

## Microsoft Outlook

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, July 21, 2010 2:42 PM  
**To:** (b)(6), (b)(7)(C) Greenberg, Randi L  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** RE: For Review: AP Denver Answers to Questions  
**Attachments:** Answers to AP Reporter Questions\_072110 (3)\_TC.doc

I had some comments and questions.

(b)(6), (b)(7)(C)  
Secure Communities  
Office Phone: (b)(6), (b)(7)(C)  
Blackberry: (b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)  
**Sent:** Wednesday, July 21, 2010 2:27 PM  
**To:** Greenberg, Randi L  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** For Review: AP Denver Answers to Questions

Randi,

Attached for your review are the suggested answers to the questions from the AP reporter. Please pay special attention to the question about other jurisdictions wanting to opt out ( I acknowledged SF and then noted DC as he can easily search the internet for media reports about DC) and the one regarding juveniles (not certain I captured everything (b)(6), (b)(7)... said correctly.)

We are available to discuss any questions you may have.

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

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**From:** Greenberg, Randi L (b)(6), (b)(7)(C)  
**Sent:** Tuesday, July 20, 2010 7:46 PM  
**To:** (b)(6), (b)(7)(C)  
**Cc:** (b)(6), (b)(7)(C)  
**Subject:** Fw: Secure Communities--AP DEnver

Reporter's deadline is 4pm tomorrow, so we need to respond prior to that. May need some input from EPB.

Randi Greenberg  
Branch Chief, Communications & Outreach  
Secure Communities, ICE  
(b)(6), (b)(7)(C) (desk)  
(b)(6), (b)(7)(C) (BB)

(Apologies for any typos as I am sending this from my BlackBerry)

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**From:** Rusnok, Carl (b)(6), (b)(7)(C)  
**To:** Greenberg, Randi L (b)(6), (b)(7)(C)  
**Cc:** Rocha, Richard A (b)(6), (b)(7)(C) Bassett, Cori W (b)(6), (b)(7)(C)

12/22/2010

ICE FOIA 10-2674.0013078

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

**Sent:** Tue Jul 20 19:30:28 2010

**Subject:** FW: Secure Communities--AP DEnver

Randi:

More SC questions – this time from AP Denver. Are there already packaged responses to the below questions? It sounds like they may have been used by many advocacy groups.

Thanks!!

**Carl Rusnok**

Director of Communications, Central Region (Spokesman)

U.S. Immigration and Customs Enforcement (ICE) [www.ice.gov](http://www.ice.gov)

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

(office)

(cell)

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**From:** (b)(6), (b)(7)(C) **On Behalf Of** Moreno, Ivan

**Sent:** Tuesday, July 20, 2010 4:04 PM

**To:** Rusnok, Carl

**Subject:** Secure Communities

Hi **Carl Rusnok**, (that's in honor of your gigantic byline from the past)

Good to talk to you. Like I said, I'm doing a story about Secure Communities and focusing on some of the concerns mentioned by the Colorado Immigrant Rights Coalition (CIRC) in a letter to Gov. Bill Ritter.

First off, the group says the program should exempt people in domestic violence case from being screened upon arrest and that fingerprint screening should only happen upon conviction. The reasoning, the group says, is that without an exemption domestic violence victims will be afraid to report crimes if they're in the country illegally. How does ICE respond to that? Does the program already have such an exemption?

Second, CIRC says the juveniles should also be exempted for the program. Again, does such an exemption already exist and if not, what is ICE's position on this recommendation?

Third, CIRC says only Level one offenders should be screened. Is this viable? And how does the program insure that the Level 1-3 priorities outlined in the Secure Communities are implemented so that there is a stronger focus on the most dangerous offenders?

Fourth, are jurisdictions able to opt-out of Secure Communities after an MOA is signed? Have there been places that have expressed concern about the program and not wanted to participate? I've read that San Francisco was one that didn't want the program but the sheriff was overruled by the state attorney general.

Lastly, how has ICE communicated with the public in the jurisdictions where the Secure Communities has been implemented before the program was put in place? CIRC alleges that there has been little to no communication with the public about the program where it has been implemented before it was put in place.

That's it. Thanks again for your time on this. My deadline is 4 p.m. tomorrow (Wednesday).

12/22/2010

ICE FOIA 10-2674.0013079

Best,

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



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

Newsperson

(office)

(cell)

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12/22/2010

ICE FOIA 10-2674.0013080

**Answers to AP Reporter Questions  
July 21, 2010**

***Q: The group says the program should exempt people in domestic violence cases from being screened upon arrest and that fingerprint screening should only happen upon conviction. The reasoning, the group says, is that without an exemption domestic violence victims will be afraid to report crimes if they're in the country illegally. How does ICE respond to that? Does the program already have such an exemption?***

ICE has received no evidence to support the claim that domestic violence victims will be afraid to report crimes. Only individuals arrested for a crime would be identified through the biometric information sharing capability—not those reporting crimes. Additionally, all fingerprints submitted by local law enforcement agencies through their state identification bureaus and onto FBI CJIS for *criminal* transactions are forwarded onto DHS for a comprehensive immigration status check, including those of individuals arrested for domestic violence. ICE's priority is to remove criminal aliens who pose the greatest threat to communities—those convicted of Level 1 offenses. Removing convicted criminal aliens from the United States mitigates an ongoing threat to communities. This threat continues to exist when criminal aliens are released from custody undetected by ICE. Domestic violence is a crime, and removing aliens convicted of such crimes helps protect victims.

Additionally, by screening individuals at the time of arrest, ICE may be notified of prior criminal convictions that make an alien a criminal alien. ICE encourages due process and the full prosecution of criminal aliens, and removes those subject to removal when their sentences are complete.

Further, the Secure Communities strategy does not give any authority to enforce federal immigration laws to local law enforcement. On the contrary, local law enforcement officers protect the citizens of their community by enforcing criminal law and maintain the trust of the people they serve.

***Q: CIRC says that juveniles should also be exempted from the program. Again, does such an exemption already exist and if not, what is ICE's position on this recommendation?***

ICE's mission to identify and remove criminal aliens, so it is important to receive information on all of those arrested, including juveniles. The decision to submit the fingerprints of juveniles is made at the state and local level. ICE processes all fingerprints submitted by the local jurisdictions in the same way. ICE reviews the subject's entire criminal and immigration history and if the alien has been charged, convicted and sentenced as an adult, ICE also will process the alien as an adult. However, if the alien is under 17 years of age and has past criminal convictions, the alien will be detained and housed by ICE Health and Human Services.

***Q: CIRC says only Level 1 offenders should be screened. Is this viable? And how does the program ensure that the Level 1-3 priorities outlined in the Secure Communities are implemented so that there is a stronger focus on the most dangerous offenders?***

(b)(5) DP

Screening only Level 1 offenders is not viable because ICE analyzes current and past convictions to determine the priority level of the offender. ICE needs to receive fingerprint submissions at the time of arrest because the alien may have prior felony convictions that make him or her subject to removal at the time of encounter. Prior to Secure Communities, criminal aliens with prior convictions were released back into our communities without ICE ever knowing. Through Secure Communities, these threats can be removed from communities and processed for removal from the United States, in accordance with the agency's prioritized approach.

All ICE officers use the Secure Communities levels to prioritize their immigration enforcement actions, and each field office director is responsible for overseeing this on a daily basis.

***Q: Are jurisdictions able to opt-out of Secure Communities after an MOA is signed?***

(b)(5) - DP

(b)(5) - DP

***Q: Have there been places that have expressed concern about the program and not wanted to participate? I've read that San Francisco was one that didn't want the program but the sheriff was overruled by the state attorney general.***

To date, San Francisco is the only jurisdiction of the 467 activated jurisdictions that indicated that it didn't want to participate. The District of Columbia Metropolitan Police Department expressed interest in participating but requested some changes in the MOA, which ICE was addressing with the police department. Since then, the D.C. City Council's Committee on Public Safety and Judiciary endorsed a bill to prevent the Chief of Police from participating at all, halting discussions about changes to the MOA. The police department continues to advocate for Secure Communities in DC, while it awaits the vote of the full council on the legislation.

(b)(5)

***Q: How has ICE communicated with the public in the jurisdictions where the Secure Communities has been implemented before the program was put in place? CIRC alleges that there has been little to no communication with the public about the program where it has been implemented before it was put in place.***

ICE is committed to transparent and accountable immigration enforcement and continues to inform the public, non-governmental organizations, law enforcement agencies and other stakeholders about the Secure Communities strategy.

Specific efforts by ICE include but are not limited to:

- Meeting with state and local law enforcement agencies to explain the Secure Communities strategy prior to activating IDENT/IAFIS interoperability;
- Distributing press releases regularly about Secure Communities;
- Making information available through our Web site, which maintains a current list of activations, as well as press releases and other information;
- Regularly meeting with non-governmental organizations to answer questions and maintain a dialogue about ICE's immigration enforcement efforts including Secure Communities;
- Participating in events to answer questions and inform the public about Secure Communities, such as the local and national conferences, roundtable events hosted by members of Congress to better inform their constituents, law enforcement organizations and others;
- Providing information about how to report allegations of racial profiling, due process violations or other violations of civil rights or civil liberties related to the use of IDENT/IAFIS interoperability in all outreach briefings, in addition to making it available on the Secure Communities website.



**Associated Press**