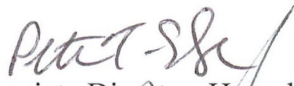




U.S. Immigration
and Customs
Enforcement

28 JULY 2014

MEMORANDUM FOR: Special Agents in Charge
Field Office Directors

FROM: Peter T. Edge 
Executive Associate Director, Homeland Security Investigations

Thomas Homan
Executive Associate Director, Enforcement and Removal
Operations

SUBJECT: Transition of Probation and Parole Enforcement Responsibilities
from Homeland Security Investigations to Enforcement and
Removal Operations

This memorandum memorializes the reassignment of enforcement responsibilities for the identification, arrest, prosecution, and removal of criminal aliens on parole or probation, and the transfer of Egregious Public Safety Case referrals from HSI to ERO.

Background

In FY 2012, the ICE Director approved a memorandum that was submitted based on a proposal of the ERO and HSI Executive Associate Directors to improve enforcement effectiveness by reassigning the enforcement responsibilities for the identification, arrest, prosecution, and removal of criminal aliens on parole or probation from HSI to ERO. However, due to budgetary restrictions, this proposal was never implemented.

In FY 2013, Congressional appropriators directed that the transfer of the probation/parole function occur. Congressional direction listed in the House Report (P.L. 112-492) and the Senate Explanatory Statement that accompanied the Department of Homeland Security Appropriations Act, 2013, established that "a total of \$1,686,859,000 is provided for Domestic Investigations, reflecting a reduction of \$10,000,000 realigning responsibility for illegal aliens on parole and probation to Enforcement and Removal Operations (ERO)."

Discussion

In accordance with the report language, the funding for the probation and parole function was removed from the Domestic Investigations Program /Project Activity (PPA) in FY 2013 and realigned to ERO.

Transfer of Duties - ERO Field Office Directors (FODs) have previously been instructed to coordinate the transfer of all duties related to probation and parole investigations with their Special Agent in Charge (SAC) counterpart. If there are any locations in which this transition has not yet been fully implemented, the respective FODs and SACs are directed to complete this handoff within thirty (30) days of the issuance of this memorandum. During this time, SAC offices currently conducting these investigations will maintain their existing level of engagement. By September 15, 2014, each FOD must submit a memorandum to the ERO Assistant Director for Enforcement confirming the full assumption of these duties.

In accordance with its public safety mission, ERO will also assume responsibility for the investigation of aliens having been convicted of, or suspected of being convicted of, egregious crimes referred to ICE by the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services (USCIS). A mechanism for the assignment, transmission, and tracking of these cases is currently being jointly examined by HSI, ERO, and USCIS, and further information will be forthcoming.

Assignment of ERO Resources -As ERO did not receive any personnel resources when acquiring these new responsibilities, each FOD will retain the discretion to decide the most appropriate and least disruptive approach for the incorporation of this caseload into their existing enforcement portfolios.

From a programmatic standpoint, the ERO Enforcement Division will provide Headquarters (HQ) oversight and direction to probation/parole and CIS casework. To strategically address this critical public safety mission, the National Fugitive Operations Program (NFOP) and the Fugitive Operations Support Center (FOSC) will work with each FOD to determine their individual support requirements and provide technical and analytical assistance.