# Secure Communities: Quarterly Report

Fiscal Year 2009 Report to Congress

First Quarter

*February 17, 2009*

Homeland
Security

U.S. Immigration and Customs
Enforcement

# Message from the Acting Assistant Secretary

I am pleased to present the U.S. Immigration and Customs Enforcement (ICE) quarterly report on Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens.

The report has been compiled in response to legislative requirements in the Fiscal Year (FY) 2009 Department of Homeland Security Appropriations Act (P.L. 110-329), and covers the first quarter of FY 2009.

Pursuant to congressional requirements, this report is being provided to the following:

> 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 Thad Cochran
> Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries relating to this report may be directed to me at (202) 514-1900 or to the Office of the Chief Financial Officer at (202) 447-5751.

Sincerely,

John P. Torres,
Acting Assistant Secretary
U.S. Immigration and Customs Enforcement

# Executive Summary

Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens (SC/CIRCA) has achieved key milestones and demonstrated significant success since its inception in April 2008. Projects and programs under the umbrella of SC/CIRCA have continued to deliver results during the first quarter (Q1) of Fiscal Year (FY) 2009. This Q1 FY 2009 Quarterly Report describes the progress achieved to date in furtherance of the program's objectives as outlined in "Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens," with particular focus on the achievements made during Q1 FY 2009.

The United States (U.S.) Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) received funding from Congress in FY 2008 and FY 2009 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."[i]

In FY 2009, the scope of SC/CIRCA was expanded by Congress to:

> "prioritize the identification and removal of aliens convicted of a crime by the severity of that crime and identify individuals illegally present in the United States who have criminal records, whether incarcerated or at-large, and remove those aliens once they have been judged deportable in an immigration court."[ii]

Congress provided appropriations of over $1.4 billion to ICE in FY 2009 to support initiatives that relate to key criminal alien objectives. The SC/CIRCA program serves as the steward of these funds, monitoring and reporting on expenditures and progress to ensure that objectives are met. This information was delineated in the document, "Plan to Utilize the FY 2009 Appropriation for the Removal of Criminal Aliens in Alignment with Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens," which demonstrates SC/CIRCA's stewardship of this funding.

The SC/CIRCA program was implemented less than one year ago and has implemented process improvements and acquired enabling technologies in support of the program objective to identify and remove criminal aliens. This Quarterly Report details the progress achieved during Q1 FY 2009.

It is important to point out several noteworthy achievements that occurred during Q1 FY 2009. These include progress in the Interoperability Deployment, expanded Video Teleconferencing (VTC) capabilities for the Department of Justice (DOJ) Executive Office for Immigration Review (EOIR) and the Criminal Alien Program (CAP), the award of a major contract to support the Detention and Removal Operations Modernization (DROM) Bed Space, Transportation, and Detainee Location Tracking Automation System (BST&T), the expansion of the electronic Travel Document (eTD) system, streamlining case management processes and enhanced

successes in deterring recidivism. These accomplishments are summarized on the following pages.

- **Improving criminal alien identification through biometric interoperability** – The improved biometric interoperability between the Federal Bureau of Investigation's (FBI) Criminal Justice Information Services Division (CJIS) Integrated Automated Fingerprint Identification System (IAFIS) and DHS' United States Visitor and Immigrant Status Indicator Technology's (US-VISIT's) Automated Biometric Identification System (IDENT) has increased the ability of ICE to identify criminal aliens. IDENT/IAFIS Interoperability enhances ICE's ability to screen individuals by providing them with increased access to immigration information on high-risk individuals. As of Q1 FY 2009, this initiative, referred to as Interoperability, was deployed to 14 of the 51 jurisdictions for the Phase 1 Interoperability Deployment. During Q1 FY 2009, 5,795 fingerprint submissions resulted in an IDENT match. Of these matches 145 IDENT matches resulted in a Level 1[iii] identification and 3,013 IDENT matches resulted in a Level 2 or Level 3 identification.

- **Facilitating criminal alien interviewing, screening, and removal with VTC deployments** – ICE continues to make progress in deploying VTC units; VTC capabilities are currently available in 37 EOIR locations. SC/CIRCA funded 56 VTC systems to interview foreign nationals and screen them for removal. Of these 56 VTC systems, 13 units were installed in support of CAP in Q1 FY 2009. This provides significant benefits, including the ability for ICE to obtain final orders on criminal aliens while they are still incarcerated. An additional benefit is the ability for EOIR judges and ICE to conduct hearings and other removal processing activities for criminal aliens without traveling. In addition, other programs within ICE, most notably the CAP program, are installing VTC units to interview foreign nationals and screen them for removal. This is critical to CAP operations to ensure criminal aliens are removed from the country after they are released from incarceration.

- **Modernizing systems that support detention, removal, and alien tracking** – The Detention and Removal Operations Modernization (DROM) realized significant progress with its DROM BST&T efforts. In November 2008, DROM awarded an integrated procurement to develop BST&T. The BST&T reporting capabilities will provide reports and specialized tools to manage bed space, manage transportation, and track detainees. These capabilities will greatly improve DRO's business processes and enhance the efficiency of operations.

- **Facilitating expeditious alien removal with electronic travel documents** – The continued expansion and utilization of fully electronic travel documents resulted in efficiency improvements. ICE achieved these improvements through the application of eTD with Guatemala, Honduras and El Salvador, and in electronically recording and tracking the issuance of travel documents from all other countries for which travel documents are required. ICE also executed two Memoranda of Understanding (MOUs) to deploy eTD to the Dominican Republic and Columbia in Q1 FY 2009.

- **Streamlining case management processes** – ICE continues to make enhancements to its case management procedures in order to enhance efficiencies within the detention and removal process. During Q1 FY 2009, ICE's Case Management Unit (CMU) reviewed a total of 4,162 detained cases from the Weekly Inventory List of Detained Cases (WILDC) report. Of those, 1,309 cases were identified, fast-tracked, and scheduled for removal.

- **Increasing criminal alien removals** – During FY 2008, ICE removed over 112,000 criminal aliens. This removal level represented an eight percent increase in removals compared to FY 2007. Preliminary figures for Q1 FY 2009 indicate that this trend will continue into FY 2009. However, ICE expects that removals will continue to lag behind other SC/CIRCA performance indicators by several months to a few years due to the extended prison sentences many identified and charged criminal aliens must complete before ICE removes them from the country.
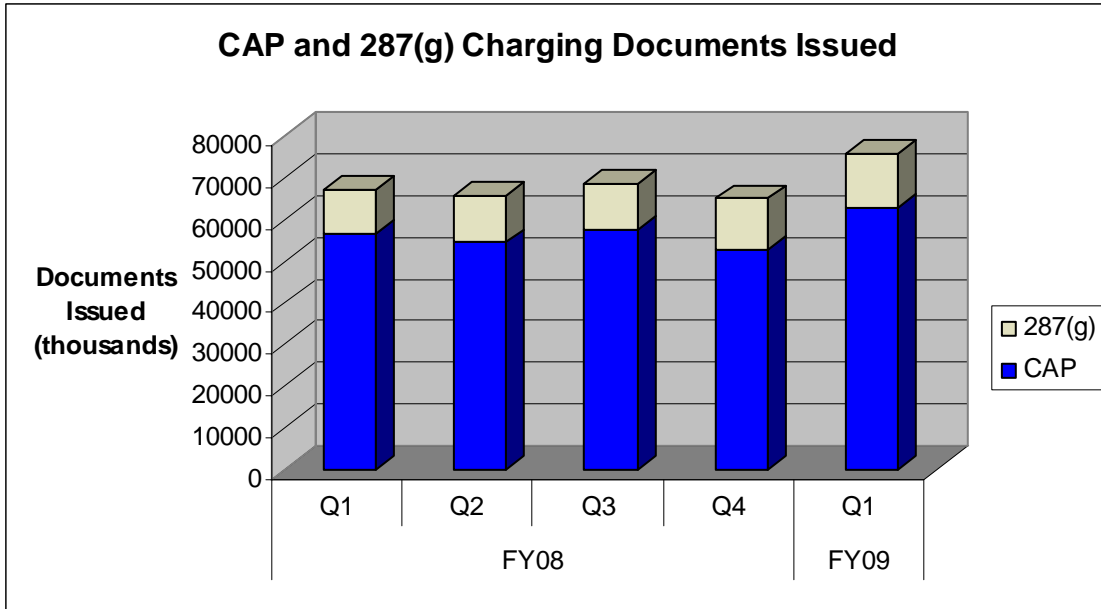
**ICE Criminal Aliens Removed**
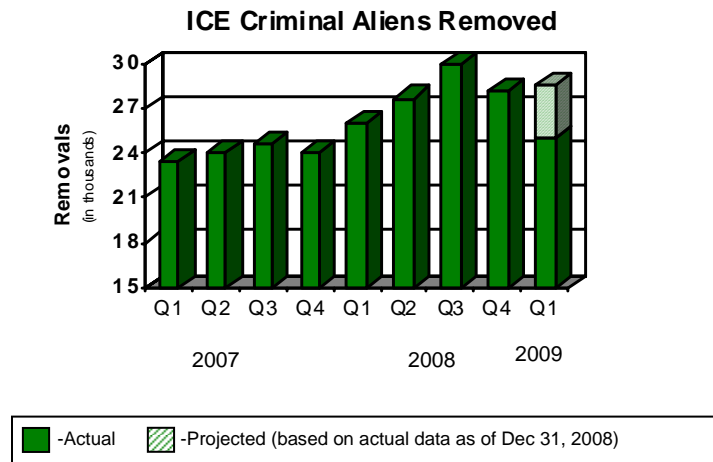


- **Deterring alien recidivism**- An important goal for ICE is to prevent re-entry of previously deported aliens from the country, particularly those who are criminals. One of the critical ways in which this is accomplished is through Operation Repeat Offender, a program that ensures prosecution of the alien under federal felony immigration law violations, invoking severe consequences against recidivists, which act as a strong deterrent force against reentry by other removed criminal aliens. Operation Repeat Offender resulted in the successful indictment of 1,028 criminal aliens in Q1 FY 2009, an 84 percent increase in total indictments as compared to Q1 FY 2008.

The remaining portions of the Executive Summary highlight SC/CIRCA achievements against program goals and objectives.

**Strategic Goal 1** – Identify and process all criminal aliens amenable for removal while in federal, state, and local custody

ICE continues to demonstrate strong results identifying and charging incarcerated aliens. ICE identified and issued charging documents to almost 63,000 criminal aliens in Q1 FY 2009. Criminal alien charging documents issued by state and local law enforcement agencies (LEAs) under the Immigration and Nationality Act (INA) Section 287(g) authority also increased to 12,780 in Q1 FY 2009.

**CAP and 287(g) Charging Documents Issued**



**Strategic Goal 2** – Enhance current detention strategies to ensure no removable criminal alien is released into the community due to lack of detention space or an appropriate alternative to detention

ICE is currently pursuing initiatives to ensure existing and newly deployed bed space to provide adequate bed space is available for the criminal aliens identified through Interoperability. These initiatives include the planned addition of and funding for more than 1,200 additional beds in locations aligned to support Interoperability.

**Strategic Goal 3** – Implement removal initiatives that shorten the time criminal aliens remain in ICE custody prior to removal, thereby maximizing use of detention resources and reducing costs

ICE has implemented a variety of removal strategies to respond to the expected growth in ICE's criminal alien population due to the impact of Interoperability. Among the strategies ICE is pursuing in this area are the deployment of VTC systems to enable the electronic management of removal proceedings and the deployment of the eTD system. These programs will enable ICE to

seek rapid removal of detained criminal aliens from the United States. In addition, SC/CIRCA has funded 56 VTC systems to interview foreign nationals and screen them for removal.

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**Strategic Goal 4 –** Maximize cost effectiveness and long term success through deterrence and reduced recidivism of criminal aliens returning to the United States

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ICE has implemented a wide variety of removal programs, including those that have targeted recidivist aliens. These programs have resulted in 1,141 cumulative indictments for Q1 FY 2009, which resulted in 891 convictions.[iv] The cost-effectiveness of criminal prosecutions and other efforts to deter and reduce recidivism is being demonstrated. SC/CIRCA began to focus on cost-effectiveness with the modeling efforts initiated in Q1 FY 2009. The models include cost-effectiveness as a decision-making criterion, and results are expected during FY 2009.

**FY 2009 Q1 DRO Indictments and Convictions**
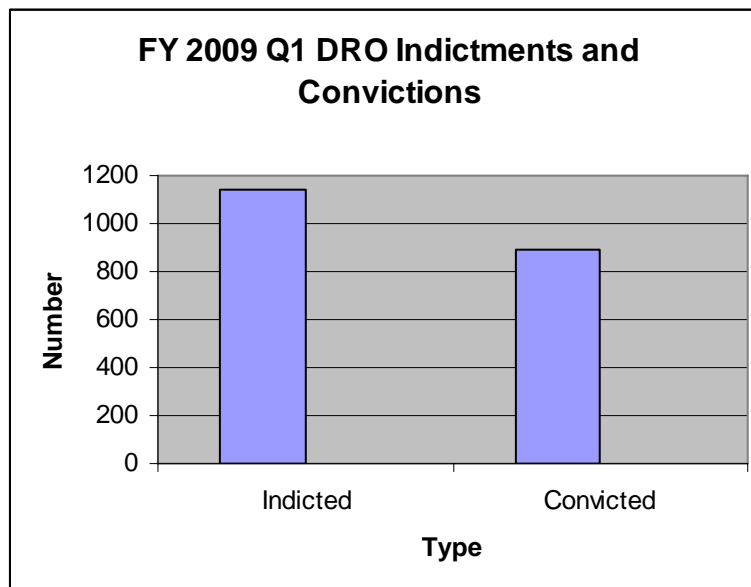
Throughout this Quarterly Report, SC/CIRCA highlights its current activities, documents progress that was made to achieve each of these strategic goals in Q1 FY 2009, and describes planned activities to continue progress in the critical areas that inform these goals and objectives. Specifically, the report demonstrates the interrelationship between Interoperability deployment and other critical ICE operations related to the overall process flow of identifying, detaining, and removing criminal aliens from the Unites States. As Interoperability is deployed, initiatives are underway to locate and acquire bed space and transportation resources in areas that are part of the Phase 1 Interoperability Deployment, particularly in areas where it is envisioned there is the greatest need for resources due to increased numbers of identified criminal aliens. In addition, SC/CIRCA is deploying additional CAP teams to Interoperability jurisdictions. These teams will be responsible for working with local LEAs and corrections facilities to identify and remove criminal aliens from jails and prisons when their sentences are completed. The intersection of these critical initiatives enables SC/CIRCA to achieve its goals in the most strategic manner and with the great level of efficiency. A map, entitled "Planned Bed Space and CAP Team

Deployments," is provided and shows the 51 Phase 1 Interoperability Jurisdictions as well as Planned FY 2009 Bed Space Deployments and CAP Team Deployments.

This map shows how SC/CIRCA will build its capability for processing criminal aliens identified through Interoperability by locating bed space and transportation resources in locations where Interoperability is being deployed. These resources will be utilized by ICE to maximize efficiencies within the detention and removal process through the development of a comprehensive bed space and transportation network. In addition to locating additional detention resources near Interoperability deployment sites, ICE will also locate CAP teams in these locations. By locating CAP teams in these areas, ICE will be able to identify criminal aliens for removal, including criminal aliens who were first identified through Interoperability, and schedule their removal from the country as soon as they are released from prison. These updates and improvements are illustrative of short- and long-term objectives SC/CIRCA is achieving to adequately respond to the increased numbers of criminal aliens identified through Interoperability. As a side note, the Phase 1 Interoperability locations shown below are divided into two categories: planned and operational. Operational sites are those locations where Interoperability was deployed as of December 31, 2008. Planned sites are those that are due to be completed through Q2 FY 2009.

# Secure Communities:  Quarter Update
# 1ˢᵗ Quarter Fiscal Year 2009

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# I. Legislative Requirement

In this Quarterly Report, SC/CIRCA has been tasked by Congress to "report on progress implementing the proviso of identifying criminal aliens convicted of a crime, determining who may be deportable and removing them from the United States if they are judged deportable." This Quarterly Report documents the progress achieved during Q1 FY 2009.

In addressing this requirement, SC/CIRCA is reporting on the status of the $1.4 billion received in appropriations from Congress in FY 2009 for the purpose of removing criminal aliens from the United States. These funds are currently supporting efforts performed by SC/CIRCA and other ongoing ICE programs that address criminal alien identification, detention and removal. The SC/CIRCA program extensively analyzed ICE needs and requirements and coordinated its initiatives to leverage the key ICE criminal alien projects and programs that are expending these funds. The scope of this report is more extensive than previous Quarterly Reports due to revised direction from Congress. As provided in the FY 2009 Department of Homeland Security Appropriations Act (P.L. 110-329), SC/CIRCA is required to report quarterly on all criminal alien programs within ICE under the umbrella of the $1.4 billion discussed earlier. In previous versions of the report, SC/CIRCA Program reported only on the $350 million received in direct FY 2008 and FY 2009 appropriations.

This report is organized around the milestones and accomplishments related to the key goals of the SC/CIRCA program including identifying, detaining and removing criminal aliens as well as deterring recidivism.

# II. Identifying Criminal Aliens

**Strategic Goal 1**

The following sections detail Q1 FY 2009 accomplishments under SC/CIRCA to achieve the objectives of Strategic Goal 1, expanding identification of criminal aliens. Specifically, these sections report progress on the critical initiatives regarding criminal alien identification to include the following items:

- CAP teams issued 50,075 charging documents during Q1 FY 2009. CAP Expansion including the deployment of four additional CAP teams to coordinate with ICE offices, LEAs, and incarceration facilities to remove criminal aliens from the nation's prisons and jails and the deployment of 13 VTCs to support the screening process for criminal aliens.

- Interoperability Operations Management, including activities based on Interoperability Deployment and Interoperability Outreach initiatives that enable SC/CIRCA to build partnerships and share information with the greater law enforcement community.

- Identification Efficiency Improvements, including deploying short-term as well as long-term process and technology improvements to enhance the identification of criminal aliens.

- Fugitive Operations arrested 2,117 fugitive criminal aliens in Q1 FY 2009 and deployed [b2 high, b7e] additional Fugitive Operations teams to the field Criminal Alien Investigations lted in 2,079 criminal arrests in Q1 FY 2009, representing a four percent increase over Q1 FY 2008.

- The 287(g) Program arrested 12,780 individuals, which was a 20 percent increase over Q1 FY 2008. This included over 2,300 aliens who were identified as criminals.

**Expansion of CAP**

CAP teams issued 50,075 charging documents during Q1 FY 2009. CAP assigns teams comprised of [b2 high, b7e] individuals to work at the local level in direct coordination with ICE offices and L _____ emove criminal aliens from the nation's prisons and jails. In many instances, CAP team personnel work on-site at prisons and jails in tandem with LEA personnel. This model has proven successful in building effective working relationships between ICE and LEA partners at prisons and jails with large criminal alien populations. During FY 2008, ICE received funding to hire an additional [b2 high, b7e] CAP teams. ICE deployed [b2 high, b7e] funded CAP teams during FY 2008. Of the [b2 high, b7e] teams, the [b2 high, b7e] Field Office was funded for [b2 high, b7e] teams in FY 2008. Of the [b2 high, b7e] teams, [b2 high, b7e] currently has [b2 high, b7e] operational and [b2 high, b7e] pending additional full-time employees. In FY 2009, SC/CIRCA has funded [b2 high, b7e] additional CAP teams to the following locations: [b2 high, b7e]

[b2 high, b7e] During Q1 FY 2009, [b2 high, b7e] funded teams became operational in the follow locations: [b2 high, b7e]

The FY 2009 deployments will be performed in close alignment with the Interoperability Deployment strategy described in the following section.

Currently, there are 4,433 jails and prisons nationwide within the areas of operation of the 24 DRO Field Offices. In order to better manage the activities of CAP teams, the DRO Field Offices gather information from the CAP teams for compilation into the CAP Risk Assessment database. Through ongoing review and use of this database, CAP ensures that screening is performed at the highest risk facilities. An assessment of these sites revealed that 14.2 percent of the local facilities are at 100 percent screening of foreign-born inmates, a 1.2 percent increase from the progress reported in the fourth quarter (Q4) FY 2008 Quarterly Report. Where full screening is not in place, ICE has provided local jails with ICE points of contact, the ability to send Immigration Alien Queries (IAQs) to the ICE Law Enforcement Support Center (LESC), and 24x7 telephonic assistance to respond to inquiries regarding the immigration status of foreign-born detainees.

ICE has expanded the use of VTC services. SC/CIRCA funded 56 VTC systems that were purchased in FY 2008, and 13 of these systems were installed in support of CAP in Q1 FY 2009. The 13 CAP VTCs were installed in jails and DRO offices to support interviews, and in detention centers to support hearings. During Phase 2 of the VTC deployment, 140 units will be funded by SC/CIRCA and will be deployed in support of removing and replacing VTC systems. The process for installing these VTC will start in Q2 FY 2009.

In conjunction with the Interoperability Deployment, CAP will continue to expand ICE criminal alien screening of current inmate populations held at prisons and jails across the nation. ICE will continue screening jails and prisons as part of the overall SC/CIRCA plan in order to identify criminal aliens incarcerated prior to the implementation of Interoperability and to act as a second layer of identification for criminal aliens with no biometric identifier recorded in IDENT, who may not be detected through Interoperability.


**Initiating Full-Scale Interoperability Deployment**

Another area critical to the achievement of Strategic Goal 1 is the deployment of the Interoperability initiative, which leverages technology to match inmate fingerprints against both the FBI's IAFIS system and DHS' IDENT system. This enables ICE to identify criminal aliens via biometrics as opposed to name-based biographic queries, significantly improving the accuracy of identifications. Furthermore, ICE law enforcement technicians will no longer be required to sift through extensive lists of encountered individuals with common names or multiple aliases to determine which immigration records match the subject under review. This will facilitate the issuance of detainers5 on a much more accurate and expeditious basis. Additionally, Interoperability provides cost-effective coverage of smaller, dispersed criminal alien populations to complement ICE's existing CAP model for identifying incarcerated criminal aliens.

The LESC is the ICE 24-hour national enforcement operations facility that provides real-time immigration status assistance to federal, state and local LEAs on aliens suspected, arrested or convicted of criminal activity. The LESC responds to inquiries from state and local law enforcement partners who have apprehended individuals suspected of being in the country illegally by sending an Immigration Alien Response (IAR) to the FBI CJIS Division and the local DRO office. The FBI CJIS Division routes the IAR to the LEAs through the State Identification Bureaus (SIB). Based on this response, the LEAs will either maintain an individual in their custody until ICE can issue a detainer or release them if they have not been identified as a criminal alien.

### - Results of the interim Data Sharing Model (iDSM)

Prior to deployment of Interoperability in October 2008, seven jurisdictions participated in the interim Data Sharing Model (iDSM), which provided an opportunity for DHS to match IAFIS information against a small subset of IDENT information. This served as a precursor to full interoperability capabilities that provide two-way sharing of information between IAFIS and IDENT. Since the completion of iDSM, all seven jurisdictions have transitioned to Interoperability-shared services production capabilities.

During the time period when iDSM was operational, criminal encounters generated 358,326 fingerprint submissions.[6] Of these submissions, Interoperability generated 643 biometric matches for further immigration investigation by DRO that resulted in the removal of 482 identified criminal aliens. These biometric matches generate the creation of an IAQ to the LESC. ICE has an additional 161 cases awaiting outcomes (examples of outcomes include removal and release), which may result in additional removals depending on case outcomes. The proportion of criminal submissions resulting in biometric matches for further immigration investigation will increase dramatically as the production Interoperability is deployed. The successes resulting from iDSM are delineated by jurisdiction in the chart below:

### Encounter Statistics through Q1 FY 2009

| Jurisdiction | Participating Since | Biometric Matches | Removals |
|---|---|---|---|
| Boston, MA | 9/3/2006 | 36 | 18 |
| Dallas County, TX | 11/1/2006 | 173 | 137 |
| Harris County, TX | 2/1/2007 | 416 | 315 |
| Wake County, NC | 7/17/2008 | 16 | 11 |
| Henderson County, NC | 8/18/2008 | 0 | 0 |
| Buncombe County, NC | 9/11/2008 | 2 | 1 |
| Gaston County, NC | 9/24/2008 | 0 | 0 |
| **Totals** | | **643** | **482** |

### - iDSM Transition to Full IDENT

Following the completion of iDSM, the FBI CJIS Division, US-VISIT and ICE successfully deployed Interoperability in October 2008. Interoperability was first deployed to those

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jurisdictions that participated within iDSM and then expanded to include other jurisdictions. This first phase of Interoperability Deployment is scheduled to be completed in February 2009. The LEAs participating in iDSM are now receiving an automated response from Interoperability that includes basic immigration identity information (e.g., name and any aliases, date of birth, place of birth, gender) and a photograph (if available). This response, coupled with an immigration status determination sent to the LEA by ICE, will provide state and local law enforcement with a biometrics-based summary of the subject's identity and immigration status. ICE will continue to determine the level of immigration enforcement action, if any, that accompanies Interoperability responses. ICE will establish enforcement priorities based on ongoing assessments of threat to the community posed by identified criminal aliens.

In the Q4 FY 2008 Quarterly Report, the criteria used to select the initial deployment jurisdictions were described. The following table shows the status of the 51 proposed Phase 1 Interoperability Deployment jurisdictions.

### Phase 1 Interoperability Deployment Jurisdictions

| State | Status | County | ICE Field Office |
|---|---|---|---|
| **Arizona** | Operational | Pinal | Phoenix |
| | Planned | Maricopa, Yavapai, Yuma | |
| **California** | Planned | Los Angeles, Ventura, San Diego | Los Angeles and San Diego |
| **Florida** | Planned | Charlotte, Clay, Collier, Duval, Hillsborough, Miami Dade, Marion, St. Johns, St. Lucie | Miami |
| **Massachusetts** | Operational | Suffolk (Boston PD only) | Boston |
| **North Carolina** | Operational | Buncombe, Gaston, Henderson, Wake County | Atlanta |
| | Planned | Cabarrus, Catawba, Cumberland, Duplin, Durham, Harnett, New Hanover, Orange, | |
| **Pennsylvania** | Operational | Bucks, Montgomery | Philadelphia |
| **Texas** | Operational | Dallas, Harris, Kinney, Maverick, Real, Val Verde | Dallas, Houston, and San Antonio |
| | Planned | Collin, Denton, Grayson, Hunt, Johnson, Kaufman, Uvalde, Zavala, Mesquite PD, Richardson PD, Carrollton PD, Farmers Branch PD, Irving PD | Dallas, and San Antonio |
| **Virginia** | Planned | Fairfax | Washington |

As displayed in the table above, Phase 1 Interoperability Deployment Jurisdictions, the 51 proposed local jurisdictions for Phase 1 participation span eight states. The Interoperability deployment to these jurisdictions requires a comprehensive outreach program, implemented in conjunction with key stakeholders such as the FBI CJIS Division and US-VISIT to coordinate consistent, comprehensive, and integrated communications efforts. To reach each stakeholder prior to Deployment, SC/CIRCA employed a dual outreach strategy. The first part of the

ICE FOIA 10-2674.000188

strategy called for initial high-level meeting(s) for each participating state that included SC/CIRCA, 10 affected ICE Field Offices, the FBI CJIS Division, US-VISIT, the SIB in each state, and participating counties. The second part of the strategy involved follow-up meetings with each individual county and representatives from future participating booking locations. The state-level meetings involved a discussion of short-term and long-term SC/CIRCA goals as well as an overview of what benefits and operational changes the Interoperability Deployment would generate. The state meetings occurred during Q2 FY 2008. The county-level meetings ensured two-way communication with front-line implementers so that SC/CIRCA can address specific, working-level concerns and make planning or operational adjustments as needed.

From November 1, 2008 through December 31, 2008, SC/CIRCA conducted nine outreach meetings with 29 of the 51 jurisdictions that are participating in Phase 1. In January 2009, outreach to all remaining Phase 1 jurisdictions will be completed.

As part of the overall process for planning outreach initiatives, developing estimates, and testing working assumptions, ICE developed a comprehensive survey instrument for distribution nationwide to SIBs, jails, and prisons, which were approved for distribution in September 2008. The survey collected information at the state and local levels to assist ICE in further understanding LEA working relationships and roles within the state. ICE distributed surveys to the eight SIBs and 51 counties selected for Phase 1 of the Interoperability Deployment. As of December 31, 2008, SC/CIRCA received seven state survey responses and 51 local jurisdiction survey responses.

SC/CIRCA analyzed the survey responses to identify any indicators that might facilitate a smoother Phase 1 Deployment to the local jurisdictions. The data received provided information regarding deployment-related operational impacts and provided useful information for Interoperability Deployment. Based on the input received, ICE is developing a process to conduct a survey of Phase 2 Interoperability jurisdictions. In anticipation of distributing the surveys to a larger number of states and counties as part of Phase 2 deployment, ICE is developing a web-based survey tool to collect SC/CIRCA survey responses online. Using this data collection method, ICE will be able to gather and analyze data from jurisdictions participating in future deployments with greater ease and cost-efficiency.

Commencing in December 2008, SC/CIRCA is working closely with the ICE Office of Training and Development (OTD) to develop a consistent, comprehensive, and integrated internal training effort that reflects a high degree of coordination throughout ICE. SC/CIRCA is focusing its training efforts on three major training venues: the Leadership Development Center (LDC) in Dallas, the Supervisor Frontline Training Office (SFTO) in Washington, DC, and the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. Training for new hires is provided via traditional classroom courses. Additional methods of training are designed to address the requirements of the existing workforce, and will leverage different means of delivery.

The initial training session was held in mid-December 2008, at the LDC for an audience of supervisors. The training session included a discussion of short-term and long-term SC/CIRCA goals as well as an overview of the benefits and operational changes the Interoperability

Deployment is expected to generate.  The planned training audiences are trainers for the SFTO, who will subsequently deliver SC/CIRCA training to the DRO Field Offices, and new agents and officers enrolled at FLETC.

SFTO trainer training will be conducted in person to underscore the importance of the SC/CIRCA program and ensure trainers are prepared to disseminate an effective and consistent message about its impact to the field offices.  This approach also provides an optimum venue for practice, feedback, knowledge transfer, and sharing of best practices.  In addition, SC/CIRCA training will be integrated into the new agent and officer training curriculum at FLETC.

The training ensures two-way communication with front-line supervisors, trainers and new agents/officers, and enables SC/CIRCA to address specific, working-level concerns directly at the ICE field office level.  Further, the training sessions provide an opportunity to re-emphasize the steps that are employed to properly record a SC/CIRCA arrest in the Enforcement Case Tracking System (ENFORCE).  As a result of that feature, training also serves as a mechanism to ensure proper reporting and data integrity.


### - Interoperability Results

As of December 31, 2008, full Interoperability was deployed to 14 of the 51 jurisdictions for Phase 1 of Deployment.  During Q1 FY 2009, 5,795 fingerprint submissions resulted in an IDENT match.  An IDENT match occurs when an individual's biometrics are submitted to IDENT through Interoperability and that biometric matches an existing biometric record within IDENT.  A match in IDENT generates an IAQ to the LESC.

SC/CIRCA identified 145 Level 1 criminal aliens (currently defined as Aggravated Felons until ICE updates its data collection tools to reflect the new categorization of criminal aliens).  Of these, a total of 26 Level 1 criminal aliens were removed from the United States by the end of 2008.  Another 63 individuals categorized as Level 1 criminal aliens are currently undergoing proceedings to be removed from the country, while the remaining 56 are awaiting the outcome of removal proceedings.

A total of 898 detainers were issued on these criminal aliens.  ICE issued another 331 detainers at sites that also had an ICE presence, such as a CAP team or state and local officers with immigration enforcement authority delegated under INA Section 287(g).

**Phase 1 Interoperability Summary Metrics through Q1 FY 2009**

| Number of Fingerprint Submission through Interoperability | Number of Hits in IDENT | Total Criminal Alien IARs Generated by the LESC | | Number of Detainers Issued |
|---|---|---|---|---|
| 29,757 | 5,795 | Level 1 | 145 | 898 |
| | | Level 2 & 3 | 3,013 | |
| | | **Total** | **3,158** | |

Additionally during Q1 FY 2009, ICE removed 205 criminal aliens who were not identified as Level 1 criminal aliens. Furthermore, 681 of the non-Level 1 criminal aliens who generated IDENT matches are currently in removal proceedings. Removal proceedings are pending for the remaining 4,7647 non-Level 1 criminal aliens.

A recent success of note for SC/CIRCA Interoperability was the identification of a previously removed aggravated felon. ▮▮▮▮ b6, b7c ▮▮▮▮, a Mexican national, was identified on December 12, 2008, by the recent deployment of Interoperability in Dallas County. Because of SC/CIRCA Interoperability, the local Dallas DRO office was able to determine the individual's prior criminal history and take immediate action. Mr. ▮ b6, b7c ▮ has been issued a final order of removal.

As part of Interoperability, CJIS shares data on Known and Suspected Terrorists, and Wants and Warrants. This information is provided for the benefit of detecting these subjects as they pass through ports of entry. Early in the Deployment stages, SC/CIRCA found that a significant number of IDENT matches were the result of matches against this CJIS-provided fingerprint data where there was no related DHS encounter. These matches generated IAQs that were not intended to be processed by the LESC. Of the 5,795 biometric matches in IDENT, the LESC had to reject 2,637 as errors or determined them to be U.S. citizens. SC/CIRCA is working with US-VISIT and CJIS on this issue and plans to have corrections made to eliminate these matches from generating an IAQ. The changes will be implemented during Q2 FY 2009.

SC/CIRCA has learned some valuable lessons through deployment of full production capabilities that have been incorporated into future deployment planning. SC/CIRCA has discovered that some states are not capable of routing the response message from Interoperability back to the local LEA that booked the individual. SC/CIRCA adjusted its deployment approach to enable states to participate in Interoperability that currently lack the technical resources to route response back to the local LEA.

Additionally, it has been determined that a more proactive approach in establishing outreach relationships will lead to a more flexible deployment schedule. As a result of this approach, ICE, the FBI CJIS Division and US-VISIT have been more proactive in their Interoperability Outreach efforts with the SIBs to inform them of the technical aspects of Interoperability through initiatives such as the IAFIS Interface Evaluation Task Force (IIETF) meetings and one-on-one meetings with each SIB participating in Phase 1 of Interoperability deployment.


### - Planning of Future Interoperability Deployment

Based upon the Phase 1 selection criteria for determining locations for Interoperability Deployment, SC/CIRCA will build upon the existing site selection to establish a foundational analytical framework that can be refined for future site prioritization and optimization (e.g., the framework will use multiple criteria and will remain valid for different weight factors). For the Phase 1 analysis, SC/CIRCA utilized the CAP Risk Assessment results as criteria for site selection. For the Phase 2 analysis, SC/CIRCA employed the CAP Risk Assessment results combined with additional FBI violent crime statistics for 2007, U.S. Census foreign-born, non-

citizen population percentages for 2000, and DRO apprehensions/charging documents issued for 2007. Subsequent to this analysis, an iterative optimization technique was applied to develop candidate deployment sequence for Phase 2. This methodology resulted in 87 candidate sites for Phase 2 that will be further refined based upon annual county volumes and outreach optimization. A risk-based methodology will be employed to select the Phase 2 sites, with the highest risk sites being weighted more heavily for selection.

## - Ensuring ICE Readiness to Support Interoperability Deployment

As stated in the Q4 FY 2008 Quarterly Report, ICE projects that deployment of Interoperability will generate a significant increase in the number of status determination requests that ICE will respond to each year. To prepare for expected increases in status determination request volumes, ICE continues to pursue additional staffing aggressively on several fronts. In addition, ICE is studying how current staffing can be dedicated to support continued Interoperability deployment. The major initiatives currently are focused on increasing status determination technician staffing at the LESC and deploying local Interoperability Response Agent (IRA) positions. These initiatives are described in greater detail below.

As of December 17, 2008, ICE had 233 LESC technicians on board, of whom entered duty in FY 2008. ICE completed the selection of an additional technicians for employment during FY 2009, and these individuals are in various stages of the background/clearance process. The LESC is in the process of hiring additional technicians using FY 2009 funding from SC/CIRCA. To date, the LESC made selections for the vacant positions. All are pending their entry-on-duty dates. ICE ha so increased the position pay grade to incr e retention of hired technicians, attract new technicians more rapidly, and compensate for expanded responsibilities that the technicians will undertake in support of Interoperability Deployment.

To prepare for expected increases in required enforcement actions against high-threat criminal aliens identified via Interoperability, ICE is also recruiting candidates to fill newly established SC/CIRCA-funded IRA positions in FY 2009. ICE will dedicate IRAs to establishing 24x7 Interoperability response capability. The duties of the IRAs will include issuing detainers on identified criminal aliens, maintaining communications with LEAs, and taking additional enforcement actions against criminal aliens as needed. ICE will place IRAs in DRO Field Offices covering geographic areas targeted for the initial Interoperability Deployment as shown in the table on the following page. In December 2008, these positions were allocated to the field offices by the Workforce Planning Unit (WPU) and the hiring process has commenced. The field offices are now working with selected ICE Hiring Centers to recruit and fill the positions. The estimated completion for the hiring process is six months, not including basic training. Once an officer is hired, he/she can be trained and deployed within an estimated minimum of nine months. ICE is considering deploying some current resources temporarily to shorten this timeline while the full-scale hiring effort is underway to fill these positions permanently.

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**Planned Deployment of IRAs**

| ICE Field Office | Supporting Interoperability Deployments in | Number of IRAs |
|---|---|---|
| b2 high, b7e | | b2 high, b7e |
| **Total** | | |

To address the workload from ongoing and planning Interoperability deployments, ICE has also initiated the development of regional response capabilities that will be deployed in strategic locations throughout the United States to provide 24x7 support to field offices. The response capability was deployed in Miami, Florida, in Q1 FY 2009 and is currently providing support to the Boston and North Carolina field offices. Laguna Niguel, California is in the process of developing a regional response capability that will provide support to the Los Angeles and San Diego field offices during FY 2009. The SC/CIRCA regional response capability is designed to receive, review and process reports of criminal aliens in the custody of local law enforcement and determine if those aliens are candidates for removal. They have the infrastructure to place detainers on those aliens who are determined to be Level 1 criminal aliens, and coordinate with the local ICE field office to initiate the detention process. This response capability provides an economy-of-scale solution to ICE's commitment of providing a 24x7 response to Level 1 criminal aliens in local custody.

**Improved Identification Efficiency**

Another critical objective related to Strategic Goal 1 is the modernization of the processes ICE uses to identify criminal aliens. This is particularly critical because current processes that ICE employs to identify criminal aliens lack the resources and efficiencies needed to scale well in the face of rapidly growing workloads. The Q4 FY 2008 Quarterly Report described how process inefficiencies and outdated systems strain ICE's capacity to make criminal alien identifications in a timely manner.

ICE plans to expand its immediate criminal alien identification capacity by hiring more staff. Additionally, ICE is implementing the following improvements:

- Alien Criminal Response Information Management System (ACRIMe) Stabilization – Enables ICE to handle increased request volumes and better accommodate biometric information contained in Interoperability-generated requests.

- ACRIMe Modernization – Automates key workflow management processes to ensure timely processing of immigration status queries according to threat level, and to handle response-oriented communications across organizational structures.

- LESC Business Continuity – Plans for and provides people and technology redundancy to ensure criminal alien identification capabilities are available on a 24x7 operational basis.

- Research and Analysis Automation – Automates common research functions and analyses for more expedient determination of subject immigration status and threat level by assigned technicians.

All of these initiatives are described in greater detail in the following sections.

### - Stabilizing the ACRIMe System

The ACRIMe system facilitates the response of LESC personnel to specific inquiries from LEAs that seek to determine the immigration status of an individual and whether the individual is under investigation and/or wanted by ICE or other LEAs. ACRIMe also supports ICE's efforts to identify aliens with prior criminal convictions that may qualify them for removal from the United States as aggravated felons. In addition, this system of records helps to facilitate the processing of aliens for deportation or removal proceedings.

The ACRIMe system also facilitates the collection, tracking, and distribution of information about possible violations of customs and immigration law reported by the general public. ACRIMe logs requests for assistance from criminal justice personnel who contact the LESC on the full range of ICE law enforcement missions. ACRIMe supports the entry of both administrative (immigration) and criminal arrest warrants into the National Crime Information Center (NCIC), the FBI's criminal history repository. ACRIMe also enables ICE to collect and analyze data to evaluate the effectiveness and quality of LESC services and ICE's immigration law enforcement efforts.

ICE must stabilize and expand the capacity of ACRIMe to receive, log, and assign both traditional LEA-generated Immigration Status Requests (ISRs) that provide only biographic identification of the subject and Interoperability-generated requests that provide both biographic and biometric identification of the subject. The contract for ACRIMe Stabilization was awarded in Q3 FY 2008 to Electronic Data Systems (EDS) and work is underway. Upcoming significant Q2 FY 2009 ACRIMe Stabilization effort milestones include the following:

- Migrating to more stable production hardware. This will enhance system backup capabilities, improve scalability and availability, and will ensure compliance with ICE information technology (IT) architecture standards.

- Resolving high priority defects. Defect resolutions will include eliminating application freezes and unavailability occurrences. The size of ACRIMe message queues will also be

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increased, which will allow all IAQs to be prioritized and worked in a timely manner, including roadside and other high priority IAQs.

- Stabilizing the LESC electronic fax server, which is used to issue detainers to LEAs concerning identified criminal aliens.

- Developing comprehensive system documentation.

During Q4 FY 2009, the key stabilization milestone is migrating ACRIMe from a FoxPro database to an Oracle database. This will further enhance system backup capabilities, improve scalability and availability, and ensure compliance with ICE IT architecture standards.

Once these improvements are completed, ICE will continue executing existing identification processes at increased volumes.

### - Modernizing the ACRIMe System

A critical aspect of updating the ACRIMe system is research and analysis automation, which will ease workloads related to individual status determination request responses. However, these improvements and ongoing efforts to stabilize existing systems will not be sufficient to manage rapidly expanding workflow complexities as ICE forms relationships with hundreds of LEAs covering approximately 31,000 booking locations to identify and take custody of criminal aliens. Therefore, ICE has initiated the ACRIMe Modernization project, a longer-term project that is focused on planning, documenting, and designing major system improvements that support sustained workflow quality and efficiency gains. ICE awarded a contract to initiate work on ACRIMe Modernization in Q3 FY 2008 to EDS and work has commenced. Initial efforts included a working session with internal ICE stakeholders to establish and prioritize specific Modernization capabilities and milestones.

### - Ensuring LESC Business Continuity

ICE is aggressively developing short-, mid-, and long-term plans that will provide disaster recovery for critical ICE enforcement activities currently conducted at the LESC. These plans address business continuity in the event of a catastrophic event as well as the ability to effectively handle the anticipated volume of immigration status determination requests on a 24x7 basis. ICE is focusing current efforts on eliminating single points of failure within IT systems critical to LESC operations. Central to this planning effort is Phase 1 of the ACRIMe system stabilization, which will provide for daily backups of this critical LESC system in synchronization with the daily maintenance schedule of NCIC. ICE plans to complete this effort by March 2009.

ICE is focusing additional efforts during FY 2009 on moving LESC IT systems into enterprise-quality operating environments. As part of this effort, the ACRIMe system stabilization will result in system improvements that will enable ACRIMe data to be ported into enterprise-class

software and systems supporting full backup, redundancy, and disaster recovery capabilities without the need for daily downtime.

### - Automating Research and Analysis

While stabilization work proceeds, ICE has initiated efforts to plan, document, design, and acquire new systems that automate large portions of the identification process. At this time, and for the foreseeable future, ICE does not believe it is possible to automate the entire immigration status determination processes due to the need for qualified agents to verify analyses and select the correct law enforcement response based upon findings. However, ICE does believe it can automate many steps leading up to agent-approved reviews and responses. In the Q4 FY 2008 Quarterly Report, ICE reported three planned research and analysis automation efforts, which are described in the following sections.

### - Developing an Automated Threat Assessment System

ICE awarded a contract in Q3 FY 2008 to Kadix to gather requirements and document efforts to develop a system that will help ICE determine the public safety threat of individual criminal aliens and assist in assigning the correct priority level (i.e., Level, 1, 2, or 3) for removal. ICE will assess subject threat based upon national security threat level, the severity of known criminal history, and the immediacy of expected release back into the community. The system will determine threat by utilizing data provided directly in the immigration status request, national security threat lists, and NCIC-provided criminal history information. If early threat assessment efforts identify recurring data availability and data quality issues, ICE may also expand information sources to include state criminal history archives, prison release date sources, and statistical inferences (e.g., probable custody release dates based on severity of pending charges, criminal history, and holding jurisdiction). If ICE makes the decision to obtain information from additional sources, it will do so in incremental phases based on priority of the source for improving assessment quality. Using this risk-based methodology, ICE will act upon status requests according to those subjects that pose the greatest threat to public safety.

### - Automating Support for Status Determinations

ICE plans to leverage technology to expand the LESC capacity for handling expected increases in the number of immigration status requests. ICE plans to automate significant portions of the immigration status determination process. As a first step toward this effort, ICE has awarded a contract to upgrade the servers and data storage systems used by the Immigration and Customs Enforcement Pattern Analysis and Information Collection (ICEPIC) system. The contract was awarded in Q3 FY 2008 to Multimaxarray Firstsource. ICEPIC consolidates investigative and enforcement information in support of criminal investigations and immigration status determinations. This hardware upgrade will improve system performance so that ICE can deploy ICEPIC to all LESC technicians by Q2 FY 2009.

As a second step in this effort, during Q2 FY 2009, ICE will award an additional contract to expand the number of ICEPIC data sources and enable ICEPIC to more rapidly perform status determination research using Interoperability-provided biometric identifiers. These first two phases of software enhancements will eliminate the need for technicians to traverse multiple data sources when researching subject alien status. In the following phases, ICE will explore the use of analytic support tools assist technicians in preparing alien status recommendations. The system would present the recommended assessments in a way that is quickly and easily traceable back to its underlying decision factors so that a technician can ensure correct outcomes.

**Fugitive Operations**

The primary mission of Fugitive Operations is to reduce the fugitive alien population in the United States. An ICE fugitive is defined as an alien who has failed to leave the United States based upon final order of removal, deportation, or exclusion; or who has failed to report to ICE after receiving notice to do so. ICE's Fugitive Operations teams, which are deployed to the field to locate and apprehend fugitive aliens, give top priority to cases involving aliens who pose a threat to national security and community safety, including members of street gangs, child sex offenders, and aliens with prior convictions for violent crimes. Due to the success of the Fugitive Operations program, the nation's fugitive alien population continues to decline. At the end of FY 2008, there were 560,000 fugitive alien cases, a decrease of nearly 37,000 since the beginning of the fiscal year. While some of the backlog reduction resulted from recordkeeping cleansing, much of the credit for those results can be attributed to the rapid expansion of the Fugitive Operations program, the establishment of the Fugitive Operations Support Center, and the apprehension of at-large operations teams nationwide.

To ensure continued support to the Fugitive Operations program, b2 high, b additional Fugitive Operations teams have been deployed to the field since FY 2008. Of these b2 high, b teams, b2 high, b7e Fugitive Operations teams were deployed to the field in Q1 FY 2009. As more Fugit Operations teams become operational, there has been an increase in the number of arrests. In Q1 FY 2008, 5,051 fugitive aliens were arrested, including 728 criminal fugitive aliens. In Q1 FY 2009, the number jumped to 6,776 fugitive alien arrests, including 2,117 fugitive criminal alien arrests. To continue these efforts b2 high, b7e additional Fugitive Operations teams will become operational in FY 2009. The focus of ICE's Fugitive Operations teams is fugitive criminal aliens.

**287(g) Program - Support of Criminal Alien Identification**

In addition to utilizing ICE resources to identify and apprehend criminal aliens, ICE has also empowered LEAs to perform this duty. The 287(g) Program, as authorized by Section 287(g) of INA, provides LEA officers with the necessary delegation of authority, training, resources, and latitude to enforce immigration laws against aliens who they encounter as part of their law enforcement duties. The 287(g) Program is one of several ICE Agreements of Cooperation in Communities to Enhance Safety and Security (ACCESS) initiatives. ICE ACCESS is a program that was developed to provide local law enforcement agencies an opportunity to team with ICE

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to combat specific immigration challenges in their communities. ICE developed the ACCESS program based on experience gained in responding to widespread interest from state and local law enforcement agencies in the Delegation of Immigration Authority-287(g) Program.

Through the 287(g) Program, LEAs act to screen for criminal aliens upon arrest or incarceration. Some 287(g) Program partnerships may also target specific at-large criminal aliens for investigation by being combined with other ICE ACCESS partnership programs, which include joint investigations programs related to violent crimes, human smuggling, gang/organized crime activity, sexual-related offenses, narcotics smuggling, and money laundering.

ICE has established 287(g) Program partnerships with 67 LEAs and has trained 951 officers as of Q1 FY 2009. The 287(g) Program serves as a force multiplier for ICE, with local 287(g) Program designated officers performing the immigration enforcement functions, thereby enabling Immigration Enforcement Agents to focus on other duties and responsibilities. In addition, in Q1 FY 2009, 12,780 individuals were identified through the 287(g) Program as potential aliens and, of these, over 2,300 were identified as criminals. This is an increase over Q1 FY 2008, when 10,694 aliens were identified and 3,609 were identified as criminals. To put these statistics in perspective, when an individual is identified under the 287(g) Program, if he/she has no prior convictions, then he/she is not identified as a criminal at that time. However, upon conviction, that individual's status is changed to criminal alien, and the data are retroactively updated to reflect this. As a result, the data regarding the identification of criminals lags behind other statistical indicators. In addition, since January 2006, 287(g) Program designated officers have been credited with identifying over 70,000 individuals, mostly in jails, who are suspected of being criminal aliens. Recent successes of note for the 287(g) Program include the following:

- On September 9, 2008 [b6, b7c] was convicted of Torture/Punish/Cage against a Child and wa [                    ] nths of imprisonment. On September 10, 2008 members of the Collier County, Florida Sheriffs Office 287(g) Criminal Alien Task Force interviewed [b2 high, b7e] and placed a detainer. [b2 high, b7e] entered the United States at an unknown location in Texas in June 2002 without being inspected by an immigration officer. [b6, b7c] an aggravated felon, will be processed for removal proceedings upon completion of the imposed sentence and transferred to DRO.

- On September 30, 2008, the Wake County, North Carolina Sheriff's Office 287(g) Program interviewed, identified and placed detainers on five individuals who were arrested and charged with murder and accessory after the fact to murder. All five individuals were found to be in the U.S. illegally. The five men are all being held in connection to the murder of [b2 high, b7e] 26, of Raleigh, North Carolina. The five individuals will be processed for removal proceedings upon completion of the imposed sentences and transferred to DRO.

- On November 2, 2008, [b6, b7c] was arrested for the alleged homicide of Eduardo Ledesma. Police records indicate that [b6, b7c] assaulted Ledesma on a soccer field, striking him several times on and about the head. Ledesma later died at a Tulsa hospital from the severe head injuries he suffered. [b6, b7c] was booked into the Tulsa

County Jail on the charge of 2nd Degree Murder, where he was identified by the 287(g) officers and a detainer was placed on ███████ b6, b7c ███████ will be processed for removal proceedings upon completion of his sentence and transferred to DRO.

# III. Detaining and Removing Criminal Aliens

**Strategic Goals 2 and 3**

Through judicious stewardship of the SC/CIRCA appropriations, SC/CIRCA has overseen and realized significant progress in the projects focused on the detention and removal of criminal aliens. The following sections describe progress toward achievement of Strategic Goals 2 and 3. Specifically, these sections report progress on the critical initiatives regarding criminal alien detention and removal, including the following items:

- Expanding the Institutional Removal Program (IRP), including the implementation of key initiatives of the IRP, such as installing VTC equipment at prison facilities to conduct hearings of the EOIR.

- Improving Removal Efficiency through Rapid Removal of Eligible Parolees Accepted for Transfer (REPAT) program, which promotes more effective identification and removal of criminal aliens from the United States. Milestones include the implementation of Rapid REPAT in Georgia and preliminary discussions with other states to execute MOUs to implement the program.

- Targeting at-large criminal aliens using the Joint Criminal Alien Removal Task Force (JCART), including the development of a pilot for [b2 high, b7e] JCART teams to develop systemic methods to locate high-threat at-large criminal alie

- Sustaining progress in DROM, including the project to replace the legacy DRO systems, which includes the development and deployment of the ENFORCE Alien Removal Module (EARM) and ENFORCE Alien Detention Module (EADM); and improvements in criminal alien tracking, including a contract award for systems to improve detainee location tracking, bed space management, and detainee transportation management.

- Expanding the eTD System, including the execution of MOUs with the Dominican Republic and Colombia to deploy the eTD system to review travel document request packages online.

- The Operation Last Call (OLC) program, which seeks to identify, assess, collect, exploit, process, analyze, and disseminate intelligence derived from interviews with detained aliens. Milestones include finalization of plans to deploy [b2 high, b7e] additional officers dedicated to SC/CIRCA operations to the [b2 high, b7e] DRO Field Offices.

- Increasing Bed Space Capacity, including securing funds to locate more than 1,200 additional beds near Interoperability Deployment jails and prisons.

- Increasing Transportation Capacity, including doubling the government-managed aircraft fleet dedicated to the removal of criminal aliens.

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- Streamlining Case Management Processes, including conducting case reviews to improve tracking of cases in ICE's detention management system and implementing case management procedures

**Expanding the IRP**

A critical aspect of achieving the goals and objectives of Strategic Goal 2 is establishing processes and procedures to expedite the removal of criminal aliens. One program that helps accomplish this objective is the IRP. The IRP enables ICE to complete substantial portions of the removal process while criminal aliens serve their sentences, which significantly reduces the average amount of time these aliens spend in ICE detention between their sentence end date and their removal from the United States.

Though IRP proved effective at reducing the cost of detaining criminal aliens, historically, IRPs were difficult to implement due to the requirement of physically locating EOIR judges on-site to conduct immigration hearings due to large case loads. IRPs were further complicated because some prisons had insufficient space for utilization as hearing rooms. In these cases, either IRPs could not be established at the candidate prison or established IRPs could not be as effective at completing the bulk of the removal process before ICE accepted custody of the criminal alien. The DOJ Bureau of Prisons (BOP) and some state prisons worked with ICE to concentrate criminal aliens in certain facilities where IRPs were available to compensate for space and case load issues. However, many state prisons and almost all local prisons lacked a sufficient number of facilities to conduct immigration hearings on-site.

To resolve these issues, in FY 2007 ICE initiated a new solution to the space and case load issues through the installation of VTC systems at ICE sites, EOIR sites, and prison facilities. Through FY 2008, ICE installed VTC systems at 37 EOIR sites. Of these 37 sites, three were funded by SC/CIRCA. Six VTC systems are scheduled for installation in Newark, New Jersey during FY 2009, pending the execution of interagency agreements. These installations provide significant benefits, including the ability for ICE to obtain final orders on the criminal aliens while they are still incarcerated. An additional benefit is the ability for EOIR judges to conduct immigration hearings and for ICE to conduct other removal processing activities for criminal aliens without travelling. Furthermore, the same VTC installations used for the IRP can be used by ICE to interview foreign nationals and local law enforcement officials when attempting to establish subject identity and alien status. As part of the VTC deployment, EOIR is currently conducting hearings in the BOP Allenwood Federal Correctional Complex in Allenwood, Pennsylvania.

Utilizing VTC systems, ICE was able to significantly expand IRP. As a result of VTC installation, full IRP capabilities are currently available at 50 state and local prisons.

**Improving Removal Efficiency through Rapid REPAT**

In conjunction with obtaining the appropriate resources, ICE is also laying the groundwork for utilizing internal programs to streamline the removal process for non-violent criminal aliens from

the United States. These removals free up critical resources, such as bed space, that can be utilized for criminal aliens. One of these programs is the Rapid REPAT program. In November 2007, ICE began meeting with state executive agencies to discuss the concept of the Rapid REPAT program as part of the ICE ACCESS initiative.

The Rapid REPAT program promotes more effective identification and removal of criminal aliens from the United States, while still preserving the integrity of the criminal justice system. It is modeled after two successful ongoing programs in New York and Arizona.

Under Rapid REPAT, certain non-violent criminal aliens may receive early conditional release from state incarceration if they cooperate in the processing and execution of their removal and agree to be removed from the United States. Criminal aliens removed through Rapid REPAT who re-enter the United States may face serving the remainder of their original criminal sentence, depending on state statutes, and may face felony prosecution under federal immigration law through ICE's Operation Repeat Offender. Through its structure of incentives and punishments, Rapid REPAT prevents criminal elements from returning to the United States while simplifying the removal process, reducing states' Department of Corrections costs, and serving the demands of justice.

Over the last several months, ICE has contacted every state regarding the potential benefits of implementing a Rapid REPAT program. As part of these efforts, ICE executed MOUs with Puerto Rico in July 2008 and Rhode Island in September 2008. In Q1 FY 2009, Georgia implemented the program. ICE continues to engage in discussions with several other interested states, and will announce new participants once they ratify their partnerships through executed MOUs.


**Targeting At-Large Criminal Aliens Using the Joint Criminal Alien Removal Task Force (JCART)**

ICE has a strong focus on targeting recidivist criminal aliens as part of the SC/CIRCA program. Among the initiatives ICE is currently pursuing in this area is the development of JCART. Currently, ICE is in the process of piloting(2 high, b7e)JCART teams that will be responsible for concentrating initial efforts on developing repeatable methods for apprehending high-threat, at-large criminal aliens.

JCART pilot teams will set previously deported at-large criminal aliens as their first target populations. This population includes all aliens who have been previously deported and re-entered the United States, as well as those who have been convicted of a crime and released from jail. A recent study of Los Angeles County inmates by the RAND Corporation found that previously deported criminal aliens are far more likely than other inmates to commit additional crimes upon their release. Nearly 75 percent of the previously deported criminal alien population were arrested for suspicion of additional criminal activity within one year and 28 percent were arrested three or more times during the one-year period. ICE is developing a process through JCART to more aggressively target apprehension of these individuals before

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they commit new crimes, re-enter LEA custody, and become subject to identification through CAP and Interoperability.

To achieve this mission, JCART pilot teams will develop systematic methods to locate high-threat, at-large criminal aliens, including those who have been previously deported. Central to developing successful operations, JCART teams will pursue partnerships with other federal, state and local law enforcement agencies to leverage their existing workforce knowledge and information sources. One key information source is the parole and probation records, which will be employed to determine last known addresses, upcoming hearing dates, and other subject information that could assist in making apprehensions. ICE will also test other location and apprehension techniques developed by Fugitive Operations and LEA partners.

## DRO Modernization

As part of its efforts to modernize ICE's detention and removal management processes, DRO is managing a comprehensive effort, DROM, to automate the architecture of its critical IT management systems. These improvements include the replacement of legacy systems related to the detention and removal of criminal aliens with modernized systems that enhance productivity and performance. DRO has also awarded a procurement to develop an integrated system that will link DRO's bed space management, transportation management, and detainee location tracking systems that will result in greater efficiencies in detention and removal management.

### - Implementing DRO Modernization

DRO faces a continued demand to improve its operational performance, and is leveraging DROM to address its mission-critical operational requirements. DROM will improve technology and business processes to better manage, track, and report on the movement of aliens through the immigration enforcement lifecycle. DROM will improve operational efficiency, decrease length of stay, and increase removals.

In addition to performing system improvements on its mainframe system under DROM, ICE has also implemented improvements on a variety of other systems that together make up the core of ICE's detention and removal processes. The ongoing modernization of these systems has resulted in substantial efficiency improvements in a variety of areas. Among these are system improvements that provide ICE with a current snapshot of the status and general location of all criminal aliens in ICE custody. Improved reporting allows ICE to better understand operational trends over time. However, snapshot and trend information availability in the current state is only as good as the accuracy and detail of the information combined with the ability for ICE to analyze the data. ICE manages many important detention and removal functions, mostly in the area of criminal alien tracking, through largely manual efforts. This is due to difficulties recording accurate information through automated means and the lack of analytic support for managing complex processes.

To resolve this issue, ICE plans to automate bed space management, transportation management, and detainee location tracking. Through automation, ICE will effectively manage its rapidly growing detention and removal resources while also ensuring officer safety as the numbers of high-threat criminal aliens housed in ICE detention facilities increases.

Strides have been made to modernize tracking capabilities and establish an electronic means of tracking criminal aliens while in ICE custody. To accomplish this, the ICE Integrated Decision Support System (IIDS) was fielded in conjunction with the deployment of the EARM in FY 2008. The IIDS facilitates business and organizational decision-making activities by using an interactive software-based system to compile information to track an alien from the time of an encounter to the actual removal. The database maintains relevant data, entered by the ENFORCE users, to identify and track criminal and non-criminal aliens, their locations, and their status. The system is used by DRO Headquarters to prepare statistics on criminal and non-criminal aliens and other relevant information requested by ICE leadership, Congress and the Administration.

During Q1 FY 2009, progress has been made in obtaining an electronic means of tracking the physical location of detainees. In November 2008, ICE awarded Northrop Grumman an integrated procurement to develop the DROM BST&T modules.

The BST&T project consists of three modules: the Detainee Location Tracking (DLT) Module, the Central Reservation System (CRS) Module, and the Transportation Management System (TMS) Module. The DLT system will enable DRO to track the location of all detained aliens in real-time. The system will use Radio Frequency Identification (RFID) technology within facilities and biometrics when an alien is moved outside facilities. The deployment of RFID and mobile handheld devices will allow DRO to track detainees within ICE facilities; in transit to external locations (e.g., hospital, court, etc.); and through actual removal from the United States. This new technology is expected to be delivered in FY 2009. The CRS Module, when fully implemented, will enable DRO to match available beds to alien characteristics and better manage the bed inventory real-time and in a more efficient manner. The TMS Module will enable DRO to effectively manage ground and air transportation needs of aliens, optimize routes, and minimize transportation costs. Greater efficiencies will be gained by implementing these modules and linking a final order, travel document, and repatriation flight. The resulting modules will be fully integrated with EADM and EARM to provide comprehensive, enterprise-wide, timely detention and removal information. Development of the DLT and CRS modules will achieve testing capability in Q4 FY 2009.

The BST&T reporting capabilities, along with the IIDS application, will provide reports and specialized tools to track a detainee's locations and movements, including dates/times for all events.

**Expanding the eTD System**

As ICE continues to improve overall detention and removal systems, significant strides are also being made to modernize the way electronic travel documents and other removal documents are

produced. The eTD system was deployed in 2007 to enable foreign consular officers to review travel document request packages online via the Internet and electronically issue travel documents for their citizens who are currently in ICE custody. The consular officers interview the subjects via VTC to establish citizenship prior to issuing a travel document. The eTD system now assists ICE with the monitoring and administration of over 7,000 travel documents received monthly to expedite removals and reduce average detention times.

ICE reported efficiency improvements in deploying fully electronic travel documents to Guatemala, Honduras, and El Salvador, and electronically recording and tracking the issuance of travel documents from all other countries for which they are required. Prior to its implementation, DRO did not have an accurate reporting mechanism for travel document issuance times by country or field office. Before the introduction of eTD, issuance times for the three countries was approximately 14 days. The system has helped to reduce the average issuance times to nine days, due to the elimination of mail/express mail delivery times. The eTD system has also yielded reductions in detention times and other costs associated with the transfer of correspondence between DRO and Embassy/Consular offices. During Q1 FY 2009, the eTD tracked metrics in customer results and service coverage in order to work toward the goal of reducing the mean number of days to issue travel documents.

Although tracked in eTD, travel document activity for non-participating countries is conducted manually, with over 1,400 requests submitted and over 340 travel documents issued each month. To obtain the full benefit of eTD, ICE continues to pursue MOUs with several countries to enable them to begin issuing fully electronic travel documents in the near future. In Q1 FY 2009, ICE executed an MOU with the Dominican Republic, which will have the system fully deployed by January 31, 2009. In addition, Colombia executed an MOU in October 2008, but will not start using the system until system enhancement requirements are addressed. The system will be operational for use with Colombia during FY 2009. ICE continues to negotiate with three additional countries − Nicaragua, Jamaica, and Ecuador − to begin using fully electronic travel documents. Following the execution of an MOU, ICE will move forward with additional training and equipment installations.


**Operation Last Call (OLC)**

OLC is a nationwide ICE initiative that seeks to identify, assess, collect, exploit, process, analyze and disseminate intelligence derived from interviews with detained aliens. The prioritized collection efforts under OLC are based on the standing and ad hoc intelligence requirements of ICE, DHS and members of the law enforcement and intelligence communities. Under the SC/CIRCA initiative, the policies, procedures, and capabilities of OLC will be used to develop intelligence from criminal aliens related to officer safety, gang activity, routes, and methods used by removed aliens to re-enter the country, weapons trafficking, narcotics distribution, money laundering, and other threats to public safety. Based on the efforts of OLC, SC/CIRCA hopes to utilize the intelligence to locate additional criminal aliens, particularly Level 1 criminal aliens.

As part of the OLC effort, SC/CIRCA is funding the hiring of additional officers to gather intelligence related to the SC/CIRCA objectives of locating and removing criminal aliens from

ICE FOIA 10-2674.000205

the United States. OLC is currently in the process of hiring [b2 high, b7e] additional OLC officers dedicated to SC/CIRCA operations.  Once these officers ar        d and trained, currently scheduled for Q2 FY 2009 [b2 high, b7e] will be deployed in the [b2 high, b7e]  Field Office and [b2 high, b7e] will be based in the [b2 high, b7e]  Field Office to better align with current SC/CIRCA activities, particularly tho        Interoperability.

## Increasing Bed Space Capacity

As a result of increased identification of criminal aliens, SC/CIRCA will fund an estimated 1,246 beds dedicated to criminal aliens for use by ICE.  ICE is developing the plans and processes to effectively manage the near-term effects of the FY 2009 Interoperability Deployment and increased SC/CIRCA criminal alien enforcement activities on bed space requirements.  One of the initiatives ICE is pursuing is the placement of FY 2009 SC/CIRCA-funded beds near Phase 1 Interoperability Deployment jurisdictions.  ICE currently plans to concentrate additional beds in support of five Phase 1 Interoperability states: California, Nevada, Massachusetts, North Carolina and Texas.  The following table shows planned locations for new beds in FY 2009. These plans are still under review and may be adjusted prior to full implementation. ICE will locate additional personnel in relation to planned bed placements.  Further, if ICE is required to accommodate unexpectedly large FY 2009 SC/CIRCA-related bed space requirements, ICE will meet these extra bed capacity requirements using a portion of the $150 million that Congress appropriated for SC/CIRCA for FY 2009.  The bed space expansions for FY 2009 will be deployed during Q2, Q3, and Q4.

### Planned Deployment of Additional Beds in FY 2009

| Location | Supporting Interoperability Deployments in | Number of Additional Beds |
|---|---|---|
| Barnstable, MA | Massachusetts | 84 |
| Cabarrus County, NC | North Carolina | 21 |
| Cumberland County, NC | North Carolina | 25 |
| Henderson County, NC | North Carolina | 42 |
| Jean, NV | California | 510 |
| Montgomery County, TX | Texas | 301 |
| Johnson County, TX | Texas | 200 |
| New Hanover County, NC | North Carolina | 21 |
| Wake County, NC | North Carolina | 42 |
| **Total** | | **1,246** |

To define SC/CIRCA bed space needs beyond FY 2009 more precisely, ICE is gathering statistics through its survey of jails and prisons and will gather additional statistics as Interoperability Deployment begins.  These statistics will enable ICE to refine its estimate of the total annual criminal alien population and will provide improved population threat, removability, geographic location, and other types of demographics to better target capacity expansion based on these important decision-making factors.  ICE is reviewing current bed space to ensure it is utilized in a manner that ensures priority is given to detention of criminal aliens.

**Increasing Transportation Capacity**

In addition to increasing its bed space to accommodate criminal aliens, ICE is also developing a future-state transportation solution that takes into account the need to effectively and safely transport Level 1, 2, and 3 criminal aliens. As part of this update, when SC/CIRCA identifies increased numbers of criminal aliens for pickup and removal, ICE will expand both commercial and government-managed alien transportation capacity. SC/CIRCA will provide funding for transportation contracts projected to be awarded in Q2 and Q3 FY 2009. The total number of Other-Than-Mexican (OTM) foreign removals completed via ICE-managed Flight Operations was 76,102, of which 22,759 were criminal aliens. The ICE Flight Operations Unit (FOU) exceeded 145,000 foreign removals during FY 2008, which included over 60,000 criminal alien removals. FOU completed 50,702 criminal alien removals in FY 2007. The projected number of criminal alien removals FOU estimates it will complete in FY 2009 is 83,712. The number of criminal alien removals will be dependent on the number of criminal aliens arrested and placed into the removal process.

For FY 2009, FOU has more than doubled the number of FY 2007 government-managed aircraft from four to nine; adding one addition to the Justice Prisoner and Alien Transportation System (JPATS) fleet since Q4 FY 2008. JPATS is a joint operation between the U.S. Marshals Service and ICE, which is used to transport prisoners in the custody of the BOP and ICE criminal/administrative aliens to hearings, court appearances, and detention facilities. Combined, FOU manages five JPATS aircraft and four ICE chartered aircraft. The extra aircraft will increase flight transportation capacity to approximately 257,134 alien transports per year. Each flight will be able to accommodate criminal and non-criminal aliens alike, covering potential changes in the ratio of criminal to non-criminal removals as a result of SC/CIRCA operations.

By increasing flight capacity according to this plan, FOU will support SC/CIRCA's FY 2009 removal needs while also providing greater flexibility in domestic alien movements, allowing for increased operational efficiencies.

**Streamlining Case Management Processes**

Another critical aspect of expediting the removal process is establishing strong case management procedures to ensure that ICE has the proper documentation to ensure an alien's removal. To support this process, ICE implemented the CMU in FY 2008 to standardize and streamline the case management processes for detained aliens across the organization. The CMU aims to achieve its goals by making case management efficiency reporting more visible to senior leadership and improving results-driven accountability through independent reviews.

During Q1 FY 2009, CMU reviewed a total of 4,162 detained cases from the WILDC report. Of those, 1,309 cases were identified, fast-tracked, and scheduled for removal. An additional 487 cases were updated and corrected in EARM.

To establish and propagate best practices across the organization, the CMU provides all local offices with a weekly specified sample of cases arranged by specific categories such as nationality, country of origin, or criminal status. The information generated by the report is reviewed by CMU and field office management to ensure appropriate case management is occurring within the field offices. CMU will continue to implement case management procedures to help ensure overall efficiency through such activities as developing worksheets; maintaining case management databases; developing weekly and monthly reporting requirements; and conducting field office site visits to provide training and ensure field office compliance with regulations and procedures.

An additional duty of the CMU is to conduct on-site reviews of cases at local DRO field offices to confirm compliance with policies and procedures and to confirm that report submissions possess accurate and timely information. These reviews ensure field office compliance with regulations and procedures and maintain accountability for reported results.

# IV. Deterring Recidivism

**Strategic Goal 4**

ICE continues its improvements to the security of our nation's communities through the removal of high-threat criminal aliens. These efforts are reinforced by employing strong measures to prevent reentry of removed criminal aliens and to enforce severe consequences upon those removed criminal aliens who successfully reenter the country.

The following sections detail Q1 FY 2009 accomplishments under SC/CIRCA to achieve the objectives of Strategic Goal 4, deterring recidivism. Specifically, these sections report progress on the critical initiatives currently in progress related to this strategic goal:

- Operation Repeat Offender Expansion, including the finalization of plans to hire b2 high, b7e additional personnel to evaluate identified recidivist criminal aliens for prosecution.

- Recording nationwide wants against removed criminal aliens into NCIC, including ensuring adequate documentation on criminal aliens who have been deported for drug trafficking, firearms trafficking, or other serious violent crimes to prevent re-entry into the United States.

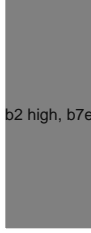**Expanding Operation Repeat Offender**

Once ICE apprehends recidivist criminal aliens, Operation Repeat Offender ensures prosecution of the alien under federal felony immigration law violations, invoking severe consequences against recidivists, which act as a strong deterrent force against reentry by other removed criminal aliens. Operation Repeat Offender resulted in the successful indictment of 1,028 criminal aliens in Q1 FY 2009, an 84 percent increase in total indictments as compared to Q1 FY 2008.

A felony conviction and 37-month sentence against a recidivist criminal alien with multiple felony convictions, including a violent aggravated felony sexual offense and commission of an aggravated felony

An arrest and 41-month sentence against a recidivist criminal alien previously convicted of multiple felonies, including sexual abuse and multiple convictions for theft of property
An arrest and pending prosecution against a criminal fugitive alien for violating a statute pertaining to criminal possession of a firearm

Through SC/CIRCA, Repeat Offender will hire b2 high, b additional personnel to evaluate identified recidivist criminal aliens for referral to U.S. Att    eys for prosecution. It is estimated that these employees will enter duty in June 2009. These personnel will be located according the table on the following page:

| | Number of ___onal Agents |
|---|---|
| b2 high, b7e | b2 high, b7e |
| **Total** | |

## Recording Nationwide Wants

The NCIC serves as the FBI's criminal history repository and is used to record nationwide wants and warrants on recidivist criminal aliens. This is particularly critical in identifying criminal aliens when they attempt to re-enter the country after a previous removal. ICE currently utilizes the Immigration Violator File (IVF) to enter criminal aliens into NCIC. The IVF contains records on criminal aliens who have been deported for drug trafficking, firearms trafficking, or serious violent crimes, and on foreign-born individuals who have violated a section of INA. Criminal aliens entered into NCIC are included in one of two categories: the Deported Felon Category or the Absconder/ICE Fugitive Category.

At the end of Q1 FY 2009, the total number of ICE IVF wants and warrants entered into NCIC was 270,002, including 133,410 deported felons and 136,592 absconders and ICE Fugitives. In addition, the LESC received 3,294 total IVF hits from law enforcement agencies. From these hits, there were a total of 647 positive deported felon hits and 1,310 positive absconder/ICE fugitive hits.

## Reducing the NCIC Backlog

Due to the high volume of criminal aliens wants being entered into NCIC, there is currently a backlog of files being entered into the system, which can hamper ICE's efforts to reduce recidivism. To assist with this initiative, SC/CIRCA funded efforts within the LESC to reduce this backlog and ensure that criminal alien recidivists are being entered into NCIC in a timely and orderly fashion. As a result of the LESC's efforts, the backlog has been reduced from 10,028 files at the end of FY 2008 to 3,056 files at the end of Q1 FY 2009. This represents a decrease of more than 60 percent and takes the LESC closer to its goal of completely eliminating the backlog. SC/CIRCA will continue to fund reduction of the backlog and assist the LESC with its efforts to reduce recidivism as this is a critical part of SC/CIRCA's strategic goals and objectives. Based on this partnership, the backlog of entering wants into LESC will be completely eliminated by the end of FY 2009. Moving forward, this will assist ICE with ensuring accuracy and timeliness of its information on recidivist criminals and will enable ICE to continue to make significant progress in implementing the spirit and objectives related to this critical initiative

# V. Program Management

The SC/CIRCA Program Management Office (PMO) provides oversight to deliver the SC/CIRCA projects on time and on budget by managing the schedule, scope, and resources while monitoring the cost and quality across the whole portfolio. The PMO provides expertise tailored to the unique business requirements of SC/CIRCA while taking responsibility for all projects included in the portfolio. In addition, the PMO provides the extra focus and resources that complex projects demand.

The following sections detail Q1 FY 2009 accomplishments and milestones related to the SC/CIRCA PMO. Activities were undertaken by the PMO to ensure achievement of SC/CIRCA objectives, optimize resources and activities, and track budgetary outlays. In particular, the next sections detail the following activities:

- Ensuring Conceptual Integrity by initiating the development of the Concept of Operations (CONOPS) and Capacity Optimization processes to review and improve business processes, business architecture, and resource allocation within SC/CIRCA initiatives.

- Managing the SC/CIRCA budget, including performing a comprehensive analysis of all SC/CIRCA program operations to determine appropriate expenditures.

These activities make up the critical activities currently being deployed by SC/CIRCA for program management operations.

**Ensuring Conceptual Integrity**

The broad scope of SC/CIRCA requires the development and utilization of best practices and tools to ensure conceptual integrity. Toward that end, SC/CIRCA has initiated two key initiatives: CONOPS Work Plan and Capacity Optimization. These efforts will be employed to support planning, forecasting, and decision making.

**- Developing an Integrated Concept of Operations**

The SC/CIRCA CONOPS will provide a comprehensive business process and business requirements definition for the SC/CIRCA PMO. The CONOPS will provide the basis for SC/CIRCA program planning, stakeholder communication, and congressional/departmental documentation development. It will also establish the foundation for business requirement traceability as a mechanism to provide funding and verification oversight to other ICE PMOs, such as DROM and LESC Modernization.

To create the SC/CIRCA CONOPS, business processes and requirements are being defined across the SC/CIRCA Program, focusing on the immigration enforcement lifecycle from the identification of known Level 1 criminal aliens through removal. The CONOPS is being iteratively developed and will baseline knowledge of existing business processes/capabilities,

document SC/CIRCA community stakeholders, users, services, systems, and the flow of information between them, define desired business processes and capabilities in alignment with the SC/CIRCA vision, and identify gaps that need to be addressed to achieve the desired state. The model includes cost-effectiveness as a decision-making criterion. Initial iterations will focus on Level 1 criminal aliens held in local LEA custody, and future iterations will include the identification and removal of at-large criminal aliens, and known Levels 2 and 3 criminal aliens.

During Q1 FY 2009, SC/CIRCA consolidated information regarding the various programs that SC/CIRCA will impact and with which it will interact, and documented the processes and activities that are currently required to identify a criminal alien. Preliminary gap analysis was also performed on the criminal alien identification process. During Q2 FY 2009, SC/CIRCA will document the current and desired state of the remaining business processes, information flows, and capabilities of business areas within the scope of the SC/CIRCA that contribute to the program's mission. The team will analyze this information to identify gaps and risks that need to be addressed to achieve the SC/CIRCA objectives. SC/CIRCA will then develop a CONOPS document during Q3 FY 2009 and subsequently integrate business requirements.


### - Optimizing ICE Capacity

In addition to developing the CONOPS, SC/CIRCA is developing capacity modeling, which will assist ICE in making decisions on investments based on their relative impact on mission effectiveness, cost, risk, feasibility, timeliness, and other related sensitivities. The modeling initiative will support the development of capacity optimization by providing information to support immediate and longer-term decisions, such as workforce planning, budget allocation, capacity planning, business architecture, and technology. Several data-driven, analytical models will be employed to examine:

- Demand on the SC/CIRCA program based on forecasts of the population of criminal aliens in custody at federal, state, and local law enforcement agencies.

- Assessment of physical and process flows, with associated service levels (e.g., performance, goals, bottlenecks, constraints) and impacts of investments (e.g., technology, people) on system performance.

- The relationships of resources, their dependencies, and their capacity (e.g., staffing, bed space/detention facilities, transportation), and optimizing the allocation of resources across the system.

- Cost estimates and allocation for people, process, technology, and infrastructure needs (e.g., program funding).

- Timeline and schedule for Interoperability deployment based on prioritization of local jails and prisons, the assignment of local jails or prisons to ICE detention facilities, and a geographical breakdown of cost by agents, facilities, and transportation modes.

SC/CIRCA's capacity modeling will evaluate the ICE resources used in identifying, apprehending, detaining, and removing dangerous criminal aliens (Levels 1, 2, and 3) that are in federal, state and local custody. The outcome of this effort is the development of four models:

- Demand Analysis Model – Approach to forecasting the illegal alien population distribution geographically based on historic population growth and anticipated future trends.

- Deployment Optimization Model – Approach to prioritizing the local jails or prisons to be engaged and determining the optimum sequencing and scheduling of the 3,000+ local jails and/or prisons over the next three years to maximize impact while maintaining a feasible operation.

- Strategic Decision Model – Approach to understanding cause/effect relationships and examining cost and risk trade-offs to support investment decision making (e.g., technology impacts, staffing, capacity of detention facilities).

- Network Optimization Model – Approach to identifying optimal detainee processing solution by generating requirements for each facility and transportation option, and related costs.

During Q1 FY 2009, SC/CIRCA performed a high-level analysis to prioritize the remaining counties for consideration in the next Interoperability Deployment phase. SC/CIRCA analyzed internal and external data composed of:

- FBI violent crime statistics for 2007.

- United States Census of foreign-born, non-citizen population percentages for 2000.

- DRO apprehensions/charging documents issued for 2007.

- CAP Limited Coverage, High-Risk Assessment for Tier 2 facilities.

There were several key limitations for utilizing the internal and external data referenced above, many of which required SC/CIRCA to interpolate the data. In addition, the analysis did not consider capacity constraints, and focused purely on demand and risk measurements. The analysis excluded counties already selected for the Phase 1 deployment

The methodology behind this analysis included the following:

- Employed estimates for violent crimes committed by foreign-born non-citizen individuals and estimates for DRO apprehensions.

- Performed iterative simulations that employed varying analysis criteria.

- Identified counties that are most often scored as high risk.

The analysis prioritized 87 counties as candidates for the next phase, representing locations characterized with a high likelihood of violent crimes committed by foreign-born, non-citizen individuals, and a high activity of DRO apprehensions. This list of candidate counties will be further refined during Q2 FY 2009 by applying operational and implementation constraints to produce a final list of deployment counties for the next phase.

### - Updating the Strategic Plan

Planning for the remainder of FY 2009 and beyond continues in conjunction with the execution of the SC/CIRCA projects and programs on a daily basis. As a result of analysis, SC/CIRCA plans to refine and enhance the overall program in order to enhance management structure, leverage technical resources, implement best practices, achieve economies of scale, manage scarce resources, and achieve the best possible results for ICE and our nation.

One of the first tangible products from this analysis will be the development of a revised Strategic Plan for SC/CIRCA. The original Strategic Plan was created with the intention for it to serve as a living document. As such, it is being revised and updated to accurately reflect priorities, incorporate lessons learned, and ensure alignment with the priorities and goals of the Administration, Congress, DHS and ICE. The initial efforts to review the Strategic Plan have begun, with the identification of the requirement and preliminary analysis. Additional analysis and efforts will continue through Q2 FY 2009. It is anticipated that a revised Strategic Plan will be completed during FY 2009.

**Utilizing Appropriated Resources**

As stated in the SC/CIRCA Strategic Plan and the SC/CIRCA FY 2009 Appropriation Utilization Plan, ICE will be reviewing and updating program budgets quarterly. ICE noted two new revisions to the FY 2008/2009 appropriation budget in Attachment 2 of the SC/CIRCA FY 2009 Appropriation Utilization Plan, which are reiterated below. During this reporting period, ICE has made no plan revisions with respect to the FY 2009/2010 appropriation compared to the plan presented in the SC/CIRCA FY 2009 Appropriation Utilization Plan, but ICE is continuing to review current resources and how they can support the SC/CIRCA plan.

**SC/CIRCA FY 2008/2009 Revision 1: Realigned $1,940,000 from IT Management & Architecture to Program Management Office** – ICE originally set aside funds for IT program management in IT Management & Architecture and set aside funds for operational program management in the PMO. To encourage strong integration between information technology and operational efforts, ICE combined these management needs into a single contract awarded in July 2008 for Program Management services. As a result, ICE is realigning funds associated with information technology program management from IT Management & Architecture to the PMO.

**SC/CIRCA FY 2008/2009 Revision 2: Realigned $1,842,000 from Video Teleconferencing to Detention and Removal Systems and Identification Systems** – ICE revised the FY 2009 VTC cost estimate down by $1,842,000 based on a preliminary review of the target site list that identified specific installation needs.  As a result of reduced VTC funding needs, ICE will add $300,000 toward funding DRO systems described earlier in this document and will add $1,542,000 toward funding Identification systems described earlier in this document.

**Statement Regarding Future Revisions:**  As ICE begins large-scale execution using SC/CIRCA funds during the remainder of FY 2009, ICE plans to place all acquisitions and incurred payroll first against the FY 2008/2009 appropriation.  Once these funds are exhausted, ICE will then place remaining acquisitions and incurred payroll against the FY 2009/2010 appropriation.  As a result, ICE will likely move planned amounts between the two appropriated funding sources to match timing of hires and submitted acquisitions throughout the remainder of the fiscal year.  ICE will continue to note reasons for changes to total planned costs by line item in future Congressional Status Reports.  When total planned costs remain unchanged, but amounts move between the two SC/CIRCA funding sources to match execution, ICE will present revised numbers in tables and charts without further explanation.

## SC/CIRCA FY 2009 Funding Plans and Obligations ($000's)

| Category of Activity | Plan by Appropriation | | | | Obligations by Appropriation | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | ICE FY09 Base | SC FY 08/09 | SC FY 09/10 | Total Plan | ICE FY09 Base | SC FY 08/09 | SC FY 09/10 | Total Obligated | % |
| Identification and Processing | $352,585 | $41,635 | $25,059 | $419,279 | $66,331 | $707 | $0 | $67,038 | 16% |
| Criminal Alien Program | $162,089 | $10,220 | $0 | $172,309 | $28,318 | $0 | $0 | $28,318 | 16% |
| Interoperability Response | $0 | $11,500 | $14,233 | $25,733 | $0 | $0 | $0 | $0 | 0% |
| Joint Criminal Alien Removal | $0 | $0 | $4,077 | $4,077 | $0 | $0 | $0 | $0 | 0% |
| Fugitive Operations | $36,236 | $0 | $0 | $36,236 | $7,105 | $0 | $0 | $7,105 | 20% |
| Criminal Alien Investigations | $38,900 | $0 | $0 | $38,900 | $6.916 | $0 | $0 | $6.916 | 18% |
| 287(g) Delegation of Authority | $54,130 | $0 | $0 | $54,130 | $13,299 | $0 | $0 | $13,299 | 25% |
| Law Enforcement Support Center | $34,250 | $16,733 | $0 | $50,983 | $5,979 | $707 | $0 | $6,686 | 13% |
| Operation Repeat Offender | $26,980 | $2,400 | $6,749 | $36,129 | $4,714 | $0 | $0 | $4,714 | 13% |
| Operation Last Call | $0 | $782 | $0 | $782 | $0 | $0 | $0 | $0 | 0% |
| Detention and Removal | $803,700 | $71,829 | $35,464 | $910,993 | $322,604 | $0 | $0 | $322,604 | 35% |
| Availability of Detention Beds | $548,900 | $42,558 | $21,319 | $612,777 | $235,101 | $0 | $0 | $235,101 | 38% |
| Operation of Detention Beds | $163,700 | $16,638 | $8,040 | $188,378 | $70,115 | $0 | $0 | $70,115 | 37% |
| Removal Transportation | $91,100 | $12,633 | $6,105 | $109,838 | $17,388 | $0 | $0 | $17,388 | 16% |
| Information Technology | $0 | $56,007 | $14,500 | $70,507 | $0 | $10 | $0 | $10 | 0% |
| Identification Systems | $0 | $26,640 | $14,500 | $41,140 | $0 | $10 | $0 | $10 | 0% |
| Detention and Removal Systems | $0 | $20,300 | $0 | $20,300 | $0 | $0 | $0 | $0 | 0% |
| Video Teleconferencing | $0 | $6,007 | $0 | $6,007 | $0 | $0 | $0 | $0 | 0% |
| IT Management & Architecture | $0 | $3,060 | $0 | $3,060 | $0 | $0 | $0 | $0 | 0% |
| Management Support | $0 | $11,004 | $0 | $11,004 | $0 | $157 | $0 | $157 | 1% |
| Program Management Office | $0 | $6,902 | $0 | $6,902 | $0 | $157 | $0 | $157 | 2% |
| Facilities and Mission Support | $0 | $4,102 | $0 | $4,102 | $0 | $0 | $0 | $0 | 0% |
| Total | $1,156,285 | $180,475 | $75,023 | $1,411,783 | $388,935 | $874 | $0 | $389,809 | 28% |

**The Way Forward**

The significant progress that SC/CIRCA has achieved to date has laid the foundation for continued growth and advancement. The SC/CIRCA program is less than a year old and has developed and evolved as the projects under it have unfolded and critical milestones have been attained. Since its inception, SC/CIRCA has developed a comprehensive set of processes and programs centered on its goal of modernizing the approach to apprehending, detaining, and removing criminal aliens from the United States. A key aspect of this program has been the development and subsequent deployment of Interoperability across the United States, which is continuing to increase the number of criminal aliens being processed as more individuals are identified by Interoperability.

A critical element of the future state vision for SC/CIRCA is to implement key infrastructure, technology, and process improvements to enable ICE to effectively process and remove the increased numbers of identified criminal aliens. To achieve this goal, SC/CIRCA has developed a multi-faceted approach:

1. Deploying 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.

2. Modernizing technology, particularly in the areas of criminal alien identification, detention management, removal management, technology management, and detainee location tracking.

3. Enhancing the Bedspace and Transportation Capacity of ICE, particularly to ensure that there are sufficient beds and transportation resources to accommodate increased numbers of criminal aliens and their specialized needs.

4. Implementing 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.

# V. Appendices

## Appendix 1. Key Activities and Milestones

| Milestone | Planned Start | Planned End | Status |
|---|---|---|---|
| **Identification and Processing** | | | |
| Deploy Interoperability nationwide to identify all criminal aliens encountered by law enforcement | Apr 2008 | Sep 2011 | Rolled out to 14 of the 51 sites identified as part of the Phase 1 Interoperability Deployment |
| Develop/implement a public outreach plan/survey that solicits the capability and interest from all prisons and jails | Apr 2008 | Sep 2009 | Survey process complete for Phase 1 Interoperability Deployment sites; survey has been developed for Phase 2 locations and will be rolled out when the final list of Phase 2 locations has been approved |
| Refine the crimes within each category and level based on data gathered from county and local law enforcement systems | May 2008 | Dec 2008 | Complete-Research suspended; crimes per level currently being tracked utilizing input from NCIC database |
| Roll out Interoperability to Phase 1 jurisdictions | Aug 2008 | Feb 2009 | Completed deployment at 14 of the 51 Phase 1 locations |
| Determine approach to screen existing inmate populations at state prisons | Oct 2008 | Feb 2009 | Strategy is in the process of being developed |
| Roll out Interoperability to Phase 2 jurisdictions | Mar 2009 | Sep 2009 | Not yet started |
| Roll out Interoperability for remaining jails/prisons | Oct 2009 | Sep 2011 | Not yet started |
| Determine strategy to ensure 24x7 operational coverage nationwide | Sep 2008 | Jan 2009 | Hiring high, IRAs for 24x7 coverage in Phase eployment locations |
| Establish 24x7 response capability | Nov 2008 | Sep 2010 | Response capability has been established in Miami and processes are in place to establish a center in Laguna, CA |
| Develop and implement a system to automate routing of Interoperability requests and responses | Aug 2008 | Sep 2010 | Working to purchase necessary hardware and software to develop application |
| Develop Interoperability request and response system requirements | Aug 2008 | Jan 2009 | Developed and submitted iterations of development schedule for approval within DHS Architecture |
| Complete Interoperability request and response system stabilization efforts | Feb 2009 | Sep 2009 | On track for completion |
| Complete Interoperability request and response system modernization efforts | Feb 2009 | Sep 2010 | On track for completion |
| Install VTC capacity at participating jails/prisons to conduct interviews and hearing for criminal aliens | Jul 2008 | Sep 2011 | Phase 1 contracts awarded. 37 out of 56 VTC systems installed. 19 additional systems awaiting install pending inter-government and correctional facility agreements |
| Determine interest from state and local institutions in adding VTC | Apr 2008 | Ongoing | Outreach ongoing |
| Work with BOP to determine need for additional VTC systems | May 2008 | Ongoing | Outreach ongoing |

| Milestone | Planned Start | Planned End | Status |
|---|---|---|---|
| Install VTC for Phase 1 priority locations | Jul 2008 | Mar 2009 | Phase 1 contracts awarded. 37 out of 56 VTC systems installed. 19 additional systems awaiting install pending inter-government and correctional facility agreements |
| Install VTC for Phase 2 locations | Oct 2008 | Dec 2009 | 140 Phase 2 sites selected. Systems are currently undergoing deployment planning |
| Install additional VTC at federal, state and local locations | Oct 2009 | Dec 2011 | Not yet started |
| **Detention and Removal** | | | |
| Complete a needs assessment and acquisition plan for criminal alien transportation requirements | May 2008 | Mar 2009 | FY 2009 Flight Operations Unit (FOU) plan set. Long-term planning ongoing. On track for completion |
| Complete a needs assessment for criminal alien bed space | May 2008 | Mar 2009 | Initial assessment complete |
| Develop DROM detention and removal modules in support of the Plan | May 2008 | Sep 2011 | Award for module development has been made and kick-off is in the process of being assembled |
| Develop interface to integrate identification and booking data for known criminal aliens into DROM | Jan 2009 | Sep 2010 | Procurement in the process of being drafted for interface with DROM |
| Deploy electronic travel documents to all major removal destinations | Oct 2008 | Sep 2011 | Initiative ongoing |
| Deploy limited Operation Last Call teams to the field | Oct 2008 | Sep 2009 | Finalization of funding for positions being completed; positions to be announced shortly |
| Implement priority Rapid REPAT programs in participating states | Jul 2008 | Sep 2009 | Georgia signed agreement in October 2008 to implement the program. |
| Deploy limited Operation Repeat Offender personnel to the field | Jan 2009 | Sep 2009 | Currently in process of hiring additional personnel to be deployed to the field |
| Deploy additional Operation Repeat Offender personnel to the field | Oct 2009 | Sep 2011 | Initiative ongoing |
| **Management Support** | | | |
| Develop training modules focused on CAP processing | Jul 2008 | Dec 2008 | Developed training modules to roll out to new agents |
| Develop joint EOIR/ICE approach to implement the SC/CIRCA plan | Apr 2008 | Jun 2009 | Met with EOIR to exchange data to assist in future deployment planning and modeling efforts; planning formal information debrief |
| Provide Congressional Status Report to Congress | Jul 2008 | Sep 2009 | Q1 FY 2009 Congressional Status Report submitted |

## Appendix 2.  Acronyms

| Acronym/ Abbreviation | Full Text |
|---|---|
| ACCESS | Agreements of Cooperation in Communities to Enhance Safety and Security |
| ACRIMe | Alien Criminal Response Information Management System |
| APB | Advisory Policy Board |
| ATD | Alternatives to Detention |
| BEST | Border Enforcement Security Teams |
| BJS | Bureau of Justice Statistics |
| BOP | Bureau of Prisons |
| BST&T | Bed Space, Transportation, and Detainee Location Tracking Automation System |
| CAP | Criminal Alien Program |
| CBP | Customs and Border Protection |
| CIS | Citizenship and Immigration Services |
| CJIS | Criminal Justice Information Services |
| CMU | Case Management Unit |
| COE | Committed, Obligated and Expended |
| CONOPS | Concept of Operations |
| COOP | Continuity of Operations |
| COTS | Commercial Off-the-Shelf |
| CRS | Central Reservation System |
| DACS | Deportable Alien Control System |
| DEPORT | Detention Enforcement and Processing Offenders by Remote Technology |
| DHS | Department of Homeland Security |
| DLT | Detainee Location Tracking |
| DoD | Department of Defense |
| DOJ | Department of Justice |
| DOS | Department of State |
| DRO | Detention and Removal Operations |
| DROM | Detention and Removal Operations Modernization |
| EADM | ENFORCE Alien Detention Module |
| EARM | ENFORCE Alien Removal Module |
| ENFORCE | Enforcement Case Tracking System |
| EOIR | Executive Office for Immigration Review |
| ER | Expedited Removal |
| eTD | Electronic Travel Document |
| FBI | Federal Bureau of Investigation |
| FLETC | Federal Law Enforcement Training Center |
| FOD | Field Office Director |
| FOSC | Fugitive Operations Support Center |
| FOU | Flight Operations Unit |
| FY | Fiscal Year |
| GPS | Global Positioning System |
| IAFIS | Integrated Automated Fingerprint Identification System |
| IAQ | Immigration Alien Query |
| IAR | Immigration Alien Response |
| ICE | Immigration and Customs Enforcement |
| ICEPIC | Immigration and Customs Enforcement Pattern Analysis Information Collection |
| IDENT | Automated Biometric Identification System |
| iDSM | interim Data Service Model |
| IGSA | Inter-Government Service Agreement |
| IIDS | ICE Integrated Decision Support System |

| Acronym/ Abbreviation | Full Text |
|---|---|
| IIETF | IAFIS Interface Evaluation Task Force |
| INA | Immigration and Nationality Act |
| INS | Immigration and Naturalization Service |
| Interoperability | IDENT/IAFIS Interoperability |
| IRA | Interoperability Response Agent |
| IRCA | Immigration Reform and Control Act |
| IRP | Institutional Removal Program |
| IT | Information Technology |
| IVF | Immigration Violator File |
| JCART | Joint Criminal Alien Removal Task Force |
| JPATS | Justice Prisoner and Alien Transportation System |
| KST | Known or Suspected Terrorists |
| LDC | Leadership Development Center |
| LEA | Law Enforcement Agency |
| LESC | Law Enforcement Support Center |
| MOA | Memorandum of Agreement |
| MOU | Memorandum of Understanding |
| NCIC | National Crime Information Center |
| NFF | National Fingerprint File |
| NLETS | National Law Enforcement Telecommunications System, recently renamed to International Justice and Public Safety Network |
| OAM | Office of Asset Management |
| OAQ | Office of Acquisition |
| OI | Office of Investigations |
| OIA | Office of International Affairs |
| OLC | Operation Last Call |
| OMB | Office of Management and Budget |
| OPLA | Office of the Principal Legal Advisor |
| OPM | Office of Personnel Management |
| OTD | Office of Training and Development |
| OTM | Other Than Mexican |
| PMO | Program Management Office |
| Q1 | First Quarter |
| Q2 | Second Quarter |
| Q3 | Third Quarter |
| Q4 | Fourth Quarter |
| Rapid REPAT | Rapid Removal of Eligible Parolees Accepted for Transfer |
| RFID | Radio Frequency Identification |
| SC/CIRCA | Secure Communities: A Comprehensive Plan to Identify and Remove Criminal Aliens |
| SFTO | Supervisor Frontline Training Office |
| SIB | State Identification Bureau |
| SOP | Standard Operating Procedures |
| TMS | Transportation Management System |
| U.S. | United States |
| USMS | United States Marshals Service |
| US-VISIT | United States Visitor and Immigrant Status Indicator Technology |
| VCAS | Violent Criminal Alien Sections |
| VTC | Video Teleconferencing |
| WILDC | Weekly Inventory List of Detained Cases |
| WPU | Workforce Planning Unit |

# Appendix 3. Footnotes

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[i] Excerpted from Public Law (PL) 110-161

[ii] Excerpted from, "Joint Explanation accompanying Public Law 110-329" pg 1

[iii] Level 1 criminal aliens are those **i**ndividuals who have been convicted of major drug offenses and violent offenses such as murder, manslaughter, rape, robbery, and kidnapping. Level 2 criminal aliens are those individuals who have been convicted of minor drug offenses and mainly property offenses such as burglary, larceny, fraud, and money laundering. Level 3 criminal aliens are those individuals who have been convicted of other offenses. ICE currently reports information about high-risk criminal aliens under the heading of "Aggravated Felons". The capability to further refine this information and categorize it under criminal alien threat levels (Level 1, Level 2, or Level 3) is under development.

[iv] Beginning in FY 2009, ICE changed the way it measures prosecutions. ICE is no longer using the number of accepted cases as a metric. For FY 2009, ICE is tracking prosecutions based on the total number of indictments (or pleas on information without an indictment) and convictions.

[5] A detainer is a document that enables the arresting LEA to apprehend identified criminal aliens before they are released from their custody.

[6] This number does not include Office of Personnel Management (OPM) or Department of Defense (DoD) submissions through iDSM as the focus is primarily on fingerprint transmissions related to criminal alien identification, arrest, and booking.

[7] The non-Level 1 criminal aliens was calculated as 5,848 IDENT Hits - 164 Level 1 criminal aliens - 192 criminal aliens removed who were not identified as Level 1 criminal aliens - 805 non-Level 1 criminal aliens currently in removal proceedings = 4,687 criminal aliens with removal proceedings pending.