

SITREP

Operation: (b)(7)(E)
SITREP ID: SITREP-20200227 (b)(7)(E)
Date: 02/27/2020

Operation Name: OP-SOG-NYC-OPERATION SUBZERO

Assigned Station: HQ/SOG

Station(s) worked:

Zone(s):

Shift/Covering period: (b)(7)(E)

POC's for any further information/coordinator: (b)(6), (b)(7)(C)

GPS Coordinates: (b)(7)(E)

Call Outs: None.

Daily Activity Report/Narrative/Effectiveness: Supported NYC Fugitive OPs Teams with enforcement (b)(7)(E)
(b)(7)(E) Four subjects were apprehended and processed accordingly.

Supported Fug Ops with the arrest of (b)(6), (b)(7)(C) in front of the court house after his release. The arrest was without incident. (b)(6), (b)(7)(C) was one of the six subjects arrested during a New York Drug Enforcement Raid on 01/24/2020, but released due to NYC's bail reform. (b)(6), (b)(7)(C) was arrested under an Administrative Warrant for Over Stay and will be served a Notice to Appear. (b)(6), (b)(7)(C) will remain in ICE custody until all court proceedings are complete.

<https://nypost.com/2020/01/29/suspects-accused-of-running-7m-fentanyl-ring-released-without-bail/>

<https://www.lawenforcementtoday.com/six-suspects-busted-running-7-million-fentanyl-ring-new-york-just-released-them-without-bail/>

(b)(6), (b)(7)(C), (b)(7)(E)

Medical Status: Good.

Significant Events: Supported Fug Ops with the arrest of (b)(6), (b)(7)(C) in front of the court house after his release. The arrest was without incident. (b)(6), (b)(7)(C) was one of the six subjects arrested during a New York Drug Enforcement Raid on 01/24/2020, but released due to NYC's bail reform. (b)(6), (b)(7)(C) was arrested under an Administrative Warrant for Over Stay and will be served a Notice to Appear. (b)(6), (b)(7)(C) will remain in ICE custody until all court proceedings are complete.

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(b)(6), (b)(7)(C), (b)(7)(E)

Air Operations: N/A.

Intelligence: (b)(7)(E)

Next 24 Hours: Continue to support Operation SUB zERO.

| | |
|-------------|----------------------------|
| | Total Apprehensions |
| UDAs | 4 |

| | |
|--------------------------|-----------------------|
| | Total Manpower |
| BOR/BTC SECT 3/01 | |
| INT/SOG FIT/01 | (b)(7)(E) |
| Total | |

Associated Event Numbers

No Event # Logged

SITREP Coordinates

(b)(7)(E)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: 3/5/2020 1:53:18 PM
To: (b)(6), (b)(7)(C)
Subject: Kinda okay, considering
Attachments: Flood the Streets_ ICE Targets Sanctuary Cities With Increased Surveillance - .pdf

(b)(6), (b)(7)(C)
Director, Strategic Communications
United States Border Patrol Headquarters
Office: (b)(6), (b)(7)(C) / Cell: (b)(6), (b)(7)(C)

'Flood the Streets': ICE Targets Sanctuary Cities With Increased Surveillance

ICE is boosting its operations in sanctuary cities to arrest and deport undocumented immigrants, conducting round-the-clock surveillance in addition to deploying elite BORTAC agents.

By Caitlin Dickerson, Zolan Kanno-Youngs and Annie Correal

March 5, 2020 Updated 7:42 a.m. ET

Intensifying its enforcement in so-called sanctuary cities across the country, Immigration and Customs Enforcement has begun 24-hour-a-day surveillance operations around the homes and workplaces of undocumented immigrants. The agency plans to deploy hundreds of additional officers in unmarked cars in the coming weeks to increase arrests in cities where local law enforcement agencies do not cooperate with federal immigration enforcement.

ICE leadership has requested at least 500 special agents who normally conduct long-term investigations into dangerous criminals and traffickers to join the enhanced arrest campaign rolling out in sanctuary cities, according to an internal email reviewed by The New York Times.

The request follows an earlier decision, made public last month, to deploy elite tactical BORTAC agents — normally assigned to risky border smuggling, rescue and intelligence operations — to help arrest and deport immigrants in sanctuary cities.

The expanded surveillance operations and added manpower are the latest intensification in a conflict between the Trump administration and cities that refuse to help with deportations, including Boston, New York, Detroit, Chicago, San

Francisco, Los Angeles, Atlanta, New Orleans and Newark. The effort began last month and will run through Dec. 31, according to the internal email, which says the initiative is called Operation Palladium.

The latest directive is simple: Arrest as many undocumented immigrants as possible, and “flood the streets,” as one official involved said his bosses had put it.

The Trump administration’s renewed focus on sweeping up undocumented immigrants in sanctuary jurisdictions comes after years of efforts to persuade those local governments to turn over anyone released from prison or jail who is in the United States illegally.

Local leaders in those communities often argue that doing so could make their cities less safe by discouraging people from cooperating with the police.

The Trump administration has fought back, moving to withhold certain federal funds from sanctuary jurisdictions and filing lawsuits about sanctuary policies against state and local governments in California, New Jersey and Washington State.

Because immigration law violations are civil infractions rather than criminal ones, the officers deployed in the expanded ICE operations cannot, in most cases, obtain warrants to forcibly enter places where their subjects are hiding.

Instead, ICE officers are embarking on the aggressive surveillance campaign, which involves closely watching some individuals for more than 12 hours a day in the hopes of arresting them outside their homes or workplaces.

To achieve their goal, officers assigned to the latest operations are working longer hours, and for longer stretches of time, often 10 days in a row rather than the usual five.

While surveillance has always played a role in immigration enforcement, it is becoming an increasingly important tool, agency officials said, as previous methods — such as knocking on doors of people wanted for deportation — become less

effective. Campaigns by immigrant advocates have encouraged undocumented immigrants to keep the door closed if an officer does not have a warrant.

Advocacy groups in New York say they have documented an increasing use of aggressive tactics, including agents brandishing weapons and claiming to be police officers. In one case last month, a 26-year-old Mexican tourist was shot in the face while ICE agents were arresting someone else in Brooklyn.

In the Bronx, a local resident on Tuesday took a photo through a peephole of an ICE officer in military-style fatigues carrying an assault rifle on the other side of an apartment door. The resident shared it with Jorge Muñiz, an organizer who is part of a local ICE watch group, and it was then shared widely on the internet, raising alarm.

ICE officials said they could not comment on that operation, but said that it included officers from an special response team whose members may be heavily armed for high-risk enforcement actions, and that the officers had a criminal arrest warrant issued by a federal judge.

An ICE official directly familiar with Operation Palladium said the enforcement actions were to take place in spurts in different cities to avoid intense coverage by the national media that could cause people wanted for deportation to hole up in their homes for days or weeks.

“It should be really no surprise, it’s exactly what we said we would do,” said Henry Lucero, the top government official overseeing the division of ICE that conducts street arrests. He added: “If there’s no cooperation, that’s not going to stop ICE from doing its job. We are still going to try to protect the public as much as we can by arresting and removing criminal aliens from the communities before they can get another crime or make another victim.”

Mr. Lucero would not provide specifics about the operation, including data on how many people had been arrested, citing an agency policy against discussing active law enforcement operations. An official familiar with the matter said agents in

Chicago had been making about 10 arrests per day, more than usual for that jurisdiction.

“I question the level of effectiveness other than scaring people,” said Lori Lightfoot, the city’s mayor, who has been a frequent critic of the Trump administration’s immigration enforcement agenda and has instituted sanctuary policies that ban city officials from cooperating with ICE.

Ms. Lightfoot said the city would readily turn over wanted individuals to ICE if the agency could provide a warrant or court order signed by a judge. “If you’ve got the facts, and you’ve got the probable cause, get the judge to sign the order,” she said, adding: “If that happens, then there’s no choice. But we’re not going to do it simply on the basis of an ICE agent’s signature, in a world in which ICE has become highly politicized.”

An official familiar with the latest ICE operation said its agents were targeting individuals who, because of sanctuary policies, were let go by local police officers even though the agency had asked for them to be temporarily held in custody.

The official said that while some of those targets have been apprehended in the effort, the majority of the arrests have been “collateral” — undocumented individuals who were not targeted, but who happened to be present during an attempted apprehension.

Mr. Lucero said that no one living in the United States illegally was safe from deportation, but that officers could exercise discretion in choosing whether to make such collateral arrests.

In New York, the Immigrant Defense Project, an immigrant advocacy group that monitors ICE activity, said it had received about 80 reports of ICE enforcement actions in the first two months of 2020. Although they received a similar number during the same period of 2019, most of those incidents took place in courthouses; the majority of reports received this year concerned arrest attempts at homes or workplaces.

The organization said it had also received reports of ICE agents using ruses to gain entry to people's homes or to obtain information about their relatives. But the reports of heavily armed officers banging on doors at a Bronx apartment building this week were unusual.

"We have never had a report of an incident where the officer had an assault rifle," at least not openly in the streets, said the deputy director of the Immigrant Defense Project, Mizue Aizeki.

The news that the Department of Homeland Security had temporarily reassigned the tactical agents, including teams that investigate smugglers and conduct risky search-and-rescue missions, to help make street arrests of undocumented immigrants prompted an outcry from federal lawmakers. Sixty of them wrote in a letter to the heads of both agencies that the move was an "unnecessary use of force."

Mark Morgan, the acting head of Customs and Border Protection, played down the decision to deploy border agents with tactical training to help with street arrests, saying that "just a handful" would be sent to sanctuary cities, and that they would play only a supporting role, using the same methods as typical ICE agents.

Tim Sullivan, the chief patrol agent of the special operations groups, said 100 agents, half from elite units such as BORTAC, were deployed to help boost the sanctuary city operations. He said they were sent, in part, because they are not bound by the Border Patrol's union agreement, which limits the use of overtime and last-minute assignments

Mr. Sullivan added that his agents would not wear full tactical gear for the temporary mission. Instead, he said, they will wear civilian clothes, with the option of adding body armor. They will remain on assignment in sanctuary cities at least until May, according to Salvador Zamora, a Border Patrol spokesman, at which point they may either be sent back to their usual work, or remain in place and be joined by re-enforcements from BORTAC.

Rather than conducting SWAT-type operations and rescue missions, officials said, the agents are conducting patrol work, spending long hours in cars watching people filter in and out of homes, and standing by in case some try to fight back during arrests.

According to the internal email reviewed by The Times, between 500 and 600 investigators are also being temporarily assigned to the sanctuary cities operations from the separate division of ICE known as Homeland Security Investigations, which focuses on breaking up human and drug smuggling rings.

Agents from that division have often been called on to help ICE with street arrests, but they have sometimes publicly complained, arguing that they are being diverted from more important duties.

1. Why is CBP assisting ICE with interior enforcement operations? As a border security agency, under what legal authority can CBP assist ICE?
2. In which cities will CBP agents/officers be deployed to assist ICE?
 - a. How were these cities selected? Will additional cities be added to this list? If so, what will be the process for notifying cities about the deployment of CBP officers and agents in their respective jurisdictions?
3. What is the scope of the deployed CBP agents/officers' responsibilities? Will they actively conduct interior field operations, or is their primary purpose to ensure the safety of ICE personnel?
 - a. Will CBP agents/officers engage in routine patrol activities (e.g., traffic stops, contacts, checkpoints)?
 - b. Will CBP agents/officers conduct their own operations, or will they always work with ICE?
4. How will CBP agents/officers present themselves? Will their clothes bear a particular moniker or agency label (e.g., Federal Agent, Police, CBP)? How will CBP agents/officers distinguish themselves from ICE personnel and/or state and local law enforcement?
5. How will CBP agents/officers de-conflict their operations with state and local law enforcement?
6. Did the deployed CBP agents/officers receive any specialized training prior to these deployments? What training do agents/officers receive to enable them to assist ICE with interior immigration enforcement?
 - a. The New York Times stated BORTAC Agents will assist ICE. Will any other types of CBP units be deployed?
7. What is the timeline for these deployments? When will CBP agents/officers be deployed? How long will these deployments last?
8. Has CBP provided similar support to ICE in the past?
9. Will CBP operations be conducted in a manner consistent with the CBP Sensitive Locations Policy?
10. Please provide a single POC Chiefs of Police could contact if they have any questions about these deployments.

