

U.S. Department of Homeland Security
Bureau of Immigration and Customs Enforcement

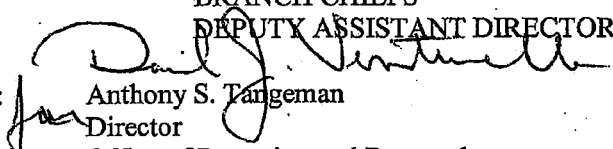
HQDRO 50/12.8

Office of the Director

801 I Street NW
Washington, DC 20536

SEP 15 2003

MEMORANDUM FOR FIELD OFFICE DIRECTORS
BRANCH CHIEFS
DEPUTY ASSISTANT DIRECTOR FIELD OPERATIONS DIVISION

FROM: 
Anthony S. Targeman
Director
Office of Detention and Removal

SUBJECT: Placement of Unaccompanied Alien Children

This memorandum provides updated guidance to field offices regarding the placement of unaccompanied alien children (UACs).

On March 1, 2003, pursuant to the Homeland Security Act, the Office of Refugee Resettlement (ORR) assumed the authority for decisions related to the care and custody of UACs in Federal custody. This includes their placement, transfer, and release.

Field Officers are still authorized to take initial enforcement actions after the apprehension of certain UACs. Such enforcement actions include: voluntary returns to Mexico and Canada of UACs who are nationals of such countries, an immediate release to a parent or other adult relative, or permitting the withdrawal of an application for admission at a port-of-entry by older juveniles. However, juvenile coordinators must continue to be contacted, as per current policy, and then coordinate placement in all cases involving a decision to detain a UAC. Branch Juvenile Coordinators (former Regional Juvenile Coordinators) remain a vital link between field offices and Headquarters' DRO, regarding the proper handling of UACs in Federal custody.

As is current policy, all UACs taken into custody and requiring placement pending their release, return to country of origin, or the outcome of their immigration hearings, may only be placed in appropriate juvenile facilities. Prior to placing ANY UAC in a juvenile facility, the arresting officer must contact their respective Field Office Juvenile Coordinator (former District Juvenile Coordinator) for pre-authorization. Pre-authorization is required for ALL UACs placed in a juvenile facility regardless of their anticipated length of stay at the facility. Following approval for placement, Field Office Juvenile Coordinators must immediately complete a Case

Action Worksheet (CAW) and forward the CAW (electronically) to their respective Branch Juvenile Coordinator. Branch Coordinators are directed to forward all CAWs (electronically) to both the current Headquarters DRO mailbox (Office, JuvenileOPS) and the ORR mailbox (orrducs@acf.hhs.gov).

ORR will respond to all requests to the Branch Juvenile Coordinators and to Headquarters DRO. The Branch Juvenile Coordinator will in turn forward such to the respective field office, as is current practice. Field Offices are not authorized to act upon instructions provided directly by ORR officials. ORR will contact Headquarters DRO regarding specific requests.

Any questions regarding this instruction may be directed to [REDACTED] Headquarters Office of Detention and Removal at 202 [REDACTED] b6,b7c

Attachment

UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT



JUVENILE CASE ACTION WORKSHEET

FCO: _____

*** JUVENILE ***

Name:	AKA:	Country of Citizenship:
File Number:	Sex:	Date of Birth:
Age:	Date of Entry:	Place of Entry:
Manner of Entry:		

CUSTODY INFORMATION

Date of Custody:	Custody Location:
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CUSTODY RECOMMENDATION

Detain (Secure Facility) Remove Release
 Detain (Shelter Care) Transfer Denial of Release
 (Comments must be provided for placement in secure facility, transfers and denial of releases)

Voluntary Return To: On

Removal Order To: On Escorted Non-Escort

Special Immigrant Juveniles: Consent No Consent
(see attachments)

Age Dispute: Yes (provide comments) No

Release On: Parole Bond Order of Recognizance/Supervision

Release to Sponsor/Family Member: Sponsor Family Member Foster Care
(Please Complete OJA Sponsor Worksheet)

Address: _____

Comments: _____

Alien/Attorney contests ICE decisions: Yes No
(explain in comments section)

Recommended By: _____
Field Office Juvenile Coordinator _____
(Signature)

Name:		File Number:	
CUSTODY DECISION			
Approval By:	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove _____ (Signature) Director Office of Refugee Resettlement		