



Secure Communities

Fiscal Year 2020, First and Second Quarters

November 23, 2020

Fiscal Year 2020 Report to Congress



Homeland
Security

U.S. Immigration and Customs Enforcement

Message from the Deputy Director and Senior Official Performing the Duties of the Director

November 23, 2020

I am pleased to present the following report, “Secure Communities” for the first and second quarters of Fiscal Year (FY) 2020, which has been prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to direction in House Report 116-180, which accompanies the FY 2020 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-93). The report continues direction in the Joint Explanatory Statement that accompanies the FY 2019 DHS Appropriations Act (P.L. 116-6), as well as direction in House Report 115-239 accompanying the FY 2018 DHS Appropriations Act (P.L. 115-141).



Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:

The Honorable Lucille Roybal-Allard
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000.

Sincerely,
**T TONY H
PHAM**

Tony H. Pham
Senior Official Performing the Duties of the Director
U.S. Immigration and Customs Enforcement

Executive Summary

House Report 116-180 accompanying P.L. 116-93 directs ICE to continue reporting detailed in House Report 115-239, which accompanies P.L. 115-141. House Report 115-239 directs ICE to report metrics related to Secure Communities and detainers issued to state and local law enforcement agencies. ICE is unable to report statistically on some variables in the exact manner requested because of multiple technical constraints, including the fact that uncooperative jurisdictions that decline an ICE detainer generally do not share this information with the agency. However, ICE is able to provide data on detainers that it issues, broken down by criminality, gender, and nationality, which can be found in this report.



Secure Communities

Fiscal Year 2020, First and Second Quarters

Table of Contents

I.	Legislative Language.....	1
II.	Background.....	2
III.	Analysis/Discussion.....	3
	FY 2020 First Quarter (Q1) – Second Quarter (Q2) Enforcement and Removal Operations (ERO) Detainers Prepared by Gender and Criminality.....	3
	FY 2020 Q1-Q2 Detainers Prepared by Country of Citizenship and Criminality.....	4
IV.	Conclusion.....	10
	Appendix: Abbreviations.....	11

I. Legislative Language

This report was compiled in response to direction in House Report 116-180, which accompanies the Fiscal Year (FY) 2020 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-93).

House Report 116-180 states:

Detention Inspection Reporting.—ICE shall continue to report and make public the following, as described in House Report 116-9, and shall follow the previously directed timeframes unless otherwise specified:

- (1) Secure Communities report; ...

House Report 116-180 continues direction in the Joint Explanatory Statement accompanying the FY 2019 DHS Appropriations Act (P.L. 116-6), which states:

ICE shall continue to report and make public the following, as detailed in House Report 115-239, and shall follow the previously directed timeframes unless otherwise specified.

- Secure Communities report ...

House Report 115-239 accompanying the FY 2018 DHS Appropriations Act (P.L. 115-141) states:

Within 90 days after the date of enactment of this Act, and monthly thereafter, the Director of ICE shall submit to the Committee a Secure Communities report, including the number of detainer requests issued, actual custody transfers to ICE, and releases by state and local law enforcement jurisdiction, criminal category, conviction status, date of any conviction, immigration status, gender, country of citizenship, and enforcement priority, and shall make this information publicly available on its website.

II. Background

Congress first provided instructions for this report in House Report 115-239, which states that U.S. Immigration and Customs Enforcement (ICE) submit “a Secure Communities report, including the number of detainer requests issued, actual custody transfers to ICE, and releases by state and local law enforcement jurisdiction, criminal category, conviction status, date of any conviction, immigration status, gender, country of citizenship, and enforcement priority.”

Secure Communities is a simple and common-sense way to carry out ICE’s enforcement priorities for those aliens detained in the custody of another law enforcement agency (LEA). It uses a federal information-sharing partnership between DHS and the Federal Bureau of Investigation (FBI) that helps to identify in-custody aliens without imposing new or additional requirements on state and local law enforcement. For decades, local jurisdictions have shared with the FBI the fingerprints of individuals arrested and/or booked into custody to see if those individuals have a criminal record and outstanding warrants. Under Secure Communities, the FBI automatically sends the fingerprints to DHS to check against its immigration databases. If these checks reveal that an individual is present unlawfully in the United States or otherwise is removable, ICE prioritizes law enforcement action against individuals who present the most significant threat to public safety as well as the removal of those who have violated the Nation’s immigration laws.

ICE is unable to report on the data in the manner contained in the legislative direction because of the following technical constraints:

- Secure Communities is a system that allows for interoperability and information-sharing rather than for a program to which officers are assigned. As a result, no associated enforcement metrics are in ICE’s system of record.
- ICE cannot report on releases conducted by state or local LEAs, because this information generally is not communicated to ICE by these LEAs.
- Because detainees and initial book-ins to ICE custody are independent variables in ICE’s system of record and are not linked directly, it is not possible to produce reliable, large-scale reporting on custody transfer because of ICE detainees.
- ICE no longer reports data broken down by the priorities in place during the previous Administration, and currently does not report on the priorities laid out in Executive Order 13768, many of which cannot be determined through data stored in the system of record.
- Currently, immigration status is not available for statistical reporting.

However, to provide Congress with information on detainer issuance, ICE has produced data on detainees issued, broken down by criminality, gender, and country of citizenship.

III. Analysis/Discussion

ICE issues detainers and requests for notification to LEAs to provide notice of its intent to assume custody of an individual detained in federal, state, or local custody. Detainers are placed on aliens arrested on criminal charges—ICE possesses probable cause to believe that these aliens are removable from the United States. A detainer requests that an LEA notify ICE as early as practicable, ideally at least 48 hours, before a removable alien is released from criminal custody and then briefly maintain custody of the alien for up to 48 hours to allow DHS to assume custody for removal purposes (<https://www.ice.gov/detainers>).

A detainer is recorded in the system of record when the form is printed. This does not correspond necessarily to issuance of a detainer to a local LEA. Additionally, a single detainer may be printed multiple times. Each time is recorded as a distinct detainer, and, therefore, a single detainer may be printed multiple times.

FY 2020 First Quarter (Q1) – Second Quarter (Q2)¹ Enforcement and Removal Operations (ERO) Detainers Prepared by Gender and Criminality²

Gender	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
Total	26,530	34,577	3,582	64,689
Female	1,264	2,966	186	4,416
Male	25,244	31,522	3,386	60,152
Unknown	22	89	10	121

¹ ERO detainer data are updated through 4/4/2020 (ICE Integrated Decision Support v1.34 run date 4/6/2020; Enforcement Integrated Database as of 4/6/2020) and are filtered through 3/31/2020.

² Starting in FY 2018, ICE defines immigration violators' criminality in the following manner: Convicted criminals are immigration violators with a criminal conviction entered into ICE systems of record at the time of the enforcement action. Pending criminal charges means immigration violators with pending criminal charges entered into ICE system of record at the time of the enforcement action. Other immigration violators are immigration violators without any known criminal convictions, or pending charges entered into ICE system of record at the time of the enforcement action.

FY 2020 Q1-Q2 Detainers Prepared by Country of Citizenship and Criminality

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
Total	26,530	34,577	3,582	64,689
AFGHANISTAN	17	16	1	34
ALBANIA	3	12	-	15
ALGERIA	1	10	1	12
ANGOLA	1	7	1	9
ANTIGUA-BARBUDA	7	3	-	10
ARGENTINA	15	30	2	47
ARMENIA	34	38	2	74
ARUBA	1	2	-	3
AUSTRALIA	12	8	1	21
AUSTRIA	3	3	-	6
AZERBAIJAN	5	8	1	14
BAHAMAS	34	32	5	71
BAHRAIN	1	-	-	1
BANGLADESH	6	27	-	33
BARBADOS	5	5	-	10
BELARUS	14	7	2	23
BELGIUM	5	-	-	5
BELIZE	23	23	4	50
BENIN	1	2	-	3
BERMUDA	4	1	-	5
BHUTAN	10	1	1	12
BOLIVIA	16	20	-	36
BOSNIA-HERZEGOVINA	28	7	1	36
BOTSWANA	-	2	1	3
BRAZIL	83	256	14	353
BRITISH VIRGIN ISLANDS	2	2	1	5
BULGARIA	2	2	-	4
BURKINA FASO	5	13	-	18
BURMA	48	8	2	58
BURUNDI	6	4	-	10

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
CAMBODIA	58	23	4	85
CAMEROON	9	25	1	35
CANADA	88	60	13	161
CAPE VERDE	23	7	-	30
CAYMAN ISLANDS	-	1	-	1
CENTRAL AFRICAN REPUBLIC	2	1	-	3
CHAD	3	-	-	3
CHILE	39	83	8	130
CHINA, PEOPLE'S REPUBLIC OF	71	259	16	346
COLOMBIA	161	263	88	512
CONGO	6	6	-	12
COSTA RICA	18	32	3	53
CROATIA	2	-	-	2
CUBA	696	408	76	1,180
CZECH REPUBLIC	3	12	1	16
CZECHOSLOVAKIA	1	1	-	2
DEM REP OF THE CONGO	14	12	2	28
DOMINICA	8	1	3	12
DOMINICAN REPUBLIC	676	429	60	1,165
ECUADOR	150	351	52	553
EGYPT	17	30	2	49
EL SALVADOR	1,522	2,618	161	4,301
EQUATORIAL GUINEA	-	5	-	5
ERITREA	14	7	1	22
ESTONIA	1	-	-	1
ESWATINI	1	1	-	2
ETHIOPIA	43	16	5	64
FIJI	3	7	-	10
FINLAND	-	1	-	1
FRANCE	11	23	-	34
GABON	-	4	-	4
GAMBIA	12	19	4	35
GEORGIA	4	20	1	25
GERMANY	17	13	5	35

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
GHANA	29	36	1	66
GREECE	2	3	-	5
GRENADA	5	15	-	20
GUADELOUPE	2	9	3	14
GUATEMALA	1,809	4,453	473	6,735
GUINEA	18	23	1	42
GUINEA-BISSAU	-	1	1	2
GUYANA	51	79	3	133
HAITI	151	125	28	304
HONDURAS	1,875	3,666	257	5,798
HONG KONG	4	4	-	8
HUNGARY	3	20	1	24
ICELAND	1	-	-	1
INDIA	84	259	15	358
INDONESIA	5	4	1	10
IRAN	64	38	5	107
IRAQ	51	20	4	75
IRELAND	9	12	-	21
ISRAEL	14	19	3	36
ITALY	7	28	4	39
IVORY COAST	15	19	1	35
JAMAICA	271	277	45	593
JAPAN	2	3	-	5
JORDAN	24	44	6	74
KAZAKHSTAN	3	8	-	11
KENYA	40	35	6	81
KOREA ³	12	11	-	23
KOSOVO	1	1	-	2
KUWAIT	6	4	2	12

³ Country of Citizenship data are recorded exactly as they exist in the system of record at the time that the data are pulled. "Korea" is available in the Enforcement Integrated Database's Arrest Graphical User Interface for Law Enforcement system and the Enforcement Case Tracking Systems' Alien Removal Module as an option for officers to select when preparing documents. If Korea is selected, there is not sufficient information in the database to differentiate between North or South Korea, and thus the entry can be reported only as "Korea." Similarly, "USSR" exists as an option in the system.

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
KYRGYZSTAN	2	2	-	4
LAOS	153	107	14	274
LATVIA	3	3	-	6
LEBANON	10	6	1	17
LESOTHO	1	-	-	1
LIBERIA	85	24	4	113
LIBYA	-	4	-	4
LIECHTENSTEIN	-	1	-	1
LITHUANIA	2	4	2	8
MACAU	1	5	1	7
MALAWI	1	-	-	1
MALAYSIA	3	2	-	5
MALDIVES	-	-	1	1
MALI	8	18	1	27
MARSHALL ISLANDS	28	1	-	29
MAURITANIA	2	10	-	12
MEXICO	16,084	18,026	1,960	36,070
MICRONESIA, FEDERATED STATES OF	30	3	-	33
MOLDOVA	4	3	-	7
MONGOLIA	8	10	-	18
MONTENEGRO	1	5	-	6
MOROCCO	16	20	2	38
MOZAMBIQUE	1	2	-	3
NEPAL	5	18	-	23
NETHERLANDS	4	7	-	11
NETHERLANDS ANTILLES	1	1	-	2
NEW ZEALAND	6	13	2	21
NICARAGUA	104	189	17	310
NIGER	4	22	2	28
NIGERIA	60	144	8	212
NORTH MACEDONIA	-	5	-	5
NORWAY	-	2	-	2
OMAN	-	1	-	1

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
PAKISTAN	32	29	4	65
PALAU	8	2	-	10
PANAMA	14	16	-	30
PARAGUAY	3	3	-	6
PERU	72	98	10	180
PHILIPPINES	61	55	7	123
POLAND	28	22	1	51
PORTUGAL	10	12	1	23
ROMANIA	63	134	9	206
RUSSIA	52	47	4	103
RWANDA	6	8	1	15
SAMOA	1	3	-	4
SAUDI ARABIA	9	19	2	30
SENEGAL	9	15	1	25
SERBIA	2	3	-	5
SIERRA LEONE	29	14	1	44
SINGAPORE	2	1	-	3
SLOVAKIA	-	5	-	5
SLOVENIA	-	1	-	1
SOLOMON ISLANDS	1	-	-	1
SOMALIA	82	25	4	111
SOUTH AFRICA	11	13	3	27
SOUTH KOREA	19	22	1	42
SOUTH SUDAN	8	1	-	9
SPAIN	18	60	2	80
SRI LANKA	3	5	-	8
ST. KITTS-NEVIS	-	-	1	1
ST. LUCIA	12	8	1	21
ST. VINCENT-GRENADINES	5	10	2	17
SUDAN	43	10	2	55
SURINAME	2	1	-	3
SWEDEN	3	3	1	7
SYRIA	8	6	-	14
TAIWAN	3	8	1	12

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
TAJIKISTAN	2	6	-	8
TANZANIA	5	17	-	22
THAILAND	38	27	3	68
TOGO	2	1	1	4
TONGA	-	6	-	6
TRINIDAD AND TOBAGO	40	46	5	91
TUNISIA	2	7	1	10
TURKEY	7	15	-	22
TURKMENISTAN	1	-	-	1
TURKS AND CAICOS ISLANDS	1	-	-	1
UGANDA	2	6	-	8
UKRAINE	35	23	3	61
UNITED ARAB EMIRATES	1	-	-	1
UNITED KINGDOM	37	43	4	84
URUGUAY	11	19	-	30
USSR	22	12	-	34
UZBEKISTAN	14	19	2	35
VENEZUELA	39	168	17	224
VIETNAM	303	174	19	496
YEMEN	4	4	1	9
YUGOSLAVIA	6	1	-	7
ZAMBIA	1	5	-	6
ZIMBABWE	6	3	-	9
UNKNOWN	82	155	46	283

IV. Conclusion

As with any LEA, ICE's top priority is to ensure the safety and protection of communities nationwide. As a result, ICE stresses the importance of removing those who pose public safety and national security threats, those who have violated our Nation's immigration laws, including those who have failed to comply with a final order of removal, and those who have engaged in fraud or willful misrepresentation in connection with official U.S. Government matters.

By focusing on individuals who have been arrested and booked into custody for alleged violations of criminal laws, Secure Communities has proven to be one of ICE's most important tools for identifying and removing criminal aliens as well as repeat immigration violators. However, that is not the only benefit of Secure Communities. Additional benefits of Secure Communities are designed to ensure that the responsibility of immigration enforcement remains with federal officials and does not authorize or permit state or local law enforcement to enforce federal immigration law.

The cooperation from other LEAs is critical for ICE to fulfill its mission to identify and arrest aliens who pose a risk to public safety or national security. ICE's enforcement priorities include the identification and removal of criminal aliens, other aliens who pose a threat to public safety, and aliens who have violated our Nation's immigration laws. The most effective way to identify such aliens is by checking the immigration status of individuals arrested and booked into custody for violations of criminal laws. It is ICE, and not the state or local LEA, that determines what immigration enforcement action, if any, is appropriate.

Appendix: Abbreviations

Abbreviation	Definition
DHS	Department of Homeland Security
ERO	Enforcement and Removal Operations
FBI	Federal Bureau of Investigation
FOUO	For Official Use Only
FY	Fiscal Year
ICE	U.S. Immigration and Customs Enforcement
LEA	Law Enforcement Agency
Q1	First Quarter
Q2	Second Quarter