



Criminal Alien Program Records FOIA Response from ICE – Highlights

Key Documents:

Pages 11-12: ICE memo (9/29/06) re: ICE's transfer of program responsibility and staff (Immigration Enforcement Agents and Investigative Assistants) assigned to the Office of Investigations' (OI) Institutional Removal Program (IRP) and Alien Criminal Apprehension Program (ACAP) to the Office of Detention and Removal Operations (DRO) consolidated Criminal Alien Program (CAP).

Pages 13-16: Plan for Transition of CAP from the Office of Investigations' (OI) to the Office of Detention and Removal (DRO) (6/9/04). States that ICE is "vigorously pursuing innovative methods for identifying and processing criminal aliens through technology, developing 'force multipliers,' and reducing the demands of 'traditional' DRO work (transportation of aliens, jail inspections, etc.). These are all integral parts of the DRO IRP/ACAP strategy and ultimately, the 'Endgame.'" The transition plan notes that "any real, future success of the DEPORT unit will depend on the BOP [Bureau of Prisons] and it's willingness to work with us, either with future implementation of VTC's [video conferencing] down to the simple grouping of bodies for interviews."

Pages 27-68: Draft CAP Transition Plan (Feb. 2006). This plan discusses the Institutional Removal Program (IRP) and Alien Criminal Apprehension Program (ACAP) – both consolidated under CAP. The plan also discusses an ICE study that estimated the number of foreign born nationals within state and local institutions and estimated that an agent could screen 600 "foreign born admissions" to a facility and process "300 foreign born cases" in a year. The plan also discusses the need for increased detention space and reduction of detention time by increasing the number of removal orders.

Pages 110-117: Performance Metrics Specific to Deportable Criminal Alien Identification and Removal (undated). Charts include the targeted number of charging documents issued from 2008 through 2014 and the projected number of foreign born nationals removed from the U.S. based on identification by CAP from 2008 through 2014.

Pages 125-127: List of DRO Field Offices and Other ICE Offices that Conduct Deportable Criminal Alien Identification and Removal Activity (2/9/2009). The list is partially redacted.

Pages 128-134: List of State and Local Deportable Criminal Alien Identification and Deportation External Stakeholders (undated). The list provides the state and local agencies and the type of MOA that the locality has entered into with ICE, the facilities with video conferencing in 2008 and 2009.

Pages 135-137: List of State and Local Detention Facilities that have Deportable Criminal Alien Identification and Deportation Agreements with ICE (undated). The list provides the state and local agency as well as the type of MOA the agency has entered into with ICE and the signature date.

Page 139: Chart of the "CAP Removal Process" (undated).

Pages 141-142: CAP Team Surge Office Activity Reports (FY 2008 and 2009). These charts provide the names of the field offices, the detention facilities, the surge start date, the surge end date, the number of CAP interviews, the number of those interviewed that were amenable to removal as well as the numbers of detainees lodged.

Pages 147-149: List of IT Systems that Support ICE's Deportable Criminal Alien Identification and Removal Efforts (undated).

Pages 154-191: CAP Reports from Field Offices (data collected between 12/27/08 and 1/2/09). The reports capture data from weekly reports from the ICE field offices to CAP Headquarters. The reports highlight the number of inmates screened, detainees lodged and charging documents issued based on

Pages 193 – 195: Memo to ICE Field Offices re: Reporting Guidance for the Criminal Alien Program (Dec. 21, 2007). The memo provides nine core tracking and reporting metrics as well as manual and electronic reporting requirements. The memo defines a "CAP case" as any removable alien identified in Federal, state and local jail or prison, *regardless* of the status of conviction."

Pages 196-199: Memo to all DRO employees re: CAP Case Identification in ENFORCE (July 11, 2006). The memo states that all detainees lodged will be processed utilizing the Enforcement Case Tracking System (ENFORCE). Particular codes entered in ENFORCE will "allow the Criminal Alien Program staff to track and report statistical information on cases processed at each level of incarceration." The memo includes screen shots of ENFORCE.

Pages 228-229: Memo to Field Offices re: Prosecution Reporting (Sept. 8, 2008). States that every field office program must include: "The screening of all individuals encountered through ...CAP...for possible prosecution under violation 8 USC 1326 or any other federal violation..." "Through prosecutions, DRO seeks to continue its present focus on increasing border security. Increased border security will increase deterrence and reduce recidivism."

Pages 230-231: Memo to Field Offices re: Criminal Alien Statistics (Aug. 29, 2008). Describes how National Crime Information Center (NCIC) information must be recorded according to three levels of criminal offenses: Level I, Level II and Level III.

Pages 240-244: Memo re: Recommendations to Improve Removal Processes (Feb. 22, 2007). States that "[t]he majority of cases coming out of CAP are excellent candidates for stipulated removals. Most aliens would prefer to be removed from the U.S. when released rather than spend additional time in a DRO detention facility."

Pages 327-469: ICE Institutional Removal Program National Workload Study (Sept. 2004). The scope of this study was to collect record-level data from the 50 state DOCs and from 63 county jails that were targeted on the basis of having the largest potential IRP workload. The collected historical data were analyzed and used to develop forecasts of future IRP workload. The analysis produced the following key findings for the locations that provided data for the study:

- A total of 382,466 foreign-born inmates were admitted in FY 2003, 346,152 to jails and 36,314 to DOCs.

- By FY 2007, a total of 379,445 foreign-born admissions are projected for the same jails (a 9.6% increase) and 40,554 for the DOCs (an 11.7% increase).
- The largest concentration of foreign-born jail admissions is found in California, Texas, Florida, Arizona, New York, Illinois, and Georgia. The jails located in these seven states accounted for 90% of the FY 2003 workload and are projected to account for 89% of the FY 2007 workload.
- Mexican-born inmates represent the largest concentration of foreign-born jail and DOC inmates (59.6%). Inmates from El Salvador, Guatemala, and Jamaica represent the next three largest cohorts.
- 58.3% of foreign-born jail inmates remain in custody for three days or less; 83% remain in custody for 30 days or less.
- 32.5% of foreign-born DOC inmates remain in custody for six months or less; 51.8% serve sentences of one or more years.
- 6.2% of foreign-born inmates are charged with Index crimes, 14.1% are charged with drug crimes, and 79.7% are charged with other violations.