

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IMMIGRANT DEFENSE PROJECT,

Plaintiff,

-against-

UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT,

Defendant.

No. _____

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This action is brought under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *et seq.*, to compel U.S. Immigration and Customs Enforcement (“ICE”) to conduct a reasonable search for and produce records improperly withheld in response to a FOIA request from Plaintiff Immigrant Defense Project (“IDP”). Plaintiff seeks records related to civil immigration arrests by ICE agents that occur inside, on the property of, or within two city blocks of New York State courthouses (hereinafter “courthouse arrests”).

2. ICE has provided almost no information about courthouse arrests in New York. ICE published a January 2018 internal policy memorandum on courthouse arrests but it does little more than reveal that ICE has adopted a practice of arresting immigrants attending court. Similarly, public statements from federal officials merely inform the public that ICE will continue to arrest immigrants attending court, including victims and witnesses. ICE has not explained, clarified, or released data pertaining to its current guidelines and practices for conducting courthouse arrests, the frequency of such arrests, or ICE’s relationships and arrangements with New York State’s Office of Court Administration (“OCA”) relating to such

arrests.

3. Plaintiff submitted its request to Defendant on March 5, 2018 (attached hereto as Exhibit A), seeking information on courthouse arrests. More than three months later, on June 11, 2018, Plaintiff received Defendant's formal response (attached hereto as Exhibit B), consisting of two pages: an e-mail blast from ICE's Deputy Director to ICE employees about a policy directive and a Buffalo, New York field office e-mail stating that courthouse arrests must be approved at the Deputy Field Office Director level or higher.

4. In response to Defendant's clearly deficient two-page disclosure, Plaintiff submitted an administrative appeal challenging the adequacy of Defendant's search on August 17, 2018 (attached hereto as Exhibit C). Defendant responded to Plaintiff on September 19, 2018, (attached hereto as Exhibit D), agreeing to conduct additional searches. Plaintiff sent two follow-up letters to Defendant on October 3, 2018, and November 16, 2018 (attached hereto as Exhibits E and F); Defendant replied by e-mail on November 20, 2018 (attached hereto as Exhibit G), assuring Plaintiff its request would be processed as expeditiously as possible. Plaintiff sent a third follow-up letter on February 8, 2019 (attached hereto as Exhibit H). Defendant replied by e-mail on February 14, 2019 (attached hereto as Exhibit I), stating that Plaintiff's request is currently tasked to the appropriate program offices for responsive records to be returned.

5. 381 days have passed since Plaintiff submitted its request, and 183 since Defendant agreed to conduct additional searches. Plaintiff has received no additional records or communications from Defendant. Left with no alternative, Plaintiff now seeks to compel Defendant to fulfill immediately its obligation to perform an adequate search and promptly disclose responsive records.

JURISDICTION AND VENUE

6. This Court has jurisdiction over this action under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.

7. Venue is proper in this District under 5 U.S.C. § 552(a)(4)(B) because the principal place of business for IDP is in New York City. ICE operates in all 50 states.

PARTIES

8. Plaintiff IDP is a non-profit organization whose mission is to promote fundamental fairness for immigrants accused or convicted of crimes. IDP seeks to minimize the harsh and disproportionate immigration consequences of contact with the criminal justice system by working to transform unjust deportation laws and policies and educating and advising immigrants, their criminal defenders, and other advocates. IDP disseminates information about the immigration system to the public in accessible ways and is a leader in providing training and support for legal practitioners and community members.

9. Defendant ICE is a component of the Department of Homeland Security, which is a department of the executive branch of the United States. ICE enforces immigration and customs laws and is responsible for the detention and removal of immigrants from the United States. It has offices in all 50 states, including New York. ICE is an “agency” with the meaning of 5 U.S.C. § 552(f)(1).

STATEMENT OF FACTS

A. ICE Conducts Courthouse Arrests But Has Provided Minimal Public Information on the Practice.

10. Increasingly, ICE conducts civil immigration arrests at or near courthouses (referred to colloquially as “courthouse arrests”).

11. ICE has asserted that its agents “generally” seek to avoid enforcement actions in

areas dedicated to non-criminal proceedings, and that officers will not arrest family members of arrest targets “absent special circumstances.” But, according to statistics compiled by IDP from attorneys and advocates who work with immigrants and their family members, courthouse arrests in New York increased 1,700% from 2016 to 2018, and DHS and ICE’s inconsistent and vague statements about that practice provide little clarity as to when, where, and why ICE will make a courthouse arrest.

12. Such arrests have had a chilling effect on access to justice for non-citizens in New York State. ICE’s ambiguous courthouse-arrest policy and the sharp spike in courthouse-arrest volumes have inspired fear in immigrant communities about the risks of appearing in court, and whether doing so will lead to arrest, detention, or deportation. As a result, court participation by immigrant victims of domestic violence, sexual assault, and rape has declined markedly, posing a significant threat to public health and safety. In December 2018, 75 former state and federal judges expressed their concerns in a letter to ICE, asserting that “the public must be able to access courthouses safely and without fear of retribution. For many, however, ICE’s courthouse arrests have made courts places to avoid.”

13. It is critical to obtain information on the frequency of courthouse arrests, related policies, and ICE’s working relationship with the OCA in order to provide the public—including crucial stakeholders such as legal services lawyers, anti-violence advocates, and other participants in the court system—much needed clarity on the risks that individuals attending court proceedings face in New York State.

14. The information Plaintiff seeks is not publicly available. Absent the public release of the requested records, the only available statistics on the frequency and type of courthouse arrests come from self-reported data collected by IDP from advocates and attorneys

practicing in counties across New York State. These data are incomplete and provide no information about ICE's policies or procedures or the manner in which it works with OCA.

15. Without the requested records, mass confusion and misunderstanding over courthouse arrests will persist, litigants and witnesses will refrain from accessing the courts to protect their rights, and attorneys will be unable to advise their clients about the consequences of participation. As the letter from 75 former state and federal judges stated: "Following nearly two years of high profile ICE courthouse activity, only unequivocal guarantees and protections will restore the public's confidence that it can safely pursue justice in our nation's courts."

B. ICE Responded to Plaintiff's FOIA Request Regarding Courthouse Arrests With a Clearly Inadequate Disclosure.

16. On March 5, 2018, Plaintiff submitted to ICE a FOIA request (attached hereto as Exhibit A) seeking any and all records prepared, received, transmitted, collected, and/or maintained by ICE's New York and Buffalo field offices that reflect:

- internal protocols regarding communication between the DHS and OCA staff, policies, protocols, or trainings about courthouse arrests;
- information about enforcement incidents related to courthouse arrests;
- meetings between DHS staff and OCA staff;
- information regarding production of individuals held in ICE custody to any New York State law enforcement or correctional agency; and
- copies of certain DHS reporting requirements.

17. On June 11, 2018, nearly three months after Plaintiff submitted its request, ICE told Plaintiff that, after searching its Enforcement and Removal Operations ("ERO") division, it had identified only two pages responsive to the request. The first page contained an e-mail blast from ICE's Deputy Director to ICE employees about a policy directive; the second page contained a Buffalo, New York field office e-mail stating that courthouse arrests must be

approved at the Deputy Field Office Director level or higher.

18. ICE's initial search—which was, to Plaintiff's knowledge, ICE's *only* search—was inadequate for failure to encompass clearly responsive records. Although public documents leave no doubt that ICE has responded to inquiries and criticism, addressed concerns raised by state courts, and created a new internal policy on courthouse arrests, ICE disclosed no records whatsoever relating to these activities.

19. ICE also omitted numerous responsive documents of which Plaintiff is aware. For example, the New York Chief Administrative Judge has stated publicly that ICE officials have “agreed, unofficially on a regional level” not to enter non-criminal courtrooms, yet ICE's two-page disclosure contains no evidence of this agreement. Nor has ICE disclosed responsive materials described by its own internal courthouse-arrest directives.

20. Deficiencies in ICE's response are particularly clear when compared to recent ICE responses to other courthouse-arrest-records requests. For example, when asked for recent Colorado field office courthouse-arrest records, ICE produced a far more extensive response (attached hereto as Exhibit J) than the mere two pages it disclosed here.

21. Furthermore, ICE's search was inadequate because it did not search all divisions likely to have responsive records. Plaintiff sought records prepared, received, transmitted, collected, or maintained by ICE's New York and Buffalo field offices. But ICE's response stated that ICE searched only its ERO division. There was no indication that ICE conducted a meaningful search of any field office, much less the specific offices Plaintiff identified.

22. On August 17, 2018, Plaintiff formally appealed the adequacy of ICE's search.

C. In Response to Plaintiff's Administrative Appeal, ICE Admitted It Had Not Conducted a Thorough Search and Committed to Perform Additional Searches.

23. On September 19, 2018, ICE advised it had “determined that new search(s) or,

modifications to the existing search(s), could be made” and was “remanding [Plaintiff’s] appeal to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents.”

24. In letters dated October 3, 2018 and November 16, 2018, Plaintiff asked for a swift response to the appeal. On November 20, 2018—three months after remanding the request—ICE notified Plaintiff that it had “queried the appropriate component of DHS for responsive records” and would “process [the] request as expeditiously as possible.” In a letter dated February 8, 2019, Plaintiff again requested a response. On February 14, 2019—six months after remanding the Request—ICE notified Plaintiff that the “request is currently tasked to the appropriate program offices for responsive records to be returned.” Plaintiff has received no further communication from ICE.

25. 381 days have passed since the request was made, and 216 days have passed since Plaintiff appealed the adequacy of ICE’s search. ICE’s continued delay and resulting withholding of the requested records are unwarranted.

CLAIM FOR RELIEF

Violation of the Freedom of Information Act

26. Paragraphs 1-25 above are hereby incorporated by reference as if set forth fully herein.

27. ICE has violated 5 U.S.C. § 552(a)(3)(A) by failing to promptly release agency records in response to Plaintiff’s request.

28. ICE has violated 5 U.S.C. § 552(a)(3)(C)-(D) by failing to make reasonable efforts to perform an adequate search for records responsive to Plaintiff’s request.

29. Plaintiff has exhausted the applicable administrative remedies with respect to its request.

30. Injunctive relief is authorized under 5 U.S.C. § 552(a)(4)(B) because ICE continues to improperly withhold agency records in violation of FOIA. Plaintiff will suffer irreparable injury from, and have no adequate remedy for, ICE's unlawful withholding of government documents subject to their request.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Court:

- 1) Order Defendant to conduct, immediately and expeditiously, an adequate search for agency records responsive to Plaintiff's request;
- 2) Order Defendant to disclose all responsive agency records to Plaintiff;
- 3) Award Plaintiff its costs and reasonable attorneys' fees incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and
- 4) Grant such other relief as the Court may deem just and proper.

Dated: New York, New York
March 21, 2019

O'MELVENY & MYERS LLP

By: */s/ Daniel L. Cantor*

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EXHIBIT A

CARDOZO LAW

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March 5, 2018

Via Email to ICE-FOIA@dhs.gov
U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009

RE: Freedom of Information Act Request

Dear U.S. Immigration and Customs Enforcement FOIA Unit:

The Kathryn O. Greenberg Immigration Justice Clinic (“Clinic”) and the Immigrant Defense Project (“IDP”) (collectively “Requestors”) submit this letter as a request for information under the Freedom of Information ACT (FOIA), 5 U.S.C. § 552, *et seq.* We ask that this request be expedited pursuant to 5 U.S.C. § 552(a)(6)(E), and that we be granted a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii).

Records Requested

Requestors seek disclosure of records related to civil immigration arrests by U.S. Immigration and Customs Enforcement (“ICE”) agents that occur within, on the property of, or within two city blocks of New York State courthouses (hereinafter “courthouse arrests”). Specifically, the Clinic and IDP request any and all records¹ prepared, received, transmitted,

¹ The term “records” as used herein includes all records or communications preserved in electronic or written form including but not limited to training manuals, correspondence, regulations, directives, documents, data, videotapes, audiotapes, e-mails, faxes, files, guidance, guidelines, standards, evaluations, instructions, analyses, memorandum, agreements, notes, orders, policies, procedures, protocols, reports, rules, technical manuals, technical specifications, training materials or studies, including records kept in written form or electronic format on computers and/or other electronic storage devices and electronic communications and/or videotapes, as well as any reproductions thereof that differ in any way from any reproduction, such as copies containing marginal notations. Requestors do not object to redaction of personally identifying information.

collected, and/or maintained by United States the Immigration and Customs Enforcement (“ICE”) New York and Buffalo field offices that reflect the following:

1. Any internal protocols regarding communication between the Department of Homeland Security (“DHS”) or its subcomponents and the New York State Office of Court Administration (“OCA”) staff.
2. Any policies, protocols, or trainings about courthouse arrests within the area of responsibility of the New York and Buffalo Field Office Directors, including:
 - a. Specific protocols re enforcement actions (defined as arrest, attempted arrest, or surveillance) in courthouses or areas within courthouses dedicated to either criminal or non-criminal proceedings (including criminal, family, civil courts, integrated, and problem-solving courts).
 - b. OCA’s April 26, 2017 “Policy and Protocol Governing Activities in Courthouses by Law Enforcement Agencies”).
 - c. Arrests of noncitizens encountered during a civil immigration enforcement action inside a courthouse, including family members or friends accompanying the “target alien” (as defined in ICE’s January 10, 2018 Directive 11072.1) to court appearances or serving as a witness in a proceeding.
 - d. Arrests of individuals serving as witnesses in a proceeding.
 - e. ICE’s January 10, 2018 Directive 11072.1.
 - f. Use of non-public areas of courthouses and non-public exits/entrances of courthouses.
 - g. Communication and collaboration with OCA staff, including court officers.
 - h. Compliance with 8 U.S.C. § 1229(e).
3. Information about each enforcement incident conducted at or near a New York State courthouse from 2015 to the present, including:
 - a. Date of each enforcement incident.
 - b. Target address of each enforcement incident.
 - c. Type of each enforcement incident (arrest, attempted arrest, or surveillance).
 - d. Number of people targeted in each operation.
 - e. Number of people arrested.
 - f. Number of non-targeted people arrested (i.e., collateral arrests).
 - g. The following documents and information about each of these arrests:²
 - i. Notice to Appear, Administrative Warrant (Form I-200, I-205, or any other document purporting to be an administrative warrant), and I-213.
 - ii. Field Operations Worksheet.
 - iii. Any and all correspondence between DHS and NYS OCA staff about these arrest operations, internal DHS correspondence, and any correspondence between OCA, local police, and/or DHS in advance of an arrest.
4. Meetings between DHS staff and OCA staff.

² Requestors may be willing to narrow or modify this request if a mutually agreeable alternative can be reached.

5. The following information regarding the production of individuals held in ICE custody from said custody to that of any New York State law enforcement or correctional agency for purposes of an appearance before a non-federal court within New York State.
 - a. Any internal policies, protocols or correspondence regarding response by ICE to requests (including any writ of habeas corpus ad prosequendum or other court order requiring production) for production issued by a New York State Court.
 - b. The number of times since January 2017 that ICE has received a request (including any writ of habeas corpus ad prosequendum or other court order requiring production) from a New York State Court for the production of an individual held in ICE's custody pursuant to 8 U.S.C. § 1226 or 8 U.S.C. § 1231.
 - c. For each recorded request:
 - i. Copy of request.
 - ii. Date of request.
 - iii. Whether or not the request was honored.
 - iv. If request was honored, date of production.
 - v. Name of law enforcement agency that took custody of individual ICE detainee.
 - vi. All correspondence between district attorneys' offices, local law enforcement agencies, and ICE regarding production of individual ICE detainees.
6. Copies of the following:
 - a. DHS Directive 034-06, *Department Reporting Requirements*, October 23, 2015.
 - b. DHS Instruction 034-06-001, Rev. 1, *Department Reporting Requirements*, March 28, 2017.

Request for Expedited Processing

Expedited processing is warranted because there is “an urgency to inform the public about an actual or alleged federal government activity,” and the request is made by entities “primarily engaged in disseminating information.” 5 U.S.C. § 552(a)(6)(E)(v)(II). This request demonstrates that both criteria are satisfied. 6 C.F.R. § 5.5(d)(3).

There is an urgent need to obtain the information sought in the instant request which, at this point, is not publicly available. The records described above would accurately reflect the scope, details, and policies regarding the phenomenon known colloquially as “courthouse arrests.” The practice increased 1,100% from 2016 to 2017 and has had a documented chilling effect on access to justice for noncitizens throughout New York State.³ It is critical to obtain this information because information on the frequency of this type of arrest, agency policies, and ICE's working relationship with OCA will provide the public—including crucial stakeholders such as legal services lawyers, anti-violence advocates, and other participants in the court

³ Nancy Morawetz & Lindsay Nash, *Get ICE Out of N.Y.'s Courtrooms*, THE DAILY NEWS (Jan. 25, 2018), available at <http://www.nydailynews.com/opinion/ice-n-y-s-courtrooms-article-1.3777389> (“As documented by the Immigrant Defense Project, there was a 1,100% increase in incidence of ICE courthouse arrests in New York in 2017 from the previous year.”).

system—much needed clarity on the risks that individuals face when participating in court proceedings in New York State.

In light of the dramatic increase in arrests and ICE’s official policy of conducting enforcement operations within and near courthouses, immigrant communities are suffering from immense fear about the risks of attending court as litigants, witnesses, or other attendees. This fear is compounded by the huge gaps in information about when and whether an interaction with the court system will result in arrest, detention, and deportation, all of which has led to significant declines in court participation by victims of domestic violence, sexual assault, and rape, posing a significant threat to public health and safety.⁴ Despite ICE’s vague and standardless assertion that its agents will “generally” seek to avoid enforcement actions in areas that are dedicated to non-criminal proceedings,⁵ there have been numerous instances of such actions in New York State and nationally.⁶ Moreover, DHS’s statements about this policy and practice are inconsistent and vague⁷ and provide little if any guidance to the public as to when ICE will conduct such an enforcement action. The only statistics on the frequency and type of these arrests are from self-reported data collected by IDP from advocates and attorneys practicing in counties across New York State, which is incomplete and in any event does not provide

⁴ See, e.g., James Queally, *Latinos are Reporting Fewer Sexual Assaults Amid Climate of Fear in Immigrant Communities, LAPD Says*, THE LOS ANGELES TIMES (Mar. 21, 2017), available at <http://www.latimes.com/local/lanow/la-me-ln-immigrant-crime-reporting-drops-20170321-story.html>; Brooke A. Lewis, *HPD Chief Announces Decrease in Hispanics Reporting Rape and Violent Crimes Compared to Last Year*, CHRON (April 6, 2017), available at <http://www.chron.com/news/houston-texas/houston/article/HPD-chief-announces-decrease-in-Hispanics-11053829.php>; Jennifer Medina, *Too Scared to Report Sexual Abuse. The Fear: Deportation*, THE NEW YORK TIMES (April 30, 2017), available at <https://www.nytimes.com/2017/04/30/us/immigrants-deportation-sexual-abuse.html>; 2017 Advocate and Legal Service Survey Regarding Immigrant Survivors, TAHIRIH JUSTICE CENTER, <http://www.tahirih.org/wp-content/uploads/2017/05/2017-Advocate-and-Legal-Service-Survey-Key-Findings.pdf> (reporting that, in survey of 715 advocates and attorneys from 46 states and the District of Columbia, three out of four advocated reported immigrant survivors of abuse afraid to go to court).

⁵ See ICE, FAQ on Sensitive Locations and Courthouse Arrests, <https://www.ice.gov/ero/enforcement/sensitive-loc>; ICE Directive 11072.1: Civil Immigration Enforcement Actions Inside Courthouses, ICE (Jan. 10, 2018), <https://www.ice.gov/sites/default/files/documents/Document/2018/ciEnforcementActionsCourthouses.pdf> (“ICE officers and agents should generally avoid enforcement actions in courthouses, or areas within courthouses that are dedicated to non-criminal (e.g. family court, small claims court) proceedings.”)

⁶ Steve Coll, *When A Day in Court is a Trap for Immigrants*, THE NEW YORKER (Nov. 8, 2017), <https://www.newyorker.com/news/daily-comment/when-a-day-in-court-is-a-trap-for-immigrants> (reporting arrests of fathers in family court and victims of domestic violence in human trafficking court).

⁷ See Devlin Barrett, *DHS: Immigration agents may arrest crime victims, witnesses at courthouses*, THE WASHINGTON POST (April 4, 2017), available at https://www.washingtonpost.com/world/national-security/dhs-immigration-agents-may-arrest-crime-victims-witnesses-at-courthouses/2017/04/04/3956e6d8-196d-11e7-9887-1a5314b56a08_story.html?utm_term=.a0ba68f162ec (“Lapan, the DHS official, made clear in Tuesday’s comments that courthouse arrests by ICE agents are not limited to people who would otherwise be apprehended in a jail or prison. ‘[a witness or victim] may have circumstances in their own case that would them subject to arrest,’ While it may be a stated policy to arrest crime victims in some cases, in practice, it seems to happen only rarely.”); Directive 11072.1: Civil Immigration Enforcement Actions Inside Courthouses, ICE (Jan. 10, 2018) <https://www.ice.gov/sites/default/files/documents/Document/2018/ciEnforcementActionsCourthouses.pdf> (“Aliens encountered during a civil immigration enforcement action inside a courthouse such as . . . a witness in a proceeding, will not be subject to civil immigration enforcement action, absent special circumstances”).

information about ICE's policies or procedures or the manner in which it works with OCA.⁸ Without gaining access to the requested records, there will continue to be mass confusion and misunderstanding over courthouse arrests, meaning that potential litigants and witnesses will refrain from accessing the courts and attorneys will be unable to advise their clients about the consequences of participation.

The intense public interest in issues relating to courthouse arrests is evident.⁹ Various media reports detail specific instances of these arrests, fear from immigrant communities, and outcries from communities, attorneys,¹⁰ district attorneys,¹¹ and judges.¹² However, despite the widespread interest and attention, little to no information about the relationship between DHS and OCA is available in the public domain.¹³ Without access to the above-mentioned information, the public is unable to fully comprehend the emerging practice or the roles agencies

⁸ See *State AG, Brooklyn DA Want ICE to Stop Courthouse Arrests*, NEWS 12 THE BRONX (Aug. 3, 2017), <http://bronx.news12.com/story/36058427/state-ag-brooklyn-da-want-ice-to-stop-courthouse-arrests> (quoting Lee Wang from Immigrant Defense Project: "We don't know if they will be sitting in the back of the courtroom or lurking in the hallway. We don't know whether they will be in plain clothes, whether they will show a warrant, or even say who they are.").

⁹ See, e.g., Michelle Chen, *Why is ICE Arresting Immigrants in New York City's Courts?*, THE NATION (Dec. 4, 2017), available at <https://www.thenation.com/article/why-is-ice-arresting-immigrants-in-new-york-citys-courts/>; Protecting the Administration of Justice in New York State: Impact of ICE Arrests on New Yorkers' Access to State Courts, THE FUND FOR MODERN COURTS (Dec. 5, 2017) <http://moderncourts.org/wp-content/uploads/2017/12/Modern-Courts-Report-December-2017-ICE-and-NY-COURTHOUSES2-1.pdf>; Noah Manskar, *Latest ICE Arrest in Brooklyn Courthouse Protested by NYC Lawyers*, THE BROOKLYN HEIGHTS PATCH (Nov. 28, 2017) <https://patch.com/new-york/heights-dumbo/nyc-defense-lawyers-protest-ice-arrest-brooklyn-court>; Cesar Cuauhtemoc Garcia Hernandez, *ICE's Courthouse Arrests Undercut Democracy*, THE NEW YORK TIMES (Nov. 26, 2017) <https://www.nytimes.com/2017/11/26/opinion/immigration-ice-courthouse-trump.html>; Amanda Ottaway, *Attorneys Hold Chilly Protest as Immigration Arrests at Courts Surge*, Courthouse News Services (Dec. 7, 2017) <https://www.courthousenews.com/attorneys-hold-chilly-protest-as-immigration-arrests-at-court-surge/>.

¹⁰ Beth Fertig, *Outcry After Immigration Agents Seen at Queens Human Trafficking Court* WNYC (June 16, 2017) <https://www.wnyc.org/story/outcry-after-immigration-agents-come-trafficking-victim-queens-courthouse/>; Stephen Rex Brown, *ICE Courthouse Arrests of Immigrants up 900% across N.Y. in 2017*, THE DAILY NEWS (Nov. 15, 2017), available at <http://www.nydailynews.com/new-york/ice-courthouse-arrests-immigrants-900-n-y-2017-article-1.3633463>; Emma Whitford, *Courthouse ICE Arrests Are Making Immigrants 'Sitting Ducks' Lawyers Warn*, THE GOTHAMIST (June 22, 2017) http://gothamist.com/2017/06/22/ice_immigrants_courts.php.

¹¹ *ICE Should Stop Conducting Raids at New York Courthouses, Gonzalez Says*, NPR (Aug. 12, 2017) <https://www.npr.org/2017/08/12/542998615/ice-should-stop-conducting-raids-at-new-york-courthouses-gonzalez-says>.

¹² Kristine Phillips, *California Chief Justice to ICE: Stop 'Stalking' Immigrants at Courthouses*, THE WASHINGTON POST (March 17, 2017), available at https://www.washingtonpost.com/news/post-nation/wp/2017/03/17/california-chief-justice-to-ice-stop-stalking-immigrants-at-courthouses/?utm_term=.f71ea130b8c6 (California Chief Justice Tani Cantil-Sakauye's "letter echoes concerns raised across the country by some local and state officials who fear that ICE's increased presence at courthouses may deter immigrants from coming to court for legal matters, such as testifying or seeking protective orders from alleged abusers."); S.P. Sullivan, *N.J.'s Chief Justice Asks ICE to Stop Arresting Immigrants at Courthouses*, NJ.COM (April 19, 2017) http://www.nj.com/politics/index.ssf/2017/04/nj_top_judge_asks_ice_to_stop_arresting_immigrants.html.

¹³ Jonathan Blitzer, *The Woman Arrested by ICE in a Courthouse Speaks Out*, THE NEW YORKER, available at (Feb. 23, 2017) <https://www.newyorker.com/news/news-desk/the-woman-arrested-by-ice-in-a-courthouse-speaks-out> ("Officials at ICE were circumspect about how they had located Gonzalez, telling the local press that they had received notice about her from 'another law-enforcement body,' without specifying which one.").

are playing, and will lack information that is necessary to participate in the debate about these governmental activities.

The Requestors are “primarily engaged in disseminating information” and thus warrant expedited processing. 5 U.S.C. § 552(a)(6)(E)(v)(II); *see also* 6 C.F.R. § 5.5(d)(3). The Department of Homeland Security’s (“DHS”) regulations specifically provide that “information dissemination . . . need not be [a requestor’s] sole occupation.” 6 C.F.R. § 5.5(d)(3). IDP is an expert resource and advocacy organization that monitors the intersection of the criminal justice system and immigration system.¹⁴ It disseminates information about these issues to policy makers, attorneys, the general public, and affected communities, and these materials routinely include information obtained through FOIA requests.¹⁵ IDP publishes newsletters, know-your-rights pamphlets, and reports on immigration issues.¹⁶ The Clinic is also primarily engaged in disseminating information and has published reports and other materials using records obtained via FOIA requests,¹⁷ meaning that it is well positioned to analyze the records and has a demonstrated track record in doing so. As such, the Requestors meet the standard for expedited processing.

Request of Waiver of Fees

The Requestors ask that all fees associated with this FOIA request be waived. We are entitled to a waiver of all costs because disclosure of the information is “likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). *See also* 6 C.F.R. § 5.11(k) (records furnished without charge or at a reduced rate if the information is in the public interest, and disclosure is not in commercial interest of institution). In addition, the Requestors have the ability to widely disseminate the requested information.¹⁸

As described above, disclosure of the requested information will contribute significantly to public understanding of government operations and activities and decrease the level of

¹⁴ Mission, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/about/>.

¹⁵ IDP Resources, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/resources2/>; Immigrant Defense Project, Defend Against ICE Raids and Community Arrests (2017), [https://www.immdefense.org/raids-toolkit/\(including documents obtained in the *Immigrant Defense Project et al. v. ICE*, et al. FOIA litigation\)](https://www.immdefense.org/raids-toolkit/(including%20documents%20obtained%20in%20the%20Immigrant%20Defense%20Project%20et%20al.%20v.%20ICE,%20et%20al.%20FOIA%20litigation);); Immigrant Defense Project, Insecure Communities, Devastated Families: New Data on Immigrant Detention and Deportation Practices in New York City (July 23, 2012), <https://www.immigrantdefenseproject.org/wp-content/uploads/2012/08/NYC-FOIA-Report-2012-FINAL-Aug.pdf> (data in part provided through FOIA with ICE); ICE Raids FOIA, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/raids-foia/> (information on ICE trainings and practices around home raids, obtained through ongoing FOIA litigation, available online).

¹⁶ Resources for Communities, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/category/resources-for-communities/>.

¹⁷ *See e.g.*, Aarti Kohli, Peter L. Markowitz (Immigration Justice Clinic, Cardozo School of Law), and Lisa Chavez, Secure Communities by the Numbers: An Analysis of Demographics and Due Process (Oct. 20 1 1), [https://www.law.berkelev.edu/files/Secure Communities by the Numbers.pdf](https://www.law.berkelev.edu/files/Secure%20Communities%20by%20the%20Numbers.pdf); Immigration Justice Clinic, Cardozo School of Law, Constitution on ICE: A Report on Immigration Home Raid Operations (2009), <http://www.cardozo.yu.edu/sites/default/files/Constitution%20n%20ICE-A%20Report%20n%20Immigration%20Home%20Raid%20operations%20%20Cardozo%20Law%20School%20O.pdfv>.

¹⁸ *See Judicial Watch v. Rossotti*, 326 F.3d 1309 (D.C. Cir. 2003); *supra* note 17.

misunderstanding, confusion, and fear. *See supra* note 3-13. The records requested here relate directly to governmental operations or activities; all are directly traceable to a specific federal government initiative of performing federal civil immigration enforcement at courthouses. As noted, although this is an issue of intense public concern, there is virtually no information about, among other things, the relationship between OCA and DHS, the frequency and type of arrests, the mechanisms for ensuring that individuals who are arrested can continue to participate in their state court proceedings available to the public. *See supra* notes 3-12. Thus, the requested information would significantly enhance the public's understanding of courthouse arrests, and either provide a way to reduce the mass fear, panic, and confusion of immigrant and minority communities, or more effectively engage with the government about these practices. Given the obvious access-to-justice issues that the documented chilling effect on noncitizens throughout the state creates—not only for people in court proceedings, but also those who wish to participate in the New York court system, and those who rely on noncitizens as witnesses—it is critical that the public, including noncitizens and their attorneys, understand more about the scope and contours of this practice.

Requestors have undertaken this work in the public interest and not for any private commercial interest. The Clinic and IDP are not-for-profit organizations that do not seek to disseminate the information for the purpose of commercial gain. Requestors will make information responsive to this FOIA request available to the public, including the press, at no cost. Indeed, Requestors have a proven track-record of compiling and will disseminate newsworthy information obtained through this request.¹⁹ Accordingly, disclosure in this case meets the statutory criteria, and a fee waiver would fulfill Congress's legislative intent in amending FOIA. *See Judicial Watch Inc. v. Rossotti*, 326 F.3d 1310, 1312 (D.C. Cir. 2003) (“Congress amended FOIA to ensure that it be ‘liberally construed in favor of waivers of noncommercial requesters’”).

In the alternative, if a full fee waiver is not granted, Requestors seek all applicable reductions in fees pursuant to 6 C.F.R. § 5.11(d). Further, fees are limited to only reasonable duplication costs when the request is not for commercial purposes and “the request is made by an educational or noncommercial scientific institution.” 5 U.S.C. § 522(a)(4)(A)(ii)(II). The Clinic, as an educational institution, requests that if the fee waiver is not granted, fees be limited to duplication costs only. Requestors further ask that, if no fee waiver is granted and the fees exceed \$200.00, the Agency please contact Requestors, through the undersigned counsel, to obtain consent to incur additional fees.

Certification

The Clinic certifies that the foregoing is true and correct. *See* 6 C.F.R. § 5.5(d)(3). If you have any questions regarding this request, please contact Tamar Rosen or Lindsay Nash at

¹⁹ *See, e.g., supra* note 17.

the Clinic's daytime phone number (212) 790-0433, or via email at lindsay.nash@yu.edu. Thank you in advance for your timely cooperation.

Please furnish copies of all information to

Lindsay Nash, Esq.
Benjamin N. Cardozo School of Law
Kathryn O. Greenberg Immigration Justice Clinic
55 Fifth Avenue, 11th Floor
New York, New York 10003

Sincerely,



Tamar Rosen, Law Student
Lindsay Nash, Esq.
Benjamin N. Cardozo School of Law
Kathryn O. Greenberg Immigration
Justice Clinic
55 Fifth Avenue, 11th Floor
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Tel: (212) 790-0433
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EXHIBIT B

Office of Information Governance and Privacy

U.S. Department of Homeland Security
500 12th St., SW
Washington, D.C. 20536



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

June 11, 2018

LINDSAY NASH
CARDOZO SCHOOL OF LAW
IMMIGRATION JUSTICE CLINIC
55 FIFTH AVE., 11TH FLOOR
NEW YORK, NY 10003-4391

RE: ICE FOIA Case Number 2018-ICFO-25625

Dear Ms. NASH:

This letter is the final response to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated March 05, 2018. You have requested copies of the following records:

records related to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents that occur within, on the property of, or within two city blocks of New York State courthouses (see request for specific details)

ICE has considered your request under the FOIA, 5 U.S.C. § 552.

A search of the ICE Enforcement & Removal Operations (ERO) for records responsive to your request produced 2 pages that are responsive to your request. After review of those documents, I have determined that 0 pages will be released in their entirety. Portions of 2 pages will be withheld pursuant to Exemptions (b)(6), (b)(7)(C) of the FOIA as described below.

ICE has applied FOIA Exemptions 6 and 7(C) to protect from disclosure the names, e-mail addresses, and phone numbers of DHS employees contained within the documents.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8, to:

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
U.S. Department of Homeland Security
500 12th Street, S.W., Mail Stop 5900
Washington, D.C. 20536-5900

Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

If you need any further assistance or would like to discuss any aspect of your request, please contact the FOIA office and refer to FOIA case number **2018-ICFO-25625**. You may send an e-mail to ice-foia@ice.dhs.gov, call toll free (866) 633-1182, or you may contact our FOIA Public Liaison, Fernando Pineiro, in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "Katrina M. Pavlik-Keenan". The signature is written in a cursive style with a large initial "K" and a long horizontal flourish at the end. The word "for" is written in a smaller, simpler font directly below the first few letters of the signature.

Catrina M. Pavlik-Keenan
FOIA Officer

Enclosure(s): 2 page(s)

EXHIBIT C



O'Melveny & Myers LLP
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7 Times Square
New York, NY 10036-6537

T: +1 212 326 2000
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August 17, 2018

Matt Schock
D: +1 202 383 5379
mschock@omm.com

VIA FEDEX

U.S. Immigration and Customs Enforcement
Office of Principal Legal Advisor
U.S. Department of Homeland Security
Freedom of Information Office
500 12th Street, S.W. STOP 5009
Washington, D.C. 20536-5009

Re: Freedom of Information Act Appeal, ICE FOIA Case Number 2018-ICFO-25625

Dear Sir or Madam,

We write on behalf of the Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and the Immigrant Defense Project (collectively “Requestors”) in connection with the above referenced Freedom of Information Act (“FOIA”) request (the “Request”) (attached hereto as Exhibit A). This letter is an appeal of ICE’s adverse determination concerning the Request.

The Request seeks records related to civil immigration arrests by U.S. Immigration and Customs Enforcement (“ICE”) agents that occur inside, on the property of, or within two city blocks of New York State courthouses (hereinafter “courthouse arrests”)—an enforcement practice that has dramatically expanded in recent months.¹ In response to the Request, ICE produced two pages of records. ICE’s failure to produce *any* documents related to entire categories of the Request, including, among other things, numerous specific responsive records of which Requestors are aware, and its apparent failure to search locations that are clearly likely to contain responsive information, demonstrate that ICE has failed to conduct an adequate search for responsive records as required by FOIA. Requestors respectfully request that ICE conduct an adequate search and immediately produce records responsive to the Request.

¹ See Immigrant Defense Project, IDP Unveils New Statistics & Trends Detailing Statewide ICE Courthouse Arrests in 2017 (Dec. 31, 2017), available at <https://www.immigrantdefenseproject.org/wp-content/uploads/ICE-Courthouse-Arrests-Stats-Trends-2017-Press-Release-FINAL.pdf>.

I. Background

Requestors' March 5, 2018 Request sought, among other things, any and all records prepared, received, transmitted, collected, and/or maintained by ICE's New York and Buffalo field offices that reflect:

- internal protocols regarding communication between the Department of Homeland Security ("DHS") and the New York State Office of Court Administration ("OCA") staff;
- policies, protocols, or trainings about courthouse arrests;
- information about enforcement incidents related to courthouse arrests;
- meetings between DHS staff and OCA staff;
- information regarding production of individuals held in ICE custody to any New York State law enforcement or correctional agency; and
- copies of certain DHS reporting requirements.

(See Exhibit A).

Requestors received ICE's acknowledgment of the Request on March 23, 2018 (attached hereto as Exhibit B). ICE stated that the Request sought "numerous documents" that would "necessitate a thorough and wide-ranging search," and committed to "make every effort to comply with [the] request in a timely manner."

Nearly three months later, on June 11, 2018, Requestors received ICE's formal response (attached hereto as Exhibit C). That response, signed by FOIA Officer Catrina M. Pavlik-Keenan, stated that after searching its Enforcement and Removal Operations ("ERO") division, ICE had identified only two pages responsive to the Request.

Requestors appeal the adequacy of ICE's search for records responsive to the Request. This appeal is being filed within 90 days of ICE's June 11, 2018 letter, as required by 6 C.F.R. § 5.8.

II. ICE Failed to Conduct an Adequate Search

It is well-settled that, under 5 U.S.C. § 552(a)(3), agencies must conduct "a search reasonably calculated to uncover all relevant documents" in response to a FOIA request. *ACLU v. NSA*, 2017 WL 6387731, at *3 (S.D.N.Y. Aug. 17, 2017) (quoting *Morley v. CIA*, 508 F.3d 1108, 1114 (D.C. Cir. 2007)); see also *Oglesby v. Army*, 920 F.2d 57, 68 (D.C. Cir. 1990) (agencies must make "a good faith effort to conduct a search for the requested records, using methods which can be reasonably expected to produce the information requested"). An adequate search requires both disclosure of responsive documents and the use of reasonable search methods to locate them. See *N.Y. Times Co. v. DOJ*, 756 F.3d 100, 124 (2d Cir. 2014). "Evidence that relevant records have not been released may shed light on whether the agency's search was indeed inadequate." *Nat'l Day Laborer Organizing Network v. ICE*, 877 F. Supp. 2d 87, 96 (S.D.N.Y. 2012) (quoting *Weisberg v. DOJ*, 705 F.2d 1344, 1351 (D.C. Cir. 1983)).

A. ICE failed to disclose all responsive documents.

The inadequacy of ICE’s search is evident first and foremost from its paltry results. Public documents make clear that courthouse arrests in New York and across the country have increased significantly over the past year.² Even ICE concedes courthouse arrests have become more frequent, based on its view that “safety risks” during such arrests are “substantially diminished,” and it has gone to great lengths to attempt to justify this practice and its new courthouse arrest policy.³ It is therefore inconceivable, given that ICE has responded to inquiries and criticism, addressed concerns raised by state courts, and created a new internal policy on courthouse arrests, that it created no records whatsoever in these processes. The fact that ICE produced no records relating to these activities—all clearly responsive to the Request—indicates that its search could not have been adequate.

Indeed, ICE’s deficient response omits numerous responsive documents of which Requestors are aware. For example, the New York Chief Administrative Judge has stated publicly that ICE officials have “agreed, unofficially on a regional level” not to go into non-criminal courtrooms⁴, yet ICE’s two-page production contains no evidence of this agreement whatsoever. It is implausible that ICE has neither generated nor maintained any materials reflecting such a significant and consequential policy decision. Nor has ICE disclosed responsive materials described by its own internal courthouse-arrest directives. Directive Number 11072.1 (attached hereto as Exhibit D), issued January 10, 2018, “sets forth [ICE] policy regarding civil immigration enforcement actions inside federal, state, and local courthouses.”⁵ It states that:

- “[p]lanned civil immigration enforcement actions inside courthouses will be documented and approved consistent with current operational plans and field operations worksheet procedures. Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI) may issue additional procedural guidance on reporting and documentation requirements”⁶;
- Field Office Directors “are responsible for . . . [p]roviding guidance to officers and agents on the approval process and procedures for civil immigration enforcement actions at courthouses in their area of responsibility beyond those outlined in this Directive”⁷;

² See, e.g., Nancy Morawetz & Lindsay Nash, *Get ICE Out of N.Y.’s Courtrooms*, THE DAILY NEWS (Jan. 25, 2018), available at <http://www.nydailynews.com/opinion/ice-n-y-s-courtrooms-article-1.3777389> (noting “a 1,100% increase in incidence of ICE courthouse arrests in New York in 2017 from the previous year”).

³ U.S. Immigration and Customs Enforcement, FAQ on Sensitive Locations and Courthouse Arrests, <https://www.ice.gov/ero/enforcement/sensitive-loc>.

⁴ Josefa Velasquez, *Administrative Judge Questions Cuomo’s Proposal for an 8-Hour Day From State Judges*, NEW YORK LAW JOURNAL (Jan. 30, 2018), available at <https://www.law.com/newyorklawjournal/sites/newyorklawjournal/2018/01/30/administrative-judge-questions-cuomos-proposal-for-an-8-hour-day-from-state-judges/>.

⁵ Ex. D § 1.

⁶ *Id.* § 2.

⁷ *Id.* § 4.2.1.

- “ICE officers and agents will document the physical address of planned civil immigration enforcement actions in accordance with standard procedures for completing operational plans, noting that the target address is a courthouse”⁸; and
- “ICE maintains records generated pursuant to this policy, specifically the Field Operations Worksheets (FOW) and Enforcement Operation Plan (EOP). . . . The EOPs will be maintained within the Investigative Case Files.”⁹

Clearly, ICE officers and agents (including those in ICE’s New York and Buffalo field offices) are required to document enforcement actions, yet none of the above-listed documents were disclosed, nor were any training materials identified in response to the Request.

Finally, ICE’s disclosure here is clearly incomplete because it pales in comparison to other recent ICE disclosures responding to courthouse-arrest-records requests. For example, when asked for recent Colorado field office courthouse-arrest records, ICE produced a far more extensive response (attached hereto as Exhibit E) than the mere two pages it disclosed here. It cannot be that ICE’s New York field offices, which are among the most active in the country, contain so few responsive records, while other field offices contain so many.

B. ICE’s search was not reasonably calculated to uncover all relevant documents.

ICE’s conclusory response letter further demonstrates that its search for records responsive to the Request was inadequate. Despite its patently inadequate production, ICE offered no explanation of its search methodology or execution. But even without an explanation, it is clear ICE’s search was inadequate because it did not search all divisions likely to have responsive records. *See Nat’l Day Laborer Organizing Network*, 877 F. Supp. 2d at 97 (search not adequate where ICE failed to search divisions likely to contain responsive records); *see also Immigrant Defense Project v. ICE*, 208 F. Supp. 3d 520, 531-32 (S.D.N.Y. 2016) (same). Requestors sought records prepared, received, transmitted, collected, or maintained by ICE’s New York and Buffalo field offices. But ICE’s response states that ICE searched only its ERO division. There is no indication that ICE conducted a meaningful search of any field office, much less the specific offices identified in the Request. *See Roseberry-Andrews v. DHS*, 299 F. Supp. 3d 9, 23 (D.D.C. 2018) (search not reasonable where agency failed to search office identified by requester as likely to contain responsive records). It also appears that ICE excluded from its search several divisions likely to have records transmitted or received by the New York and Buffalo field offices. These may include ERO subdivisions, such as:

- the Field Operations Division, which “oversees, directs, coordinates, and supports ERO’s 24 field offices”¹⁰;

⁸ *Id.* § 5.1.1.

⁹ *Id.* § 6.

¹⁰ U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations, <https://www.ice.gov/ero>.

- the Special Operations Division, which “oversees and coordinates ERO’s intelligence collection efforts, firearms training and protective equipment procurement, various tactical programs and communications efforts”¹¹;
- the Domestic Operations Division, which “oversees, directs, and coordinates all ERO Field Operations activities throughout the nation’s field offices and sub-offices”;¹² and
- the Law Enforcement Systems and Analysis Division, which “is responsible for helping inform the development of ERO strategies and supporting continuous enhancement of ERO business processes to execute those strategies.”¹³

ICE divisions outside ERO also may have materials responsive to the Request. Such divisions may include:

- Homeland Security Investigations, which has personnel “assigned to cities throughout the United States,” has “broad legal authority to enforce a broad array of federal statutes,” including some related to immigration¹⁴, and has field offices in New York and Buffalo¹⁵; and
- ICE Management and Administration, which “identifies, develops and effectively communicates ICE’s organizational priorities and policies to internal and external stakeholders.”¹⁶

The foregoing are not meant to comprise an exhaustive list of additional sources likely to contain materials responsive to the Request. They are merely examples that demonstrate the inadequacy of ICE’s search.

Accordingly, because ICE undeniably failed to produce all (or, effectively, any) responsive documents, and because ICE’s search clearly was not reasonably calculated to uncover all relevant documents, it is beyond legitimate dispute that ICE did not conduct an adequate search in response to the Request.

* * *

Please provide a response to this appeal within the twenty days allowed by 5 U.S.C. § 552(a)(6)(A)(2). Thank you for your attention to this matter, and please do not hesitate to contact me if you have questions or would like clarification of the above request.

¹¹ U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations, <https://www.ice.gov/field-operations>.

¹² *Id.*

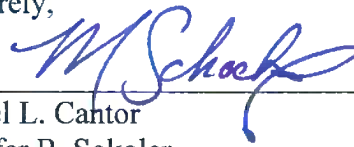
¹³ *Id.*

¹⁴ U.S. Immigration and Customs Enforcement, Homeland Security Investigations, <https://www.ice.gov/hsi>.

¹⁵ U.S. Immigration and Customs Enforcement, Homeland Security Investigations, <https://www.ice.gov/contact/hsi>.

¹⁶ U.S. Immigration and Customs Enforcement, Homeland Security Investigations, <https://www.ice.gov/management-administration/policy>.

Sincerely,



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Exhibit A

CARDOZO LAW

BENJAMIN N. CARDOZO SCHOOL OF LAW • YESHIVA UNIVERSITY

KATHRYN O. GREENBERG IMMIGRATION JUSTICE CLINIC

Peter L. Markowitz, Director
Professor of Law

(212) 790-0895
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Lindsay Nash
Visiting Assistant Clinical Professor of Law

Jacqueline Pearce
Clinical Teaching Fellow

Hannah Robbins
Clinical Teaching Fellow

March 5, 2018

Via Email to ICE-FOIA@dhs.gov
U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009

RE: Freedom of Information Act Request

Dear U.S. Immigration and Customs Enforcement FOIA Unit:

The Kathryn O. Greenberg Immigration Justice Clinic (“Clinic”) and the Immigrant Defense Project (“IDP”) (collectively “Requestors”) submit this letter as a request for information under the Freedom of Information ACT (FOIA), 5 U.S.C. § 552, *et seq.* We ask that this request be expedited pursuant to 5 U.S.C. § 552(a)(6)(E), and that we be granted a fee waiver pursuant to 5 U.S.C. § 552(a)(4)(A)(iii).

Records Requested

Requestors seek disclosure of records related to civil immigration arrests by U.S. Immigration and Customs Enforcement (“ICE”) agents that occur within, on the property of, or within two city blocks of New York State courthouses (hereinafter “courthouse arrests”). Specifically, the Clinic and IDP request any and all records¹ prepared, received, transmitted,

¹ The term “records” as used herein includes all records or communications preserved in electronic or written form including but not limited to training manuals, correspondence, regulations, directives, documents, data, videotapes, audiotapes, e-mails, faxes, files, guidance, guidelines, standards, evaluations, instructions, analyses, memorandum, agreements, notes, orders, policies, procedures, protocols, reports, rules, technical manuals, technical specifications, training materials or studies, including records kept in written form or electronic format on computers and/or other electronic storage devices and electronic communications and/or videotapes, as well as any reproductions thereof that differ in any way from any reproduction, such as copies containing marginal notations. Requestors do not object to redaction of personally identifying information.

collected, and/or maintained by United States the Immigration and Customs Enforcement (“ICE”) New York and Buffalo field offices that reflect the following:

1. Any internal protocols regarding communication between the Department of Homeland Security (“DHS”) or its subcomponents and the New York State Office of Court Administration (“OCA”) staff.
2. Any policies, protocols, or trainings about courthouse arrests within the area of responsibility of the New York and Buffalo Field Office Directors, including:
 - a. Specific protocols re enforcement actions (defined as arrest, attempted arrest, or surveillance) in courthouses or areas within courthouses dedicated to either criminal or non-criminal proceedings (including criminal, family, civil courts, integrated, and problem-solving courts).
 - b. OCA’s April 26, 2017 “Policy and Protocol Governing Activities in Courthouses by Law Enforcement Agencies”).
 - c. Arrests of noncitizens encountered during a civil immigration enforcement action inside a courthouse, including family members or friends accompanying the “target alien” (as defined in ICE’s January 10, 2018 Directive 11072.1) to court appearances or serving as a witness in a proceeding.
 - d. Arrests of individuals serving as witnesses in a proceeding.
 - e. ICE’s January 10, 2018 Directive 11072.1.
 - f. Use of non-public areas of courthouses and non-public exits/entrances of courthouses.
 - g. Communication and collaboration with OCA staff, including court officers.
 - h. Compliance with 8 U.S.C. § 1229(e).
3. Information about each enforcement incident conducted at or near a New York State courthouse from 2015 to the present, including:
 - a. Date of each enforcement incident.
 - b. Target address of each enforcement incident.
 - c. Type of each enforcement incident (arrest, attempted arrest, or surveillance).
 - d. Number of people targeted in each operation.
 - e. Number of people arrested.
 - f. Number of non-targeted people arrested (i.e., collateral arrests).
 - g. The following documents and information about each of these arrests:²
 - i. Notice to Appear, Administrative Warrant (Form I-200, I-205, or any other document purporting to be an administrative warrant), and I-213.
 - ii. Field Operations Worksheet.
 - iii. Any and all correspondence between DHS and NYS OCA staff about these arrest operations, internal DHS correspondence, and any correspondence between OCA, local police, and/or DHS in advance of an arrest.
4. Meetings between DHS staff and OCA staff.

² Requestors may be willing to narrow or modify this request if a mutually agreeable alternative can be reached.

5. The following information regarding the production of individuals held in ICE custody from said custody to that of any New York State law enforcement or correctional agency for purposes of an appearance before a non-federal court within New York State.
 - a. Any internal policies, protocols or correspondence regarding response by ICE to requests (including any writ of habeas corpus ad prosequendum or other court order requiring production) for production issued by a New York State Court.
 - b. The number of times since January 2017 that ICE has received a request (including any writ of habeas corpus ad prosequendum or other court order requiring production) from a New York State Court for the production of an individual held in ICE's custody pursuant to 8 U.S.C. § 1226 or 8 U.S.C. § 1231.
 - c. For each recorded request:
 - i. Copy of request.
 - ii. Date of request.
 - iii. Whether or not the request was honored.
 - iv. If request was honored, date of production.
 - v. Name of law enforcement agency that took custody of individual ICE detainee.
 - vi. All correspondence between district attorneys' offices, local law enforcement agencies, and ICE regarding production of individual ICE detainees.
6. Copies of the following:
 - a. DHS Directive 034-06, *Department Reporting Requirements*, October 23, 2015.
 - b. DHS Instruction 034-06-001, Rev. 1, *Department Reporting Requirements*, March 28, 2017.

Request for Expedited Processing

Expedited processing is warranted because there is “an urgency to inform the public about an actual or alleged federal government activity,” and the request is made by entities “primarily engaged in disseminating information.” 5 U.S.C. § 552(a)(6)(E)(v)(II). This request demonstrates that both criteria are satisfied. 6 C.F.R. § 5.5(d)(3).

There is an urgent need to obtain the information sought in the instant request which, at this point, is not publicly available. The records described above would accurately reflect the scope, details, and policies regarding the phenomenon known colloquially as “courthouse arrests.” The practice increased 1,100% from 2016 to 2017 and has had a documented chilling effect on access to justice for noncitizens throughout New York State.³ It is critical to obtain this information because information on the frequency of this type of arrest, agency policies, and ICE's working relationship with OCA will provide the public—including crucial stakeholders such as legal services lawyers, anti-violence advocates, and other participants in the court

³ Nancy Morawetz & Lindsay Nash, *Get ICE Out of N.Y.'s Courtrooms*, THE DAILY NEWS (Jan. 25, 2018), available at <http://www.nydailynews.com/opinion/ice-n-y-s-courtrooms-article-1.3777389> (“As documented by the Immigrant Defense Project, there was a 1,100% increase in incidence of ICE courthouse arrests in New York in 2017 from the previous year.”).

system—much needed clarity on the risks that individuals face when participating in court proceedings in New York State.

In light of the dramatic increase in arrests and ICE’s official policy of conducting enforcement operations within and near courthouses, immigrant communities are suffering from immense fear about the risks of attending court as litigants, witnesses, or other attendees. This fear is compounded by the huge gaps in information about when and whether an interaction with the court system will result in arrest, detention, and deportation, all of which has led to significant declines in court participation by victims of domestic violence, sexual assault, and rape, posing a significant threat to public health and safety.⁴ Despite ICE’s vague and standardless assertion that its agents will “generally” seek to avoid enforcement actions in areas that are dedicated to non-criminal proceedings,⁵ there have been numerous instances of such actions in New York State and nationally.⁶ Moreover, DHS’s statements about this policy and practice are inconsistent and vague⁷ and provide little if any guidance to the public as to when ICE will conduct such an enforcement action. The only statistics on the frequency and type of these arrests are from self-reported data collected by IDP from advocates and attorneys practicing in counties across New York State, which is incomplete and in any event does not provide

⁴ See, e.g., James Queally, *Latinos are Reporting Fewer Sexual Assaults Amid Climate of Fear in Immigrant Communities, LAPD Says*, THE LOS ANGELES TIMES (Mar. 21, 2017), available at <http://www.latimes.com/local/lanow/la-me-ln-immigrant-crime-reporting-drops-20170321-story.html>; Brooke A. Lewis, *HPD Chief Announces Decrease in Hispanics Reporting Rape and Violent Crimes Compared to Last Year*, CHRON (April 6, 2017), available at <http://www.chron.com/news/houston-texas/houston/article/HPD-chief-announces-decrease-in-Hispanics-11053829.php>; Jennifer Medina, *Too Scared to Report Sexual Abuse. The Fear: Deportation*, THE NEW YORK TIMES (April 30, 2017), available at <https://www.nytimes.com/2017/04/30/us/immigrants-deportation-sexual-abuse.html>; 2017 Advocate and Legal Service Survey Regarding Immigrant Survivors, TAHIRIH JUSTICE CENTER, <http://www.tahirih.org/wp-content/uploads/2017/05/2017-Advocate-and-Legal-Service-Survey-Key-Findings.pdf> (reporting that, in survey of 715 advocates and attorneys from 46 states and the District of Columbia, three out of four advocated reported immigrant survivors of abuse afraid to go to court).

⁵ See ICE, FAQ on Sensitive Locations and Courthouse Arrests, <https://www.ice.gov/ero/enforcement/sensitive-loc>; ICE Directive 11072.1: Civil Immigration Enforcement Actions Inside Courthouses, ICE (Jan. 10, 2018), <https://www.ice.gov/sites/default/files/documents/Document/2018/ciEnforcementActionsCourthouses.pdf> (“ICE officers and agents should generally avoid enforcement actions in courthouses, or areas within courthouses that are dedicated to non-criminal (e.g. family court, small claims court) proceedings.”)

⁶ Steve Coll, *When A Day in Court is a Trap for Immigrants*, THE NEW YORKER (Nov. 8, 2017), <https://www.newyorker.com/news/daily-comment/when-a-day-in-court-is-a-trap-for-immigrants> (reporting arrests of fathers in family court and victims of domestic violence in human trafficking court).

⁷ See Devlin Barrett, *DHS: Immigration agents may arrest crime victims, witnesses at courthouses*, THE WASHINGTON POST (April 4, 2017), available at https://www.washingtonpost.com/world/national-security/dhs-immigration-agents-may-arrest-crime-victims-witnesses-at-courthouses/2017/04/04/3956e6d8-196d-11e7-9887-1a5314b56a08_story.html?utm_term=.a0ba68f162ec (“Lapan, the DHS official, made clear in Tuesday’s comments that courthouse arrests by ICE agents are not limited to people who would otherwise be apprehended in a jail or prison. ‘[a witness or victim] may have circumstances in their own case that would them subject to arrest,’ While it may be a stated policy to arrest crime victims in some cases, in practice, it seems to happen only rarely.”); Directive 11072.1: Civil Immigration Enforcement Actions Inside Courthouses, ICE (Jan. 10, 2018) <https://www.ice.gov/sites/default/files/documents/Document/2018/ciEnforcementActionsCourthouses.pdf> (“Aliens encountered during a civil immigration enforcement action inside a courthouse such as . . . a witness in a proceeding, will not be subject to civil immigration enforcement action, absent special circumstances”).

information about ICE's policies or procedures or the manner in which it works with OCA.⁸ Without gaining access to the requested records, there will continue to be mass confusion and misunderstanding over courthouse arrests, meaning that potential litigants and witnesses will refrain from accessing the courts and attorneys will be unable to advise their clients about the consequences of participation.

The intense public interest in issues relating to courthouse arrests is evident.⁹ Various media reports detail specific instances of these arrests, fear from immigrant communities, and outcries from communities, attorneys,¹⁰ district attorneys,¹¹ and judges.¹² However, despite the widespread interest and attention, little to no information about the relationship between DHS and OCA is available in the public domain.¹³ Without access to the above-mentioned information, the public is unable to fully comprehend the emerging practice or the roles agencies

⁸ See *State AG, Brooklyn DA Want ICE to Stop Courthouse Arrests*, NEWS 12 THE BRONX (Aug. 3, 2017), <http://bronx.news12.com/story/36058427/state-ag-brooklyn-da-want-ice-to-stop-courthouse-arrests> (quoting Lee Wang from Immigrant Defense Project: "We don't know if they will be sitting in the back of the courtroom or lurking in the hallway. We don't know whether they will be in plain clothes, whether they will show a warrant, or even say who they are.").

⁹ See, e.g., Michelle Chen, *Why is ICE Arresting Immigrants in New York City's Courts?*, THE NATION (Dec. 4, 2017), available at <https://www.thenation.com/article/why-is-ice-arresting-immigrants-in-new-york-citys-courts/>; Protecting the Administration of Justice in New York State: Impact of ICE Arrests on New Yorkers' Access to State Courts, THE FUND FOR MODERN COURTS (Dec. 5, 2017) <http://moderncourts.org/wp-content/uploads/2017/12/Modern-Courts-Report-December-2017-ICE-and-NY-COURTHOUSES2-1.pdf>; Noah Manskar, *Latest ICE Arrest in Brooklyn Courthouse Protested by NYC Lawyers*, THE BROOKLYN HEIGHTS PATCH (Nov. 28, 2017) <https://patch.com/new-york/heights-dumbo/nyc-defense-lawyers-protest-ice-arrest-brooklyn-court>; Cesar Cuauhtemoc Garcia Hernandez, *ICE's Courthouse Arrests Undercut Democracy*, THE NEW YORK TIMES (Nov. 26, 2017) <https://www.nytimes.com/2017/11/26/opinion/immigration-ice-courthouse-trump.html>; Amanda Ottaway, *Attorneys Hold Chilly Protest as Immigration Arrests at Courts Surge*, Courthouse News Services (Dec. 7, 2017) <https://www.courthousenews.com/attorneys-hold-chilly-protest-as-immigration-arrests-at-court-surge/>.

¹⁰ Beth Fertig, *Outcry After Immigration Agents Seen at Queens Human Trafficking Court* WNYC (June 16, 2017) <https://www.wnyc.org/story/outcry-after-immigration-agents-come-trafficking-victim-queens-courthouse/>; Stephen Rex Brown, *ICE Courthouse Arrests of Immigrants up 900% across N.Y. in 2017*, THE DAILY NEWS (Nov. 15, 2017), available at <http://www.nydailynews.com/new-york/ice-courthouse-arrests-immigrants-900-n-y-2017-article-1.3633463>; Emma Whitford, *Courthouse ICE Arrests Are Making Immigrants 'Sitting Ducks' Lawyers Warn*, THE GOTHAMIST (June 22, 2017) http://gothamist.com/2017/06/22/ice_immigrants_courts.php.

¹¹ *ICE Should Stop Conducting Raids at New York Courthouses, Gonzalez Says*, NPR (Aug. 12, 2017) <https://www.npr.org/2017/08/12/542998615/ice-should-stop-conducting-raids-at-new-york-courthouses-gonzalez-says>.

¹² Kristine Phillips, *California Chief Justice to ICE: Stop 'Stalking' Immigrants at Courthouses*, THE WASHINGTON POST (March 17, 2017), available at https://www.washingtonpost.com/news/post-nation/wp/2017/03/17/california-chief-justice-to-ice-stop-stalking-immigrants-at-courthouses/?utm_term=.f71ea130b8c6 (California Chief Justice Tani Cantil-Sakauye's "letter echoes concerns raised across the country by some local and state officials who fear that ICE's increased presence at courthouses may deter immigrants from coming to court for legal matters, such as testifying or seeking protective orders from alleged abusers."); S.P. Sullivan, *N.J.'s Chief Justice Asks ICE to Stop Arresting Immigrants at Courthouses*, NJ.COM (April 19, 2017) http://www.nj.com/politics/index.ssf/2017/04/nj_top_judge_asks_ice_to_stop_arresting_immigrants.html.

¹³ Jonathan Blitzer, *The Woman Arrested by ICE in a Courthouse Speaks Out*, THE NEW YORKER, available at (Feb. 23, 2017) <https://www.newyorker.com/news/news-desk/the-woman-arrested-by-ice-in-a-courthouse-speaks-out> ("Officials at ICE were circumspect about how they had located Gonzalez, telling the local press that they had received notice about her from 'another law-enforcement body,' without specifying which one.").

are playing, and will lack information that is necessary to participate in the debate about these governmental activities.

The Requestors are “primarily engaged in disseminating information” and thus warrant expedited processing. 5 U.S.C. § 552(a)(6)(E)(v)(II); *see also* 6 C.F.R. § 5.5(d)(3). The Department of Homeland Security’s (“DHS”) regulations specifically provide that “information dissemination . . . need not be [a requestor’s] sole occupation.” 6 C.F.R. § 5.5(d)(3). IDP is an expert resource and advocacy organization that monitors the intersection of the criminal justice system and immigration system.¹⁴ It disseminates information about these issues to policy makers, attorneys, the general public, and affected communities, and these materials routinely include information obtained through FOIA requests.¹⁵ IDP publishes newsletters, know-your-rights pamphlets, and reports on immigration issues.¹⁶ The Clinic is also primarily engaged in disseminating information and has published reports and other materials using records obtained via FOIA requests,¹⁷ meaning that it is well positioned to analyze the records and has a demonstrated track record in doing so. As such, the Requestors meet the standard for expedited processing.

Request of Waiver of Fees

The Requestors ask that all fees associated with this FOIA request be waived. We are entitled to a waiver of all costs because disclosure of the information is “likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). *See also* 6 C.F.R. § 5.11(k) (records furnished without charge or at a reduced rate if the information is in the public interest, and disclosure is not in commercial interest of institution). In addition, the Requestors have the ability to widely disseminate the requested information.¹⁸

As described above, disclosure of the requested information will contribute significantly to public understanding of government operations and activities and decrease the level of

¹⁴ Mission, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/about/>.

¹⁵ IDP Resources, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/resources2/>; Immigrant Defense Project, Defend Against ICE Raids and Community Arrests (2017), [https://www.immdefense.org/raids-toolkit/\(including documents obtained in the *Immigrant Defense Project et al. v. ICE*, et al. FOIA litigation\);](https://www.immdefense.org/raids-toolkit/(including%20documents%20obtained%20in%20the%20Immigrant%20Defense%20Project%20et%20al.%20v.%20ICE,%20et%20al.%20FOIA%20litigation);) Immigrant Defense Project, Insecure Communities, Devastated Families: New Data on Immigrant Detention and Deportation Practices in New York City (July 23, 2012), <https://www.immigrantdefenseproject.org/wp-content/uploads/2012/08/NYC-FOIA-Report-2012-FINAL-Aug.pdf> (data in part provided through FOIA with ICE); ICE Raids FOIA, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/raids-foia/> (information on ICE trainings and practices around home raids, obtained through ongoing FOIA litigation, available online).

¹⁶ Resources for Communities, IMMIGRANT DEFENSE PROJECT, <https://www.immigrantdefenseproject.org/category/resources-for-communities/>.

¹⁷ *See e.g.*, Aarti Kohli, Peter L. Markowitz (Immigration Justice Clinic, Cardozo School of Law), and Lisa Chavez, Secure Communities by the Numbers: An Analysis of Demographics and Due Process (Oct. 20 11), [https://www.law.berkelev.edu/files/Secure Communities by the Numbers.pdf](https://www.law.berkelev.edu/files/Secure%20Communities%20by%20the%20Numbers.pdf); Immigration Justice Clinic, Cardozo School of Law, Constitution on ICE: A Report on Immigration Home Raid Operations (2009), <http://www.cardozo.yu.edu/sites/default/files/Constitution%20n%20ICE-A%20Report%20n%20Immigration%20Home%20Raid%20operations%20%20Cardozo%20Law%20School%20O.pdfv>.

¹⁸ *See Judicial Watch v. Rossotti*, 326 F.3d 1309 (D.C. Cir. 2003); *supra* note 17.

misunderstanding, confusion, and fear. *See supra* note 3-13. The records requested here relate directly to governmental operations or activities; all are directly traceable to a specific federal government initiative of performing federal civil immigration enforcement at courthouses. As noted, although this is an issue of intense public concern, there is virtually no information about, among other things, the relationship between OCA and DHS, the frequency and type of arrests, the mechanisms for ensuring that individuals who are arrested can continue to participate in their state court proceedings available to the public. *See supra* notes 3-12. Thus, the requested information would significantly enhance the public's understanding of courthouse arrests, and either provide a way to reduce the mass fear, panic, and confusion of immigrant and minority communities, or more effectively engage with the government about these practices. Given the obvious access-to-justice issues that the documented chilling effect on noncitizens throughout the state creates—not only for people in court proceedings, but also those who wish to participate in the New York court system, and those who rely on noncitizens as witnesses—it is critical that the public, including noncitizens and their attorneys, understand more about the scope and contours of this practice.

Requestors have undertaken this work in the public interest and not for any private commercial interest. The Clinic and IDP are not-for-profit organizations that do not seek to disseminate the information for the purpose of commercial gain. Requestors will make information responsive to this FOIA request available to the public, including the press, at no cost. Indeed, Requestors have a proven track-record of compiling and will disseminate newsworthy information obtained through this request.¹⁹ Accordingly, disclosure in this case meets the statutory criteria, and a fee waiver would fulfill Congress's legislative intent in amending FOIA. *See Judicial Watch Inc. v. Rossotti*, 326 F.3d 1310, 1312 (D.C. Cir. 2003) (“Congress amended FOIA to ensure that it be ‘liberally construed in favor of waivers of noncommercial requesters’”).

In the alternative, if a full fee waiver is not granted, Requestors seek all applicable reductions in fees pursuant to 6 C.F.R. § 5.11(d). Further, fees are limited to only reasonable duplication costs when the request is not for commercial purposes and “the request is made by an educational or noncommercial scientific institution.” 5 U.S.C. § 522(a)(4)(A)(ii)(II). The Clinic, as an educational institution, requests that if the fee waiver is not granted, fees be limited to duplication costs only. Requestors further ask that, if no fee waiver is granted and the fees exceed \$200.00, the Agency please contact Requestors, through the undersigned counsel, to obtain consent to incur additional fees.

Certification

The Clinic certifies that the foregoing is true and correct. *See* 6 C.F.R. § 5.5(d)(3). If you have any questions regarding this request, please contact Tamar Rosen or Lindsay Nash at

¹⁹ *See, e.g., supra* note 17.

the Clinic's daytime phone number (212) 790-0433, or via email at lindsay.nash@yu.edu. Thank you in advance for your timely cooperation.

Please furnish copies of all information to

Lindsay Nash, Esq.
Benjamin N. Cardozo School of Law
Kathryn O. Greenberg Immigration Justice Clinic
55 Fifth Avenue, 11th Floor
New York, New York 10003

Sincerely,



Tamar Rosen, Law Student
Lindsay Nash, Esq.
Benjamin N. Cardozo School of Law
Kathryn O. Greenberg Immigration
Justice Clinic
55 Fifth Avenue, 11th Floor
New York, New York 10003
Tel: (212) 790-0433
Fax: (212) 790-0256
lindsay.nash@yu.edu

Exhibit B

From: ice-foia@dhs.gov [mailto:ice-foia@dhs.gov]
Sent: Friday, March 23, 2018 10:33 AM
To: Lindsay Nash
Subject: ICE FOIA Request 2018-ICFO-25625

March 23, 2018

LINDSAY NASH
CARDOZO SCHOOL OF LAW
IMMIGRATION JUSTICE CLINIC
[55 FIFTH AVE 11TH FLOOR](#)
[NEW YORK, NY 10003](#)-4391

RE: ICE FOIA Case Number 2018-ICFO-25625

Dear Ms. NASH:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated March 05, 2018, your request for a waiver of all assessable FOIA fees, and your request for expedited treatment. Your request was received in this office on March 05, 2018. Specifically, you requested records related to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents that occur within, on the property of, or within two city blocks of New York State courthouses (see request for specific details).

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, ICE processes FOIA requests according to their order of receipt. Although ICE's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, ICE will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

I

CE evaluates fee waiver requests under the legal standard set forth above and the fee waiver policy guidance issued by the Department of Justice on April 2, 1987, as incorporated into the Department of Homeland Security's Freedom of Information Act regulations^[1]. These regulations set forth six factors to examine in determining whether the applicable legal standard for fee waiver has been met. I have considered the following factors in my evaluation of your request for a fee waiver:

- (1) Whether the subject of the requested records concerns "the operations or activities of the government";
- (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;

(3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;

(4) Whether the contribution to public understanding of government operations or activities will be "significant";

(5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and

(6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor.

Upon review of your request and a careful consideration of the factors listed above, I have determined to grant your request for a fee waiver.

Your request for expedited treatment is hereby denied.

Under the DHS FOIA regulations, expedited processing of a FOIA request is warranted if the request involves "circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual," 6 C.F.R. § 5.5(e)(1)(i), or "an urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information," 6 C.F.R. § 5.5(e)(1)(ii). Requesters seeking expedited processing must submit a statement explaining in detail the basis for the request, and that statement must be certified by the requester to be true and correct. 6 C.F.R. § 5.5(e)(3).

Your request for expedited processing is denied because you do not qualify for either category under 6 C.F.R. § 5.5(e)(1). You have not established that lack of expedited treatment in this case will pose an imminent threat to the life or physical safety of an individual. While you may be primarily engaged in the dissemination of information, you have not detailed with specificity why you feel there is an urgency to inform the public about the information you have requested. Qualifying urgency would need to exceed the public's right to know about government activity generally. You also did not offer sufficient supporting evidence of public interest that is any greater than the public's general interest in the information you have requested. Your letter was conclusory in nature and did not present any facts to justify a grant of expedited processing under the applicable standards.

If you deem the decision to deny expedited treatment of your request an adverse determination, you have the right to appeal. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.5(e)(2), to

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
U.S. Department of Homeland Security
[500 12th Street, S.W.](mailto:500.12th.Street.S.W.), Mail Stop 5900
Washington, D.C. 20536-5900

Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

ICE has queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2018-ICFO-25625**. Please refer to this identifier in any future correspondence. To check the status of an ICE FOIA/PA request, please visit <http://www.dhs.gov/foia-status>. Please note that to check the status of a request, you must enter the 2018-ICFO-XXXXX tracking number. If you need any further assistance or would like to discuss any aspect of your request, please contact the FOIA office. You may send an e-mail to ice-foia@ice.dhs.gov, call toll free (866) 633-1182, or you may contact our FOIA Public Liaison, Fernando Pineiro, in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may

contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, [8601 Adelphi Road](#)-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Regards,

ICE FOIA Office
Immigration and Customs Enforcement
Freedom of Information Act Office
[500 12th Street, S.W.](#), Stop 5009
Washington, D.C. 20536-5009
Telephone: 1-866-633-1182
Visit our FOIA website at www.ice.gov/foia

[1] 6 CFR § 5.11(k).

Exhibit C

Office of Information Governance and Privacy

U.S. Department of Homeland Security
500 12th St., SW
Washington, D.C. 20536



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

June 11, 2018

LINDSAY NASH
CARDOZO SCHOOL OF LAW
IMMIGRATION JUSTICE CLINIC
55 FIFTH AVE., 11TH FLOOR
NEW YORK, NY 10003-4391

RE: ICE FOIA Case Number 2018-ICFO-25625

Dear Ms. NASH:

This letter is the final response to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE), dated March 05, 2018. You have requested copies of the following records:

records related to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents that occur within, on the property of, or within two city blocks of New York State courthouses (see request for specific details)

ICE has considered your request under the FOIA, 5 U.S.C. § 552.

A search of the ICE Enforcement & Removal Operations (ERO) for records responsive to your request produced 2 pages that are responsive to your request. After review of those documents, I have determined that 0 pages will be released in their entirety. Portions of 2 pages will be withheld pursuant to Exemptions (b)(6), (b)(7)(C) of the FOIA as described below.

ICE has applied FOIA Exemptions 6 and 7(C) to protect from disclosure the names, e-mail addresses, and phone numbers of DHS employees contained within the documents.

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

FOIA Exemption 7(C) protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. This exemption takes particular note of the strong interests of individuals, whether they are suspects, witnesses, or investigators, in not being unwarrantably associated with alleged criminal activity. That interest extends to persons who are not only the subjects of the investigation, but those who may have their privacy invaded by having their identities and information about them revealed in connection with an investigation. Based upon the traditional recognition of strong privacy interest in law enforcement records, categorical withholding of information that identifies third parties in law enforcement records is ordinarily appropriate. As such, I have determined that the privacy interest in the identities of individuals in the records you have requested clearly outweigh any minimal public interest in disclosure of the information. Please note that any private interest you may have in that information does not factor into this determination.

You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8, to:

U.S. Immigration and Customs Enforcement
Office of the Principal Legal Advisor
U.S. Department of Homeland Security
500 12th Street, S.W., Mail Stop 5900
Washington, D.C. 20536-5900

Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

If you need any further assistance or would like to discuss any aspect of your request, please contact the FOIA office and refer to FOIA case number **2018-ICFO-25625**. You may send an e-mail to ice-foia@ice.dhs.gov, call toll free (866) 633-1182, or you may contact our FOIA Public Liaison, Fernando Pineiro, in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Page 3 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "Katrina M. Pavlik-Keenan". The signature is written in a cursive style with a large initial "K".

Catrina M. Pavlik-Keenan
FOIA Officer

Enclosure(s): 2 page(s)

Exhibit D

FOR OFFICIAL USE ONLY

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**Directive Number 11072.1:** Civil Immigration Enforcement Actions Inside Courthouses**Issue Date:** January 10, 2018**Effective Date:** January 10, 2018**Superseded:** None**Federal Enterprise Architecture Number:** 306-112-002b

- 1. Purpose/Background.** This Directive sets forth U.S. Immigration and Customs Enforcement (ICE) policy regarding civil immigration enforcement actions inside federal, state, and local courthouses. Individuals entering courthouses are typically screened by law enforcement personnel to search for weapons and other contraband. Accordingly, civil immigration enforcement actions taken inside courthouses can reduce safety risks to the public, targeted alien(s), and ICE officers and agents. When practicable, ICE officers and agents will conduct enforcement actions discreetly to minimize their impact on court proceedings.

Federal, state, and local law enforcement officials routinely engage in enforcement activity in courthouses throughout the country because many individuals appearing in courthouses for one matter are wanted for unrelated criminal or civil violations. ICE's enforcement activities in these same courthouses are wholly consistent with longstanding law enforcement practices, nationwide. And, courthouse arrests are often necessitated by the unwillingness of jurisdictions to cooperate with ICE in the transfer of custody of aliens from their prisons and jails.

- 2. Policy.** ICE civil immigration enforcement actions inside courthouses include actions against specific, targeted aliens with criminal convictions, gang members, national security or public safety threats, aliens who have been ordered removed from the United States but have failed to depart, and aliens who have re-entered the country illegally after being removed, when ICE officers or agents have information that leads them to believe the targeted aliens are present at that specific location.

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.¹

¹ ICE officers and agents will make enforcement determinations on a case-by-case basis in accordance with federal law and consistent with U.S. Department of Homeland Security (DHS) policy. See Memorandum from John Kelly, Secretary of Homeland Security, *Enforcement of the Immigration Laws to Serve the National Interest* (Feb. 20, 2017); Memorandum from John Kelly, Secretary of Homeland Security, *Implementing the President's Border Security and Immigration Enforcement Improvements Policies* (Feb. 20, 2017).

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ICE officers and agents should generally avoid enforcement actions in courthouses, or areas within courthouses that are dedicated to non-criminal (e.g., family court, small claims court) proceedings. In those instances in which an enforcement action in the above situations is operationally necessary, the approval of the respective Field Office Director (FOD), Special Agent in Charge (SAC), or his or her designee is required.

Civil immigration enforcement actions inside courthouses should, to the extent practicable, continue to take place in non-public areas of the courthouse, be conducted in collaboration with court security staff, and utilize the court building's non-public entrances and exits.

Planned civil immigration enforcement actions inside courthouses will be documented and approved consistent with current operational plans and field operations worksheet procedures. Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI) may issue additional procedural guidance on reporting and documentation requirements; such reporting and documentation shall not impose unduly restrictive requirements that operate to hamper or frustrate enforcement efforts.

As with any planned enforcement action, ICE officers and agents should exercise sound judgment when enforcing federal law and make substantial efforts to avoid unnecessarily alarming the public. ICE officers and agents will make every effort to limit their time at courthouses while conducting civil immigration enforcement actions.

This policy does not apply to criminal immigration enforcement actions inside courthouses, nor does it prohibit civil immigration enforcement actions inside courthouses.

3. **Definition** The following definitions apply for the purposes of this Directive only.
 - 3.1. **Civil immigration enforcement action.** Action taken by an ICE officer or agent to apprehend, arrest, interview, or search an alien in connection with enforcement of administrative immigration violations.
4. **Responsibilities.**
 - 4.1. The **Executive Associate Directors** for **ERO** and **HSI** are responsible for ensuring compliance with the provisions of this Directive within his or her program office.
 - 4.2. **ERO FODs** and **HSI SACs** are responsible for:
 - 1) Providing guidance to officers and agents on the approval process and procedures for civil immigration enforcement actions at courthouses in their area of responsibility beyond those outlined in this Directive; and
 - 2) Ensuring civil immigration enforcement actions at courthouses are properly documented and reported, as prescribed in Section 5.1 of this Directive.

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4.3. ICE Officers and Agents are responsible for complying with the provisions of this Directive and properly documenting and reporting civil immigration enforcement actions at courthouses, as prescribed in Section 5.1 of this Directive.²

5. Procedures/Requirements.

5.1. Reporting Requirements.

- 1) ICE officers and agents will document the physical address of planned civil immigration enforcement actions in accordance with standard procedures for completing operational plans, noting that the target address is a courthouse.³
- 2) Unless otherwise directed by leadership, there will be no additional reporting requirements in effect for this Directive.

6. Recordkeeping. ICE maintains records generated pursuant to this policy, specifically the Field Operations Worksheets (FOW) and Enforcement Operation Plan (EOP). ERO will maintain the FOW in accordance with the Fugitive Operations schedule DAA-0567-2015-0016. HSI will maintain EOPs in accordance with the Comprehensive Records Schedule N1-36-86-1/161.3. The EOPs will be maintained within the Investigative Case Files.

7. Authorities/References.

- 7.1. DHS Directive 034-06, *Department Reporting Requirements*, October 23, 2015.
- 7.2. DHS Instruction 034-06-001, Rev. 1, *Department Reporting Requirements*, March 28, 2017.

8. Attachments. None.

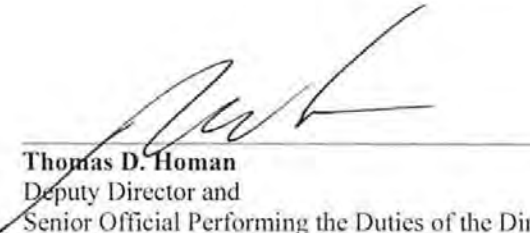
9. No Private Right. This document provides only internal ICE policy guidance, which may be modified, rescinded, or superseded at any time without notice. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE.

² See also ICE Directive No. 10036.1, *Interim Guidance Relating to Officer Procedure Following Enactment of VAWA 2005* (Jan. 22, 2007), for additional requirements regarding civil immigration enforcement actions against certain victims and witnesses conducted at courthouses.

³ ERO will use the Field Operations Worksheet and HSI will use the Enforcement Operation Plan.

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Thomas D. Homan
Deputy Director and
Senior Official Performing the Duties of the Director
U.S. Immigration and Customs Enforcement

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Exhibit E

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 10:31 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Courthouse arrests

(b)(6);(b)(7)(C)
There are some clarification issues that must be addressed by management before I am comfortable certifying that I fully understand the policy.

First and foremost, I would like to have a specific, written definition of "At or Near". That's way too nebulous as it stands.

Second, much has been made about the VAWA policy guidance on courthouse enforcement actions; the actual policy prohibiting same seems pretty clear that the enforcement action is prohibited only when the subject of investigation is appearing for a case directly related to a pending/approved VAWA application. I would like management to specifically articulate that the local policy is being deliberately expanded beyond that limited scope.

Respectfully submitted,
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 10:07 AM
(b)(6);(b)(7)(C)
Subject: FW: Courthouse arrests

Team,
This is what we have in writing regarding court house arrests (among a few other things). I highlighted in yellow a specific guidance on Denver Courts: (b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)
I am still working to get them to clarify in writing guidance on probation cases that happen to be connected or in the same building as a court house. Until we get it in writing, assume all probation offices at or near courthouse to fall under the guidance below. ANY case with a planned arrest at/near a court house will be discussed with your first line supervisor prior to action.

Notice the requirement to sign a "Verification Form" to assure we are all in compliance with the guidance and policy. Keep this email for your records.

Please ask questions and we'll do our best to get answers.

Thanks,
(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 9:42 AM
(b)(6);(b)(7)(E)

(b)(7)(C)

Subject: Courthouse arrests

Supervisors:

A few points of clarification that may have been lost during the transition between DHS Secretaries and policy shifts. Please hold a staff meeting to discuss the below and answer any questions from your respective officers.

Courthouse Arrests:

As discussed on the May 9, 2017, AOR call, I want to reiterate the importance of following previously established and published courthouse arrest guidance. Consistent with the original October 21, 2015, ERO Taskings from Assistant Director Jon Gurule, and subsequent guidance, enforcement actions at or near courthouses will only be undertaken against:

[*Priority #1(a)]: aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security; (note that for courthouse arrests, public safety has been removed from Priority 1 definitions).

[*Priority #1(c)]: aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum; (for this Priority, we focus on the active participation in a street gang, with or without a related conviction).

[*Priority #1(d)]: aliens convicted of an offense classified as a felony in the convicting jurisdiction, other than a state or local offense for which an essential element was the alien's immigration history;

[*Priority #1(e)]: aliens convicted of an "aggravated felon," as that term is defined in section 101(a)(43) of the Immigration and Nationality Act at the time of the conviction.

For the sole purpose of the courthouse guidance, the spirit of the prior enforcement priorities noted above remain in place. I have left the Priority labels attached in this email.

Keeping FOD Longshore's guidance in place, surveillance is considered to be an enforcement action (attached).

(b)(7)(E) Likewise, enforcement actions at or near courthouses will only take place against specific, targeted aliens with no action taken against family members or aliens accompanying the target to court. The Lindsey-Flanigan Courthouse in Denver is a cumbersome venue that does not easily conform to this guidance because of the public courtyard in which many of our arrests are made. (b)(7)(E)

(b)(7)(E)

This is the messaging I am making publicly to all stakeholders and I must be able to make that promise with a strong degree of conviction that Denver officers are abiding by HQ ERD and local FOD instructions.

Certain Victims, Witnesses, and Plaintiffs:

Absent special circumstances or aggravating circumstances such as egregious or violent criminal histories, aliens identified as , or known to be the immediate victim or witness to a crime will be given a greater level of deference and prosecutorial discretion before arresting or removing such an alien. It is often difficult to determine if a targeted alien is a victim, witness, or plaintiff, as these individual are under no obligation to self-identify or inform ICE of their status. Therefor it is incumbent upon each officer to diligently review cases carefully for indicators of such status, including conversations with attorneys of record when necessary.

VAWA

VAWA regulations protect certain self-identified abused or battered aliens or victims of domestic violence. In these very narrowly defined cases (guidance attached), special provisions must be followed by ICE ERO officers. In these cases, courthouses are defined as sensitive locations by regulation and must be treated as such. Likewise, ICE ERO officers must independently verify the removability of such aliens, and specific annotations must be made on the NTA prior to filing with EOIR.

Each of the policies discussed in this email are attached. First line supervisors and officers are required to read them carefully and sign the attached read-and-initial sheets (one sheet per office). Supervisors from each office will submit them to SFTO [REDACTED] by COB May 19, 2017. AFODs may grant extensions for good cause at their discretion.

[REDACTED]

Acting Field Office Director
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue
Centennial Colorado 80111

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 3:24 PM
To: (b)(6);(b)(7)(C)

Cc:
Subject: Courthouse arrests

Importance: High

FYI and action.

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 2:46 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Courthouse arrests

If the ICE business is with the probation office, then the officers are clear. We will defend that action if questioned.

(b)(6);(b)(7)(C)

Acting Field Office Director
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 10:58 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Courthouse arrests

Can there be a clarifying statement to this new policy that will protect those officers making a probation arrest in a location where the court and probation are co-located? (b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

Thanks,

(b)(6);(b)(7)(C)

Supervisory Detention and Deportation Officer
Immigration and Customs Enforcement
CAP/ATD/Non-Detained
3770 Puritan Way, (b)(6);(b)(7)(C)

Frederick, CO 80516

(W) (303) 833-(b)(6);(b)(7)(C)

(C) (720) 354-(b)(6);(b)(7)(C)

(F) (303) 833-7044

(b)(6);(b)(7)(C)



From: (b)(6);(b)(7)(C)

Sent: Friday, May 12, 2017 9:42 AM

(b)(6);(b)(7)(C)

Subject: Courthouse arrests

Supervisors:

A few points of clarification that may have been lost during the transition between DHS Secretaries and policy shifts. Please hold a staff meeting to discuss the below and answer any questions from your respective officers.

Courthouse Arrests:

As discussed on the May 9, 2017, AOR call, I want to reiterate the importance of following previously established and published courthouse arrest guidance. Consistent with the original October 21, 2015, ERO Taskings from Assistant Director Jon Gurule, and subsequent guidance, enforcement actions at or near courthouses will only be undertaken against:

[*Priority #1(a)]: aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security; (note that for courthouse arrests, public safety has been removed from Priority 1 definitions).

[*Priority #1(c)]: aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum; (for this Priority, we focus on the active participation in a street gang, with or without a related conviction).

Enforcement & Removal Operations

12445 E. Caley Avenue
Centennial, Colorado 80111

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 10:51 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Guidance Update: Enforcement Actions at or Near Courthouses

(b)(6);(b)(7)(C)

DHS/ICE/ERO - Denver
Deportation Officer
Fugitive Operations (b)(6);(b)(7)(C)
12445 E. Caley Ave
Centennial, CO 80111
(720)875- (b)(6);(b)(7)(C) office
(303)356- (b)(6);(b)(7)(C) cell
(720)873-3714 fax

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From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 29, 2016 1:18 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Guidance Update: Enforcement Actions at or Near Courthouses

(b)(5);(b)(7)(E)

I apologize for the confusion. I was in the wrong.

(b)(6);(b)(7)(C)

Assistant Field Office Director/AFOD
Metro Fugitive Teams/Emergency Management
Denver Field Office
Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue Centennial, Colorado 80111 | 303-472- (b)(6);(b)(7)(C) cell

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From: [REDACTED]
Sent: Wednesday, June 29, 2016 12:12 PM
To: [REDACTED]
Subject: FW: Guidance Update: Enforcement Actions at or Near Courthouses
Importance: High

[REDACTED]

This is the only guidance I have on (Enforcement Actions at or near a Courthouse). I don't see anything regarding the need for the FODs approval when arresting a P1 alien at the courthouse. If there is more guidance stating as such could you please forward it to me so I can put it out to the troops?

Thanks,

[REDACTED]

*Supervisory Detention and Deportation Officer
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111
(W) 720-875-[REDACTED]
(C) 720-354-[REDACTED]*

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From: [REDACTED]
Sent: Monday, January 26, 2015 1:21 PM
To: [REDACTED]
Subject: FW: Guidance Update: Enforcement Actions at or Near Courthouses
Importance: High

All,

Please note the below in regards to individuals either with court or going to court with family/friends.

Changes: The alien must now fit within 1a, 1b, 1c, 1d and 1e (b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

CLARIFICATION: You are still allowed to do other priorities for jail work or FOWs at probation if those facilities are co-located with the courts.



To: All Denver ERO employees

Subject: Guidance Update: Enforcement Actions at or Near Courthouses

This message provides important guidance concerning ERO enforcement actions at courthouses, and has been updated to incorporate the enforcement priorities as set forth in Secretary Johnson's November 20, 2014 memorandum, *Policies for the Apprehension, Detention, and Removal of Undocumented Immigrants.*

- Enforcement actions at or near courthouses will only be undertaken against:
 - CODE P1A Priority #1(a): aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security;
 - CODE P1C Priority #1(c): aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum;
 - CODE P1D Priority #1(d): aliens convicted of an offense classified as a felony in the convicting jurisdiction, other than a state or local offense for which an essential element was the alien's immigration history;
 - CODE P1E Priority #1(e): aliens convicted of an "aggravated felon," as that term is defined in section 101(a)(43) of the *Immigration and Nationality Act* at the time of the conviction.
- Enforcement actions at or near courthouses will only take place against specific, targeted aliens, rather than individuals who may be "collaterally" present, such as family members or friends who may accompany the target alien to court appearances or functions.
- Enforcement actions at or near courthouses will, wherever practicable: (1) take place outside public areas of the courthouse; (2) be conducted in collaboration with court security staff; and (3) utilize the court building's non-public entrances and exits.

Questions regarding this guidance may be directed to your chain of command.

NOTICE: This communication may contain privileged or otherwise confidential information. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 9:51 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Arrests at Denver courthouse--DENVER POST REQUEST
Attachments: Question on deadline - ICE in Denver courthouses

Importance: High

(b)(6);(b)(7)(C)

Acting Deputy Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue, Centennial Colorado 80111 | 303-472-(b)(6);(b)(7)(C) cell

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 9, 2017 9:45 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Arrests at Denver courthouse--DENVER POST REQUEST
Importance: High

(b)(6);(b)(7)(C)

The link shows (b)(6);(b)(7)(C) I don't know who arrested this (b)(6);(b)(7)(C) on May 5th?

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 9, 2017 9:33 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Arrests at Denver courthouse--DENVER POST REQUEST

Attached is another email request I just received. It includes a media advisory regarding a news conference this law office is holding today at noon your time.

It also includes a link to the other video. Again, ICE officers did a good job of being patient and professional.

(b)(6);(b)(7)(C)

Director of Communications, Central Region (Spokesman)
based in Dallas, TX
U.S. Immigration and Customs Enforcement (ICE) www.ice.gov

(b)(6);(b)(7)(C)
214-905-(b)(6);(b)(7)(C) (office)
214-850-(b)(6);(b)(7)(C) (cell)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 10:24 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Arrests at Denver courthouse--DENVER POST REQUEST

(b)(6);(b)(7)(C) The videos below show a man resisting ICE arrest – reportedly at a courthouse. The videos show that the ICE officers are very patient while struggling with this man for minutes. All the while, the woman recording is screaming and crying to have them stop.

Also, per the reporter’s request, can you confirm that (b)(6);(b)(7)(C) was arrested at a courthouse May 5? (Note that there’s no video link.)

I will also forward the statement to the Denver Post that I sent a month ago to all the other requesting media regarding courthouse ICE arrests.

Thanks!

(b)(6);(b)(7)(C)
Director of Communications, Central Region (Spokesman)
based in Dallas, TX
U.S. Immigration and Customs Enforcement (ICE) www.ice.gov

(b)(6);(b)(7)(C)
214-905-(b)(6);(b)(7)(C) (office)
214-850-(b)(6);(b)(7)(C) (cell)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 9:59 AM
To: (b)(6);(b)(7)(C)
Subject: Arrests at Denver courthouse

(b)(6);(b)(7)(C)

Two videos have been released today by a Denver immigration law firm alleging to show ICE officers making arrests at Denver’s Lindsay Flanigan Courthouse.

Can you confirm or comment that (b)(6);(b)(7)(C) was taken into custody at the courthouse on May 5?

Also, there are videos of ICE agents purportedly arresting a man on April 28. His name has not been released but the videos are here: (b)(6);(b)(7)(C)

Denver’s top officials have asked that ICE not arrest people at courthouses and I’m not sure if we have ever gotten comment on that from you all. Do you have any response to this request?

Thanks for any and all help.

Best,

[REDACTED]

Reporter, The Denver Post

Desk: 303-954-[REDACTED]

Cell: 302-528-[REDACTED]

[REDACTED]

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 9:24 AM
To: (b)(6);(b)(7)(C)
Subject: Question on deadline - ICE in Denver courthouses

Good morning (b)(6);(b)(7)(C)

Thought you should see the press release below. Can you offer any detail on either of these cases?

- One person remains anonymous, was detained April 28 at Lindsey-Flanigan Courthouse, 520 West Colfax Avenue in Denver

(b)(5);(b)(7)(E) was detained May 5 at Denver County Court, which I believe is 1437 Bannock Street in Denver

Both are represented by the Meyer Law Office.

I'm looking for any available information on reasons for their detainment/prioritization, along with any comment you can offer on whether this reflects a broader practice of detainment at courthouses and other civil facilities. If so, is that a new policy, and what is the reasoning for it, please?

Thank you

(b)(6);(b)(7)(C)

----- Forwarded message -----

From: (b)(6);(b)(7)(C)
Date: Tue, May 9, 2017 at 8:49 AM
Subject: Media Advisory: MLO Releases Two New Videos of ICE Officers in Denver Courts
To: (b)(6);(b)(7)(C)

Media Advisory

For Immediate Release

May 9, 2017

Contact: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

720-891- (b)(6);(b)(7)(C)

MLO Releases Two New Videos of ICE Officers in Denver Courts

Videos Raise New Questions about ICE's Tactics of Arresting Immigrants at Court

Denver, CO – This morning, the Meyer Law Office, PC released two disturbing new videos of undercover ICE officers arresting immigrants at the Denver Courthouse, flagrantly disregarding the letter that Denver public officials sent last month asking ICE to stop conducting courthouse arrests.

The Meyer Law Office, PC will conduct a press conference today to discuss these videos, their implications for immigrants to appear in Denver courts as witnesses, victims, or defendants, and the ongoing need for a proactive Denver sanctuary policy to protect sensitive locations:

Who: [REDACTED] Principal Attorney
[REDACTED] Policy Director
[REDACTED] Associate Attorney

When: Today, Tuesday, May 9 at 12:00pm

Where: Meyer Law Office, 1029 Santa Fe Drive, Denver, CO 80204

The first video documents the arrest of a man who appeared at the Denver County Court on Friday, April 28, 2017 for a pending misdemeanor traffic case. The individual was arrested by two ICE officers in the vestibule as he was walking out of the courthouse, while Denver Sheriff's deputies stood by. The video, filmed by his girlfriend in three separate short videos from her phone, documents his arrest as he screams in Spanish for help and begs the officers to stop hurting his hand. The harrowing arrest was conducted in full public view on court property with multiple bystanders witnessing the incident. After the arrest, the girlfriend obtained the ICE officers' names and badge numbers: [REDACTED] and [REDACTED]. He is now in immigration custody in El Paso, Texas, and could be deported at any time. At this time, the individual and his girlfriend would prefer to remain anonymous, but did want to share the video so that others can see ICE's brutal tactics for themselves. The three videos documenting this arrest are available here:

[REDACTED]

The second video documents Meyer Law Office, PC client, [REDACTED] who was arrested at the Denver County Court on Friday, May 5, 2017 immediately following court on a misdemeanor case. In this video, MLO associate attorney [REDACTED] documents two ICE officers as they arrest [REDACTED] as he leaves court. [REDACTED] asks the officers whether they have a warrant, and the officers allege that they do have one, but refuse to provide it to him as [REDACTED] attorney. [REDACTED] then asks the officers for their names and badge numbers, and they refuse to identify themselves,

instead referring [REDACTED] to the ICE Public Information phone number. [REDACTED] is now being detained at the Aurora ICE Detention Facility. The video documenting [REDACTED] arrest is available here: [REDACTED]

####

The Meyer Law Office, PC specializes in immigration law, removal defense, criminal defense, and the immigration consequences of contact with the criminal justice system. Our firm has earned a reputation for excellence and leadership in the immigration law and criminal defense communities, and is committed to advancing justice for immigrants in Colorado.

[REDACTED]

POLICY DIRECTOR
MEYER LAW OFFICE, P.C.
1029 Santa Fe Drive | P.O. Box 40394 | Denver, CO 80204
Tel - (303) 831-[REDACTED] | Fax - (720) 210-9858
www.facebook.com/MeyerLawOffice
www.themeyerlawoffice.com

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--
[REDACTED]

Reporter | Denverite.com
303-502-[REDACTED]
[Sign up for our newsletter.](#)

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, April 28, 2017 12:53 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Resisting Arrest Incident in Courthouse Lobby Breezeway

I just got back to my desk and tried to run the name/case, but that case isn't in the Denver Court search engine. His priors are in there. I will pass it along.

(b)(6);(b)(7)(C)

Assistant Field Office Director
ICE - Enforcement Removal Operations
12445 East Caley Avenue
Centennial, CO 80111
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From: (b)(6);(b)(7)(C)
Sent: Friday, April 28, 2017 12:52 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Resisting Arrest Incident in Courthouse Lobby Breezeway

(b)(6);(b)(7)(C)

Initial courtroom room 3E but it was re-located to 3A. The actual altercation occurred between the downstairs lobby doors near the security checkpoint in Flanigan building.

From: (b)(6);(b)(7)(C)
Sent: Friday, April 28, 2017 12:16 PM
To: (b)(6);(b)(7)(C)
Subject: FW: Resisting Arrest Incident in Courthouse Lobby Breezeway

Please see below. Needs DOB and courtroom. Not sure why the courtroom would matter but whatever.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Apr 28, 2017, 11:32 AM

(b)(6);(b)(7)(C)

Subject: RE: Resisting Arrest Incident in Courthouse Lobby Breezeway

Hi [REDACTED]

I am making the request for preservation, do you have the individuals DOB, and which courtroom he was in?

From: [REDACTED]

Sent: Friday, April 28, 2017 11:05 AM

[REDACTED]

Subject: Resisting Arrest Incident in Courthouse Lobby Breezeway

[REDACTED]

Just as a follow-up to our phone conversation, ICE/ERO Denver would like to request preservation of the video footage for the arrest that occurred in the lobby breezeway at the Lindsey-Fianigan Courthouse this morning, 04/28/2017. Our officers tried to arrest [REDACTED] outside the courthouse, and he attempted to run back inside. I believe the event occurred between 1020 and 1030 hours.

Also, please provide the contact information for [REDACTED] of the Civil Liabilities Division, and the process or form needed to request the footage.

Again, we sincerely appreciate the assistance from the DSD deputies in keeping the lobby visitors back and clear of the arrest.

Thanks and Regards,

[REDACTED]

[REDACTED]

Assistant Field Office Director
ICE - Enforcement Removal Operations
12445 East Caley Avenue
Centennial, CO 80111
(720)875-[REDACTED] Office/Direct
(303)472-[REDACTED] Mobile

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(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 10, 2017 12:12 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Probation Arrest Near-Adjacent to Courthouses

Forgot subject line.

From: (b)(6);(b)(7)(C)
Date: Wednesday, May 10, 2017, 12:05 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject:

(b)(6);(b)(7)(C)

Due to the multiple changes in policy, guidance and practices recently. I would like to request written clarification on conducting planned probation arrest at, near or adjacent to courthouses.

(b)(6);(b)(7)(C);(b)(7)(E)

Thank You

(b)(6);(b)(7)(C)

Denver Fugitive Operations
(303)356- (b)(6);(b)(7)(C)
Sent with BlackBerry Work (www.blackberry.com)

A.#	Alma Name	Officer Assigned / Case	Misc. Comments	Detainer Place#/Location	Detainer Place#/Date	Release Date
			IAQ Log			7/25/2016
			IAQ Log	Adams		10/5/2016
			Prior A2D FTA	Denver		
			Denver Releases / CAP Referral	Denver	9/30/2016	9/30/2016
			Denver Releases / CAP Referral	Denver	9/16/2016	10/7/2016
			IAQ Log	Denver		10/18/2016
			IAQ Log	Denver		9/29/2016
			CAP Referral	Adams	10/15/2016	10/26/2016
			IAQ Log / CAP Arrested, Weir was working	Denver	9/27/2016	10/27/2016
			IAQ Log	Adams		9/28/2016
			CAP Referral / Detainer not Honored	Denver	8/10/2016	8/10/2016
			IAQ Log / Prior 1326	Adams		10/22/2016
			CAP Referral / Admitted Gang Member	Denver	10/6/2016	10/12/2016
			CAP Referral	Denver		10/14/2016
			CAP Referral / Release	Denver	10/12/2016	10/14/2016
			IAQ Log			9/16/2016
			FUGOPS referral / Visit from GEO	Denver	10/28/2016	11/10/2016
			CAP Referral / Release	Denver	11/5/2016	11/6/2016
			CAP Referral / Release / Use of Force / Referred to VCAS	Denver	11/6/2016	11/10/2016
			Jeffco Referral	Jefferson	5/30/2016	10/4/2016
			Non-Detained	Denver	5/4/2016	5/12/2016
			CAP Referral / PB Grant	Adams		10/26/2016
			CAP Referral / CAP Arrested, Weir was working	Jefferson	5/2/2016	10/17/2016
			Visit from GEO to DJC then released to street			11/16/2016
			IAQ Log / Prior VD	Adams		10/25/2016
			IAQ Log	Jefferson		10/26/2016
			FUGOPS referral / Prior OSUP			11/30/2016
			IAQ Log			11/30/2016
			CAP Release / Media Case	Denver	11/5/2016	11/12/2016
			CAP Referral	Adams	10/27/2016	11/19/2016
			IAQ Log / BCC			12/2/2016
			CAP Referral	Denver	10/5/2016	12/2/2016
			IAQ Log / DACA			12/2/2016
			CAP Referral / Release	Denver	11/2/2016	11/3/2016
				Denver		10/25/2016
			IAQ Log / Prior VD			12/8/2016
			IAQ Log			11/30/2016
			Non-Detained	Denver	11/30/2016	12/1/2016
			DIC Release Manifest / PB Grant	Denver		11/28/2016
			IAQ Log			11/21/2016
			Adams Release			11/25/2016
			CAP Referral	Denver	12/2/2016	12/2/2016
			IAQ Log / Prior Admin Close for PD			10/31/2016
			CAP Referral / Release	Denver	10/27/2016	10/29/2016
			IAQ Log			11/29/2016
			CAP Referral	Denver	4/1/2016	11/22/2016
			IAQ Log / Also: A094 971 919	Adams		11/30/2016
			CAP Referral	Denver	11/5/2016	12/19/2016
			CAP Referral / PB Grant Abuse of Visas	Denver	11/26/2016	11/27/2016
			IAQ Log / IPN use/Drugs			12/26/2016
			IAQ Log			12/2/2016
			CAP Referral	Denver	12/16/2016	12/16/2016
			IAQ Log			12/2/2016
			CAP Referral	Denver	9/20/2016	11/11/2016
			Prior 2FS Grant			11/28/2016
			Release Manifest			12/29/2016
			CAP Referral / PB Grant 8/29/16			12/2/2016
			CAP Referral	Adams	11/12/2016	11/19/2016
			IAQ Log	Jefferson	11/9/2016	11/9/2016
			IAQ Log / BCC			12/14/2016
			CAP Referral / Pre-Processed	Adams		11/8/2016
			CAP Referral	Adams	11/25/2016	12/23/2016
			IAQ Log			12/2/2016

(b)(6);(b)(7)(C)	IAQ Log				12/20/2014
	CAP Referral				1/9/2017
	Assist FUG OPS				1/14/2017
	IAQ Log				12/27/2016
	CAP Referral	Denver	12/28/2016	12/28/2016	12/29/2016
	IAQ Log				12/27/2016
	CAP Referral				1/19/2017
	CAP Referral	Adams	9/23/2016	1/23/2017	1/24/2017
	CAP Referral	Denver	10/12/2016	10/12/2016	12/27/2016
	IAQ Log				12/27/2016
	IAQ Log				3/19/2017
	IAQ Log				12/8/2016
	CAP Referral				12/27/2016
	CAP Referral				1/19/2017
	IAQ Log				2/6/2017
	CAP Arrested, Weir was working	Adams			8/10/2016
	OK Release	Denver			1/4/2017
	CAP Referral	Denver	1/20/2017	1/20/2017	1/30/2017
	IAQ Log				1/19/2016
	IAQ Log				12/15/2016
	Non-Detained Referral				2/1/2017
	CAP Referral / in Proceedings	Adams	9/15/2016		1/25/2017
	IAQ Log				12/8/2016
	Denver Court Referral				12/13/2016
	IAQ Log				1/5/2017
	IAQ Log				1/24/2017
	IAQ Log				1/6/2017
	IAQ Log				12/15/2016
	M SI Referral				2/10/2017
	IAQ Log	Denver			10/5/2016
	IAQ Log				1/10/2017
	M SI Zipline				2/27/2017
	CAP Referral	Jefferson	12/20/2016	1/27/2017	1/30/2017
	CAP Referral				2/23/2017
					5/23/2016
	CAP Referral / CALL-OUT: Cieslewicz, Henry & Tiruchelvam	Adams	2/15/2017	3/13/2017	3/13/2017
	CAP Referral / CALL-OUT: Cieslewicz, Henry & Tiruchelvam	Adams	12/6/2016	3/13/2017	3/13/2017
	CAP Referral	Denver	1/7/2017	3/9/2017	3/13/2017
	CAP Arrested while MCAT was at range, Henry was working				3/13/2017
	Denver Court Referral				2/6/2017
	CAP Referral / Pre-Processed	Adams	9/17/2015		12/27/2016
	IAQ Log				1/14/2017
	IAQ Log				11/20/2016
	CAP Referral	Denver	2/10/2017	2/26/2017	3/3/2017
	CAP Referral / CALL-OUT: Cieslewicz & Henry	Denver	3/28/2017	3/30/2017	3/30/2017
	CAP Referral: Arrested by FUGOPS during Cross check, Henry was work	Denver	1/6/2017	3/9/2017	3/10/2017
	IAQ Log				1/25/2017
	CAP Referral	Denver	12/5/2016	1/9/2017	3/9/2017
	CAP / Fug Ops Referral				2/13/2017
	CAP Referral	Adams	3/4/2017	3/5/2017	3/6/2017
	Fredrick Referral	Denver	3/2/2017	3/23/2017	3/24/2017
	Tip-Line				3/29/2017
	CAP Referral	Adams			10/14/2016
	CAP Referral / Pre-Processed	Adams			2/27/2017
	CAP Referral	Denver	1/18/2017	1/27/2017	3/3/2017
	Non-Detained				4/7/2017
	Adams Court Docket				3/14/2017
					4/13/2017
	Non-Detained / Hired custody redetermination				
	IAQ Log				4/20/2017
	CRP Referral (Orig 3/13/17)	Jefferson	2/25/2017	3/7/2017	5/1/2017
	CAP Referral	Jefferson	1/26/2017		1/3/2017
	Justice Zcharge (Adams release list)				
	Probation referral				4/28/2017
	CAP Referral / CALL-OUT: Henry & Weir (0700)				5/3/2017
	CAP Referral (Orig 12/29/16)	Denver	12/30/2016	12/23/2016	5/1/2017
	CAP Referral	Denver	3/30/2017	3/31/2017	4/4/2017
	Denver Release list	Denver	3/25/2017		
	CAP Referral	Denver			4/28/2017
	IAQ Log				3/13/2017

As NCJAT Notified	Type of Case	FBI Number	Conviction 1 Date	Conviction 1	Conviction 2 Date	Conviction 2	Conviction 3 Date	C
NTA	(b)(7)(C)	P2d	7/1/2016	DUI				
NTA		P2d	8/29/2016	DWAI				
		P1d	9/30/2009	Burglary 2				
NTA		P2b	4/23/2015	DUI	6/16/2008	Theft		
NTA		P2b	9/15/2016	DUI	5/1/2012	DWAI		
Reinstate		P1d	11/22/2010	Crim Impersonation - Felony	5/6/2010	DWAI	PEND	DUI
NTA		P2d	6/6/2016	RUI				
NTA/Reinstate		P2c	PEND	Assault DV	9/4/2014		1325	
Reinstate		P1d	6/14/2006	DUI	10/29/2003	DUI	9/11/2008	PCS
NTA		P2b	9/2/2016	DWAI	2/3/2009	PCS		
Reinstate		P2c	PEND	Distro Heroin				
Reinstate		P1d	9/22/2008	DUI	9/19/2013	Marijuana Possession (M)	11/22/2013	DUI
NTA		P1c	PEND	Weapons	PEND	Child Abuse		
Reinstate		P2c	PEND	PCS				
Reinstate		P2b		1325 (a2) 90 Days for each				
NTA (1 PR)		P1d	9/15/2016	Child Abuse-SB	9/15/2016	Assault 3		
Reinstate		P1e	1/19/2012	Concealed Weapon - Knife/Gun		DWAI	6/20/2009	PCS
NTA		P2b	8/12/2009	RWAI	1/14/2006	poss marijuana		
Reinstate		P2c	9/6/2012	cont sub poss				
Reinstate		P2a	7/7/2016	DUI	2/7/2010	Drug Poss	2/26/2016	DWAI w/ 2 Priors
NTA (in proceedings)		P2a	11/18/2016	Carry Concealed Weapon	11/18/2016	False Information	6/22/2015	DWAI
NTA		P2b	PEND	DV Assault-2	PEND	False Imprisonment		
Reinstate		P1d	8/16/2016	DUI	1/9/2015	Felony Menacing	1/9/2015	Child Abuse
NTA		P1d	9/26/2016	Sex Contact - No Consent	9/26/2016	Drugging Victim - Felony		
NTA		P2b	6/5/2009	RWAI	8/25/2016	DUI w/1 Prior		
NTA		P1d	9/19/2016	Felony Menacing				
Final Order		P1d	6/7/2010	PCS - Felony				
Reinstate		P2b	5/19/2016	RWAI		1325 (a2)	2/25/2012	Solicitation
Reinstate		P2b	7/16/2016	DWAI	PEND	Leaving Accident - Death		
NTA		P2b	6/10/2015	PCS	9/29/2007	False Info	12/11/2006	Theft
		P2b	3/12/2016	DWAI				
		P2a	8/4/1999	False info/Trespass	10/22/2003	Disturb Peace & Floutish Weapon	1/18/2001	Disturb Peace
		P2b	5/26/2016	DWAI				
Reinstate		P1d	1/27/2016	cont sub poss w/ nr	7/24/2008	shoplifting		
		P2b	5/31/2016	DUI	5/11/2016	DUI		
NTA		P2b	7/25/2016	DWAI				
NTA		P1d	11/28/2016	Theft - Felony				
in Proceedings		P2b	5/15/2016	DUI	9/8/2011	DWAI		
NTA		P2b	PEND	Sex Assault - Child (a2)	10/24/2007	False Info		
Reinstate		P2b	PEND	DUI	10/12/2006	Sexual Prostitution	10/10/2006	DWAI
NTA		P2c	11/21/2016	Assault 3 (DV w/injury)	7/6/2016	Disorderly Conduct	4/22/2016	Trespass
N2A		P2b	4/19/2012	DWAI (NM)	PEND	DV Assault		
NTA		P1d	8/23/2016	Felony Drug Possession				
NTA		P2c	PEND	DUI				
N2A		P2b	6/10/2016	DUI w/1 Prior	1/4/2018	DUI - Over .20		
Admin		P1c	11/21/2016	Pass w/intent				
		P1d	2/18/2016	Crim Mischief - Felony				
N2A		P2b	6/19/2015	DWAI	8/20/2014	Solicitation & False Info	2/4/2015	Assault
NTA		P2b	PEND	PCS				
NTA		P2a	3/8/2016	PCS		DUI (a4)	10/26/1978	PCS
N2A		P2b	6/23/2016	DWAI	PEND	DUI		
Reinstate		P2c	PEND	PCS				
NTA		P2b	7/29/2016	DUI	2/24/2016	No DL		
Reinstate		P1d	3/7/2007	Theft - Felony	3/2/2017	Crim Mischief		
NTA		P2R		DWAI (aR)				
Reinstate		P1d	5/13/2010	Assault 2 Drugging - 2y DOC		DWAI (a2)		
NTA		P2b	6/10/1992	Theft/Dist Drugs	PEND	PCS		
Reinstate		P2c	PEND	DUI	10/18/2011	PCS		
NTA (1 PA)		P1d	5/23/2016	Bribery	8/4/2012	shoplifting a 3	5/24/2016	Influence Servent - Felony
NTA		P2b	4/12/2016	RUI				
NTA		P2b	10/9/2016	DWAI	8/3/2008	DWAI		
NTA		P2b	10/28/2016	DUI				
NTA		P2b	3/14/2016	DWAI				

Reinstatement	(b)(7)(C)	P2b	5/13/2016	DUI			
NTA		P8	10/7/2014	DV	PEND	Post Weapon (Guns)	
NTA		P1d	11/21/2016	PCS - Felony & DUI			
NTA		P2b	5/25/2016	BWAI			
NTA		P2c	PEND	PCS			
NTA		P1b	7/27/2016	BWAI			
NTA		P1d	11/9/2016	Crim Mischief - Felony	11/15/2016	Assault 3	
Reinstatement		P8	11/19/2008	False Statements		Sex Contact & Financial Deceit	Fail to Register
Reinstatement		P2b	11/6/2007	BUI	10/18/2007	Theft	8/19/2008 Shoplifting & False Statements
NTA		P2b	2/24/2016	BWAI			
NTA		P2b	3/25/2014	DWAI			
Reinstatement		P1e	10/17/1994	Burglary & Battery			
NTA		P2b	10/14/2018	BWAI	6/10/2009	Assault	
Reinstatement		P2a	4/1/2005	Theft	5/3/2005	PCS	6/15/2008 Take Vehicle
NTA			3/7/2016	BWAI			
Reinstatement		P2b	5/29/2014	PCS	5/29/2014	BUI	PENB PCS/Paraphernalia/DUI R
NTA		P2b	12/20/2016	BWAI			
NTA		P2b	7/17/2013	DUI			
NTA		P2b	6/17/2016	BWAI			
NTA		P2b	5/24/2016	DWAI	10/5/2004	DUI	
B&B - NTE			12/22/2008	Sex Assault 3rd Degree		Sex Offender - Fail to Reg (x2)	12/19/2016 PCS
In Proceedings		B1d	3/24/2016	Motor Vehicle Theft	1/24/2017	Crim Mischief & PCS	
Reinstatement		B2b	1/30/2018	BUI			
NTA			PEND	Distro			
NTA		P2b	12/21/2016	DWAI	PEND	PCS & DUI	
NTA		P2b	8/21/2015	BUI & PCS			
NTA			6/16/2016	PCS		9/25/2013	Shoplifting-Juvenile
NTA		B2b	4/12/2016	BUI			
NTA (PR)			7/6/2017	Carry Concealed Weapon	1/31/2017	Theft	
Reinstatement		P1d	4/7/2012	BUSC1326	9/13/2006	Theft	
NTA		P2b	1/20/2016	DUI			
Reinstatement				BUI (n3)			
Reinstatement		P1d		Vehicle Theft - Felony (x2)	1/23/2017	PCS	
Reinstatement			32/9/2011	Cont Sub Dist x2	7/23/2013	Cont Sub Distr	
NTA Prior VD		P2d	PEND	Assault 2	PENB	Telephone - 2breast	12/16/2019 DWAI
Reinstatement			3/23/2017	PC1	10/27/2009	Obstruct Police	10/13/2009 Distribution
NTA			3/23/2017	Trespass 3	12/29/2016	PCS	
Reinstatement			11/20/2015	PCS			
NTA			9/4/2007	Assault 1 - Weapon (JUV)	9/17/2007	BWAI	
NTA		P8	PEND	Sex Assault - Child			
Reinstatement		P2b	1/7/2016	BWAI	5/13/2002	DUI	
NTA (B-2)		P2b	7/11/2018	DUI			
Reinstatement		P2b	6/15/2016	BUI			
NTA (DACA)			3/12/2016	DUI			
NTA			PEND	Sex Assault			
NTA				Assault dismissed			
Reinstatement		P2b	12/26/2004	DUI			
In Proceedings				DUI (x2)			
NTA			1/4/2016	DUI	12/20/2016	DUI	
NTA				DUI (x2) PEND a 3rd			
B-2 Overstay			3/13/2015	Assault 2 & Harassment (JUV) (F)	10/15/2014	Obstruction Peace Officer	
Reinstatement			1/16/2008	Assault 2 - 7 years DOC			
Reinstatement		P2b	12/15/2014	DWAI	1/21/2007	Theft	
Reinstatement				DUI (x-2)			
			7/23/2016	DUI			
B&B				Traffic Only			
Reinstatement			12/4/2008	PCS	PENB	PCS	
NTA (DACA)			6/29/2016	Theft	7/15/2018	Assault 3	4/11/2017 Crim Mischief
Custody Aedeterm		P3d	1/8/2016	Criminal Mischief	1/11/2016	Possession ID Docs	4/20/2017 Poss Entrusted Substance
Prior VR			1/21/2017	DUI	9/16/2002	Theft	
NTA			3/12/2014	Violation P/D			
NTA			1/20/2017	DUI & False Report	1/20/2017	Entr imperson & Trespass 3	
NTA (DACA)			4/3/2017	PCS - Codeine (MI)	4/3/2017	DWAI	
Reinstatement			7/19/2002	BUI	30/31/2011	Assault 3	8/15/2013 1325
B&B			2/5/2017	PCS	1/10/2017	DUI	
NZR		P2c	PENB	Distribution Cocaine			
NTA				DWAI, DWAI, Pend 3rd			
NZA		B2b	PEND	PCS, WEAPON	31/30/2015	DWAI	
NTA			4/24/2017	Vehicular Assault & DUI	4/12/2007	Fals Info	
NTA / I-405 Denial				DUI (x3)			

Violation 3	Conviction 3 Date	Conviction 4	Conviction 4 Date	Conviction 5	Date of Arrest	Place of Arrest
				10/5/2016	Residence	Arrested 10/05/2016
				10/6/2016	RMOMs	Arrested 10/06/2016
				10/11/2016	Denver Probation	Arrested 10/11/2016
				10/13/2016	Denver Court	Arrested 10/13/2016
				10/17/2016	Denver Probation	Arrested 10/17/2016
				10/19/2016	Denver Court	Arrested 10/19/2016
				10/20/2016	Turned in	Arrested 10/20/2016
				10/26/2016	Adams Court	Arrested 10/26/2016
				10/27/2016	Denver Court	Arrested by CAP 10/27/2016
				10/27/2016	Westminster Probation	Arrested 10/27/2016
				10/28/2016	Denver Pre-Trial	Arrested 10/28/2016
8/1/2014	1326 (Legal Re-Entry)			11/7/2016	Vehicle stop	Arrested 11/07/2016
				11/8/2016	Denver Court	Arrested 11/08/2016
				11/10/2016	Denver Court	Arrested 11/10/2016
				11/10/2016	Denver Court	Arrested 11/10/2016
				11/14/2016	Denver Probation	Arrested 11/14/2016
3/21/2007	Distribute Marijuana	Forgery		11/16/2016	Denver Court	Arrested 11/16/2016
				11/16/2016	Denver Court	Arrested 11/16/2016
				11/16/2016	Denver Court	Arrested 11/16/2016
12/12/2008	Giving False Information	6/27/2007	DUI	11/17/2016	Jefferson Probation	Arrested 11/17/2016
				11/18/2016	Denver Court	Arrested 11/18/2016
				11/21/2016	Adams Court	Arrested 11/21/2016
				11/21/2016	Douglas County	Arrested by CAP 11/21/2016
				11/22/2016	Denver Probation	Arrested 11/22/2016
				11/28/2016	Adams Probation	Arrested 11/28/2016
				11/29/2016	Jefferson Probation	Arrested 11/29/2016
				12/1/2016	Denver Court	Arrested 12/1/2016
				12/2/2016	Denver Probation	Arrested 12/2/2016
				12/5/2016	Denver Court	Arrested 12/5/2016
				12/5/2016	Arapahoe Court	Arrested 12/5/2016
8/4/1999	False Info			12/6/2016	Denver Probation	Arrested 12/6/2016
				12/7/2016	Denver Court	Arrested 12/7/2016
				12/8/2016	Denver Probation	Arrested 12/8/2016
				12/8/2016	Denver Court	Arrested 12/8/2016
				12/9/2016	Adams Probation	Arrested 12/9/2016
				12/12/2016	Denver Probation	Arrested 12/12/2016
				12/13/2016	Denver Probation	Arrested 12/13/2016
				12/14/2016	Denver Probation	Arrested 12/14/2016
				12/15/2016	Denver Court	Arrested 12/15/2016
esNO	Violation #/D - Chrf			12/16/2016	Adams Court	Arrested 12/16/2016
				12/29/2016	Adams Probation	Arrested 12/19/2016
				12/21/2016	Denver Court	Arrested 12/21/2016
				12/21/2016	Adams Probation	Arrested 12/21/2016 - Released on G-56 for ATO
				12/23/2016	Denver Court	Arrested 12/23/2016
				12/28/2016	Adams Court	Arrested 12/28/2016
				12/23/2016	Denver Probation	Arrested 12/29/2016
				12/30/2016	Adams Probation	Arrested 12/30/2016
				1/3/2017	Denver Court	Arrested 1/3/2017
				1/3/2017	Denver Court	Arrested 1/1/2017
				1/8/2017	Adams Probation	Arrested 01/04/2017
				1/9/2017	Adams Court	Arrested 1/9/2017
				1/10/2017	Denver Court	Arrested 1/10/2017
				1/11/2017	Residence	Arrested 01/11/2017
				1/12/2017	Adams Court	Arrested 1/12/2017
				1/13/2017	Adams Court	Arrested 1/23/2017
				1/17/2017	Denver Court	Arrested 1/17/2017
				1/17/2017	Jefferson Court	Arrested 1/17/2017
				2/17/2017	Arapahoe Court	Arrested 01/17/2017
				1/10/2017	Denver Court	Arrested 1/10/2017
				1/18/2017	Denver Probation	Arrested 1/18/2017
				2/18/2017	Commerce City Probation	Arrested 1/18/2017 - released on ATO
				1/20/2017	Residence	Arrested 1/20/2017
				1/20/2017	Employer	Arrested 1/20/2017

				1/23/2017	Adams Probation	Arrested 1/23/2017
				1/23/2017	Adams Court	Arrested 1/23/2017
				1/24/2017	RMOMS-Aurora	Arrested 01/24/2017
				1/25/2017	RMOMS-Aurora	Arrested 01/25/2017
				1/27/2017	Denver Court	Arrested 01/27/2017
				1/27/2017	Intervention-Golden	Arrested 01/27/2017
				1/30/2017	Adams Probation	Arrested 01/30/2017
				1/30/2017	Arapahoe Court	Arrested 01/30/2017
				1/30/2017	RMOMS-Aurora	Arrested 01/30/2017
				1/31/2017	Commerce City Probation	Arrested 01/31/2017 - Released on ATO
				1/31/2017	Denver Probation	Arrested 01/31/2017
				2/1/2017	Residence	Arrested 2/1/2017
				2/8/2017	Adams Court	Arrested 2/8/2017
				2/8/2017	Denver Court	Arrested 2/8/2017
				2/8/2017	Adams Probation	Arrested 2/8/2017
				2/8/2017	Adams County	Arrested by CAP 02/08/2017
				2/9/2017	Denver Probation	Arrested 2/9/2017
				2/10/2017	Employer	Arrested 2/10/2017
				2/14/2017	Jefferson Probation	Arrested 2/14/2017 - Released on ATO
				2/14/2017	Adams Probation	Arrested 2/14/2017
				2/14/2017	Arapahoe Probation	Arrested 2/14/2017
				2/15/2017	Adams Probation	Arrested 2/15/2017
				2/15/2017	Adams Probation	Arrested 2/15/2017
				2/17/2017	Denver Court	Arrested 2/17/2017
				2/17/2017	Adams Court	Arrested 2/17/2017
				2/17/2017	Commerce City Probation	Arrested 2/17/2017
				2/21/2017	Denver Probation	Arrested 2/21/2017
				2/22/2017	Employer	Arrested 2/22/2017
				2/24/2017	Factor Hospital	Arrested 02/24/2017
				3/2/2017	Residence	Arrested 3/2/2017
				3/2/2017	Jefferson Probation	Arrested 3/2/2017
				3/6/2017	Residence	Arrested 3/6/2017
				3/4/2017	Jefferson Court	Arrested 3/6/2017
				3/8/2017	Arapahoe Probation	Arrested 3/08/2017
3/3/2010	False Statements			3/10/2017	Arapahoe Court	Arrested 3/10/2017
				3/13/2017	Adams Jail	Arrested 3/13/2017
				3/13/2017	Adams Jail	Arrested 3/13/2017
				3/16/2017	Denver Court	Arrested 3/16/2017
				3/15/2017	Adams Court	Arrested by CAP 03/15/2017
				3/20/2017	Denver Probation (abby)	Arrested 03/20/2017
				3/20/2017	Residence (Vehicle Stop)	Arrested 3/20/2017
				3/12/2017	Jefferson County	Arrested 3/17/2017
				3/24/2017	Adams Probation	Arrested 3/24/2017
				3/30/2017	Jeffce Intervention	Arrested 3/30/2017
				3/30/2017	Denver Pre-Trial	Arrested 3/30/2017
				4/1/2017	Residence	Arrested by FUGOPS 4/01/17
				4/1/2017	Residence	Arrested 4/1/2017
				4/4/2017	Denver probation	Arrested 4/4/2017
				4/4/2017	RMOMS	Arrested 4/4/2017
				4/4/2017	Adams Probation	Arrested 4/4/2017
				4/6/2017	Adams Court	Arrested 04/06/2017
				4/7/2017	Vehicle stop	Arrested 04/10/2017
				4/10/2017	RMOMS	Arrested 04/10/2017
				4/11/2017	Residence	Arrested 4/11/2017
				4/11/2017	RMOMS	Arrested 4/11/2017
				4/12/2017	Arapahoe Court	Arrested 4/12/2017 - Released on OSUP for Medical Reasons
				4/13/2017	Adams Court	Arrested 4/13/2017
				4/14/2017	Vehicle stop	Arrested 4/14/2017
				4/20/2017	Denver Court	Arrested 04/20/2017
				4/21/2017	Residence	Arrested 04/21/2017
				5/2/2017	Denver Court	Arrested 5/2/2017
				5/2/2017	Jefferson Probation	Arrested 5/2/2017
				5/2/2017	Adams Probation	Arrested 05/02/2017
				5/3/2017	Adams Probation	Arrested 05/03/2017
				5/3/2017	Denver County	Arrested 05/03/2017
				5/4/2017	Denver Court	Arrested 05/04/2017
				5/5/2017	Denver Court	Arrested 05/05/2017
				5/8/2017	Denver Court	Arrested 05/08/2017
				5/8/2017	Denver Court	Arrested 05/08/2017
				5/9/2017	Adams Probation	Arrested 05/09/2017

January 2017

January 2017							February 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28				
29	30	31											

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 1 - 7	Jan 1, 17 New Year's Day	2 New Year's Day Observed	3 (b)(6);(b)(7)(C)		4 (b)(6);(b)(7)	5	6
	8	9 (b)(6);(b)(7)(C)	10	11	12	13	14
Jan 8 - 14	15	16 Martin Luther King Jr.	17 (b)(6);(b)(7)(C)		18	19	20
	22	23 (b)(6);(b)(7)(C)	24 CMT Training (FDN)		25	26	27
Jan 15 - 21	29	30 (b)(6);(b)(7)(C)	31	Feb 1	2	3	4
	Jan 29 - Feb 4						

May 2017

May 2017							June 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Apr 30	May 1	2	3	4	5	6
Apr 30 - May 6		(b)(6);(b)(7)(C);(b)(7)(E)					
	7	8	9	10	11	12	13
May 7 - 13		(b)(6);(b)(7)(C);(b)(7)(E)					
	14	15	16	17	18	19	20
May 14 - 20		(b)(6);(b)(7)(C);(b)(7)(E)		(b)(6);(b)(7)(C);(b)(7)(E)			
	21	22	23	24	25	26	27
May 21 - 27		(b)(6);(b)(7)(C);(b)(7)(E)					
	28	29	30	31	Jun 1	2	3
May 28 - Jun 3		Memorial Day	(b)(6);(b)(7)(C);(b)(7)(E)				

April 2017

April 2017							May 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Mar 26	27	28	29	30	31	Apr 1
3/26 - 31							(b)(6);(b)(7)(C);(b)(7)(E)
	2	3	4	5	6	7	8
4/2 - 7	(b)(6);(b)(7)(C);(b)(7)(E)						
	9	10	11	12	13	14	15
4/9 - 14		(b)(6);(b)(7)(C);(b)(7)(E)					
	16	17	18	19	20	21	22
4/16 - 21			(b)(6);(b)(7)(C);(b)(7)(E)				
	23	24	25	26	27	28	29
4/23 - 28		(b)(6);(b)(7)(C)			(b)(6);(b)(7)(C)		
	30	May 1	2	3	4	5	6
4/30 - 5/5							

March 2017

March 2017							April 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Feb 26	27	28	Mar 1	2	3	4
Feb 26 - Mar 4				(b)(6);(b)(7)(C);(b)(7)(E)			
	5	6	7	8	9	10	11
Mar 5 - 11		(b)(6);(b)(7)(C);(b)(7)(E)			(b)(6);(b)(7)(C);(b)(7)(E)		
	12	13	14	15	16	17	18
Mar 12 - 18		(b)(6);(b)(7)(C);(b)(7)(E)					
	19	20	21	22	23	24	25
Mar 19 - 25		(b)(6);(b)(7)(C);(b)(7)(E)					
	26	27	28	29	30	31	Apr 1
Mar 26 - Apr 1		(b)(6);(b)(7)(C);(b)(7)(E)					

February 2017

February 2017							March 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4				1	2	3	4
5	6	7	8	9	10	11	5	6	7	8	9	10	11
12	13	14	15	16	17	18	12	13	14	15	16	17	18
19	20	21	22	23	24	25	19	20	21	22	23	24	25
26	27	28					26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 29	30	31	Feb 1	2	3	4
Jan 29 - Feb 4				(b)(6);(b)(7)(C);(b)(7)(E)			
	5	6	7	8	9	10	11
Feb 5 - 11		(b)(6);(b)(7)(C);(b)(7)(E)					
	12	13	14	15	16	17	18
Feb 12 - 18		(b)(6);(b)(7)(C);(b)(7)(E)					
	19	20	21	22	23	24	25
Feb 19 - 25		President's Day	(b)(6);(b)(7)(C);(b)(7)(E)		(b)(6);(b)(7)(C);(b)(7)(E)		
	26	27	28	Mar 1	2	3	4
Feb 26 - Mar 4		(b)(6);(b)(7)(C);(b)(7)(E)					

EXHIBIT D

U.S. Department of Homeland Security
500 12th St. SW; STOP 5009
Washington, DC 20536-5009



U.S. Immigration
and Customs
Enforcement

September 19, 2018

Lindsay Nash
Cardozo School of Law
Immigration Justice Clinic
55 Fifth Avenue, 11th Floor
New York, NY 10003-4391

RE: FOIA Appeal 2018-ICAP-00426, 2018-ICFO-25625

Dear Ms. Nash:

This is in response to your appeal dated August 17, 2018, appealing U.S. Immigration and Customs Enforcement's (ICE) response to your Freedom of Information Act (FOIA) request. Your FOIA request, dated March 5, 2018, sought records related to civil immigration arrests by ICE agents that occur within, on the property, or within two city blocks of New York State courthouses (see request for specific details).

By letter, dated June 11, 2018, ICE FOIA advised you that "[a] search of the ICE Office of Enforcement and Removal Operations (ERO) for records responsive to your request produced 2 pages that are responsive to your request." You appealed the adequacy of the search.

After a review of the administrative record, ICE has determined that new search(s) or, modifications to the existing search(s), could be made. We are therefore remanding your appeal to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents. The ICE FOIA Office will respond directly to you.

Should you have any questions regarding this appeal remand, please contact ICE at ice-foia@dhs.gov. In the subject line of the email please include the word "appeal," your appeal number, which is **2018-ICAP-00426**, and the FOIA case number, which is **2018-ICFO-25625**.

Sincerely,

/s/ *Ali Karzba*

for

Erin Clifford
Chief
Government Information Law Division
ICE Office of the Principal Legal Advisor
U.S. Department of Homeland Security

EXHIBIT E



O'Melveny & Myers LLP
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omm.com

October 3, 2018

Matt Schock
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mschock@omm.com

VIA E-MAIL

U.S. Immigration and Customs Enforcement
Freedom of Information Office
500 12th Street, S.W. STOP 5009
Washington, D.C. 20536-5009

Re: Freedom of Information Act Appeal No. 2018-ICAP-00426, ICE FOIA Case No. 2018-ICFO-25625

Dear Sir or Madam,

We write on behalf of the Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law (“Clinic”) and the Immigrant Defense Project (“IDP”) (collectively “Requestors”) in connection with the above referenced Freedom of Information Act (“FOIA”) request (the “Request”).

The Request, dated March 5, 2018, seeks records related to courthouse arrests by U.S. Immigration and Customs Enforcement (“ICE”) personnel. On August 17, 2018, after receiving only two pages of records in response to the Request, Requestors appealed the adequacy of ICE’s search. On August 21, 2018, ICE acknowledged the appeal.

On September 19, 2018, ICE advised it had “determined that new search(s) or, modifications to the existing search(s), could be made” and was “remanding [Requestors’] appeal to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents.”

As the Request itself states, there remains “an urgent need to obtain the information sought in the [Request] which, at this point, is not publicly available.” Requestors thus seek ICE’s swift response. Please let us know promptly when we may expect the results of ICE’s new or modified searches, and do not hesitate to contact me with any questions at mschock@omm.com or at (202) 383-5379.

Sincerely,

/s/ Matt Schock

Matt Schock

cc (by e-mail): Lindsay Nash, Esq.

EXHIBIT F



O'Melveny & Myers LLP
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November 16, 2018

Matt Schock
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mschock@omm.com

VIA E-MAIL

U.S. Immigration and Customs Enforcement
Freedom of Information Office
500 12th Street, S.W. STOP 5009
Washington, D.C. 20536-5009

Re: Freedom of Information Act Appeal No. 2018-ICAP-00426, ICE FOIA Case No. 2018-ICFO-25625

Dear Sir or Madam,

We write on behalf of the Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law (“Clinic”) and the Immigrant Defense Project (“IDP”) (collectively “Requestors”) in connection with the above referenced Freedom of Information Act (“FOIA”) request (the “Request”).

The Request, dated March 5, 2018, seeks records related to courthouse arrests by U.S. Immigration and Customs Enforcement (“ICE”) personnel. On September 19, 2018, ICE advised it had “determined that new search(s) or, modifications to the existing search(s), could be made” and was “remanding [Requestors’] appeal to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents.”

In a letter dated October 3, 2018, Requestors asked for a swift response to the appeal. Requestors have since made multiple attempts to follow up by phone, but have been unable to reach ICE FOIA personnel. Requestors have not received a response at this time.

As the Request itself states, there remains “an urgent need to obtain the information sought in the [Request] which, at this point, is not publicly available.” Requestors thus ask that the documents sought by the Request be promptly disclosed. Please let us know as soon as possible when we may expect the results of ICE’s new or modified searches, and do not hesitate to contact me with any questions at mschock@omm.com or at (202) 383-5379.

Sincerely,

/s/ Matt Schock

Matt Schock

cc (by e-mail): Lindsay Nash, Esq.

EXHIBIT G

From: ice-foia@dhs.gov [ice-foia@dhs.gov]
Sent: Tuesday, November 20, 2018 2:12 PM
To: Lindsay Nash
Subject: ICE FOIA Request 2018-ICAP-00426

November 20, 2018

LINDSAY NASH
CARDOZO SCHOOL OF LAW
IMMIGRATION JUSTICE CLINIC
55 FIFTH AVE 11TH FLOOR
NEW YORK, NY 10003-4391

RE: ICE FOIA Case Number 2018-ICAP-00426

Dear Ms. NASH:

This responds to your 11/16/18 letter in which you requested an update as to the status of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated August 17, 2018, and received in this office on August 22, 2018. Your request sought records related to civil immigration arrests by U.S. Immigration and Customs Enforcement ("ICE") agents that occur within, on the property of, or within two city blocks of New York State courthouses (see request for specific details).

For your information, we have queried the appropriate component of DHS for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. We will process your request as expeditiously as possible. Upon completion of the processing, all documents that can be released will be made available to you at the earliest possible date. We sincerely apologize for the delay you are experiencing and appreciate your continued patience.

Your request has been assigned reference number **2018-ICAP-00426**. Please refer to this identifier in any future correspondence. To check the status of an ICE FOIA/PA request, please visit <http://www.dhs.gov/foia-status>. Please note that to check the status of a request, you must enter the 2015-ICFO-XXXX or 2016-ICFO-XXXXX tracking number. You may contact this office at (866) 633-1182. Our mailing address is 500 12th Street, S.W., Stop 5009, Washington, D.C. 20536-5009

Sincerely,

ICE FOIA Office
Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009
Telephone: 1-866-633-1182
Visit our FOIA website at www.ice.gov/foia

EXHIBIT H



O'Melveny & Myers LLP
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February 8, 2019

Matt Schock
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mschock@omm.com

VIA E-MAIL

U.S. Immigration and Customs Enforcement
Freedom of Information Office
500 12th Street, S.W. STOP 5009
Washington, D.C. 20536-5009

Re: Freedom of Information Act Appeal No. 2018-ICAP-00426, ICE FOIA Case No. 2018-ICFO-25625

Dear Sir or Madam,

We write on behalf of the Kathryn O. Greenberg Immigration Justice Clinic at the Benjamin N. Cardozo School of Law and the Immigrant Defense Project (collectively “Requestors”) in connection with the above-referenced Freedom of Information Act request (the “Request”).

The Request, dated March 5, 2018, seeks records related to courthouse arrests by U.S. Immigration and Customs Enforcement (“ICE”) personnel. On September 19, 2018, ICE advised it had “determined that new search(s) or, modifications to the existing search(s), could be made” and was “remanding [Requestors’] appeal to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents.”

In letters dated October 3, 2018 and November 16, 2018, Requestors sought a swift response to the appeal. ICE replied by e-mail on November 20, 2018, assuring Requestors that their request would be processed as expeditiously as possible. However, Requestors have yet to receive a response, and now ask again that the documents sought by the Request be promptly disclosed. If ICE does not promptly disclose the requested documents, Requestors intend to pursue all available remedies.

Please let us know as soon as possible when we may expect the results of ICE’s new or modified searches, and do not hesitate to contact me with any questions at mschock@omm.com or at (202) 383-5379.

Sincerely,

/s/ Matt Schock

Matt Schock

cc (by e-mail): Lindsay Nash, Esq.

EXHIBIT I

From: ICE-FOIA <ICE-FOIA@ice.dhs.gov>
Sent: Thursday, February 14, 2019 9:33 AM
To: Schock, Matt
Subject: RE: Appeal No. 2018-ICAP-00426 // FOIA Case No. 2018-ICFO-25625

Good morning

The request is currently tasked to the appropriate program offices for responsive records to be returned.

Thanks

ICE-FOIA

From: Schock, Matt <mschock@omm.com>
Sent: Friday, February 8, 2019 9:29 AM
To: ice-foia@dhs.gov
Cc: Lindsay Nash <lindsay.nash@yu.edu>
Subject: Appeal No. 2018-ICAP-00426 // FOIA Case No. 2018-ICFO-25625

To whom it may concern:

Please see the attached correspondence regarding the above referenced appeal and FOIA case.

O'Melveny

Matt Schock

mschock@omm.com

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O'Melveny & Myers LLP
1625 Eye Street, NW
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[Website](#) | [LinkedIn](#)

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EXHIBIT J

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 10:31 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Courthouse arrests

(b)(6);(b)(7)(C)

There are some clarification issues that must be addressed by management before I am comfortable certifying that I fully understand the policy.

First and foremost, I would like to have a specific, written definition of "At or Near". That's way too nebulous as it stands.

Second, much has been made about the VAWA policy guidance on courthouse enforcement actions; the actual policy prohibiting same seems pretty clear that the enforcement action is prohibited only when the subject of investigation is appearing for a case directly related to a pending/approved VAWA application. I would like management to specifically articulate that the local policy is being deliberately expanded beyond that limited scope.

Respectfully submitted,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 10:07 AM

(b)(6);(b)(7)(C)

Subject: FW: Courthouse arrests

Team,

This is what we have in writing regarding court house arrests (among a few other things). I highlighted in yellow a specific guidance on Denver Courts: (b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

I am still working to get them to clarify in writing guidance on probation cases that happen to be connected or in the same building as a court house. Until we get it in writing, assume all probation offices at or near courthouse to fall under the guidance below. ANY case with a planned arrest at/near a court house will be discussed with your first line supervisor prior to action.

Notice the requirement to sign a "Verification Form" to assure we are all in compliance with the guidance and policy. Keep this email for your records.

Please ask questions and we'll do our best to get answers.

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 9:42 AM

(b)(6);(b)(7)(E)

(b)(7)(C)

Subject: Courthouse arrests

Supervisors:

A few points of clarification that may have been lost during the transition between DHS Secretaries and policy shifts. Please hold a staff meeting to discuss the below and answer any questions from your respective officers.

Courthouse Arrests:

As discussed on the May 9, 2017, AOR call, I want to reiterate the importance of following previously established and published courthouse arrest guidance. Consistent with the original October 21, 2015, ERO Taskings from Assistant Director Jon Gurule, and subsequent guidance, enforcement actions at or near courthouses will only be undertaken against:

[*Priority #1(a)]: aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security; (note that for courthouse arrests, public safety has been removed from Priority 1 definitions).

[*Priority #1(c)]: aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum; (for this Priority, we focus on the active participation in a street gang, with or without a related conviction).

[*Priority #1(d)]: aliens convicted of an offense classified as a felony in the convicting jurisdiction, other than a state or local offense for which an essential element was the alien's immigration history;

[*Priority #1(e)]: aliens convicted of an "aggravated felon," as that term is defined in section 101(a)(43) of the Immigration and Nationality Act at the time of the conviction.

For the sole purpose of the courthouse guidance, the spirit of the prior enforcement priorities noted above remain in place. I have left the Priority labels attached in this email.

Keeping FOD Longshore's guidance in place, surveillance is considered to be an enforcement action (attached).

(b)(7)(E) Likewise, enforcement actions at or near courthouses will only take place against specific, targeted aliens with no action taken against family members or aliens accompanying the target to court. The Lindsey-Flanigan Courthouse in Denver is a cumbersome venue that does not easily conform to this guidance because of the public courtyard in which many of our arrests are made. (b)(7)(E)

(b)(7)(E)

This is the messaging I am making publicly to all stakeholders and I must be able to make that promise with a strong degree of conviction that Denver officers are abiding by HQ ERD and local FOD instructions.

Certain Victims, Witnesses, and Plaintiffs:

Absent special circumstances or aggravating circumstances such as egregious or violent criminal histories, aliens identified as , or known to be the immediate victim or witness to a crime will be given a greater level of deference and prosecutorial discretion before arresting or removing such an alien. It is often difficult to determine if a targeted alien is a victim, witness, or plaintiff, as these individual are under no obligation to self-identify or inform ICE of their status. Therefor it is incumbent upon each officer to diligently review cases carefully for indicators of such status, including conversations with attorneys of record when necessary.

VAWA

VAWA regulations protect certain self-identified abused or battered aliens or victims of domestic violence. In these very narrowly defined cases (guidance attached), special provisions must be followed by ICE ERO officers. In these cases, courthouses are defined as sensitive locations by regulation and must be treated as such. Likewise, ICE ERO officers must independently verify the removability of such aliens, and specific annotations must be made on the NTA prior to filing with EOIR.

Each of the policies discussed in this email are attached. First line supervisors and officers are required to read them carefully and sign the attached read-and-initial sheets (one sheet per office). Supervisors from each office will submit them to SFTO [REDACTED] by COB May 19, 2017. AFODs may grant extensions for good cause at their discretion.

[REDACTED]

Acting Field Office Director
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue
Centennial Colorado 80111

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 3:24 PM
To: (b)(6);(b)(7)(C)

Cc:
Subject: Courthouse arrests

Importance: High

FYI and action.

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 2:46 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Courthouse arrests

If the ICE business is with the probation office, then the officers are clear. We will defend that action if questioned.

(b)(6);(b)(7)(C)

Acting Field Office Director
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111

From: (b)(6);(b)(7)(C)
Sent: Friday, May 12, 2017 10:58 AM
To: (b)(6);(b)(7)(C)
Cc:
Subject: RE: Courthouse arrests

Can there be a clarifying statement to this new policy that will protect those officers making a probation arrest in a location where the court and probation are co-located? (b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

Thanks,

(b)(6);(b)(7)(C)

Supervisory Detention and Deportation Officer
Immigration and Customs Enforcement
CAP/ATD/Non-Detained
3770 Puritan Way, (b)(6);(b)(7)(C)

Frederick, CO 80516

(W) (303) 833-(b) (6); (b) (7)(C)

(C) (720) 354-(b) (6); (b) (7)(C)

(F) (303) 833-7044

(b) (6); (b) (7)(C)



From: (b) (6); (b) (7)(C)

Sent: Friday, May 12, 2017 9:42 AM

(b) (6); (b) (7)(C)

Subject: Courthouse arrests

Supervisors:

A few points of clarification that may have been lost during the transition between DHS Secretaries and policy shifts. Please hold a staff meeting to discuss the below and answer any questions from your respective officers.

Courthouse Arrests:

As discussed on the May 9, 2017, AOR call, I want to reiterate the importance of following previously established and published courthouse arrest guidance. Consistent with the original October 21, 2015, ERO Taskings from Assistant Director Jon Gurule, and subsequent guidance, enforcement actions at or near courthouses will only be undertaken against:

[*Priority #1(a)]: aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security; (note that for courthouse arrests, public safety has been removed from Priority 1 definitions).

[*Priority #1(c)]: aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum; (for this Priority, we focus on the active participation in a street gang, with or without a related conviction).

Enforcement & Removal Operations

12445 E. Caley Avenue
Centennial, Colorado 80111

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 10:51 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Guidance Update: Enforcement Actions at or Near Courthouses

(b)(6);(b)(7)(C)

DHS/ICE/ERO - Denver
Deportation Officer
Fugitive Operations (b)(6);(b)(7)(C)
12445 E. Caley Ave
Centennial, CO 80111
(720)875- (b)(6);(b)(7)(C) office
(303)356- (b)(6);(b)(7)(C) cell
(720)873-3714 fax

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From: (b)(6);(b)(7)(C)
Sent: Wednesday, June 29, 2016 1:18 PM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Guidance Update: Enforcement Actions at or Near Courthouses

(b)(5);(b)(7)(E)

I apologize for the confusion. I was in the wrong.

(b)(6);(b)(7)(C)

Assistant Field Office Director/AFOD
Metro Fugitive Teams/Emergency Management
Denver Field Office
Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue Centennial, Colorado 80111 | 303-472- (b)(6);(b)(7)(C) cell

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From: [REDACTED]
Sent: Wednesday, June 29, 2016 12:12 PM
To: [REDACTED]
Subject: FW: Guidance Update: Enforcement Actions at or Near Courthouses
Importance: High

[REDACTED]

This is the only guidance I have on (Enforcement Actions at or near a Courthouse). I don't see anything regarding the need for the FODs approval when arresting a P1 alien at the courthouse. If there is more guidance stating as such could you please forward it to me so I can put it out to the troops?

Thanks,

[REDACTED]

*Supervisory Detention and Deportation Officer
Denver Field Office
U. S. Immigration and Customs Enforcement
Enforcement & Removal Operations
12445 E. Caley Avenue
Centennial, Colorado 80111
(W) 720-875-[REDACTED]
(C) 720-354-[REDACTED]*

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From: [REDACTED]
Sent: Monday, January 26, 2015 1:21 PM
To: [REDACTED]
Subject: FW: Guidance Update: Enforcement Actions at or Near Courthouses
Importance: High

All,

Please note the below in regards to individuals either with court or going to court with family/friends.

Changes: The alien must now fit within 1a, 1b, 1c, 1d and 1e (b)(5);(b)(7)(E)

(b)(5);(b)(7)(E)

CLARIFICATION: You are still allowed to do other priorities for jail work or FOWs at probation if those facilities are co-located with the courts.



To: All Denver ERO employees

Subject: Guidance Update: Enforcement Actions at or Near Courthouses

This message provides important guidance concerning ERO enforcement actions at courthouses, and has been updated to incorporate the enforcement priorities as set forth in Secretary Johnson's November 20, 2014 memorandum, *Policies for the Apprehension, Detention, and Removal of Undocumented Immigrants.*

- Enforcement actions at or near courthouses will only be undertaken against:
 - CODE P1A Priority #1(a): aliens engaged in or suspected of terrorism or espionage, or who otherwise pose a danger to national security;
 - CODE P1C Priority #1(c): aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in the November 20, 2014 Johnson memorandum;
 - CODE P1D Priority #1(d): aliens convicted of an offense classified as a felony in the convicting jurisdiction, other than a state or local offense for which an essential element was the alien's immigration history;
 - CODE P1E Priority #1(e): aliens convicted of an "aggravated felon," as that term is defined in section 101(a)(43) of the *Immigration and Nationality Act* at the time of the conviction.
- Enforcement actions at or near courthouses will only take place against specific, targeted aliens, rather than individuals who may be "collaterally" present, such as family members or friends who may accompany the target alien to court appearances or functions.
- Enforcement actions at or near courthouses will, wherever practicable: (1) take place outside public areas of the courthouse; (2) be conducted in collaboration with court security staff; and (3) utilize the court building's non-public entrances and exits.

Questions regarding this guidance may be directed to your chain of command.

NOTICE: This communication may contain privileged or otherwise confidential information. If you are not an intended recipient or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Please inform the sender that you received this message in error and delete the message from your system.

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 9:51 AM
To: (b)(6);(b)(7)(C)
Subject: FW: Arrests at Denver courthouse--DENVER POST REQUEST
Attachments: Question on deadline - ICE in Denver courthouses

Importance: High

(b)(6);(b)(7)(C)

**Acting Deputy Field Office Director
Denver Field Office
Immigration and Customs Enforcement
Enforcement & Removal Operations**

12445 E. Caley Avenue, Centennial Colorado 80111 | 303-472-(b)(6);(b)(7)(C) cell

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From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 9, 2017 9:45 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Arrests at Denver courthouse--DENVER POST REQUEST
Importance: High

(b)(6);(b)(7)(C)

The link shows (b)(6);(b)(7)(C) I don't know who arrested this (b)(6);(b)(7)(C) on May 5th?

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 9, 2017 9:33 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Arrests at Denver courthouse--DENVER POST REQUEST

Attached is another email request I just received. It includes a media advisory regarding a news conference this law office is holding today at noon your time.

It also includes a link to the other video. Again, ICE officers did a good job of being patient and professional.

(b)(6);(b)(7)(C)

Director of Communications, Central Region (Spokesman)
based in Dallas, TX
U.S. Immigration and Customs Enforcement (ICE) www.ice.gov

(b)(6);(b)(7)(C)
214-905-(b)(6);(b)(7)(C) (office)
214-850-(b)(6);(b)(7)(C) (cell)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 10:24 AM
To: (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: FW: Arrests at Denver courthouse--DENVER POST REQUEST

(b)(6);(b)(7)(C) The videos below show a man resisting ICE arrest – reportedly at a courthouse. The videos show that the ICE officers are very patient while struggling with this man for minutes. All the while, the woman recording is screaming and crying to have them stop.

Also, per the reporter’s request, can you confirm that (b)(6);(b)(7)(C) was arrested at a courthouse May 5? (Note that there’s no video link.)

I will also forward the statement to the Denver Post that I sent a month ago to all the other requesting media regarding courthouse ICE arrests.

Thanks!

(b)(6);(b)(7)(C)
Director of Communications, Central Region (Spokesman)
based in Dallas, TX
U.S. Immigration and Customs Enforcement (ICE) www.ice.gov
(b)(6);(b)(7)(C)
214-905-(b)(6);(b)(7)(C) (office)
214-850-(b)(6);(b)(7)(C) (cell)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 9:59 AM
To: (b)(6);(b)(7)(C)
Subject: Arrests at Denver courthouse

(b)(6);(b)(7)(C)

Two videos have been released today by a Denver immigration law firm alleging to show ICE officers making arrests at Denver’s Lindsay Flanigan Courthouse.

Can you confirm or comment that (b)(6);(b)(7)(C) was taken into custody at the courthouse on May 5?

Also, there are videos of ICE agents purportedly arresting a man on April 28. His name has not been released but the videos are here: (b)(6);(b)(7)(C)

Denver’s top officials have asked that ICE not arrest people at courthouses and I’m not sure if we have ever gotten comment on that from you all. Do you have any response to this request?

Thanks for any and all help.

Best,

[REDACTED]

Reporter, The Denver Post

Desk: 303-954-[REDACTED]

Cell: 302-528-[REDACTED]

[REDACTED]

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, May 09, 2017 9:24 AM
To: (b)(6);(b)(7)(C)
Subject: Question on deadline - ICE in Denver courthouses

Good morning (b)(6);(b)(7)(C)

Thought you should see the press release below. Can you offer any detail on either of these cases?

- One person remains anonymous, was detained April 28 at Lindsey-Flanigan Courthouse, 520 West Colfax Avenue in Denver

(b)(5);(b)(7)(E) was detained May 5 at Denver County Court, which I believe is 1437 Bannock Street in Denver

Both are represented by the Meyer Law Office.

I'm looking for any available information on reasons for their detainment/prioritization, along with any comment you can offer on whether this reflects a broader practice of detainment at courthouses and other civil facilities. If so, is that a new policy, and what is the reasoning for it, please?

Thank you

(b)(6);(b)(7)(C)

----- Forwarded message -----

From: (b)(6);(b)(7)(C)
Date: Tue, May 9, 2017 at 8:49 AM
Subject: Media Advisory: MLO Releases Two New Videos of ICE Officers in Denver Courts
To: (b)(6);(b)(7)(C)

Media Advisory

For Immediate Release

May 9, 2017

Contact: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

720-891- (b)(6);(b)(7)(C)

MLO Releases Two New Videos of ICE Officers in Denver Courts

Videos Raise New Questions about ICE's Tactics of Arresting Immigrants at Court

Denver, CO – This morning, the Meyer Law Office, PC released two disturbing new videos of undercover ICE officers arresting immigrants at the Denver Courthouse, flagrantly disregarding the letter that Denver public officials sent last month asking ICE to stop conducting courthouse arrests.

The Meyer Law Office, PC will conduct a press conference today to discuss these videos, their implications for immigrants to appear in Denver courts as witnesses, victims, or defendants, and the ongoing need for a proactive Denver sanctuary policy to protect sensitive locations:

Who: [REDACTED] Principal Attorney
[REDACTED] Policy Director
[REDACTED] Associate Attorney

When: Today, Tuesday, May 9 at 12:00pm

Where: Meyer Law Office, 1029 Santa Fe Drive, Denver, CO 80204

The first video documents the arrest of a man who appeared at the Denver County Court on Friday, April 28, 2017 for a pending misdemeanor traffic case. The individual was arrested by two ICE officers in the vestibule as he was walking out of the courthouse, while Denver Sheriff's deputies stood by. The video, filmed by his girlfriend in three separate short videos from her phone, documents his arrest as he screams in Spanish for help and begs the officers to stop hurting his hand. The harrowing arrest was conducted in full public view on court property with multiple bystanders witnessing the incident. After the arrest, the girlfriend obtained the ICE officers' names and badge numbers: [REDACTED] and [REDACTED]. He is now in immigration custody in El Paso, Texas, and could be deported at any time. At this time, the individual and his girlfriend would prefer to remain anonymous, but did want to share the video so that others can see ICE's brutal tactics for themselves. The three videos documenting this arrest are available here:

[REDACTED]

The second video documents Meyer Law Office, PC client, [REDACTED] who was arrested at the Denver County Court on Friday, May 5, 2017 immediately following court on a misdemeanor case. In this video, MLO associate attorney [REDACTED] documents two ICE officers as they arrest [REDACTED] as he leaves court. [REDACTED] asks the officers whether they have a warrant, and the officers allege that they do have one, but refuse to provide it to him as [REDACTED] attorney. [REDACTED] then asks the officers for their names and badge numbers, and they refuse to identify themselves,

instead referring [REDACTED] to the ICE Public Information phone number. [REDACTED] is now being detained at the Aurora ICE Detention Facility. The video documenting [REDACTED] arrest is available here: [REDACTED]

####

The Meyer Law Office, PC specializes in immigration law, removal defense, criminal defense, and the immigration consequences of contact with the criminal justice system. Our firm has earned a reputation for excellence and leadership in the immigration law and criminal defense communities, and is committed to advancing justice for immigrants in Colorado.

[REDACTED]

POLICY DIRECTOR
MEYER LAW OFFICE, P.C.
1029 Santa Fe Drive | P.O. Box 40394 | Denver, CO 80204
Tel - (303) 831-[REDACTED] | Fax - (720) 210-9858
www.facebook.com/MeyerLawOffice
www.themeyerlawoffice.com

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--
[REDACTED]

Reporter | Denverite.com
303-502-[REDACTED]
[Sign up for our newsletter.](#)

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Friday, April 28, 2017 12:53 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Resisting Arrest Incident in Courthouse Lobby Breezeway

I just got back to my desk and tried to run the name/case, but that case isn't in the Denver Court search engine. His priors are in there. I will pass it along.

(b)(6);(b)(7)(C)

Assistant Field Office Director
ICE - Enforcement Removal Operations
12445 East Caley Avenue
Centennial, CO 80111
(720)875- (b)(6);(b)(7)(C) Office/Direct
(303)472- (b)(6);(b)(7)(C) Mobile

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From: (b)(6);(b)(7)(C)
Sent: Friday, April 28, 2017 12:52 PM
To: (b)(6);(b)(7)(C)
Subject: RE: Resisting Arrest Incident in Courthouse Lobby Breezeway

(b)(6);(b)(7)(C)

Initial courtroom room 3E but it was re-located to 3A. The actual altercation occurred between the downstairs lobby doors near the security checkpoint in Flanigan building.

From: (b)(6);(b)(7)(C)
Sent: Friday, April 28, 2017 12:16 PM
To: (b)(6);(b)(7)(C)
Subject: FW: Resisting Arrest Incident in Courthouse Lobby Breezeway

Please see below. Needs DOB and courtroom. Not sure why the courtroom would matter but whatever.

Sent with BlackBerry Work
(www.blackberry.com)

From: (b)(6);(b)(7)(C)
Date: Friday, Apr 28, 2017, 11:32 AM

(b)(6);(b)(7)(C)

Subject: RE: Resisting Arrest Incident in Courthouse Lobby Breezeway

Hi [REDACTED]

I am making the request for preservation, do you have the individuals DOB, and which courtroom he was in?

From: [REDACTED]

Sent: Friday, April 28, 2017 11:05 AM

[REDACTED]

Subject: Resisting Arrest Incident in Courthouse Lobby Breezeway

[REDACTED]

Just as a follow-up to our phone conversation, ICE/ERO Denver would like to request preservation of the video footage for the arrest that occurred in the lobby breezeway at the Lindsey-Fianigan Courthouse this morning, 04/28/2017. Our officers tried to arrest [REDACTED] outside the courthouse, and he attempted to run back inside. I believe the event occurred between 1020 and 1030 hours.

Also, please provide the contact information for [REDACTED] of the Civil Liabilities Division, and the process or form needed to request the footage.

Again, we sincerely appreciate the assistance from the DSD deputies in keeping the lobby visitors back and clear of the arrest.

Thanks and Regards,

[REDACTED]

[REDACTED]

Assistant Field Office Director
ICE - Enforcement Removal Operations
12445 East Caley Avenue
Centennial, CO 80111
(720)875-[REDACTED] Office/Direct
(303)472-[REDACTED] Mobile

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(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, May 10, 2017 12:12 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject: Probation Arrest Near-Adjacent to Courthouses

Forgot subject line.

From: (b)(6);(b)(7)(C)
Date: Wednesday, May 10, 2017, 12:05 PM
To: (b)(6);(b)(7)(C)
Cc:
Subject:

(b)(6);(b)(7)(C)

Due to the multiple changes in policy, guidance and practices recently. I would like to request written clarification on conducting planned probation arrest at, near or adjacent to courthouses.

(b)(6);(b)(7)(C);(b)(7)(E)

Thank You

(b)(6);(b)(7)(C)

Denver Fugitive Operations
(303)356- (b)(6);(b)(7)(C)
Sent with BlackBerry Work (www.blackberry.com)

A.#	Alma Name	Officer Assigned/Case	Misc. Comments	Detainer Place#/Location	Detainer Place#/Date	Release Date
			IAQ Log			7/25/2016
			IAQ Log	Adams		10/5/2016
			Prior A2D FTA	Denver		
			Denver Releases / CAP Referral	Denver	9/30/2016	9/30/2016
			Denver Releases / CAP Referral	Denver	9/16/2016	10/7/2016
			IAQ Log	Denver		10/18/2016
			IAQ Log	Denver		9/29/2016
			CAP Referral	Adams	10/15/2016	10/26/2016
			IAQ Log / CAP Arrested, Weir was working	Denver	9/27/2016	10/27/2016
			IAQ Log	Adams		9/28/2016
			CAP Referral / Detainer not Honored	Denver	8/10/2016	8/10/2016
			IAQ Log / Prior 1326	Adams		10/22/2016
			CAP Referral / Admitted Gang Member	Denver	10/6/2016	10/12/2016
			CAP Referral	Denver		10/14/2016
			CAP Referral / Release	Denver	10/12/2016	10/14/2016
			IAQ Log			9/16/2016
			FUGOPS referral / Visit from GEO	Denver		10/28/2016
			CAP Referral / Release	Denver	11/5/2016	11/6/2016
			CAP Referral / Release / Use of Force / Referred to VCAS	Denver	11/6/2016	11/10/2016
			Jeffco Referral	Jefferson	5/30/2016	10/4/2016
			Non-Detained	Denver	5/4/2016	5/12/2016
			CAP Referral / PB Grant	Adams		10/26/2016
			CAP Referral / CAP Arrested, Weir was working	Jefferson	5/2/2016	10/17/2016
			Visit from GEO to DJC then released to street			11/16/2016
			IAQ Log / Prior VD	Adams		10/25/2016
			IAQ Log	Jefferson		10/26/2016
			FUGOPS referral / Prior OSUP			11/30/2016
			IAQ Log			11/30/2016
			CAP Release / Medice Case	Denver	11/5/2016	11/12/2016
			CAP Referral	Adams	10/27/2016	11/19/2016
			IAQ Log / BCC			12/2/2016
			CAP Referral	Denver	10/5/2016	12/2/2016
			IAQ Log / DACA			12/2/2016
			CAP Referral / Release	Denver	11/2/2016	11/3/2016
				Denver		10/25/2016
			IAQ Log / Prior VD			12/8/2016
			IAQ Log			11/30/2016
			Non-Detained	Denver	11/30/2016	12/1/2016
			DIC Release Manifest / PB Grant	Denver		11/28/2016
			IAQ Log			11/21/2016
			Adams Release			11/25/2016
			CAP Referral	Denver	12/2/2016	12/2/2016
			IAQ Log / Prior Admin Close for PD			10/31/2016
			CAP Referral / Release	Denver	10/27/2016	10/29/2016
			IAQ Log			11/29/2016
			CAP Referral	Denver	4/1/2016	11/22/2016
			IAQ Log / Also: A094 971 919	Adams		11/30/2016
			CAP Referral	Denver	11/5/2016	12/19/2016
			CAP Referral / PB Grant Abuse of Visas	Denver	11/26/2016	11/27/2016
			IAQ Log / IPN use/Drugs			12/26/2016
			IAQ Log			12/2/2016
			CAP Referral	Denver	12/16/2016	12/16/2016
			IAQ Log			12/2/2016
			CAP Referral	Denver	9/20/2016	11/11/2016
			Prior 2FS Grant			11/28/2016
			Release Manifest			12/29/2016
			CAP Referral / PB Grant 8/29/16			12/2/2016
			CAP Referral	Adams	11/12/2016	11/19/2016
			IAQ Log	Jefferson	11/9/2016	11/9/2016
			IAQ Log / BCC			12/14/2016
			CAP Referral / Pre-Processed	Adams		11/8/2016
			CAP Referral	Adams	11/25/2016	12/23/2016
			IAQ Log			12/2/2016

(b)(6);(b)(7)(C)	IAQ Log				12/20/2014
	CAP Referral				1/9/2017
	Assist FUG OPS				1/14/2017
	IAQ Log				12/27/2016
	CAP Referral	Denver	12/28/2016	12/28/2016	12/29/2016
	IAQ Log				12/27/2016
	CAP Referral				1/19/2017
	CAP Referral	Adams	9/23/2016	1/23/2017	1/24/2017
	CAP Referral	Denver	10/12/2016	10/12/2016	12/27/2016
	IAQ Log				12/27/2016
	IAQ Log				3/19/2017
	IAQ Log				12/8/2016
	CAP Referral				12/27/2016
	CAP Referral				1/19/2017
	IAQ Log				2/6/2017
	CAP Arrested, Weir was working	Adams			8/10/2016
	OK Release	Denver			1/4/2017
	CAP Referral	Denver	1/20/2017	1/20/2017	1/30/2017
	IAQ Log				7/19/2016
	IAQ Log				12/15/2016
	Non-Obtained Referral				2/1/2017
	CAP Referral / in Proceedings	Adams	9/15/2016		1/25/2017
	IAQ Log				12/8/2016
	Denver Court Referral				12/13/2016
	IAQ Log				1/5/2017
	IAQ Log				1/24/2017
	IAQ Log				1/6/2017
	IAQ Log				12/15/2016
	M SI Referral				2/10/2017
	IAQ Log	Denver			10/5/2016
	IAQ Log				1/10/2017
	M SI Zipline				2/27/2017
	CAP Referral	Jefferson	12/20/2016	1/27/2017	1/30/2017
	CAP Referral				2/23/2017
					5/23/2016
	CAP Referral / CALL-OUT: Cieslewicz, Henry & Tiruchelvam	Adams	2/15/2017	3/13/2017	3/13/2017
	CAP Referral / CALL-OUT: Cieslewicz, Henry & Tiruchelvam	Adams	12/6/2016	3/13/2017	3/13/2017
	CAP Referral	Denver	1/27/2017	3/9/2017	3/13/2017
	CAP Arrested while MCAT was at range, Henry was working				3/13/2017
	Denver Court Referral				2/6/2017
	CAP Referral / Pre-Processed	Adams	9/17/2015		12/27/2016
	IAQ Log				1/14/2017
	IAQ Log				11/20/2016
	CAP Referral	Denver	2/10/2017	2/26/2017	3/3/2017
	CAP Referral / CALL-OUT: Cieslewicz & Henry	Denver	3/28/2017	3/30/2017	3/30/2017
	CAP Referral: Arrested by FUGOPS during Cross check, Henry was work	Denver	1/6/2017	3/9/2017	3/10/2017
	IAQ Log				1/25/2017
	CAP Referral	Denver	12/5/2016	1/9/2017	3/9/2017
	CAP / Fug Ops Referral				2/13/2017
	CAP Referral	Adams	3/4/2017	3/5/2017	3/6/2017
	Fredrick Referral	Denver	3/27/2017	3/23/2017	3/24/2017
	Tip-Line				3/29/2017
	CAP Referral	Adams			10/14/2016
	CAP Referral / Pre-Processed	Adams			2/27/2017
	CAP Referral	Denver	1/18/2017	1/27/2017	3/3/2017
	Non-Obtained				4/7/2017
	Adams Court Docket				3/14/2017
					4/13/2017
	Non-Obtained / Hired custody redetermination				
	IAQ Log				4/20/2017
	CRP Referral (Orig 3/13/17)	Jefferson	2/25/2017	3/7/2017	5/1/2017
	CAP Referral	Jefferson	1/26/2017		1/3/2017
	Justice Zcharge (Adams release list)				
	Probation referral				4/28/2017
	CAP Referral / CALL-OUT: Henry & Weir (0700)				5/3/2017
	CAP Referral (Orig 12/29/14)	Denver	12/30/2016	12/23/2016	5/1/2017
	CAP Referral	Denver	3/30/2017	3/31/2017	4/4/2017
	Denver Release list	Denver	3/25/2017		
	CAP Referral	Denver			4/28/2017
	IAQ Log				3/13/2017

As NCJAT Sanctioned	Type of Case	FBI Number	Conviction 1 Date	Conviction 1	Conviction 2 Date	Conviction 2	Conviction 3 Date	C
NTA	(b)(7)(E)	P2d	7/1/2016	DUI				
NTA		P2d	8/29/2016	DWAI				
		P1d	9/30/2009	Burglary 2				
NTA		P2b	4/23/2015	DUI	6/16/2008	Theft		
NTA		P2b	9/15/2016	DUI	5/1/2012	DWAI		
Reinstate		P1d	11/22/2010	Crim Impersonation - Felony	5/6/2010	DWAI	PEND	DUI
NTA		P2d	6/6/2016	RUI				
NTA/Reinstate		P2c	PEND	Assault DV	9/4/2014		1325	
Reinstate		P1d	6/14/2006	DUI	10/29/2003	DUI	9/11/2008	PCS
NTA		P2b	9/2/2016	DWAI	2/3/2009	PCS		
Reinstate		P2c	PEND	Distro Heroin				
Reinstate		P1d	9/22/2008	DUI	9/19/2013	Marijuana Possession (M)	11/22/2013	DUI
NTA		P1c	PEND	Weapons	PEND	Child Abuse		
Reinstate		P2c	PEND	PCS				
Reinstate		P2b		1325 (a2) 90 Days for each				
NTA (1 PR)		P1d	9/15/2016	Child Abuse-SB	9/15/2016	Assault 3		
Reinstate		P1e	1/19/2012	Concealed Weapon - Knife/Gun		DWAI	6/20/2009	PCS
NTA		P2b	8/12/2009	DWAI	1/14/2006	poss marijuana		
Reinstate		P2c	9/6/2012	cont sub poss				
Reinstate		P2a	7/7/2016	DUI	2/7/2016	Drug Poss	2/26/2016	DWAI w/ 2 Priors
NTA (in proceedings)		P2a	11/18/2016	Carry Concealed Weapon	11/18/2016	False Information	6/22/2015	DWAI
NTA		P2b	PEND	DV Assault-2	PEND	False Imprisonment		
Reinstate		P1d	8/16/2016	DUI	1/9/2015	Felony Menacing	1/9/2015	Child Abuse
NTA		P1d	9/26/2016	Sex Contact - No Consent	9/26/2016	Drugging Victim - Felony		
NTA		P2b	6/5/2009	DWAI	8/25/2016	DUI w/1 Prior		
NTA		P1d	9/19/2016	Felony Menacing				
Final Order		P1d	6/7/2016	PCS - Felony				
Reinstate		P2b	5/19/2016	DWAI		1325 (a2)	2/25/2012	Solicitation
Reinstate		P2b	7/16/2016	DWAI	PEND	Leaving Accident - Death		
NTA		P2b	6/10/2015	PCS	9/29/2007	False Info	12/11/2006	Theft
		P2b	3/12/2016	DWAI				
		P2a	8/4/1999	False info/Trespass	10/22/2003	Disturb Peace & Floutish Weapon	1/18/2001	Disturb Peace
		P2b	5/26/2016	DWAI				
Reinstate		P1d	1/27/2016	cont sub poss w/ nr	7/24/2008	shoplifting		
		P2b	5/31/2016	DUI	5/11/2016	DUI		
NTA		P2b	7/25/2016	DWAI				
NTA		P1d	11/28/2016	Theft - Felony				
in Proceedings		P2b	5/15/2016	DUI	9/8/2011	DWAI		
NTA		P2b	PEND	Sex Assault - Child (a2)	10/29/2007	False Info		
Reinstate		P2b	PEND	DUI	10/12/2006	Sexual Prostitution	10/10/2006	DWAI
NTA		P2c	11/21/2016	Assault 3 (DV w/injury)	7/6/2016	Disorderly Conduct	4/22/2016	Trespass
N2A		P2b	4/19/2012	DWAI (NM)	PEND	DV Assault		
NTA		P1d	8/23/2016	Felony Drug Possession				
NTA		P2c	PEND	DUI				
N2A		P2b	6/10/2016	DUI w/1 Prior	1/4/2018	DUI - Over .20		
Admin		P1c	11/21/2016	Pass w/intent				
		P1d	2/18/2016	Crim Mischief - Felony				
N2A		P2b	6/19/2015	DWAI	8/20/2014	Solicitation & False Info	2/4/2015	Assault
NTA		P2b	PEND	PCS				
NTA		P2a	3/5/2016	PCS		DUI (a4)	10/26/1978	PCS
N2A		P2b	6/23/2016	DWAI	PEND	DUI		
Reinstate		P2c	PEND	PCS				
NTA		P2b	7/29/2016	DUI	2/24/2016	No DL		
Reinstate		P1d	3/7/2007	Theft - Felony	3/2/2017	Crim Mischief		
NTA		P2R		DWAI (aR)				
Reinstate		P1d	5/13/2010	Assault 2 Drugging - 2y DOC		DWAI (a2)		
NTA		P2b	6/10/1992	Theft/Dist Drugs	PEND	PCS		
Reinstate		P2c	PEND	DUI	10/18/2011	PCS		
NTA (1PA)		P1d	5/23/2016	Bribery	8/4/2012	shoplifting a 3	5/24/2016	Influence Servent - Felony
NTA		P2b	4/12/2016	RUI				
NTA		P2b	10/9/2016	DWAI	8/3/2008	DWAI		
NTA		P2b	10/28/2016	DUI				
NTA		P2b	3/14/2016	DWAI				

Reinstale	(b)(7)(E)	P2b	5/13/2016	DUI				
NTA		PB	10/7/2014	DV	PEND	Post Weapon (Guns)		
NTA		P1d	11/21/2016	PCS - Felony & DUI				
NTA		P2b	5/25/2016	BWAI				
NTA		P2c	PEND	PCS				
		P1b	7/27/2016	BWAI				
NTA		P1d	11/9/2016	Crim Mischief - Felony	11/15/2016	Assault 3		
Reinstale		PB	11/19/2008	False Statements		Sex Contact & Financial Deice		Fail to Register
Reinstale		P2b	11/6/2007	BUI	10/18/2007	Theft	8/19/2008	Shoplifting & False Statements
		P2b	2/24/2016	BWAI				
NTA		P2b	3/25/2014	DWAI				
Reinstale		P1e	10/17/1994	Burglary & Battery				
NTA		P2b	10/14/2018	BWAI	6/10/2009	Assault		
Reinstale		P2a	4/1/2005	Theft	5/3/2005	PCS	6/15/2008	Take Vehicle
NTA			3/7/2016	BWAI				
Reinstale		P2b	5/29/2014	PCS	5/29/2014	BUI	PENB	PCS/Paraphernalia/DUI R
NTA		P2b	12/20/2016	BWAI				
NTA		P2b	7/17/2013	DUI				
NTA		P2b	6/17/2016	AWAI				
NTA		P2b	5/24/2016	DWAI	10/5/2004	DUI		
B&B - NTE			12/22/2008	Sex Assault 3rd Degree		Sex Offender - Fail to Reg (u2)	12/19/2016	PCS
In Proceedings		B1d	3/24/2016	Motor Vehicle Theft	1/24/2017	Crim Mischief & PCS		
Reinstale		B2b	1/30/2018	BUI				
NTA			PEND	Distro				
NTA		P2b	12/21/2016	DWAI	PEND	PCS & DUI		
		P2b	8/21/2015	BUI & PCS				
NTA			6/16/2016	PCS		9/25/2013	Shoplifting-Juvenile	
NTA		B2b	4/12/2016	BUI				
NTA (PR)			7/6/2017	Carry Concealed Weapon	1/31/2017	Theft		
Reinstale		P1d	4/7/2012	BUSC1326	9/13/2006	Theft		
NTA		P2b	1/20/2016	DUI				
Reinstale				BUI (n3)				
Reinstale		P1d		Vehicle Theft - Felony (u2)	1/23/2017	PCS		
Reinstale			12/9/2011	Cont Sub Dist u2	7/23/2013	Cont Sub Distr		
NTA Prior VD		P2d	PEND	Assault 2	PENB	Telephone - 2breast	12/16/2013	DWAI
Reinstale			3/23/2017	PC1	10/27/2009	Obstruct Police	10/13/2009	Distribution
NTA			3/23/2017	Trespass 3	12/29/2016	PCS		
Reinstale			11/20/2015	PCS				
NTA			9/4/2007	Assault 1 - Weapon (JUV)	9/17/2007	BWAI		
NTA		PB	PEND	Sex Assault - Child				
Reinstale		P2b	1/7/2016	BWAI	5/13/2002	DUI		
NTA (B-2)		P2b	7/11/2018	DUI				
Reinstale		P2b	6/15/2016	BUI				
NTA (DACA)			3/12/2016	DUI				
NTA			PEND	Sex Assault				
NTA				Assault dismissed				
Reinstale		P2b	12/26/2004	DUI				
In Proceedings				DUI (u2)				
NTA			1/4/2016	DUI	12/20/2016	DUI		
NTA				DUI (u2) PEND a 3rd				
B-2 Overstay			3/13/2015	Assault 2 & Harassment (JUV) (F)	10/15/2014	Obstruction Peace Officer		
Reinstale			1/16/2008	Assault 2 - 7 years DOC				
Reinstale		P2b	12/15/2014	DWAI	1/21/2007	Theft		
Reinstale				DUI (1-2)				
			7/23/2016	DUI				
B&B				Traffic Only				
Reinstale			12/4/2008	PCS	PENB	PCS		
NTA (DACA)			6/29/2016	Theft	7/15/2018	Assault 3	4/11/2017	Crim Mischief
Custody Aedeterm		P3d	1/8/2016	Criminal Mischief	1/11/2016	Possession ID Docs	4/20/2017	Poss Entrusted Substance
Prior VR			1/21/2017	DUI	9/16/2002	Theft		
NTA			3/12/2014	Violation P/D				
NTA			1/20/2017	DUI & False Report	1/20/2017	Entr imperson & Trespass 3		
NTA (DACA)			4/3/2017	PCS - Codeine (M1)	4/3/2017	DWAI		
Reinstale			7/19/2002	BUI	30/31/2011	Assault 3	8/15/2013	1325
B&B			2/5/2017	PCS	1/10/2017	DUI		
N2R		P2c	PENB	Distribution Cocaine				
NTA				DWAI, DWAI, Pend 3rd				
N2A		B2b	PEND	PCS, WEAPON	31/30/2015	DWAI		
NTA			4/24/2017	Vehicular Assault & DUI	4/12/2007	Fals Info		
NTA / I-405 Denial				DUI (u3)				

Violation 3	Conviction 3 Date	Conviction 4	Conviction 4 Date	Conviction 5	Date of Arrest	Place of Arrest
				10/5/2016	Residence	Arrested 10/05/2016
				10/6/2016	RMOMs	Arrested 10/06/2016
				10/11/2016	Denver Probation	Arrested 10/11/2016
				10/13/2016	Denver Court	Arrested 10/13/2016
				10/17/2016	Denver Probation	Arrested 10/17/2016
				10/19/2016	Denver Court	Arrested 10/19/2016
				10/20/2016	Turned in	Arrested 10/20/2016
				10/26/2016	Adams Court	Arrested 10/26/2016
				10/27/2016	Denver Court	Arrested by CAP 10/27/2016
				10/27/2016	Westminster Probation	Arrested 10/27/2016
				10/28/2016	Denver Pre-Trial	Arrested 10/28/2016
8/1/2014	1326 (Legal Re-Entry)			11/7/2016	Vehicle stop	Arrested 11/07/2016
				11/8/2016	Denver Court	Arrested 11/08/2016
				11/10/2016	Denver Court	Arrested 11/10/2016
				11/10/2016	Denver Court	Arrested 11/10/2016
				11/14/2016	Denver Probation	Arrested 11/14/2016
3/21/2007	Distribute Marijuana	Forgery		11/16/2016	Denver Court	Arrested 11/16/2016
				11/16/2016	Denver Court	Arrested 11/16/2016
				11/16/2016	Denver Court	Arrested 11/16/2016
12/12/2008	Giving False Information	6/27/2007	DUI	11/17/2016	Jefferson Probation	Arrested 11/17/2016
				11/18/2016	Denver Court	Arrested 11/18/2016
				11/21/2016	Adams Court	Arrested 11/21/2016
				11/21/2016	Douglas County	Arrested by CAP 11/21/2016
				11/22/2016	Denver Probation	Arrested 11/22/2016
				11/28/2016	Adams Probation	Arrested 11/28/2016
				11/29/2016	Jefferson Probation	Arrested 11/29/2016
				12/1/2016	Denver Court	Arrested 12/1/2016
				12/2/2016	Denver Probation	Arrested 12/2/2016
				12/5/2016	Denver Court	Arrested 12/5/2016
				12/5/2016	Arapahoe Court	Arrested 12/5/2016
8/4/1999	False Info			12/6/2016	Denver Probation	Arrested 12/6/2016
				12/7/2016	Denver Court	Arrested 12/7/2016
				12/8/2016	Denver Probation	Arrested 12/8/2016
				12/8/2016	Denver Court	Arrested 12/8/2016
				12/9/2016	Adams Probation	Arrested 12/9/2016
				12/12/2016	Denver Probation	Arrested 12/12/2016
				12/13/2016	Denver Probation	Arrested 12/13/2016
				12/14/2016	Denver Probation	Arrested 12/14/2016
				12/15/2016	Denver Court	Arrested 12/15/2016
esNO	Violation #/D - Chrf			12/16/2016	Adams Court	Arrested 12/16/2016
				12/29/2016	Adams Probation	Arrested 12/19/2016
				12/21/2016	Denver Court	Arrested 12/21/2016
				12/21/2016	Adams Probation	Arrested 12/21/2016 - Released on G-56 for ATO
				12/23/2016	Denver Court	Arrested 12/23/2016
				12/28/2016	Adams Court	Arrested 12/28/2016
				12/23/2016	Denver Probation	Arrested 12/29/2016
				12/30/2016	Adams Probation	Arrested 12/30/2016
				1/3/2017	Denver Court	Arrested 1/3/2017
				1/3/2017	Denver Court	Arrested 1/1/2017
				1/8/2017	Adams Probation	Arrested 01/04/2017
				1/9/2017	Adams Court	Arrested 1/9/2017
				1/10/2017	Denver Court	Arrested 1/10/2017
				1/11/2017	Residence	Arrested 01/11/2017
				1/12/2017	Adams Court	Arrested 1/12/2017
				1/13/2017	Adams Court	Arrested 1/23/2017
				1/17/2017	Denver Court	Arrested 1/17/2017
				1/17/2017	Jefferson Court	Arrested 1/17/2017
				2/17/2017	Arapahoe Court	Arrested 01/17/2017
				1/10/2017	Denver Court	Arrested 1/10/2017
				1/18/2017	Denver Probation	Arrested 1/18/2017
				2/18/2017	Commerce City Probation	Arrested 1/18/2017 - released on ATO
				1/20/2017	Residence	Arrested 1/20/2017
				1/20/2017	Employer	Arrested 1/20/2017

				1/23/2017	Adams Probation	Arrested 1/23/2017
				1/23/2017	Adams Court	Arrested 1/23/2017
				1/24/2017	RMOMS-Aurora	Arrested 01/24/2017
				1/25/2017	RMOMS-Aurora	Arrested 01/25/2017
				1/27/2017	Denver Court	Arrested 01/27/2017
				1/27/2017	Intervention-Golden	Arrested 01/27/2017
				1/30/2017	Adams Probation	Arrested 01/30/2017
				1/30/2017	Arapahoe Court	Arrested 01/30/2017
				1/30/2017	RMOMS-Aurora	Arrested 01/30/2017
				1/31/2017	Commerce City Probation	Arrested 01/31/2017 - Released on ATO
				1/31/2017	Denver Probation	Arrested 01/31/2017
				2/1/2017	Residence	Arrested 2/1/2017
				2/8/2017	Adams Court	Arrested 2/8/2017
				2/8/2017	Denver Court	Arrested 2/8/2017
				2/8/2017	Adams Probation	Arrested 2/8/2017
				2/8/2017	Adams County	Arrested by CAP 02/08/2017
				2/9/2017	Denver Probation	Arrested 2/9/2017
				2/10/2017	Employer	Arrested 2/10/2017
				2/14/2017	Jefferson Probation	Arrested 2/14/2017 - Released on ATO
				2/14/2017	Adams Probation	Arrested 2/14/2017
				2/14/2017	Arapahoe Probation	Arrested 2/14/2017
				2/15/2017	Adams Probation	Arrested 2/15/2017
				2/15/2017	Adams Probation	Arrested 2/15/2017
				2/17/2017	Denver Court	Arrested 2/17/2017
				2/17/2017	Adams Court	Arrested 2/17/2017
				2/17/2017	Commerce City Probation	Arrested 2/17/2017
				2/21/2017	Denver Probation	Arrested 2/21/2017
				2/22/2017	Employer	Arrested 2/22/2017
				2/24/2017	Factor Hospital	Arrested 02/24/2017
				3/2/2017	Residence	Arrested 3/2/2017
				3/2/2017	Jefferson Probation	Arrested 3/2/2017
				3/6/2017	Residence	Arrested 3/6/2017
				3/4/2017	Jefferson Court	Arrested 3/6/2017
				3/8/2017	Arapahoe Probation	Arrested 3/08/2017
3/3/2010	False Statements			3/10/2017	Arapahoe Court	Arrested 3/10/2017
				3/13/2017	Adams Jail	Arrested 3/13/2017
				3/13/2017	Adams Jail	Arrested 3/13/2017
				3/16/2017	Denver Court	Arrested 3/16/2017
				3/15/2017	Adams Court	Arrested by CAP 03/15/2017
				3/20/2017	Denver Probation (4bby)	Arrested 03/20/2017
				3/20/2017	Residence (Vehicle Stop)	Arrested 3/20/2017
				3/12/2017	Jefferson County	Arrested 3/17/2017
				3/24/2017	Adams Probation	Arrested 3/24/2017
				3/30/2017	Jeffce Intervention	Arrested 3/30/2017
				3/30/2017	Denver Pre-Trial	Arrested 3/30/2017
				4/1/2017	Residence	Arrested by FUGOPS 4/01/17
				4/1/2017	Residence	Arrested 4/1/2017
				4/4/2017	Denver probation	Arrested 4/4/2017
				4/4/2017	RMOMS	Arrested 4/4/2017
				4/4/2017	Adams Probation	Arrested 4/4/2017
				4/6/2017	Adams Court	Arrested 04/06/2017
				4/7/2017	Vehicle stop	Arrested 04/10/2017
				4/10/2017	RMOMS	Arrested 04/10/2017
				4/11/2017	Residence	Arrested 4/11/2017
				4/11/2017	RMOMS	Arrested 4/11/2017
				4/12/2017	Arapahoe Court	Arrested 4/12/2017 - Released on OSUP for Medical Reasons
				4/13/2017	Adams Court	Arrested 4/13/2017
				4/14/2017	Vehicle stop	Arrested 4/14/2017
				4/20/2017	Denver Court	Arrested 04/20/2017
				4/21/2017	Residence	Arrested 04/21/2017
				5/2/2017	Denver Court	Arrested 5/2/2017
				5/2/2017	Jefferson Probation	Arrested 5/2/2017
				5/2/2017	Adams Probation	Arrested 05/02/2017
				5/3/2017	Adams Probation	Arrested 05/03/2017
				5/3/2017	Denver County	Arrested 05/03/2017
				5/4/2017	Denver Court	Arrested 05/04/2017
				5/5/2017	Denver Court	Arrested 05/05/2017
				5/8/2017	Denver Court	Arrested 05/08/2017
				5/8/2017	Denver Court	Arrested 05/08/2017
				5/9/2017	Adams Probation	Arrested 05/09/2017

January 2017

January 2017							February 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28				
29	30	31											

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 1 - 7	Jan 1, 17 New Year's Day	2 New Year's Day Observed	3 (b)(6);(b)(7)(C)		4 (b)(6);(b)(7)	5	6
	8	9 (b)(6);(b)(7)(C)	10	11	12	13	14
Jan 8 - 14	15	16 Martin Luther King Jr.	17 (b)(6);(b)(7)(C)		18	19	20
	22	23 (b)(6);(b)(7)(C)	24 CMT Training (FDN)		25	26	27
Jan 15 - 21	29	30 (b)(6);(b)(7)(C)	31	Feb 1	2	3	4
	Jan 29 - Feb 4						

May 2017

May 2017							June 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Apr 30	May 1	2	3	4	5	6
Apr 30 - May 6		(b)(6);(b)(7)(C);(b)(7)(E)					
	7	8	9	10	11	12	13
May 7 - 13		(b)(6);(b)(7)(C);(b)(7)(E)					
	14	15	16	17	18	19	20
May 14 - 20		(b)(6);(b)(7)(C);(b)(7)(E)		(b)(6);(b)(7)(C);(b)(7)(E)			
	21	22	23	24	25	26	27
May 21 - 27		(b)(6);(b)(7)(C);(b)(7)(E)					
	28	29	30	31	Jun 1	2	3
May 28 - Jun 3		Memorial Day	(b)(6);(b)(7)(C);(b)(7)(E)				

April 2017

April 2017							May 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Mar 26	27	28	29	30	31	Apr 1
3/26 - 31							(b)(6);(b)(7)(C);(b)(7)(E)
	2	3	4	5	6	7	8
4/2 - 7	(b)(6);(b)(7)(C);(b)(7)(E)						
	9	10	11	12	13	14	15
4/9 - 14		(b)(6);(b)(7)(C);(b)(7)(E)					
	16	17	18	19	20	21	22
4/16 - 21			(b)(6);(b)(7)(C);(b)(7)(E)				
	23	24	25	26	27	28	29
4/23 - 28		(b)(6);(b)(7)(C)			(b)(6);(b)(7)(C)		
	30	May 1	2	3	4	5	6
4/30 - 5/5							

March 2017

March 2017							April 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Feb 26	27	28	Mar 1	2	3	4
Feb 26 - Mar 4				(b)(6);(b)(7)(C);(b)(7)(E)			
	5	6	7	8	9	10	11
Mar 5 - 11		(b)(6);(b)(7)(C);(b)(7)(E)			(b)(6);(b)(7)(C);(b)(7)(E)		
	12	13	14	15	16	17	18
Mar 12 - 18		(b)(6);(b)(7)(C);(b)(7)(E)					
	19	20	21	22	23	24	25
Mar 19 - 25		(b)(6);(b)(7)(C);(b)(7)(E)					
	26	27	28	29	30	31	Apr 1
Mar 26 - Apr 1		(b)(6);(b)(7)(C);(b)(7)(E)					

February 2017

February 2017							March 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4				1	2	3	4
5	6	7	8	9	10	11	5	6	7	8	9	10	11
12	13	14	15	16	17	18	12	13	14	15	16	17	18
19	20	21	22	23	24	25	19	20	21	22	23	24	25
26	27	28					26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 29	30	31	Feb 1	2	3	4
Jan 29 - Feb 4				(b)(6);(b)(7)(C);(b)(7)(E)			
	5	6	7	8	9	10	11
Feb 5 - 11		(b)(6);(b)(7)(C);(b)(7)(E)					
	12	13	14	15	16	17	18
Feb 12 - 18		(b)(6);(b)(7)(C);(b)(7)(E)					
	19	20	21	22	23	24	25
Feb 19 - 25		President's Day	(b)(6);(b)(7)(C);(b)(7)(E)		(b)(6);(b)(7)(C);(b)(7)(E)		
	26	27	28	Mar 1	2	3	4
Feb 26 - Mar 4		(b)(6);(b)(7)(C);(b)(7)(E)					