



U.S. Immigration
and Customs
Enforcement

DEC 09 2009

MEMORANDUM FOR: Field Office Directors
Special Agents in Charge

FROM: Alonzo Pena *Alonzo R. Peña*
Deputy Assistant Secretary

SUBJECT: Monitoring the Exercise of 287(g) Authority

Purpose

This memorandum conveys expectations about how you will oversee the 287(g) program in your area of responsibility and ensure our 287(g) partners are adhering to the priorities set forth in the revised memorandum of agreement (MOA).

Discussion

Through the 287(g) program, U.S. Immigration and Customs Enforcement (ICE) delegates our unique federal immigration authority to participating local and State law enforcement officers (LEO). As the managers responsible for the program, you have the important task of ensuring that LEOs adhere to the terms of the MOA and exercise the delegated authority consistent with the priorities of ICE, as set forth in the MOA.

Simply stated, ICE's priority is the identification, apprehension, and removal of criminal aliens. Aliens convicted of the most serious crimes are the highest priority. This priority is reflected in the MOA. I ask you to monitor the statistics on the 287(g) programs in your area of responsibility to assess whether the actions of the LEOs are consistent with the priorities of ICE. Each month, you will receive statistics from the Office of State and Local Coordination (OSLC) for you to review and act upon. Each quarter, you are to send a memorandum to me through OSLC regarding your review of the reports, assessment of each jurisdiction's performance, and any steps taken to address issues that you observe.

Thank you for your attention to this very important matter.