



**U.S. Immigration
and Customs
Enforcement**

JUL 20 2018

Ms. Catherine E. Lhamon
Chair
The United States Commission on Civil Rights
1331 Pennsylvania Avenue, NW, Suite 1150
Washington, DC 20425

Dear Chair Lhamon:

Thank you for your March 16, 2018 letter.

On October 24, 2011, U.S. Immigration and Customs Enforcement (ICE) implemented ICE Policy No. 10029.2: *Enforcement Actions at or Focused on Sensitive Locations*. This policy remains in effect and is not intended to prohibit lawful enforcement operations when prior approval is obtained, when other law enforcement actions led officers to the sensitive location, or when there is an immediate need for such actions, such as when public safety is at risk or evidence may be destroyed.

On January 10, 2018, ICE issued Directive 11072.1, *Civil Immigration Enforcement Actions Inside Courthouses*, which was written after extensive coordination and input from the Conference of Chief Justices and the Conference of State Court Administrators. It states that aliens encountered during a civil immigration enforcement action inside a courthouse, such as family members or friends accompanying the target alien to court appearances or serving as a witness in a proceeding, will not be subject to civil immigration enforcement action, absent special circumstances—such as where the individual poses a threat to public safety or interferes with ICE's enforcement actions. This directive also states that ICE Officers and Agents will make enforcement determinations on a case-by-case basis in accordance with federal law and consistent with the Department of Homeland Security policy.

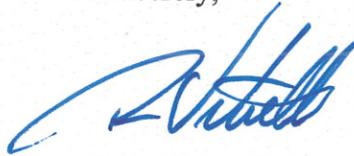
As with any planned enforcement action, ICE Officers exercise sound judgment when enforcing federal law and make substantial efforts to avoid unnecessarily alarming the public and every effort to limit the time spent at arrest locations. Generally speaking, ICE asks that local law enforcement transfer aliens into ICE custody within the controlled environment of a jail. Some jurisdictions have enacted statutes and ordinances designed to prohibit or hinder ICE from facilitating such custodial transfers and to shield criminal aliens from detection. As a result, ICE has been required to more frequently locate and arrest these aliens in public places where the risk of injury to the public, the alien, and the officer is significantly increased, rather than in secure jail facilities. Conducting enforcement operations at courthouses helps to mitigate many of these risks, because courthouse visitors are typically screened upon entry to search for weapons and

Ms. Catherine E. Lhamon
Page 2

other contraband, and the safety risks for the arresting officers and persons being arrested are substantially decreased.

Thank you again for your letter and interest in this matter. Vice-Chair Timmons-Goodson, Commissioner Adegbile, and Commissioner Yaki, who co-signed your letter, will receive separate, identical responses.

Sincerely,



Ronald D. Vitiello
Acting Director