



Secure Communities

Fiscal Year 2021, Second Quarter

April 27, 2022

Fiscal Year 2021 Report to Congress



**Homeland
Security**

U.S. Immigration and Customs Enforcement

Message from the Acting Director

April 27, 2022

I am pleased to present the following report, “Secure Communities,” for the second quarter of Fiscal Year (FY) 2021, which has been prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to direction in House Report 116-458, which accompanies the FY 2021 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-260).

Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:

The Honorable Lucille Roybal-Allard
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Chris Murphy
Chair, Senate Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000.

Sincerely,



Tae D. Johnson
Acting Director
U.S. Immigration and Customs Enforcement



Executive Summary

House Report 116-458 accompanying the FY 2021 DHS Appropriations Act (P.L. 116-260) directs ICE to continue the reporting that is detailed in prior reports, which direct ICE to report metrics related to secure communities and detainers issued to state and local law enforcement agencies. ICE is unable to report statistically on several variables in the manner requested because of a variety of technical constraints, which are discussed in the report. However, ICE is able to provide data on the detainers that it issues, broken down by criminal history, gender, and nationality.



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Fiscal Year 2021, Second Quarter

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I. Legislative Language

This report was compiled in response to direction in House Report 116-458, which accompanies the Fiscal Year (FY) 2021 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-260).

House Report 116-458 states:

Detention Inspection Reporting.—ICE shall continue to report and make public the following, as described in House Report 116-9, and shall follow the previously directed timeframes unless otherwise specified:

- (1) Secure Communities report; ...

The Joint Explanatory Statement (House Report 116-9) accompanying the FY 2019 DHS Appropriations Act (P.L. 116-6) states:

ICE shall continue to report and make public the following, as detailed in House Report 115-239, and shall follow the previously directed timeframes unless otherwise specified.

- Secure Communities report ...

House Report 115-239 accompanying the FY 2018 DHS Appropriations Act (P.L. 115-141) states:

Within 90 days after the date of enactment of this Act, and monthly thereafter, the Director of ICE shall submit to the Committee a Secure Communities report, including the number of detainer requests issued, actual custody transfers to ICE, and releases by state and local law enforcement jurisdiction, criminal category, conviction status, date of any conviction, immigration status, gender, country of citizenship, and enforcement priority, and shall make this information publicly available on its website.

II. Background

Congress first provided instructions for this report in House Report 115-239, which required U.S. Immigration and Customs Enforcement (ICE) to submit “a Secure Communities report, including the number of detainer requests issued, actual custody transfers to ICE, and releases by state and local law enforcement jurisdiction, criminal category, conviction status, date of any conviction, immigration status, gender, country of citizenship, and enforcement priority.”

Secure Communities uses a federal information-sharing partnership between DHS and the Federal Bureau of Investigation (FBI) that helps to identify in-custody noncitizens without imposing new or additional requirements on state and local law enforcement. For decades, local jurisdictions have shared with the FBI the fingerprints of individuals arrested and/or booked into custody to see if those individuals have a criminal record and outstanding warrants. Under Secure Communities, the FBI automatically sends the fingerprints to DHS to check against its immigration databases. Using this information, ICE can issue detainer requests and ultimately can take individuals into custody where appropriate.

ICE is unable to report on the data in the manner contained in the legislative direction because of the following technical constraints:

- Secure Communities is a system that allows for interoperability and information-sharing rather than a program to which officers are assigned. As a result, no associated enforcement metrics are in ICE’s system of record.
- ICE cannot report on releases conducted by state or local law enforcement agencies (LEA) because this information generally is not communicated to ICE by these LEAs.
- Detainers and initial book-ins to ICE custody are independent variables in ICE’s system of record and are not linked directly; it is not possible to produce reliable, large-scale reporting on custody transfer because of ICE detainers.
- Currently, immigration status is not available for statistical reporting.

However, to provide Congress with information on detainer issuance, ICE has produced data on detainers issued, broken down by criminal history, gender, and country of citizenship.

III. Analysis/Discussion

ICE issues detainers and requests for notification to LEAs to provide notice of its intent to assume custody of a noncitizen detained in federal, state, or local custody. Detainers are placed on noncitizens arrested on criminal charges whom ICE has reason to believe are removable from the United States. A detainer requests that an LEA notify ICE as early as practicable, ideally at least 48 hours, before a removable noncitizen is released from criminal custody and that the LEA briefly maintain custody of the noncitizen for up to 48 hours to allow ICE to assume custody for removal purposes.¹

A detainer is recorded in the system of record when the form is printed. Printing of the detainer form does not correspond necessarily one-to-one with the issuance of a detainer to a local LEA, as a single detainer may be printed multiple times. Each time a detainer is printed, it is recorded as a distinct detainer. The numbers below reflect detainers recorded in the system of record.

FY 2021 2nd Quarter (Q2)² Enforcement and Removal Operations (ERO) Detainers Prepared by Gender and Criminality³

Gender	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
Total	6,236	9,928	671	16,835
Female	229	836	49	1,114
Male	6,001	9,065	616	15,682
Unknown	6	27	6	39

¹ <https://www.ice.gov/identify-and-arrest/detainers/ice-detainers-frequently-asked-questions>

² FY 2021 ERO Detainer data are historic and static. Data are filtered from 01/01/2021 – 03/31/2021 (ICE Integrated Decision Support v1.34 run as of 04/12/2021; Enforcement Integrated Database as of 04/10/2021).

³ Starting in FY 2018, ICE defines immigration violators' criminality in the following manner: Convicted criminals are immigration violators with a criminal conviction entered into ICE systems of record at the time of the enforcement action. Pending criminal charges means immigration violators with pending criminal charges entered into ICE system of record at the time of the enforcement action. Other immigration violators are immigration violators without any known criminal convictions or pending charges entered into ICE system of record at the time of the enforcement action.

FY 2021 Q2 Detainers Prepared by Country of Citizenship and Criminality

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
Total	6,236	9,928	671	16,835
AFGHANISTAN	3	4	-	7
ALBANIA	1	3	-	4
ALGERIA	-	2	1	3
ANGOLA	1	1	-	2
ANTIGUA-BARBUDA	-	2	-	2
ARGENTINA	3	10	-	13
ARMENIA	12	10	1	23
AUSTRALIA	2	2	-	4
AUSTRIA	-	-	1	1
AZERBAIJAN	4	3	-	7
BAHAMAS	11	12	6	29
BANGLADESH	1	11	-	12
BARBADOS	1	-	-	1
BELARUS	-	2	-	2
BELIZE	15	10	-	25
BENIN	1	3	-	4
BHUTAN	2	-	-	2
BOLIVIA	1	6	-	7
BOSNIA-HERZEGOVINA	3	1	-	4
BOTSWANA	-	1	-	1
BRAZIL	16	97	7	120
BULGARIA	1	-	-	1
BURKINA FASO	2	4	-	6
BURMA	12	2	-	14
BURUNDI	1	-	1	2
CAMBODIA	13	9	1	23
CAMEROON	1	8	-	9
CANADA	26	16	-	42
CAPE VERDE	2	6	-	8
CAYMAN ISLANDS	-	1	-	1
CHILE	8	36	5	49
CHINA, PEOPLES REPUBLIC OF	12	80	6	98
COLOMBIA	44	108	8	160

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
COMOROS	-	-	1	1
CONGO	1	1	-	2
COSTA RICA	3	7	2	12
CROATIA	-	1	-	1
CUBA	173	97	13	283
CZECH REPUBLIC	-	2	-	2
DEM REP OF THE CONGO	4	3	-	7
DENMARK	-	1	-	1
DOMINICA	1	1	-	2
DOMINICAN REPUBLIC	149	108	13	270
EAST TIMOR	1	-	-	1
ECUADOR	32	79	2	113
EGYPT	3	13	1	17
EL SALVADOR	325	675	31	1,031
EQUATORIAL GUINEA	-	2	-	2
ERITREA	4	-	-	4
ESTONIA	1	-	-	1
ETHIOPIA	14	3	-	17
FIJI	-	3	-	3
FINLAND	-	1	-	1
FRANCE	6	4	1	11
GABON	-	1	-	1
GAMBIA	-	3	-	3
GEORGIA	-	5	-	5
GERMANY	3	5	1	9
GHANA	5	12	-	17
GREECE	-	1	-	1
GRENADA	2	4	-	6
GUADELOUPE	1	1	2	4
GUATEMALA	399	1,197	62	1,658
GUINEA	3	5	-	8
GUYANA	11	22	-	33
HAITI	40	32	4	76
HONDURAS	418	1,021	52	1,491
HUNGARY	4	4	-	8
INDIA	14	88	2	104
INDONESIA	-	3	-	3

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
IRAN	18	12	-	30
IRAQ	10	6	-	16
IRELAND	1	3	2	6
ISRAEL	3	5	-	8
ITALY	1	5	-	6
IVORY COAST	4	2	1	7
JAMAICA	78	90	6	174
JAPAN	2	3	-	5
JORDAN	4	6	3	13
KAZAKHSTAN	2	3	-	5
KENYA	6	10	-	16
KOREA ⁴	2	3	-	5
KOSOVO	-	2	-	2
KUWAIT	-	2	-	2
LAOS	56	32	3	91
LATVIA	-	5	-	5
LEBANON	1	3	-	4
LIBERIA	18	5	2	25
LITHUANIA	2	4	-	6
MACAU	-	-	2	2
MALAWI	1	-	-	1
MALAYSIA	-	1	-	1
MALI	3	9	1	13
MARSHALL ISLANDS	8	1	-	9
MAURITANIA	-	2	-	2
MEXICO	3,843	5,405	381	9,629
MICRONESIA, FEDERATED STATES OF	11	4	-	15
MOLDOVA	1	1	-	2
MONGOLIA	-	11	1	12
MONTENEGRO	-	1	-	1
MOROCCO	3	4	-	7

⁴ Country of Citizenship data are recorded exactly as they exist in the system of record at the time that the data are pulled. "Korea" is available in the Enforcement Integrated Database's Arrest Graphical User Interface for Law Enforcement system and the Enforcement Case Tracking Systems' Alien Removal Module as an option for officers to select when preparing documents. If "Korea" is selected, there is not sufficient information in the database to differentiate between North or South Korea, and thus the entry can be reported only as "Korea." Similarly, "USSR" exists as an option in the system.

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
MOZAMBIQUE	1	1	-	2
NAMBIA	1	1	-	2
NEPAL	-	9	-	9
NETHERLANDS	-	4	-	4
NEW ZEALAND	-	3	-	3
NICARAGUA	23	38	1	62
NIGER	3	15	-	18
NIGERIA	16	34	-	50
NORWAY	1	-	1	2
PAKISTAN	-	3	2	5
PANAMA	3	1	1	5
PAPA NEW GUINEA	-	1	-	1
PARAGUAY	-	1	-	1
PERU	10	23	-	33
PHILIPPINES	17	10	-	27
POLAND	6	14	-	20
PORTUGAL	-	7	-	7
ROMANIA	13	14	3	30
RUSSIA ³	7	8	1	16
RWANDA	1	-	-	1
SAMOA	-	1	-	1
SAUDI ARABIA	3	7	-	10
SENEGAL	8	5	-	13
SERBIA	-	1	-	1
SERBIA AND MONTENEGRO	-	2	-	2
SIERRA LEONE	3	1	-	4
SLOVAKIA	-	1	-	1
SOMALIA	10	4	-	14
SOUTH AFRICA	1	12	1	14
SOUTH KOREA	2	5	-	7
SOUTH SUDAN	1	1	-	2
SPAIN	4	16	1	21
SRI LANKA	2	4	-	6
ST. LUCIA	2	6	-	8
ST. VINCENT-GRENADINES	-	2	1	3
SUDAN	8	4	-	12
SWITZERLAND	1	-	-	1

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
SYRIA	2	3	2	7
TAIWAN	-	3	1	4
TAJKISTAN	3	-	-	3
TANZANIA	-	1	-	1
THAILAND	12	8	1	21
TOGO	-	1	-	1
TONGA	-	2	1	3
TRINIDAD AND TOBAGO	8	7	-	15
TUNISIA	-	1	-	1
TURKEY	2	3	1	6
TURKS AND CAICOS ISLANDS	1	-	-	1
UGANDA	-	1	-	1
UKRAINE	4	11	1	16
UNITED KINGDOM	7	6	-	13
UNKNOWN	11	21	16	48
URUGUAY	1	1	-	2
USSR	9	2	-	11
UZBEKISTAN	7	6	-	13
VENEZUELA	8	33	5	46
VIETNAM	116	61	5	182
YEMEN	-	2	-	2
YUGOSLAVIA	1	-	-	1
ZAMBIA	1	1	-	2
ZIMBABWE	2	-	-	2

IV. Conclusion

As with any LEA, ICE's enforcement and removal priorities include threats to national security, border security, and public safety.

Cooperation from other LEAs is critical for ICE to fulfill its mission to identify and arrest noncitizens who pose a risk to public safety or national security. Further, the safety of the community, law enforcement personnel, and the criminal noncitizen is protected better when ICE officers take custody in the controlled environment of another LEA. By honoring ICE detainers associated with noncitizens who are threats to national security, border security, or public safety, LEAs help to keep communities safe.

Appendix: Abbreviations

Abbreviation	Definition
DHS	Department of Homeland Security
ERO	Enforcement and Removal Operations
FBI	Federal Bureau of Investigation
FY	Fiscal Year
ICE	U.S. Immigration and Customs Enforcement
LEA	Law Enforcement Agency
Q2	Second Quarter