

Guidance for Handling Sensitive Jurisdictions



- Resistance to Interoperability deployment may result from
 - Misunderstanding about Secure Communities – what it is or is not
 - Political direction from elected officials that oversee the LEA
- SC PMO and DRO HQ will provide expert guidance and assistance in such circumstances
 - Coordinate assistance through the Regional Coordinator
- In order to be prepared to respond comprehensively and positively in the face of resistance during a briefing, and to mitigate resistance, know the facts and the benefits of full participation
 - SC enhances public safety in the community – focuses ICE enforcement on the worst of the worst and helps reduce criminal recidivism
 - SC does not focus on undocumented aliens who are victims of, or innocent witnesses, to crime
 - Biometric identification through Interoperability is fundamentally fair – all arrestees are treated in the same manner and only those whose fingerprints match prior immigration records and are removable from the U.S. are of interest to ICE
 - ICE retains responsibility for enforcing immigration law – LEAs are asked only to honor ICE detainers against a removable criminal alien in their custody

ICE | FBI-CJIS | US-VISIT

| 0

Facts and Benefits of Participation (cont'd)



- The exchange of fingerprint information between federal, state and local authorities is not new
 - SC is **only** different because it is biometrics-based, enabling faster and more accurate information exchanges and decisions
- IDENT/IAFIS Interoperability under Secure Communities is part of a larger CJIS Next Generation Identification (NGI) initiative
 - CJIS's phased deployment of a host of new biometric interoperability capabilities to state and local LEAs will be completed by 2013 – SC is the first opportunity for LEAs to fully and accurately identify suspects in their custody **and provides participants to get a head start on NGI**
- LEAs are not required to do anything with the messages returned from Interoperability
 - IDRs and IARs can be useful tools for **confirming identity, discovering** aliases, building criminal cases and conducting additional investigations, but ICE is the responsible party for initiating immigration enforcement actions based on these messages, not the LEA
- Interoperability works with the LEAs' existing booking process
 - It leverages existing communication channels and does not require special equipment or incur costs to participate

ICE | FBI-CJIS | US-VISIT

| 1

Tactical Approach to Sensitive Jurisdictions



While each jurisdiction may require a unique strategy, SC PMO has adopted a three-part approach to dealing with jurisdictions who do not wish to participate

1. Deploy to as many places as possible in the surrounding locale, creating a "ring of Interoperability" around the resistant site
2. Deploy selectively to state correctional system facilities, permitting identification of Level 1 offenders who may have been arrested and sentenced in the non-participating jurisdiction
3. Ensure that the jurisdiction understands that non-participation does not equate to non-deployment
 - LEAs may work with the SIB to turn off receipt of IDRs/IARs or ignore them when received, but arrestees' fingerprints will be checked against the US-VISIT IDENT and positive matches investigated by ICE

ICE | FBI-CJIS | US-VISIT

| 2

Activity – Handling Potential Objections



Activity – Work in small groups to prepare a response to your assigned concern

1. "This sounds like the 287(g) program and we do not support it."
2. "What happens when immigration reform provides individuals a path toward legal status? Maybe we should wait and see."
3. What about NGO complaints that SC might result in racial profiling by police officers? I don't need them on my back."
4. "ICE has not been responsive in the past, how will this be any different?"

ICE | FBI-CJIS | US-VISIT

| 3