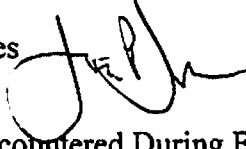




U.S. Immigration  
and Customs  
Enforcement

AUG 24 2007

MEMORANDUM FOR: Assistant Directors  
Deputy Assistant Directors  
Field Office Directors  
Deputy Field Office Directors

FROM: John P. Torres   
Director

SUBJECT: Juveniles Encountered During Fugitive Operations

Purpose

This memorandum provides clarification to the Office of Detention and Removal Operations (DRO) Fugitive Operations Teams (FOT) who encounter U.S. citizen (USC) and Lawful Permanent Resident (LPR) juveniles during execution of enforcement initiatives targeting fugitive aliens.

Summary

The attached memorandum entitled "*ICE Transportation, Detention and Processing Requirements*" remains the binding guidance to Special Agents-in-Charge (SAC) and Field Office Directors (FODs) while conducting immigration enforcement operations. However, as a matter of policy, DRO FOTs should not take custody of or transport a juvenile (i.e. child under the age of 18) who is either a USC or LPR and who is not being processed for an immigration violation. FOTs, who encounter a fugitive alien responsible for the custody of a USC/LPR juvenile, must, in this order of preference, coordinate the transfer of the USC/LPR juvenile into the safekeeping of (1) the nearest child welfare authority; (2) local law enforcement; or if options (1) and (2) are inconsistent with operational requirements, then FOTs must (3) carefully document the fugitive alien's request for transfer of the USC/LPR juvenile into the safekeeping of a verifiable third party.

The use of the first two options is strongly encouraged. Child welfare authorities and local law enforcement are better suited for making determinations related to child custody matters. Even when the fugitive alien demands transfer to a third party, FOTs are to work through child welfare authorities or local law enforcement and defer to their transfer determinations. Under limited circumstances and only when specifically approved by their FOD, FOTs may temporarily safeguard USC/LPR minors.

To the greatest extent possible, FOTs should coordinate with child welfare authorities prior to arrest of fugitive alien parents. All DRO FOTs and FOT members must maintain a current and relevant list of contacts for such agencies.



**TRANSPORTATION CONSENT FORM**  
Department of Homeland Security  
Immigration and Customs Enforcement

Know all men by these presents:

Whereas I, \_\_\_\_\_, give my consent for my child  
(NAME)

\_\_\_\_\_ to be a passenger on DHS/ICE aircraft/vehicle  
(NAME)

\_\_\_\_\_. I give my consent freely and entirely on my own initiative.  
(TAIL/LICENSE NO.)

Signed: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_  
(NAME AND TITLE)