

NOTE FOR ASSISTANT SECRETARY MYERS

Date: April 05, 2007
RCC: DR-07-XXXXX-X
[HQDRO will assign #]

DRO Newark: Operation Return to Sender – New Jersey

ISSUE

On April 09, 2007, the DRO Newark Field Office will commence Operation Return to Sender, a fifteen-day fugitive operation initiative to target, arrest, prosecute, and remove 75 fugitive aliens residing in the State of New Jersey.

BACKGROUND

This Operation Return to Sender will involve the utilization of a large number of Newark's officer corps in addition to its [REDACTED] Fugitive Operations Teams. During the fifteen-day operational period, Newark Officers will be staged in the counties of Camden, Mercer, Burlington, Ocean, Essex, Hudson, Morris and Passaic, where they will be targeting 75 fugitive aliens from more than 25 different countries. Forty of the identified fugitives have criminal records. The operation aims to arrest, detain, and remove the targeted fugitives and to present appropriate cases to the U.S. Attorney's Office for prosecution. The Office of Investigations (OI) has been notified about the operation, but will not directly participate. OI has been provided a target list and has processed the list for de-confliction. OI will also be available to assist in matters encountered during the course of the operation that fall under their purview.

Detention space has been assessed and allocated within the Newark area of responsibility. Regularly scheduled Justice Prisoner and Alien Transportation System (JPATS) flights will be utilized where practical. This request was sent to the Detention Operations Coordination Center (DOCC). It is anticipated that at least one special DOCC flight will be required on April 19, 2007.

The operation will begin at 0400 hrs on Monday, April 09, 2007 and will continue through Friday, April 27, 2007.

[REDACTED]
[REDACTED] wark, NJ

Director, RCC

Director, DRO



U.S. Immigration
and Customs
Enforcement

Memorandum

To: ALL FIELD OFFICE DIRECTORS

From:  Anthony S. Targem, Director, Office of Detention and Removal

Date: JAN 22 2004

Re: Case Load Priority with Fugitive Operations

The Office of Detention and Removal faces a tremendous workload challenge. In support of ICE's aggressive posture on apprehending criminals, the Office of Detention and Removal must prioritize the fugitive apprehension workload. Therefore, effective immediately, no less than 75% of all fugitive operation targets will be those classified, as criminal aliens. It is understood that FUGOPS teams often make collateral apprehensions when attempting to arrest targeted fugitives. This type of arrest will not be counted as a targeted arrest and will not be counted against the established percentage.

Should any field office director find it necessary to deviate from this directive, a request, with supporting documentation, must be forwarded to HQDRO.

This memorandum should also serve as a reminder that the ultimate goal of any fugitive operation, and the number one priority in *Endgame*, is the ultimate removal of those aliens who are apprehended. Every effort must be made to retrieve a travel document while at the subject's place of residence, or in the absence of one, obtain as much documentation (birth certificate, etc.) as is available to facilitate the issuance of a travel document.


U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

JAN 31 2006

MEMORANDUM FOR: All Field Office Directors

FROM: John P. Torres
Acting Director 

SUBJECT: Fugitive Operations Case Priority and Annual Goals

Purpose

This memorandum supersedes the memorandum issued by Anthony S. Tangeman, dated January 22, 2004 that required that no less than seventy-five percent of all fugitive operation targets be classified as criminal aliens. Effective immediately, fugitive cases worked by the Fugitive Operations (FUGOPS) teams will be prioritized by threats posed by the fugitive alien. This memorandum also establishes a new target goal of 1,000 fugitive apprehensions/cases closed per FUGOPS team.

Discussion

The Office of Detention and Removal Operations (DRO) is responsible for apprehending and removing fugitive aliens from the United States. Apprehending fugitive criminal alien cases has always been, and will continue to be, one of the highest priorities for FUGOPS teams.

Policy

To further the enforcement mission of U.S. Immigration and Customs Enforcement, the FUGOPS teams will prioritize their fugitive cases according to the following standards:

- I. Fugitives that pose a threat to national security
- II. Fugitives that pose a threat to the community
- III. Fugitives convicted of violent crimes
- IV. Fugitives with criminal records
- V. Fugitives that are non-criminals

There will be no percentage quota for the types of cases to be worked. Fugitive cases at all priority levels are to be worked by the FUGOPS teams, but the higher priority cases take precedence.

HQDRO will work with Field Office Directors in identifying and implementing initiatives involving fugitive alien cases.

Additionally, the new annual target goal is 1,000 fugitive apprehensions/cases closed per FUGOPS team. Realizing that FUGOPS will make numerous collateral arrests of aliens in pursuing targeted fugitives, the collateral apprehensions will not count toward the target goal.

A policy directive regarding the memorandum will be forthcoming.

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ICE Policy System (IPS)**

OFFICE OF DETENTION AND REMOVAL OPERATIONS DIRECTIVE

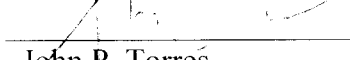
PROPOSING DIVISION/UNIT: Compliance Enforcement Division/Fugitive Operations Unit

DISTRIBUTION:	DRO
ISSUE DATE:	February 23, 2006
EFFECTIVE DATE:	February 23, 2006
REVIEW DATE:	February 23, 2009
SUPERSEDES:	January 22, 2004 Memorandum

**DIRECTIVE TITLE: FUGITIVE OPERATIONS CASE PRIORITY AND ANNUAL
GOALS**

1. **PURPOSE and SCOPE.** This Directive sets policy and procedures for the prioritization of cases and setting of annual goals for fugitive operations within the U.S. Immigration and Customs Enforcement (ICE) Office of Detention and Removal Operations (DRO) Compliance Enforcement Division at Headquarters and in field offices.
2. **AUTHORITIES/REFERENCES.** N/A
3. **SUPERSEDED/CANCELLED POLICY/SUMMARY OF CHANGES.**
The memorandum issued by Anthony S. Tangeman, subject line: "Case load priority with fugitive operations," dated January 22, 2004, is hereby superseded.
4. **BACKGROUND.** As a law enforcement Program Office within ICE, DRO is responsible for apprehending and removing fugitive aliens from the United States.
5. **DEFINITIONS.** None.
6. **POLICY.**
 - 6.1 Apprehending fugitive criminal alien cases has always been and will continue to be one of the highest priorities for Fugitive Operations (FUGOPS) teams.
 - 6.2 Effective immediately, fugitive cases worked by FUGOPS teams will be prioritized by threats posed by the fugitive alien. The FUGOPS teams will prioritize the fugitive cases to be targeted according to the following levels:
 - 6.2.1 Fugitives who pose a threat to national security
 - 6.2.2 Fugitives who pose a threat to the community

- 6.2.3 Fugitives convicted of violent crimes
- 6.2.4 Fugitives with criminal records
- 6.2.5 Fugitives who are non-criminals
- 6.3 Fugitive cases at all priority levels are to be worked by the FUGOPS teams, but the higher priority cases take precedence.
- 6.4 There will be no percentage quota for the types of cases to be worked.
- 6.5 Each FUGOPS team has a target goal of 1,000 fugitive apprehensions/cases that it must close.
- 6.6 Collateral apprehensions will NOT count toward the target goal.
- 7. RESPONSIBILITIES.**
 - 7.1 The Director of DRO is responsible for the overall management of the Fugitive Operations Program.
 - 7.2 The Deputy Assistant Director (DAD) of the Compliance Enforcement Division (CED) has the responsibility for ensuring the implementation of the Fugitive Operations Program.
 - 7.3 The DAD, CED, is also responsible for maintaining appropriate liaison with the Field Office Directors (FODs) regarding operations and budget strategies.
 - 7.4 The FODs are responsible for the operational activities of the FUGOPS Teams within their area of responsibility.
- 8. PROCEDURES.** N/A.
- 9. ATTACHMENTS.** January 22, 2004 Memorandum
January 31, 2006 Memorandum
- 10. NO PRIVATE RIGHT STATEMENT.** This Directive is an internal policy statement of DRO. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Approved 
 John P. Torres
 Acting Director, Office of Detention and Removal Operations

U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

SEP 29 2006

MEMORANDUM FOR: Assistant Directors
Deputy Assistant Directors
Field Office Directors

FROM: John P. Torres
Acting Director

A handwritten signature in black ink, appearing to read "John P. Torres".

SUBJECT: Fugitive Case Management System Reporting and the 1,000
Arrests Annual Goal for Fugitive Operations Teams

Purpose

This memorandum sets forth Office of Detention and Removal Operations (DRO) requirements for Field Office recordkeeping under the Fugitive Case Management System. It also clarifies the existing Field Office Fugitive Operation Team average annual goal of 1,000 fugitive alien cases per team.

Discussion

In order to accurately track the NFOP's efforts to reduce the fugitive alien population in the United States, DRO began development of a comprehensive fugitive alien tracking system in April 2005. That system, which became operational in August 2006, is known as the Fugitive Case Management System (FCMS). This new system will serve as a critical tool for DRO statistical tracking in furtherance of the ICE and Department of Homeland Security mission.

In light of the recent FCMS rollout and expanded NFOP operational capability, it is more important than ever that Field Offices accurately track their Fugitive Operations Teams' performance and that NFOP resources be focused on the arrest of fugitive aliens. To this end, each Field Office should now set its Fugitive Operations Team average, annual, per-team production target at 1,000 fugitive alien arrests. Furthermore, in meeting this goal, each Field Office is now required to differentiate between arrests and other actions resulting in the resolution of fugitive alien cases, such as discovering that a fugitive alien has already departed the United States or attained lawful immigration status. Each of these requirements is explained in further detail below.

The 1,000 Fugitive Alien Arrest Target

Efforts to reduce the fugitive alien population, including administrative efforts to close cases, are important and often resource-intensive. Fugitive Operations Team resources must remain

focused on arresting fugitive aliens. Thus, the prior guidance issued by this office on January 31, 2006 (attached as Appendix B), which established a target goal of 1,000 “fugitive apprehensions/cases closed” per Fugitive Operations Team, is hereby superseded. Effective for Fiscal Year 2007, each Field Office should seek to achieve a goal of at least 1,000 arrests per team. An arrest is the restraint and seizure of a person by an officer acting under authority of the Immigration and Nationality Act (INA) for the purpose of executing a warrant or charging the person with violations of the INA; it is conducted in such a manner that it is reasonable under the circumstances for the person to believe that he or she is not free to leave. For instance, a Field Office with three teams will need to work toward the goal of arresting at least 3,000 fugitive aliens. If the three teams collectively apprehend more than 3,000 such individuals, the Field Office will have met this goal, even if one of the three teams apprehends fewer than 1,000.

Other efforts are already underway to assist Field Offices in achieving this goal and reducing the fugitive alien population on other fronts. For example, the Fugitive Operations Support Center (FOSC) in Burlington, Vermont will begin an extensive electronic review of fugitive cases in the next few months. The FOSC will close appropriate cases and provide comprehensive leads to the Field Offices on many others, facilitating efforts to meet the goal of 1,000 arrests. As a component of the NFOP, the goal established for FOSC is to eliminate 26,000 cases from the fugitive population each fiscal year. In addition, two months ago, ICE established the Detention Operations Coordination Center (DOCC), which provides nationwide management of DRO detention assets. The DOCC will support Field Offices’ efforts to meet their arrest goals by coordinating DRO assets nationwide to ensure the maximum availability of detention space for fugitive arrest operations.

Finally, two important caveats exist in calculating Field Offices’ success in reaching the goal of 1,000 arrests. First, non-fugitive arrests may now be included in that total, but only where these arrests are made as part of a DRO Headquarters-approved operation. However, each Field Office must nevertheless average at least 500 fugitive arrests per Fugitive Operations Team. For instance, a Field Office with three teams that collectively apprehend 1,000 fugitive aliens and 2,000 non-fugitives during Headquarters-approved operations over the course of the Fiscal Year would not have met its goal. Second, Fugitive Operations Teams must continue to prioritize fugitive arrest activity under the standards set forth in the January 31, 2006 memorandum referenced above and attached as Appendix B.

Use of FCMS to Accurately Track NFOP Cases

In light of this clarified goal for DRO Field Office fugitive operations and the considerable public interest in ICE’s efforts to reduce the fugitive alien population, it is absolutely crucial that cases are properly categorized in FCMS. Data entered into this system will serve as the basis for determining whether a Field Office has met its annual arrest target and for reporting on ICE’s fugitive alien efforts to Department of Homeland Security management, Congress, and other stakeholders.

For these reasons, when entering fugitive information into FCMS, Field Offices must ensure that the data is entered correctly. Under the “Arrest” tab in FCMS, a drop-down menu provides the

appropriate “Action” options for categorizing fugitive operations activity. These options include “Arrest,” “Located/Detainer (I-247-Lodged),” “Case Category Changed,” and “Case Closure.” Field Office Fugitive Operation Team personnel are responsible for identifying the correct activity option when entering case information into FCMS. A detailed explanation of these “Action” categories is provided in Appendix A.

On October 1, 2006, DRO will begin issuing a new weekly report detailing NFOP activity. This report will contain a national and Field Office-by-Field Office breakdown of cases based on FCMS “Action” type.

If you have any questions concerning the guidance set forth in this memorandum, please contact Mark Lenox, Deputy Assistant Director, Compliance Enforcement Division, at (202) 616-(b)(2)Low

Attachments (2)

Appendix A

Fugitive Case Management System “Arrest” Section Actions

When entering activity into the “Arrest” section of FCMS, DRO Field Office personnel must choose the appropriate option from the “Action” drop-down menu. An explanation of the meaning of each “Action” option follows:

- Arrest: Select “Arrest” from the “Action” drop-down menu if Fugitive Operations Team personnel took an individual into custody as a result of a “hands-on” arrest.
- Located/Detainer (I-247 Lodged): Select “Located/Detainer (I-247 Lodged)” from the “Action” drop-down menu if Fugitive Operations Team personnel locate and place a detainer on an individual detained by another agency, including the Bureau of Prisons, and State, county, or local law enforcement agencies or Departments of Corrections
- Case Category Changed: Select “Case Category Changed” from the “Action” drop-down menu if the individual’s category has changed from a fugitive status of 5B, 8E or 8I to another category in the DRO Deportable Alien Control System (DACS). Information explaining the nature and basis of the category change must be entered into the “Case Comments” section of the “Arrest” section.
- Case Closure: Select “Case Closure – Self Removal,” “Case Closure – Deceased,” “Case Closure – Benefits REC’D,” or “Case Closure – Removed” from the “Action” drop-down menu if, Fugitive Operations Team personnel determines that the alien is no longer a fugitive and that the DACS case has been closed for one of these reasons (i.e., self-removal, death, or receipt of an immigration benefit).

Appendix B

Office of Detention and Removal Operations

U.S. Department of Homeland Security
425 I Street, NW
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

JAN 31 2006

MEMORANDUM FOR: All Field Office Directors
FROM: John P. Torres
Acting Director
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How many Fugitive Operation Teams were operational for each of the fiscal years 2005 through 2008 and aggregate data for all Fugitive Operation arrests nationwide for fiscal years 2005 through 2008, disaggregated by:

Operational Fugitive Operations Teams by fiscal Year:

2005 - 17 operational Fugitive Operation Teams

2006 - 47 operational Fugitive Operation Teams

2007 – 75 operational Fugitive Operation Teams

2008 - 99 operational Fugitive Operation Teams

(1) fugitive vs. non-fugitive arrests, within the meaning of ICE's Fugitive Case Management System Reporting and the 1000 Arrest Annual Goal for Fugitive Operation Teams Memorandum, dated Sept. 29, 2006;

FY05: Fugitives: 5,781; Non-fugitive: 2,178

FY06: Fugitives: 10,109; Non-fugitive: 5,353

FY07: Fugitives: 18,323; Non-fugitive: 12,084

FY08: Fugitives: 25,936; Non-fugitive: 8,219

(2) criminal aliens arrested vs. non-criminal aliens arrested, within the meaning of ICE's Case Load Priority with Fugitive Operations Memorandum, dated Jan 22, 2004; and

FY05: Criminal: 3,596; Non-criminal: 4,363

FY06: Criminal: 4,525; Non-criminal: 10,937

FY07: Criminal: 5,432; Non-criminal: 24,975

FY08: Criminal: 7,919; Non-criminal: 26,230

Fugitive Arrests By Fiscal Year Priority Breakout

FY 2005	Fugitive Priority	Arrests
	1	0
	2	179
	3	340
	4	2,172
	5	3,090
Total		5,781

FY 2006	Fugitive Priority	Arrests
	1	0
	2	190
	3	398
	4	2,752
	5	6,769
Total		10,109

FY 2007	Fugitive Priority	Arrests
	1	1
	2	340
	3	640
	4	4,089
	5	13,253
Total		18,323

FY 2008	Fugitive Priority	Arrests
	1	0
	2	370
	3	780
	4	6,698
	5	18,092
Total		25,940