as proposed by the Senate. ICE has branded these efforts "Secure Communities," and the conferees continue to have strong interest in the implementation and expansion of this program. As a result, the conference agreement includes a statutory requirement for ICE to report to the Committees, within 45 days of the close of each quarter of the fiscal year, on progress to make sure all aliens who have been convicted of crimes and ordered removed from the United States are indeed deported to their country of origin.

## II. Technology

This section provides information and updates on Immigration and Customs Enforcement (ICE) efforts to utilize and enhance technological systems and capabilities that support processes to identify, arrest, detain, process and remove criminal aliens from the United States.

### A. Identify and Arrest

In support of efforts to identify and arrest criminal aliens, ICE is focusing on the following initiatives:

- Activate an information-sharing capability, referred to as Automated Biometric Identification System (IDENT)/Integrated Automated Fingerprint Identification System (IAFIS) Interoperability, to increase the volume of criminal history and immigration status information available to ICE and its law enforcement partners, thereby enhancing efforts to identify criminal aliens eligible for removal while in law enforcement custody; and
- Maximize the effective use of resources by enhancing technological systems and tools to increase accuracy and improve efficiencies in the identification and arrest processes.

#### 1. *IDENT/IAFIS Interoperability*

Historically, when law enforcement agencies (LEAs) made an arrest and booked a subject into custody, the agency would submit the subject's biographic and biometric information to the Department of Justice Federal Bureau of Investigation Criminal Justice Information Services (CJIS) Division IAFIS to determine criminal history. Determining immigration status, which most LEAs did not pursue, was a separate, manual process using biographic information submitted by LEAs to the ICE Law Enforcement Support Center (LESC). Through IDENT/IAFIS Interoperability (referred to throughout this report as "Interoperability"), this biographic and biometric information is now automatically routed by CJIS/IAFIS to the DHS United States Visitor and Immigrant Status Indicator Technology (US-VISIT) IDENT and, if there is a match, to the LESL to make an immigration status determination. The following is a description of the Interoperability process:

IDENTIFY
<p><u>IDENT/IAFIS Interoperability</u></p> <p>IDENT/IAFIS Interoperability increases the information-sharing capability between the DHS US-VISIT IDENT and the Federal Bureau of Investigation CJIS IAFIS. The automatic routing of shared information enables more timely immigration status determinations and has resulted in the identification of higher volumes of criminal aliens.</p>



- a. When a subject is arrested and booked into custody, the arresting LEA sends the subject's fingerprints and associated biographical information to CJIS/IAFIS via the appropriate State Identification Bureau.
- b. CJIS electronically routes the subject's biometric and biographic information to US-VISIT/IDENT to determine if there is a fingerprint match with records in its system.
- c. As a result of a fingerprint match with data in IDENT, CJIS generates an Immigration Alien Query (IAQ) to the ICE LESC.
- d. The LESC queries law enforcement and immigration databases to make an initial immigration status determination and generates an Immigration Alien Response (IAR) to prioritize enforcement actions.
- e. The LESC sends the IAR to the local ICE Detention and Removal Operations (DRO) office, as well as to CJIS. CJIS routes the IAR to the appropriate State Identification Bureau, which would then route it to the originating LEA.

<b>PRIORITIZE</b>
<u>Threat Level Determinations</u>
Level 1: Offenses include threats to national security; violent crimes such as murder, manslaughter, rape, robbery and kidnapping; and drug offenses resulting in sentences greater than 1 year.
Level 2: Offenses include minor drug offenses and property offenses such as burglary, larceny, fraud and money laundering.
Level 3: Offenses consist of less severe criminal offenses.

ICE prioritizes enforcement actions against subjects that have been identified as potentially eligible for removal on the basis of the level of offense for which subjects have been currently charged or previously convicted. Using this risk-based approach, enforcement actions are prioritized according to three levels of offense, with top priority given to Level 1 offenses.

In collaboration with participating LEAs, Interoperability creates a virtual ICE presence at jails and booking locations in jurisdictions across the country where it has been activated. Interoperability enables ICE to identify criminal aliens via biometrics at the earliest stage of the criminal alien enforcement life cycle and to eliminate the need to conduct extensive, name-based searches for complete and relevant records, thereby

improving the accuracy and timeliness of criminal alien identification. Timely identification increases the ability for ICE to initiate enforcement actions before the subject is released back into the community. The following sections further describe Interoperability activation and results.

## ***2. Interoperability Activation and Results***

ICE estimates that there are currently more than 53,000 arresting and booking facilities in more than 3,100 jurisdictions across the United States. ICE coordinates with federal, state and local

partners to activate Interoperability to these facilities using a risk-based prioritization approach.<sup>6</sup> The Interoperability activation plan also continues to be determined by utilizing data provided by the Secure Communities (SC) Program Management Office (PMO) Criminal Alien Population Projections, which factor in data, such as crimes committed by non-citizens.

Interoperability was activated in an additional 27 jurisdictions during the second quarter of FY 2010, resulting in a total of 135 jurisdictions. ICE is currently planning Interoperability activations for the following jurisdictions during the third quarter of FY 2010: Arkansas, Alabama, Arizona, California, Colorado, Connecticut, the District of Columbia, Florida, Hawaii, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Nevada, New Jersey, New York, North Dakota, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin and Wyoming.

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<sup>6</sup> Currently, this includes evaluation of deployment prerequisites, such as necessary resources and capabilities for ICE field offices, states and LEAs for Interoperability activations.



**Table 2.1 – Interoperability Activation during the Second Quarter of FY 2010**

State	Jurisdiction	ICE DRO Field Office
California	Fresno	San Francisco
California	Orange	Los Angeles
California	Sacramento	San Francisco
California	San Joaquin	San Francisco
California	San Luis Obispo	Los Angeles
California	Santa Barbara	Los Angeles
California	Solano	San Francisco
California	Sonoma	San Francisco
California	Stanislaus	San Francisco
North Carolina	Brunswick	Atlanta
North Carolina	Columbus	Atlanta
North Carolina	Dare	Atlanta
North Carolina	Halifax	Atlanta
North Carolina	Jackson	Atlanta
North Carolina	Lee	Atlanta
North Carolina	Transylvania	Atlanta
North Carolina	Union	Atlanta
Ohio	Cuyahoga	Detroit
Ohio	Franklin	Detroit
Texas	McLennan	San Antonio
Texas	Williamson	San Antonio
Utah	Davis	Salt Lake City
Utah	Salt Lake	Salt Lake City
Utah	Utah	Salt Lake City
Virginia	Alexandria	Washington
Virginia	Fauquier	Washington
Virginia	Loudoun	Washington

As ICE continues to activate Interoperability, performance and results for Interoperability jurisdictions are assessed. The increase in the number of jurisdictions where Interoperability has been activated resulted in a corresponding increase in the number of submissions to the LESC each succeeding fiscal quarter. During the second quarter of FY 2010, biometric submissions resulted in 19 percent more IDENT matches than in the first quarter of FY 2010. Additionally, the number of Level 1 matches increased by nearly 15 percent in the second quarter of FY 2010 over the first quarter of FY 2010. Removals and returns of aliens identified via Interoperability have also shown a steady increase. The number of Level 1 removals and returns for the second quarter of FY 2010 was nearly 22 percent higher than for the first quarter of FY 2010 and nearly 53 percent higher than for the fourth quarter FY 2009. Table 2.2 illustrates both quarterly and cumulative Interoperability performance measures.

**Table 2.2 – Interoperability Performance Measures**

Performance Measures	Q1 FY09	Q2 FY09	Q3 FY09	Q4 FY09	FY09 Total	Q1 FY10	Q2 FY10
Additional Interoperability Jurisdictions Deployed	14	34	22	18	88	20	27
Interoperability Submissions	29,894	161,084	255,344	381,797	828,119	515,922	637,468
IDENT Matches	3,249	19,509	33,505	44,326	100,589	55,607	56,452
Arrested or Detainers Issued*	1,406	5,850	8,495	12,602	28,353	13,742	14,453
Level 1 Matches	196	1,827	3,392	4,484	9,889	5,445	6,392
Arrested or Detainers Issued*	157	1,179	1,851	2,640	5,827	3,040	3,143
Removals and Returns	26	180	434	895	1,535	1,476	1,892
Level 2 / Level 3 Matches	2,932	16,918	28,640	37,469	85,959	45,840	42,243
Arrested or Detainers Issued*	1,249	4,671	6,644	9,962	22,526	10,702	11,310
Removals and Returns	227	2,409	4,064	6,000	12,700	7,496	8,227

\*Numbers of detainers issued is based on the month that the individual was checked via Interoperability not the month the detainer was issued.

NOTE: Outcome measures always trail identifications. For example, a criminal alien may have been encountered in November (first quarter) but not have been removed until June (third quarter). In addition, the measures in the table have been updated from previous quarterly reports to incorporate revised measures as a result of a lag in data entry, and all data from prior quarters have been updated.

Source: US-VISIT IDENT Data Response/Single-search transaction daily report and the monthly LESC-ICE Integrated Decision Support (IIDS) Data Match. IIDS Data Match includes ENFORCE data and was run by IIDS on 4/7/2010.

### **3. Identification System Enhancements**

Current systems utilized by ICE to identify criminal aliens are based on outdated technology, which limits user access and the ability to scale these systems to accommodate the increasing number of transactions generated by Interoperability activation. To support Identification Systems, ICE obligated \$5,000 in the second quarter of FY 2010. Through the second quarter of FY 2010, ICE had obligated \$3.4 million toward a \$34.0 million FY 2010 plan to support Identification Systems.<sup>7</sup> During the second quarter of FY 2010, ICE focused on the following efforts:

- Modernization of the Alien Criminal Response Information Management (ACRIME) System;
- Automation of Research and Analysis Functions; and
- Enhancement of the ICE Integrated Decision Support (IIDS) System.

### **4. Modernization of the ACRIME System**

ACRIME is a legacy Immigration and Naturalization Service application that manages queries made by law enforcement pertaining to the identification of aliens who have prior criminal convictions, are under ICE investigation, are wanted by ICE or other LEAs or are in the country illegally. LESC specialists cross-reference and compile data from multiple DHS and law enforcement databases. The data are analyzed to determine whether the alien is eligible for removal from the United States. ACRIME has several tools that specialists use to access the

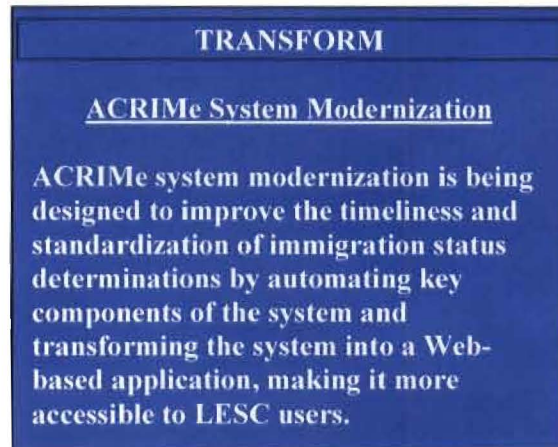
<sup>7</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.



various databases and draft the response to these queries. The system also supports the entry of both administrative (immigration) and criminal arrest warrants into the National Crime Information Center (NCIC).<sup>8</sup> In the first quarter of FY 2010, ICE completed efforts to stabilize the current ACRIME system and is continuing efforts to modernize the system.

The modernization project will replace the legacy ACRIME system through a series of releases focused on providing major system improvements, making the immigration status and threat level determination processes more efficient. These efforts also contribute to establishing the foundation for implementing research and analysis automation capabilities, which are described in the following section. The modernized ACRIME system will interface with the major databases that are searched to retrieve immigration status information.

Testing of the ACRIME system began in the first quarter and continued into the second quarter of FY 2010, postponing the deployment of the “Process IAQs” release until next quarter. During the second quarter of FY 2010, ICE successfully completed two rounds of testing and began preparing for the final rounds. Also, during the second quarter of FY 2010, ICE continued requirements analyses for additional ACRIME releases, which are described as follows.<sup>9</sup> Future activities and milestones for the releases are reflected in Figure 2.1.



**TRANSFORM**

ACRIME System Modernization

ACRIME system modernization is being designed to improve the timeliness and standardization of immigration status determinations by automating key components of the system and transforming the system into a Web-based application, making it more accessible to LESC users.

- **Processing IAQs Release** will improve the IAQ process by automating queries to major databases, decreasing response times to the field.
- **Processing NCIC Warrants Release** will provide ICE the user interface to NCIC to update wants and warrants on the basis of data provided to the LESC (for example, IAQ, Tipline and so on).
- **Field Access Release** will allow field office staff to access completed IARs and assign lead packets to field agents for follow-up action. This will improve the management of referrals and notifications and tracking of subjects through removal.

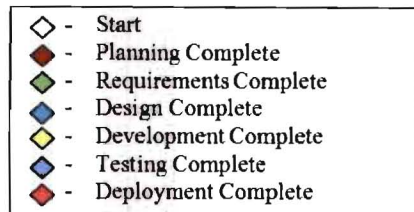
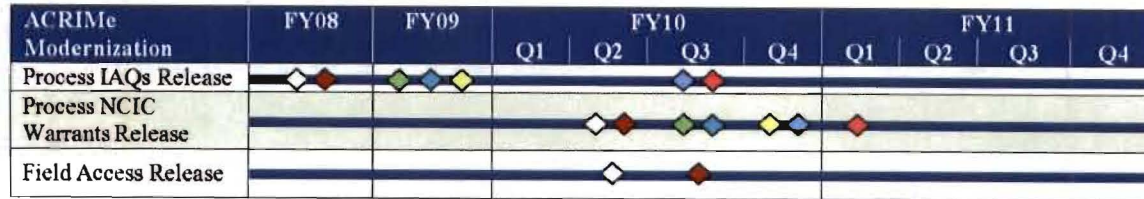
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<sup>8</sup> NCIC is the Federal Bureau of Investigation’s criminal history repository.

<sup>9</sup> ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.



**Figure 2.1 – ACRIME Modernization Milestones**



Source: ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.

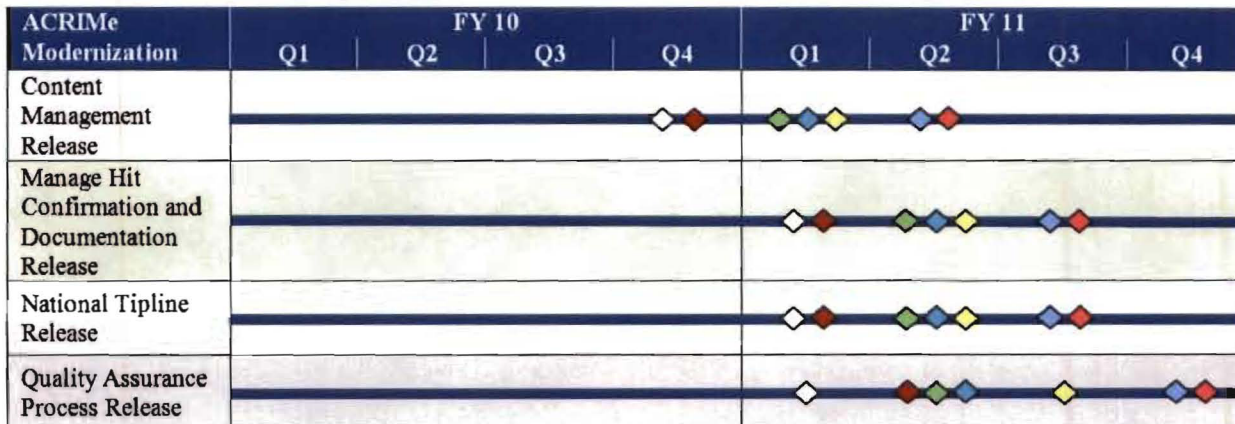
In addition, ICE is working to deploy future ACRIME releases by the end of FY 2011. ICE anticipates additional releases will be needed as the transformation process evolves.<sup>10</sup>

Information regarding upcoming milestones for known releases is illustrated in Figure 2.2.

- **Content Management Release** will provide a central repository for ACRIME-related management content, such as LESC standard operating procedures and system help content, enhancing accessibility for all ICE users, beyond the workforce located at the LESC.
- **Manage Hit Confirmation and Documentation Release** will improve current ACRIME workflow capabilities for confirming criminal warrants (“Hits”) and managing detainers. This will eliminate the need for manually producing and routing documentation to agents. It will also improve management of contact information for LEAs and ICE field offices.
- **National Tipline Release** will provide basic level reporting for the Tipline Unit. The Tipline fields calls in reference to national security-related suspicious activity. The Tipline will also provide call centers with the ability to manage incoming calls and the functionality to record calls, search previous calls and to link and unlink calls.
- **Quality Assurance Process Release** will decrease the substantial time it takes to generate and maintain information necessary to track and report on throughput, accuracy and performance of the ACRIME system.

<sup>10</sup> Ibid.

**Figure 2.2 – ACRIME Modernization Milestones for Future Releases**



- ◇ - Start
- ◆ - Planning Complete
- ◆ - Requirements Complete
- ◆ - Design Complete
- ◆ - Development Complete
- ◆ - Testing Complete
- ◆ - Deployment Complete

Source: ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.

**5. Automating Research and Analysis**

ACRIME modernization efforts create a foundation on which automated research and analysis capabilities can be built and implemented. ICE continues its efforts to utilize Web services that automate research and analysis functions. Multiple Web services will be developed to support and enhance the final determination process.<sup>11</sup> Although ICE is still moving forward to automate many components of the status determination process, it is inappropriate to automate the entire process because final status determinations must be completed by authorized immigration enforcement agents. ICE has awarded contracts to implement the Web services discussed below.

Automated Threat Prioritization (ATP) is a Web service that will provide threat level assessments |

b2 high, b7e

b2 high, b7e

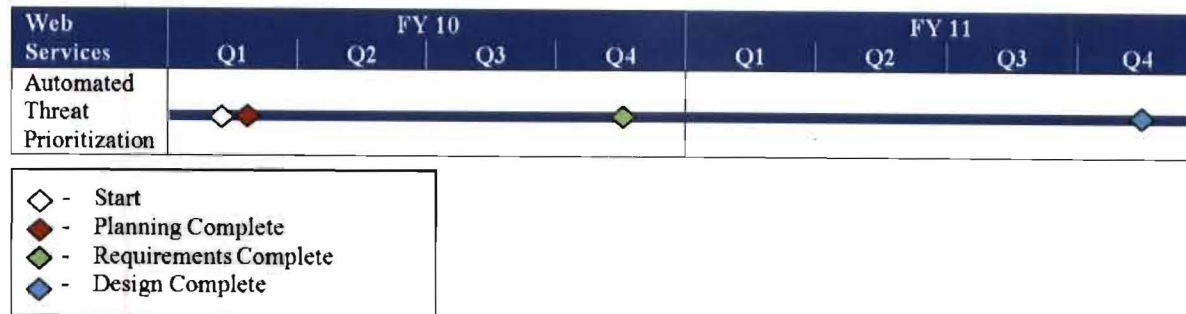
This will enable ICE to identify subjects posing the greatest threat to the community and ensure resources are utilized to address those subjects first.<sup>12</sup> The following figure illustrates the major milestones for the ATP project, which is currently on schedule.

<sup>11</sup> Web services allow data to be shared by transmitting data across the network and also allow organizations to more easily integrate disparate applications and data formats. Additionally, services enable the reuse of common functions by many different applications.

<sup>12</sup> ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.



**Figure 2.3 ATP Milestones**



Source: ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.

ICE has identified several common functions in the enforcement process that could be reused by several applications. By developing these functions as Web services, they can be built once and reused by several applications, the first of which will be ACRIME. Consequently, the development schedule has been tailored to follow the ACRIME modernization schedule. Additional information regarding upcoming milestones for these common services, which are currently in the planning stage, is provided in Figure 2.4. The Status Determination Support contract, which was awarded during the second quarter of FY 2010, will provide the following suite of Web services to support the identification and processing of criminal aliens:<sup>13</sup>

- **Data Information Service** is a Web service that will perform searches on a subject in multiple databases and produce information for use by authorized officials to determine the immigration status.<sup>14</sup> This service will automate the manual process to search, review and compile information on a subject.
- **Roster Reader** is a Web service that automatically submits batch data from multiple formats and sources, such as jail rosters, to ACRIME to enhance the criminal alien identification and tracking processes.<sup>15</sup>
- **Automated NCIC Warrants** is a Web service that extends the NCIC interface built by ACRIME to assist in the revalidation of warrants by eliminating a manual batch check process that is currently performed monthly by the LESC. In addition, it will allow the ACRIME user the capability to create warrants directly into NCIC.
- **Criminal Alien Tracking** is a Web service that will interact with various criminal justice systems to track the movement of identified aliens who have been charged with or convicted of a crime, before ICE custody, as they move through the criminal justice process. The goal of this service is to facilitate removal processing, to the extent possible, while the subject is in LEA custody and inform the process of custody transfer.
- **Integrated Case Management** is a Web service that collects information on the status of aliens who have been charged with or convicted of a crime and provides information, such as leads for case management systems, to improve information sharing.

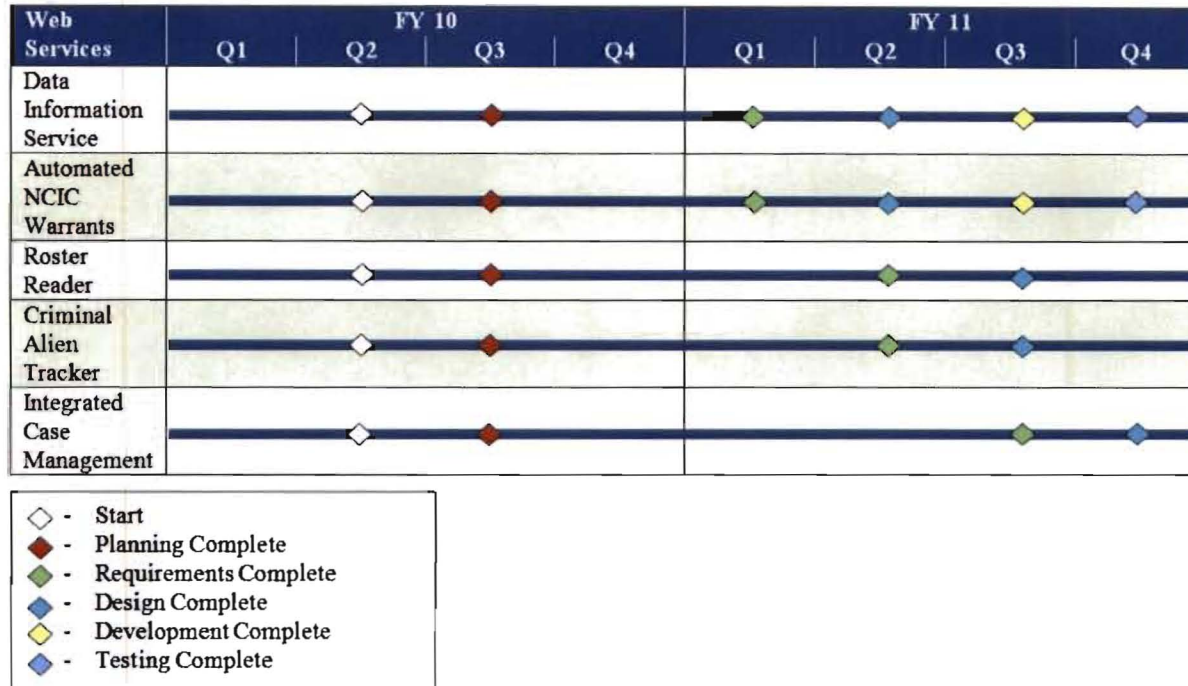
<sup>13</sup> Ibid.

<sup>14</sup> Data Information Service (DIS) was titled “Status Determination Support” in the first quarter of FY 2010 report. The name of the DIS was changed to eliminate confusion with the name of the contract.

<sup>15</sup> Roster Reader was titled “Jail Roster/Release Tracking” in the first quarter of FY 2010 report.



**Figure 2.4 Status Determination Support Milestones**



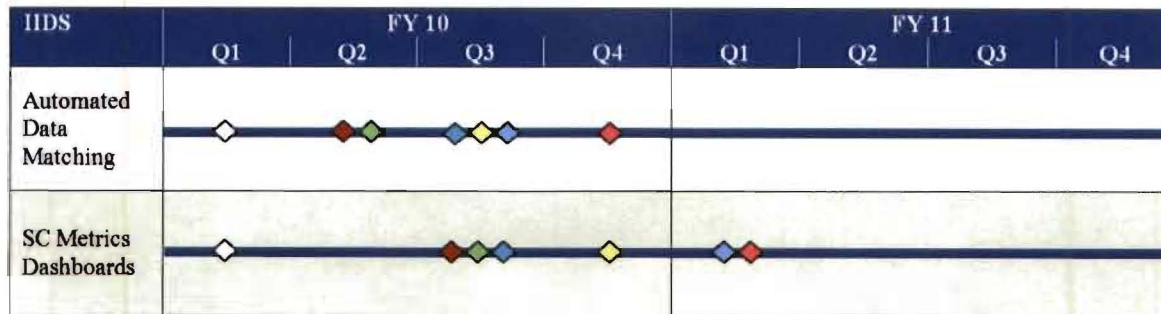
Source: ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.

## 6. IIDS

IIDS is an enterprise data warehouse system ICE utilizes to support reporting needs. During the second quarter of FY 2010, a Service Level Agreement for governing the project was drafted and reviewed by IIDS stakeholders. The two SC-related initiatives within the IIDS project are LESC-IIDS Automated Data Matching and the SC Metrics Dashboards. Because ACRIME is a separate system from ICE’s enforcement systems, until these systems can be linked, LESC-IIDS Automated Data Matching will link the LESC IARs from the ACRIME database with corresponding enforcement data that reside in the IIDS data warehouse. This project will automate the mostly manual process of pairing identification data with enforcement information on a subject.<sup>16</sup> The SC Metrics Dashboards will enhance ICE reporting, performance measurements and modeling efforts via a primary data repository. The project schedules for both initiatives are on track as illustrated in Figure 2.5.

<sup>16</sup> ICE, Office of the Chief Information Officer, response to data call, 4/14/2010. This is the process behind the generation of Table 2.2, “Interoperability Performance Measures.”

**Figure 2.5 – IIDS System Milestones**



- ◇ - Start
- ◆ - Planning Complete
- ◆ - Requirements Complete
- ◆ - Design Complete
- ◆ - Development Complete
- ◆ - Testing Complete
- ◆ - Deployment Complete

Source: ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.

## B. Detain, Process and Remove—Detention and Removal System Enhancements

Detention and Removal Operations Modernization (DROM) efforts are intended to generate efficiencies in detention and removal processes by centralizing and automating several manual processes. The DROM program will provide ICE with the automated capability to track and report on the movement of criminal aliens from arrest through removal. This capability will improve the operational management of bed space and transportation resources. In addition, DROM efforts will eliminate disparate systems and databases within the DHS environment and replace them with a more collaborative and integrated solution. To support Detention and Removal Systems, ICE obligated \$319,000 in the second quarter of FY 2010 toward a \$1.9 million FY 2010 plan.<sup>17</sup> No funding was obligated during the first quarter of FY 2010. During the second quarter of FY 2010, ICE continued to focus on the following DROM efforts, which are further described in this section:

- Automation of Bed Space, Transportation and Detainee Location Tracking (BST&T);
- Enhancement of the Enforcement Case Tracking System (ENFORCE) Alien Removal Module (EARM); and
- Video Conferencing (VTC) Support.

### 1. Automating BST&T

BST&T consists of the following three modules: Detainee Location Tracking (DLT), Central Reservation System (CRS) and Transportation Management System (TMS). These modules will

<sup>17</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.



provide comprehensive and timely information regarding detainee tracking, bed space inventory and removal transportation.

As a result of strategic revisions in ICE's detention management strategy and ongoing efforts to promote operating efficiencies, the component of the DLT project that monitors detainee movement *within a facility* is no longer aligned with the future state of the organization. At the end of the second quarter of FY 2010, ICE was still in the process of determining whether this component will be removed from the scope of the overall BST&T initiative. In addition, the remaining components of BST&T, including the component that enables biometric verification of all *transports between facilities*, are under review to confirm alignment with the new ICE detention strategy. If necessary, the requirements and development schedules of the project will be revised and milestones updated.

TRANSFORM
<u>BST&amp;T</u>
DLT—a module that will enable real-time tracking of detained aliens, in and out of detention facilities, through removal
CRS—a module that will enable DRO to more efficiently manage bed inventory in real time
TMS—a module that will enable DRO to effectively manage ground and air transportation of aliens, thus optimizing routes and minimizing costs

Similarly, DRO management is reviewing the current scope and capabilities of the CRS project to confirm alignment with the new detention strategy. Upon completion of this review, it will be determined if changes to the CRS project scope and schedule are needed, and a schedule will be provided at that time. The TMS project is not scheduled to begin this fiscal year.

## 2. *Enhancing EARM*

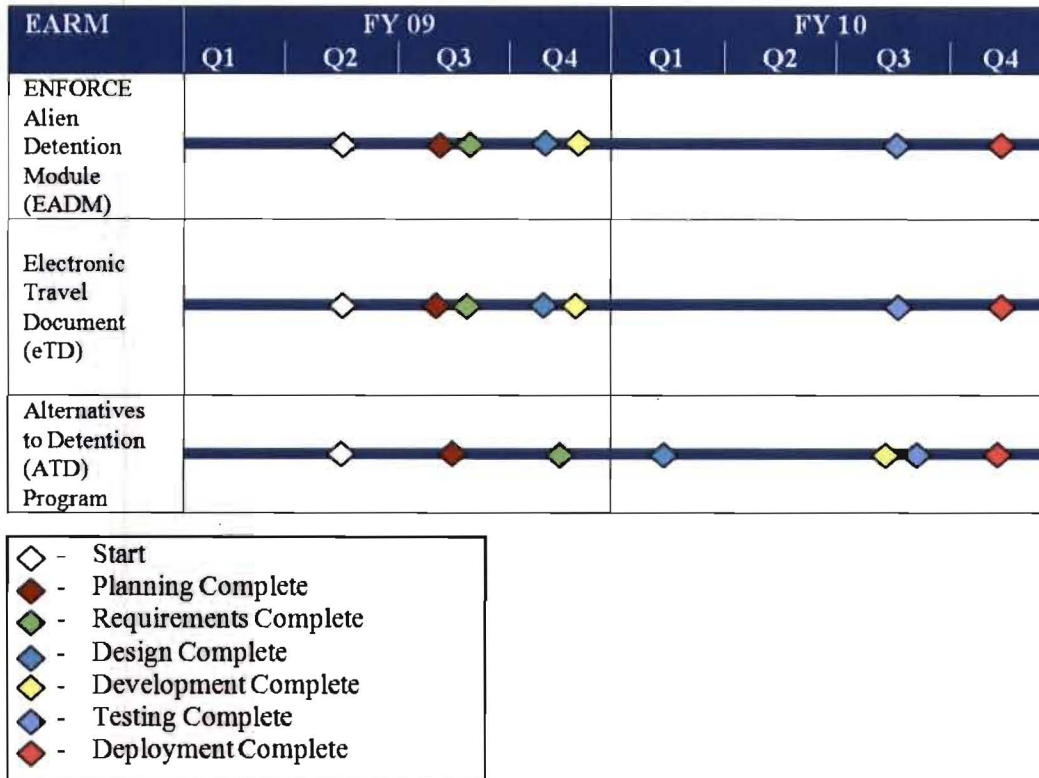
EARM maintains data to track aliens through the removal process. ICE is currently improving these capabilities by expanding the EARM platform to also include:

- **ENFORCE Alien Detention Module**, which is a system utilized to manage the book-in/book-out process of DRO detentions.
- **Alternatives to Detention (ATD) Program Module**, which is a system used to track non-criminal and low-level criminal aliens during the removal process.
- **Electronic Travel Document (eTD) system**, which is a system utilized to review travel document requests and issue travel documents electronically.

As a result of requirement modifications during the first quarter of FY 2010, a portion of EARM development was delayed until the third quarter of FY 2010; however, ICE anticipates that testing will remain on track and conclude during the third quarter of FY 2010. Although ICE is planning for an initial deployment to a limited user group by the end of the third quarter of FY 2010, the aforementioned development delay has pushed the estimated deployment completion date for EARM to the fourth quarter of FY 2010. Figure 2.6 illustrates major milestones for EARM.



**Figure 2.6 – EARM Milestones**



Source: ICE, Office of the Chief Information Officer, response to data call, 4/14/2010.

### 3. VTC Support

To maximize the use of resources and expedite the removal of criminal aliens upon release from LEA custody, ICE is deploying VTC capability to ICE and Executive Office for Immigration Review sites, as well as to jail and prison facilities in support of the ICE Institutional Removal Program. This program enables the execution of immigration hearings and the initiation of other portions of the removal process while criminal aliens serve their criminal sentences. VTC deployments in support of this program continue to have a positive impact on ICE’s ability to achieve detention and removal goals, mainly by eliminating the need to transport ICE personnel, Executive Office for Immigration Review judges and aliens between locations. During the second quarter of FY 2010, 36 units—funded by Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens (SC/CIRCA)—were installed at 26 sites. By the end of the second quarter of FY 2010, more than 470 VTC units were installed to support criminal alien enforcement.<sup>18</sup> For details on VTC installations during the second quarter of FY 2010, see Appendix B.

<sup>18</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

### III. Criminal Alien Enforcement Resources and Activities

This section provides information and updates on ICE efforts to utilize resources and conduct enforcement activities to identify, arrest, detain, process and remove criminal aliens from the United States. To address the growing increase of Interoperability-generated inquiries and support the identification and removal of criminal aliens, SC/CIRCA funds high, b7e positions for the Office of Investigations and high, b7e positions for DRO.<sup>19</sup> Additional information regarding ICE efforts to utilize resources and conduct such enforcement activities are described in this section.

IDENTIFY
<p><u>Success Story</u></p> <p>While in law enforcement custody in Mississippi, a male subject was identified as a recidivist criminal alien via Interoperability. Records indicated he has used nine different aliases since he was deported in 1991 and in 2000. He was convicted of a burglary in El Monte, CA, in 1991; cocaine possession in Waynesboro, MS, in 1998; and indecency with a child in Tyler, TX, in 2000.</p>

#### A. Identify and Arrest

Several ICE programs contribute to criminal alien enforcement efforts to identify and arrest criminal aliens. ICE provides funding for programs, such as criminal investigations, the 287(g) program and fugitive operations, which contribute to the SC/CIRCA mission. Specifically, ICE obligated \$46.4 million in the second quarter of FY 2010 for criminal investigations. Through the second quarter of FY 2010, ICE had obligated \$82.8 million toward a plan of \$139.2 million in FY 2010 to support the efforts of ICE criminal investigations.<sup>20</sup> The Office of Investigations investigates crimes committed by aliens who are present in the United States in violation of the law and partners with LEAs to obtain additional criminal alien convictions before removal. In addition, ICE obligated \$16.6 million in the second quarter of FY 2010 for criminal alien enforcement activities through the 287(g) program. Through the second quarter of FY 2010, ICE had obligated \$18.1 million toward a \$53.3 million FY 2010 plan for the 287(g) program.<sup>21</sup> Through the 287(g) program, LEA partners are able to serve as a force multiplier for ICE and enhance efforts to identify criminal aliens. At the end of the second quarter of FY 2010, the 287(g) program had established a total of 71 partnerships, including 1,121 trained officers, which have contributed to the identification of more than 4,200 aliens who have been charged with or convicted of a crime. These efforts have resulted in nearly 1,700 criminal alien removals during the second quarter of FY 2010.<sup>22</sup>

<sup>19</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

<sup>20</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>21</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

The 287(g) program is a state and local cross-designation program authorized by section 287(g) of the Immigration and Nationality Act that provides LEA officers with the necessary delegation of authority, training, and resources to enforce immigration laws.

<sup>22</sup> ICE, Office of State and Local Coordination, response to data call, 4/6/2010.



Furthermore, ICE obligated \$16.9 million in the second quarter of FY 2010 for fugitive operations to identify and arrest criminal aliens. Through the second quarter of FY 2010, ICE had obligated \$34.2 million toward a \$103.4 million FY 2010 plan for fugitive operations to identify and arrest criminal aliens.<sup>23</sup> Fugitive Operations Teams give top priority to cases involving aliens who pose a threat to national security and community safety, including members of transnational street gangs, child sex offenders and those with convictions for violent crimes. At the end of the second quarter of FY 2010, a total of 62 high, b7E teams were deployed across the country.<sup>24</sup> During this period, nearly 9,200 aliens were arrested, of which nearly 52 percent were criminal aliens. Furthermore, more than 2,700 fugitive criminal aliens were arrested and more than 3,380 fugitive criminal aliens were removed.<sup>25</sup>

In addition to the aforementioned programs, within DRO, SC/CIRCA provides direct funding for the Criminal Alien Program (CAP), Joint Criminal Alien Removal Task Force (JCART) and Violent Criminal Alien Section (VCAS) efforts. SC/CIRCA also provides funding for LESC and Intelligence efforts that support the SC/CIRCA mission. These programs and activities that receive SC/CIRCA funding are described in the sections that follow.

### 1. The LESC

The LESC is the DHS single national point of contact for providing timely immigration status and threat level determinations, identity information and real-time assistance to federal, state and local LEAs regarding suspected aliens charged with or convicted of criminal activity. The LESC has immediate access to approximately 100 million records containing immigration information from every alien file maintained by DHS so that it may provide informative, accurate and timely immigration status determinations and other criminal alien identification support to its LEA customers. As Interoperability activations increase, ICE is receiving an increasing number of immigration status determination requests. In FY 2009, LESC researched a record 1,064,261 inquiries

IDENTIFY
<p><u>Recidivist Criminal Aliens</u></p> <p>Utilizing the ACRIME system to submit ICE Immigration Violator Files (IVF) and Wanted Persons Files (WPF) stored at NCIC supports efforts to identify criminal aliens when they attempt to re-enter the country after a previous removal. For example, during the second quarter of FY 2010, ICE entered more than 4,450 IVFs and WPFs into the NCIC, including nearly 2,900 deported felons, more than 1,400 absconders and more than 160 ICE fugitives.</p> <p>Source: United States Immigration and Customs Enforcement, Office of Investigations, response to data call, 4/6/2010.</p>

<sup>23</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>24</sup> ICE, DRO, response to data call, 4/7/2010.

<sup>25</sup> ICE, DRO, responses to data call, 4/7/2010 and 4/8/2010.



for more than 10,000 criminal justice partners. During the second quarter of FY 2010, the LESC processed more than 251,000 status determination inquiries.<sup>26</sup>

In conjunction with continued Interoperability activation, ICE is maintaining efforts to support Interoperability expansion by increasing staff levels to support the immigration status and threat determination processes. ICE obligated \$3.7 million in the second quarter of FY 2010 for LESC efforts to continue providing support to LEAs to identify criminal aliens held in their custody. Through the second quarter of FY 2010, ICE had obligated \$10.8 million toward a \$35.2 million FY 2010 plan for such efforts.<sup>27</sup> During FY 2010, SC/CIRCA is funding high, b7e LESC positions, of which high, b7e were filled at the end of the second quarter.<sup>28</sup>

## **2. Intelligence/Operation Last Call (OLC)**

Using SC/CIRCA funds, ICE plans to continue funding the OLC pilot as an initiative to identify, assess, collect, exploit, process, analyze and disseminate intelligence about criminal alien organizations derived from custodial interviews of detained criminal aliens. OLC teams identify criminal aliens in custodial situations and those at-large by focusing on the gathering of intelligence from program-generated leads and other sources of information. The pilot consists of high, b7e personnel in the Office of Intelligence, deployed during FY 2009 to be part of the pilot OLC program to develop intelligence on high-threat criminal aliens. These teams exploit existing enforcement gaps to leverage state and local partnerships in the identification of criminal aliens; the partnerships offers a wider range of enforcement coverage. Intelligence obtained from custodial interviews is collected, analyzed and forwarded to the ICE program office covering national security interests, transnational gangs, human and narcotics trafficking and weapons smuggling.

ICE obligated \$2.0 million in the second quarter of FY 2010 to support overall intelligence efforts for criminal alien enforcement. ICE had obligated \$4.2 million through the second quarter of FY 2010 toward an \$8.0 million FY 2010 plan to support such efforts, which includes the OLC pilot and other activities conducted by the Office of Intelligence in support of ICE criminal investigations that lead to criminal convictions of aliens.<sup>29</sup> During the second quarter of FY 2010, more than 200 criminal aliens were identified and interviewed using OLC leads and 25 criminal investigations were supported by OLC leads.<sup>30</sup>

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<sup>26</sup> ICE, Office of Investigations, responses to data calls, 4/6/2010 and 4/9/2010. On December 5, 2009, a filter was put in place by US-VISIT to prevent IAQs based solely on lookout records placed in IDENT to support the U.S. Customs and Border Protection border processing mission. These IDENT records were created based upon criminal wants and warrants. Up until December 5, 2009, the LESC received and returned these IAQs as format errors or U.S. citizens. These records were not based upon prior DHS encounters but were in US-VISIT because Customs and Border Protection needed rapid response to border queries that could not be accomplished if they relied solely on direct queries to the NCIC. The filter eliminated these unnecessary queries and reduced overall queries process by 10 percent when compared to the previous quarter.

<sup>27</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>28</sup> ICE, Office of Investigations, response to data call, 4/6/2010.

<sup>29</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>30</sup> ICE, Office of Intelligence, response to data call, 4/8/2010.

### 3. CAP

CAP focuses on identifying criminal aliens who are incarcerated within federal, state and local facilities. CAP teams aim to prevent the release of criminal aliens into the community by issuing detainers and, ideally, securing a final order of removal before the completion of a sentence. This reduces the number of criminal aliens ICE must detain upon release from LEA custody. To support CAP operations, ICE obligated \$40.0 million in the second quarter of FY 2010. Through the second quarter of FY 2010, ICE had obligated \$88.7 million toward a \$192.4 million FY 2010 plan.<sup>31</sup> SC/CIRCA provides funding to CAP for <sup>high, b7e</sup> positions, which include positions for Interoperability response, JCART and VCAS.<sup>32</sup> As of the second quarter of FY 2010, a total of <sup>high, b7e</sup> CAP teams were deployed.<sup>33</sup>

As the following data illustrates, CAP has had a positive impact on ICE efforts to identify and remove criminal aliens. During the second quarter of FY 2010:

- Of nearly 58,000 aliens identified by CAP and taken into ICE custody, nearly 42 percent were convicted criminal aliens. The remainder were in law enforcement custody but not ultimately convicted of a crime.<sup>34</sup>
- More than 56,800 detainers and nearly 55,900 charging documents were lodged by DRO Officers/Agents.<sup>35</sup>
- More than 21,100 criminal aliens were removed.<sup>36</sup>

### 4. JCART and VCAS

CAP funding supports enforcement activities conducted by JCART and VCAS within DRO. In coordination with other LEAs, JCART targets at-large criminal aliens. JCART seeks, locates and arrests at-large criminal aliens with, but not limited to, convictions for drug trafficking offenses, crimes of violence and sex offenses. JCART conducts special operations in collaboration with other agencies such as Probation and Parole Offices, the U.S. Marshals Service, U.S. Customs and Border Protection and Bureau of Prisons and at the request of local law enforcement. JCART may also target criminal aliens at-large in the community who have been released from federal, state or local law enforcement custody. As of the second quarter of FY 2010, JCART had maintained a total of 33 partnerships with law enforcement entities. Additionally, in coordination with other DRO personnel, JCART contributed to the arrest of more than 200 removable aliens and the issuance of nearly 230 detainers.<sup>37</sup>

VCAS personnel identify, for prosecution, recidivist criminal aliens encountered through CAP and fugitive operations. Illegal reentry after deportation is in violation of 8 USC §1326. These

<sup>31</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>32</sup> These <sup>high, b7e</sup> CAP positions include <sup>high, b7e</sup> for CAP jail identifications, <sup>high, b7e</sup> for Interoperability response (of which <sup>high, b7e</sup> were redeployed from within ICE), <sup>high, b7e</sup> for Joint Criminal Alien Removal Task Force and <sup>high, b7e</sup> for Violent Criminal Alien Section.

<sup>33</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

<sup>34</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

<sup>35</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

<sup>36</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

<sup>37</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.



activities both facilitate the removal of the most dangerous criminal aliens and, through successful prosecutions, act as a deterrent to future recidivism.

VCAS personnel evaluate identified recidivist criminal aliens for referral to U.S. Attorneys for prosecution. VCAS redeployed staff in support of this important activity. During the second quarter of FY 2010, VCAS referred more than 3,400 cases to U.S. Attorney Offices, of which more than 2,300 were accepted for prosecution.<sup>38</sup>

PRIORITIZE
<u>VCAS</u>
In coordination with the U.S. Attorney Offices, VCAS works to prioritize federal criminal prosecution of egregious recidivist criminal aliens, including suspected gang members and sex offenders, especially prior deportees with past convictions for serious or violent criminal offenses.

## B. Detain, Process and Remove

Several ICE programs and offices contribute to criminal alien enforcement efforts to detain, process and remove criminal aliens. In response to higher volumes of identified criminal aliens, ICE is using increasing proportions of bed space and removal transportation capacity for criminal aliens. The efforts of SC aim to increase the total number of removed criminal aliens through more effective use of bed space and personnel in detention facilities, greater transportation capacity and improved efficiency while processing criminal aliens for removal. In support of these efforts, the SC PMO has developed simulation models to specifically inform the most effective and efficient use of bed space and transportation resources, test procedural changes and minimize the total cost of removing criminal aliens.

ICE provides funding for activities and initiatives that contribute to these efforts and the overall SC/CIRCA mission such as ATD, legal proceedings and Rapid REPAT. For example, to improve efficiencies for detention, the ATD program provides cost-effective alternative detention settings for low-risk individuals while ensuring those individuals comply with immigration proceedings and other immigration obligations. Releasing such individuals to controlled alternative environments minimizes necessary ICE detention management and oversight activities and provides bed space for aliens who must be detained. Through the second quarter of FY 2010, ICE had obligated \$11.4 million toward a \$29.3 million FY 2010 plan for the ATD program.<sup>39</sup>

In support of removal efforts, the ICE Office of the Principal Legal Advisor (OPLA) represents the U.S. government in the legal proceedings necessary to secure orders of removal for criminal aliens. ICE also details OPLA personnel to support U.S. Attorney Offices that conduct criminal prosecutions, including those that charge violent criminal aliens with felony re-entry into the United States. In the second quarter of FY 2010, ICE obligated \$19.8 million to continue prosecutions and removal proceedings against criminal aliens. Through the second quarter of

<sup>38</sup> ICE, Detention and Removal Operations, response to data call, 4/7/2010.

<sup>39</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010. Since the first quarter of FY 2010, a new methodology has been used to determine how much of the total funding for the ATD program is allocated for criminal alien enforcement. As a result, ICE has updated this obligation accordingly.



FY 2010, ICE had obligated \$40.9 million toward a \$76.1 million FY 2010 plan to continue such efforts.<sup>40</sup> In addition, Rapid REPAT supports removal efforts by enhancing the ability of ICE to remove criminal aliens from the country. Through agreements with states, certain aliens incarcerated in state prison for non-violent offenses may receive early conditional release if they have a final order of removal, agree to waive appeal rights associated with their state convictions and agree not to return to the United States. In total, the following states participate in Rapid REPAT: Arizona, Georgia, New Hampshire, New York and Rhode Island.<sup>41</sup> ICE is working to finalize agreements with several other states. During the second quarter of FY 2010, nearly 230 criminal aliens were removed through Rapid REPAT.<sup>42</sup>

In addition to the aforementioned activities and initiatives that are funded by ICE and contribute to the SC/CIRCA mission, SC/CIRCA provides direct funding to Custody Operations, the Office of International Affairs (OIA) and removal transportation, to support the detention, processing and removal of criminal aliens.

### ***1. Custody Operations***

To support efforts to expand criminal alien detention capacity, ICE obligated \$475.1 million in the second quarter of FY 2010. Through the second quarter of FY 2010, ICE had obligated \$767.8 million toward a \$962.0 million FY 2010 plan for Custody Operations.<sup>43</sup> Since establishing SC in FY 2008, ICE has seen the proportion of detention space used for criminal aliens steadily rise, and the trend is expected to continue for several years. In FYs 2007 and 2008, ICE reported that, on average, 43 percent of available detention space was devoted to criminal aliens. This percentage increased to 48 percent in FY 2009. At the end of the second quarter of FY 2010, more than 17,600 detainees were criminal aliens, which is 60 percent of the total average ICE detention population.<sup>44</sup>

ICE is working to reduce the average length of detention for criminal aliens so that each available bed can support greater numbers of criminal alien removals. In FYs 2008 and 2009, ICE reported that the average length of detention for criminal aliens was 48 days and 46 days, respectively. In the second quarter of FY 2010, the average length of detention for criminal aliens was 41 days.<sup>45</sup>

In FY 2010, SC/CIRCA continues to fund a total of 1,246 beds in the following states: Arizona, California, Florida, Massachusetts, North Carolina, Pennsylvania, Virginia and Texas.<sup>46</sup> To better manage the near-term effects of criminal alien enforcement activities, the SC PMO continues to develop and refine a network optimization model to provide for more efficient allocation of bed space capacity at ICE detention facilities to address the projected criminal alien

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<sup>40</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>41</sup> ICE, DRO, responses to data call, 4/8/2010. In the Secure Communities Quarterly Report to Congress for the First Quarter of FY 2010, three other states were listed as having Rapid REPAT agreements; however, those agreements have currently been withdrawn pending an additional legal review.

<sup>42</sup> ICE, DRO, responses to data call, 4/7/2010.

<sup>43</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>44</sup> ICE, DRO, responses to data calls, 4/5/2010.

<sup>45</sup> ICE, DRO, response to data call, 4/7/2010.

<sup>46</sup> ICE, DRO, response to data call, 4/14/2010.

population. Additional information on the development of this model is discussed later in the report in Part C, "Management Support."

## 2. OIA

In conjunction with the Department of State, OIA engages foreign governments to encourage them to accept the return of their citizens following proper removal procedures in the United States. These activities are intended to facilitate the process of removing criminal aliens from the United States by ensuring collaboration and coordination between sovereign states.

To support OIA efforts related to criminal alien removals, ICE obligated \$3.0 million in the second quarter of FY 2010. Through the second quarter of FY 2010, ICE had obligated \$4.6 million toward a \$6.7 million FY 2010 plan to support such efforts.<sup>47</sup> SC/CIRCA provides funding to support [redacted] positions, which include [redacted] Assistant Attachés [redacted] personnel at Repatriation and International Agreements Unit (RIAU) headquarters and [redacted] foreign service nationals. At the end of the second quarter of FY 2010, all of the SC/CIRCA-funded positions, except for [redacted] of the foreign service national positions, were filled.<sup>48</sup>

RIAU acts as the liaison between DRO and OIA. RIAU works with the Department of State and DRO to negotiate and maintain removal agreements with foreign countries and acts as the primary OIA point of contact for all repatriation issues. The unit manages the programmatic needs of OIA international repatriation staff and provides leadership for the repatriation mission. In addition, RIAU is responsible for coordinating information sharing through Customs Mutual Assistance Agreements, Mutual Legal Assistance Treaties and other international agreements, as needed.

ICE Assistant Attachés work abroad to support the criminal alien enforcement mission by coordinating international investigations, acquiring and developing intelligence related to cross-border criminal activities and providing training for local law enforcement. Assistant Attachés facilitate problematic repatriation and removals by providing support for country clearances and coordinating with the Flight Operations Unit. Foreign service nationals employed by ICE are native to their country and possess law enforcement experience. These resources provide a vital source of information to Embassy officials in many activities, including the investigation of transnational criminal activity. They also routinely provide assistance to Assistant Attachés in the removal and repatriation processes.<sup>49</sup>

OIA consults and coordinates with receiving countries on logistical issues and constraints regarding the process of returning aliens. OIA is also developing strategies to minimize concerns countries may have as a result of ICE increasing the removal of aliens with a criminal history. As a result, OIA is pursuing the following collaborative international strategies:

- Establish and strengthen appropriate mechanisms to share information with receiving countries on deportations of criminals so that the countries have ample lead time to prepare and make necessary arrangements for re-orientation.

<sup>47</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>48</sup> ICE, Office of International Affairs, response to data call, 4/9/2010.

<sup>49</sup> ICE, Office of International Affairs, responses to data call, 5/4/2010.



- Identify third-party international and non-governmental organizations to help in the transition of criminal aliens returning to their country of origin through ICE Attachés. ICE staff will maintain involvement in multilateral forums with partner countries (that is, Four Country Conference, Regional Conference on Migration, Shared Border Accord Coordinating Committee and others) to discuss alien removal issues.
- Consider the feasibility and benefits of providing additional training for ICE representatives overseas to increase the number of subject matter experts to deal with complex removal issues worldwide.

ICE is also continuing efforts to modernize the way travel documents and other removal documents are produced through the *eTD* system. This system allows for correspondence, via an Internet-based system, between ICE/DRO and the foreign government officials during the travel document issuance process. The *eTD* system allows foreign consular officers to electronically view travel document requests and issue travel documents from the consulate, eliminating the costly and time-consuming process of requesting travel documents by mail and contributing to more expeditious removals and shorter detention periods.

To obtain the full benefit of *eTD*, ICE continues to pursue memoranda of understanding with several countries to enable them to begin issuing fully electronic travel documents in the near future. Honduras, El Salvador, Guatemala and the Dominican Republic are currently using the *eTD* system. The implementation of the *eTD* system with Colombia is pending resolution of technical issues related to the information technology (IT) infrastructure managed by Colombia.<sup>50</sup> ICE is in the process of scheduling *eTD* presentations with Jamaica, Ecuador, Brazil, Peru and the Philippines.<sup>51</sup>

### **3. Removal Transportation**

In addition to increasing the bed space dedicated to criminal aliens, ICE continues to allocate resources to increase transportation capacity. ICE plans to expand transportation capacity to accommodate at least 29,000 additional criminal alien removals in FY 2010. To support and expand criminal alien removal capacity, ICE obligated \$79.1 million during the second quarter of FY 2010. Through the second quarter of FY 2010, ICE had obligated \$97.5 million toward a \$129.6 million FY 2010 plan for these efforts.<sup>52</sup>

During the second quarter of FY 2010, the ICE Flight Operations Unit effected the removal of more than 36,500 aliens, of which more than 62 percent were criminal aliens.<sup>53</sup> Although the total number of criminal alien removals during this period increased by approximately 15 percent compared to the second quarter of FY 2009, it began to level out during the second quarter of FY 2010 as a result of various challenges in the criminal alien removal process.<sup>54</sup> ICE is working to specifically identify these challenges and develop appropriate mitigation and solution strategies to overcome them and maintain the expeditious removal of criminal aliens. For

<sup>50</sup> ICE, Office of International Affairs, response to data call, 4/8/2010.

<sup>51</sup> ICE, DRO, response to data call, 4/14/2010.

<sup>52</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

<sup>53</sup> ICE, DRO, response to data call, 4/7/2010.

<sup>54</sup> ICE, DRO, response to data call, 4/14/2010.



example, ICE continues to develop and utilize modeling and simulation tools to identify strategies and activities that will help enable more efficient, effective removal efforts. Additional information on modeling activities is provided as follows in Section C, "Management Support."

## C. Management Support

### 1. SC PMO

The SC PMO coordinates ICE planning, operational, technical and fiscal activities devoted to transforming, modernizing and optimizing the criminal alien enforcement process throughout ICE. The office collaborates with ICE programs and offices to oversee the scope definition, schedule maintenance and cost and performance measurement tracking and reporting for projects impacting the SC/CIRCA mission. To support ICE efforts to execute the SC/CIRCA mission, the SC PMO performs budget formulation and reporting activities for funding allocated for criminal alien enforcement throughout ICE, including the more than \$2.0 billion that ICE has allocated for FY 2010. The SC PMO also conducts planning and outreach efforts to support Interoperability activations nationwide. To better define the mission and scope of the program, the PMO revised the SC Strategic Plan and submitted it to Congress during the second quarter of FY 2010. In addition, the SC PMO is developing the integrated Concept of Operations, which was under review during the second quarter of FY 2010.

To support the SC PMO, ICE obligated \$10.7 million in the second quarter of FY 2010. Through the second quarter of FY 2010, ICE had obligated \$15.8 million toward a \$34.0 million FY 2010 plan to support the SC PMO.<sup>55</sup> A significant portion of these funds are being used to conduct broader outreach activities, including those that support the activation of Interoperability and continue modeling efforts to enhance criminal alien enforcement activities throughout ICE. In addition, the SC PMO is currently planning to complete hiring for a total of approximately 127 positions in FY 2010, of which 67 had been filled at the end of the second quarter of FY 2010.

### 2. Outreach Activities

The SC PMO coordinates and conducts communications and outreach activities for stakeholders on issues regarding the SC/CIRCA mission, including activities that support Interoperability activations nationwide. During the second quarter of FY 2010, the SC PMO continued outreach efforts to provide information and conduct awareness briefings for ICE internal and external stakeholders that support Interoperability before and/or after activation to facilitate the process. These ongoing activities follow a four-phased approach:

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<sup>55</sup> ICE, Federal Financial Management System, *INR112 Report*, 3/31/2010, data retrieved 4/6/2010 and 4/7/2010.

- a. Awareness Briefing: ICE coordinates with DRO Field Offices in the areas of responsibility where Interoperability will be activated to ensure staff is prepared to provide support by, for example, testing communications and assessing transportation resources.
- b. Coordination with the State Identification Bureaus: ICE, along with US-VISIT and CJIS, works closely with State Identification Bureau personnel to inform them about Interoperability, including the necessary IT requirements, and to establish a date for local outreach.
- c. Implementation: Once the necessary coordination with DRO Field Offices and the State Identification Bureaus has occurred, ICE coordinates with LEAs to brief them about Interoperability and finalize exact locations and dates for Interoperability activation within their jurisdictions.
- d. Training: SC develops and delivers Field Coordinator training to selected ICE DRO Field Offices, enabling them to conduct Interoperability activation and outreach briefing activities.

During the second quarter of FY 2010, PMO also continued outreach efforts to promote awareness of SC/CIRCA within ICE and with external stakeholders.<sup>56</sup> The main objective of such efforts is to engage stakeholders in informative discussions about SC/CIRCA areas of interest, as well as to address issues, concerns or feedback. In addition, during the second quarter of FY 2010, the PMO worked with its partners in the DHS Office of Civil Rights and Civil Liberties to ensure procedures exist to address concerns related to the use of Interoperability, if any arise in the future. Additional outreach activities include distributing press releases, providing support for press events and responding to media reports to ensure the SC/CIRCA mission and activities are accurately conveyed to stakeholders.

### ***3. Modeling and Simulation Activities***

Additionally, the PMO conducts modeling and simulation efforts to support mission-centric decision making that impacts the efficiency of, as well as resources and funding for, criminal alien enforcement activities throughout ICE. Modeling and simulation activities help identify current and potential issues, such as bottlenecks and opportunities for process improvement, in ICE processes and operations. Modeling and simulation tools also provide the capability to test various ways of addressing issues such as the impact of policy changes and resource allocations. This assists ICE in developing optimal solutions that employ the efficient use of funds, conducting more targeted and better informed pilots and providing a greater likelihood of successful implementation of new solutions.

ICE will conduct more in-depth analyses to ultimately determine what an appropriate, comprehensive solution to this problem should, and should not, entail.

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<sup>56</sup> External stakeholders include law enforcement associations, interagency partners, state and local government personnel, congressional members and committees and think tanks.



ICE utilizes data generated from the Criminal Alien Population Projection Analysis (CAPP) to inform executive decisions and drive other models that are also described in this section. During the second quarter of FY 2010, the SC PMO devised a strategy and approach to develop an updated CAPP that will maintain a 5-year projection. In the third quarter of FY 2010, the SC PMO plans to refine this approach and identify the resources necessary for this effort.

The Network Optimization Model, utilizing data from CAPP, provides recommendations for efficiently allocating bed space capacity at specific ICE detention facilities and for determining the best strategy for utilizing all modes of transportation. During the second quarter of FY 2010, the SC PMO completed an updated baseline version of the model, validated the model by working with appropriate subject matter experts and elicited multiple-option planning scenarios from SC stakeholders within ICE. In the third quarter of FY 2010, the SC PMO plans to use the model to begin developing and executing the option-planning scenarios to identify the potential effects that various resource, policy and procedural changes would have on ICE detention and transportation operations.

The Strategic Decision Model assesses the relative costs, benefits and risks of investment options and provides budget recommendations.

The Activity Based Costing model is intended to assess costs associated with the criminal alien enforcement process (that is, identify, arrest, detain, process and remove) and calculate the total cost of criminal alien removal. This will, in turn, allow ICE to identify process improvement opportunities, estimate the impact of process changes, make more-informed resource investment decisions and better address reporting needs. Previously, activity-based costing process maps and associated activities were finalized, corresponding narratives were developed and Phase 1 of model development was completed to include preliminary cost information on criminal alien enforcement life cycle phases and activities. During the second quarter of FY 2010, key high-level requirements were identified, such as the need to align future iterations of the Activity Based Costing model with the other SC models to ensure ongoing integration among the modeling and simulation toolset. ICE plans to begin the second phase of this effort during the third quarter of FY 2010, in addition to further defining the requirements that have been identified.



## IV. The Way Forward

The significant progress that ICE has achieved with SC/CIRCA funding laid the foundation for growth and advancement, as well as identification of areas for increased efficiency. The SC PMO continues to complete critical milestones related to modernizing the ICE approach to identifying, arresting, detaining, processing and removing criminal aliens from the United States. The activation of Interoperability across the United States builds the capability to identify increasing numbers of criminal aliens eligible for removal from the United States.

To implement the SC/CIRCA workforce infrastructure, technology and process improvements ICE-wide, SC/CIRCA has taken a multi-faceted approach to enable ICE to effectively process and remove the increased number of identified criminal aliens:

- Deploy personnel in critical areas where larger numbers of criminal aliens are likely to be encountered, including areas such as those involved with the identification, detention and removal processes.
- Modernize technology, particularly in the areas of criminal alien identification, detention management, removal management, technology management and DLT.
- Prioritize detention and removal resources, such as bed space and transportation capacity, to accommodate increased numbers of criminal aliens and their specialized needs.
- Implement process improvements across the organization to streamline the identification, detention and removal processes to reduce the total length of detention for criminal aliens and expedite their removal from the country.
- Draft a strategy to more effectively address at-large criminal aliens, to include exploring ways to assign existing resources to identify and remove more at-large criminal aliens. In addition, examine potential modifications to priority levels for criminal alien enforcement.
- Continue modeling efforts that analyze key costs, benefits, risks and constraints to project resource needs and optimum resource allocations. This is especially critical as Interoperability expands, resulting in increasing numbers of criminal aliens that will need to be detained, processed and removed. Modeling will allow ICE to assess how to apply future funds to support the entire enforcement life cycle.

## V. Appendices

### A. FY 2010 Funding Plans and Obligations (in thousands)

Category of Activity	Plan by Appropriation			Total Plan	Obligations by Appropriation			Total Obligated	%
	ICE FY10 Base	SC FY 09/10	SC FY 10/11		ICE FY10 Base	SC FY 09/10	SC FY 10/11		
<b>Identify &amp; Arrest</b>	<b>\$470,260</b>	<b>\$0</b>	<b>\$61,233</b>	<b>\$531,493</b>	<b>\$216,666</b>	<b>\$9,876</b>	<b>\$12,451</b>	<b>\$238,792</b>	<b>45%</b>
Criminal Alien Program	\$139,355	\$0	\$53,000	\$192,355	\$71,547	\$7,793	\$9,342	\$88,682	46%
Fugitive Operations	\$103,356	\$0	\$0	\$103,356	\$34,188	\$0	\$0	\$34,188	33%
Criminal Investigations	\$139,186	\$0	\$0	\$139,186	\$82,829	\$0	\$0	\$82,829	60%
Law Enforcement Support Center	\$28,770	\$0	\$6,475	\$35,245	\$8,524	\$1,528	\$2,726	\$10,778	31%
287(g) Delegation of Authority	\$53,308	\$0	\$0	\$53,308	\$18,146	\$0	\$0	\$18,146	34%
Intelligence	\$6,285	\$0	\$1,758	\$8,043	\$3,432	\$355	\$382	\$4,169	52%
<b>Detain, Process &amp; Remove</b>	<b>\$1,078,922</b>	<b>\$45,181</b>	<b>\$79,621</b>	<b>\$1,203,724</b>	<b>\$895,391</b>	<b>\$17,142</b>	<b>\$9,688</b>	<b>\$922,221</b>	<b>77%</b>
Custody Operations	\$883,196	\$32,581	\$46,193	\$961,970	\$757,061	\$3,990	\$6,779	\$767,829	80%
Alternatives to Detention	\$29,363	\$0	\$0	\$29,363	\$11,352	\$0	\$0	\$11,352	39%
Legal Proceedings	\$76,120	\$0	\$0	\$76,120	\$40,923	\$0	\$0	\$40,923	54%
International Affairs	\$2,708	\$0	\$4,002	\$6,710	\$2,529	\$552	\$1,539	\$4,621	69%
Transportation and Removal	\$87,535	\$12,600	\$29,427	\$129,562	\$83,526	\$12,600	\$1,370	\$97,496	75%
<b>Information Technology</b>	<b>\$116,525</b>	<b>\$0</b>	<b>\$41,416</b>	<b>\$157,941</b>	<b>\$40,481</b>	<b>\$3,936</b>	<b>\$411</b>	<b>\$44,827</b>	<b>28%</b>
Identification & Arrest Systems	\$0	\$0	\$34,031	\$34,031	\$0	\$3,405	\$0	\$3,405	10%
Detention & Removal Systems	\$0	\$0	\$1,919	\$1,919	\$0	\$319	\$0	\$319	17%
IT Management & Architecture	\$0	\$0	\$5,466	\$5,466	\$0	\$212	\$411	\$623	11%
Headquarters Managed IT/Modernization	\$116,525	\$0	\$0	\$116,525	\$40,481	\$0	\$0	\$40,481	35%
<b>Management Support</b>	<b>\$103,565</b>	<b>\$11,350</b>	<b>\$17,730</b>	<b>\$132,645</b>	<b>\$44,519</b>	<b>\$11,189</b>	<b>\$4,929</b>	<b>\$60,638</b>	<b>46%</b>
Secure Communities PMO	\$0	\$16,350	\$17,730	\$34,080	\$0	\$10,900	\$4,923	\$15,823	46%
Headquarters Management	\$103,565	(\$5,000)	\$0	\$98,565	\$44,519	\$289	\$6	\$44,815	45%
<b>Total</b>	<b>\$1,769,272</b>	<b>\$56,531</b>	<b>\$200,000</b>	<b>\$2,025,803</b>	<b>\$1,197,057</b>	<b>\$41,943</b>	<b>\$27,479</b>	<b>\$1,266,479</b>	<b>63%</b>

Source: ICE, Federal Financial Management System, *INR112 Report*, 4/31/2010, data retrieved 4/6/2010 and 4/7/2010.



## B. Video Teleconferencing (VTC) Deployments

No. of VTC Units	Site Name	City	State
1	Consulate of Mexico	New Orleans	LA
1	Baker County Detention Facility	MacClenny	FL
3	Southern California Support Center	Laguna Niguel	CA
1	Montgomery County Sheriff's Office	Conroe	TX
1	Bay County Jail	Panama City	FL
1	Wakulla County Jail	Crawfordville	FL
1	Worcester County Jail	Snow Hill	MD
1	Peumansend Creek Regional Jail	Bowling Green	VA
1	Platte County Jail	Columbus	NE
1	Franklin County Corrections	Chambersburg	PA
1	Lee County Jail	Fort Myers	FL
1	South Texas Detention Complex	Pearsall	TX
6	Fairfax DRO Office (Washington AOR)	Fairfax	VA
1	Trinity County Sheriff's Office	Weaverville	CA
1	Suwannee County Jail	Live Oak	FL
1	Kilby Correctional Facility	Montgomery	AL
1	Scottsbluff County Jail	Gering	NE
1	Utah Department Corrections	Draper	UT
1	Broward County Jail	Fort Lauderdale	FL
1	Indian River County Jail	Vero Beach	FL
1	Lafayette County Jail	Mayo	FL
1	Carver County Jail	Chaska	MN
1	Florence Detention Center	Florence	AZ
1	Tacoma DRO Office (Seattle AOR)	Tacoma	WA
4	Glendale Police Department, Custody Bureau	Glendale	CA
1	Capital Area Immigrants Rights Coalition	Washington	DC

Source: ICE, DRO, response to data call, 4/7/2010.

## C. Acronyms and Abbreviations

Acronym/ Abbreviation	Full Text
ACRIME	Alien Criminal Response Information Management System
ATD	Alternatives to Detention
ATP	Automated Threat Prioritization
BST&T	Bed Space, Transportation and Detainee Location Tracking
CAP	Criminal Alien Program
CAPPA	Criminal Alien Population Projection Analysis
CJIS	Criminal Justice Information Services
CRS	Central Reservation System
DHS	Department of Homeland Security
DIS	Data Information Service
DLT	Detainee Location Tracking
DRO	Detention and Removal Operations
DROM	Detention and Removal Operations Modernization
EARM	ENFORCE Alien Removal Module
ENFORCE	Enforcement Case Tracking System
eTD	Electronic Travel Document
FY	Fiscal Year
IAFIS	Integrated Automated Fingerprint Identification System
IAQ	Immigration Alien Query
IAR	Immigration Alien Response
ICE	Immigration and Customs Enforcement
IDENT	Automated Biometric Identification System
IIDS	ICE Integrated Decision Support System
IT	Information Technology
IVF	Immigration Violator File
JCART	Joint Criminal Alien Removal Task Force
LEA	Law Enforcement Agency
LESC	Law Enforcement Support Center
NCIC	National Crime Information Center
OIA	Office of International Affairs
OLC	Operation Last Call
OPLA	Office of the Principal Legal Advisor
PMO	Program Management Office
RIAU	Repatriation and International Agreements Unit
SC	Secure Communities
SC/CIRCA	Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens
TMS	Transportation Management System
US-VISIT	United States Visitor and Immigrant Status Indicator Technology
VCAS	Violent Criminal Alien Section
VTC	Video Teleconferencing
WPF	Wanted Person File