



Secure Communities

Fiscal Year 2021, Fourth Quarter

May 24, 2022

Fiscal Year 2021 Report to Congress



**Homeland
Security**

U.S. Immigration and Customs Enforcement

Message from the Acting Director

May 24, 2022

I am pleased to present the following report, “Secure Communities” for the fourth 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 the ICE Office of Congressional Relations at (202) 732-4200.

Sincerely,

A handwritten signature in black ink, appearing to read "Tae D. Johnson", written over a white background.

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.



Secure Communities Fiscal Year 2021, Fourth Quarter

Table of Contents

I.	Legislative Language.....	1
II.	Background.....	2
III.	Analysis/Discussion.....	3
	FY 2021 4 th Quarter (Q4) Enforcement and Removal Operations (ERO) Detainers Prepared by Gender and Criminality	3
	FY 2021 Q4 Detainers Prepared by Country of Citizenship and Criminality	4
IV.	Conclusion	9
	Appendix: Abbreviations.....	10

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 shared with the FBI 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 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 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 DHS to assume custody for removal purposes.¹

A detainer is recorded in the system of record when a form is printed. Printing of a 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 4th Quarter (Q4)² Enforcement and Removal Operations (ERO) Detainers Prepared by Gender and Criminality³

Gender	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
Total	5,947	4,351	272	10,570
Female	192	167	12	371
Male	5,744	4,178	260	10,182
Unknown	11	6	-	17

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

² FY 2021 year-to-date ERO detainers data are filtered from 7/1/2021 through 9/30/2021 (ICE Integrated Data Support v1.34 run date 10/11/2021; Enforcement Integrated Database as of 10/9/2021).

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 Q4 Detainers Prepared by Country of Citizenship and Criminality

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
Total	5,947	4,351	272	10,570
AFGHANISTAN	7	6	-	13
ALBANIA	1	-	-	1
ANGOLA	3	-	-	3
ANTIGUA-BARBUDA	2	-	-	2
ARGENTINA	4	2	-	6
ARMENIA	15	2	-	17
ARUBA	1	-	-	1
AUSTRALIA	1	-	-	1
AZERBAIJAN	2	1	-	3
BAHAMAS	7	4	1	12
BANGLADESH	2	2	-	4
BARBADOS	6	-	-	6
BELARUS	-	-	1	1
BELIZE	8	2	-	10
BERMUDA	-	1	-	1
BHUTAN	6	-	-	6
BOLIVIA	2	1	-	3
BOSNIA-HERZEGOVINA	5	-	-	5
BRAZIL	13	24	4	41
BULGARIA	1	-	-	1
BURKINA FASO	-	1	-	1
BURMA	10	2	-	12
BURUNDI	4	-	-	4
CAMBODIA	14	1	-	15
CAMEROON	4	2	-	6
CANADA	14	5	2	21
CAPE VERDE	2	1	-	3
CENTRAL AFRICAN REPUBLIC	1	-	-	1
CHILE	3	11	-	14
CHINA, PEOPLES REPUBLIC OF	26	14	-	40
COLOMBIA	55	42	11	108
CONGO	3	1	-	4

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
COSTA RICA	1	2	1	4
CROATIA	2	-	-	2
CUBA	157	63	2	222
CZECHOSLOVAKIA	-	1	-	1
DEM REP OF THE CONGO	8	-	-	8
DENMARK	1	-	-	1
DOMINICA	-	1	-	1
DOMINICAN REPUBLIC	146	87	2	235
ECUADOR	24	38	1	63
EGYPT	4	4	-	8
EL SALVADOR	319	245	9	573
ERITREA	1	-	-	1
ESTONIA	2	-	-	2
ETHIOPIA	13	1	-	14
FIJI	2	-	-	2
FRANCE	-	2	-	2
GABON	1	-	-	1
GAMBIA	2	-	-	2
GEORGIA	1	1	-	2
GERMANY	3	1	-	4
GHANA	5	4	-	9
GREECE	1	-	-	1
GRENADA	1	1	-	2
GUADELOUPE	-	1	-	1
GUATEMALA	371	464	21	856
GUYANA	12	14	1	27
HAITI	33	20	-	53
HONDURAS	378	686	20	1,084
HUNGARY	1	-	-	1
INDIA	20	14	2	36
INDONESIA	-	1	-	1
IRAN	27	2	1	30
IRAQ	13	2	1	16
IRELAND	1	-	-	1
ISRAEL	1	2	-	3
ITALY	1	2	-	3
IVORY COAST	4	2	-	6

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
JAMAICA	58	48	2	108
JORDAN	5	-	-	5
KENYA	9	4	1	14
KOREA ⁴	2	-	-	2
KUWAIT	1	-	-	1
KYRGYZSTAN	-	1	-	1
LAOS	52	5	1	58
LEBANON	2	-	-	2
LIBERIA	14	2	-	16
LIBYA	1	1	-	2
MALAYSIA	1	-	-	1
MALI	1	-	-	1
MARSHALL ISLANDS	5	-	-	5
MAURITANIA	3	-	-	3
MEXICO	3,641	2,241	163	6,045
MICRONESIA, FEDERATED STATES OF	12	-	-	12
MOLDOVA	1	1	-	2
MONGOLIA	-	1	-	1
MOROCCO	1	-	-	1
NEPAL	-	3	-	3
NETHERLANDS	2	-	-	2
NETHERLANDS ANTILLES	1	-	-	1
NICARAGUA	20	35	-	55
NIGER	2	-	-	2
NIGERIA	23	5	-	28
PAKISTAN	12	2	2	16
PALAU	1	-	-	1
PANAMA	4	2	-	6
PAPUA NEW GUINEA	1	-	-	1
PERU	18	5	-	23
PHILIPPINES	20	2	-	22
POLAND	4	4	-	8

⁴ Country of Citizenship data are recorded exactly as they exist in the system of record at the time the data are pulled. "Korea" is available in the Enforcement integrated database 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."

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
PORTUGAL	3	2	-	5
ROMANIA	5	7	1	13
RUSSIA	10	4	3	17
RWANDA	1	-	1	2
SAMOA	-	1	-	1
SAUDI ARABIA	1	-	-	1
SENEGAL	-	3	-	3
SERBIA	1	-	-	1
SIERRA LEONE	5	-	-	5
SLOVAKIA	1	-	-	1
SLOVENIA	-	1	-	1
SOMALIA	16	2	-	18
SOUTH KOREA	3	1	-	4
SOUTH SUDAN	-	-	1	1
SPAIN	3	7	-	10
SRI LANKA	1	-	-	1
ST. KITTS-NEVIS	1	-	-	1
ST. LUCIA	1	-	-	1
SUDAN	9	1	-	10
SURINAME	1	-	-	1
SYRIA	-	1	-	1
TAJKISTAN	1	-	-	1
TANZANIA	3	-	-	3
THAILAND	9	4	-	13
TONGA	1	-	-	1
TRINIDAD AND TOBAGO	8	6	-	14
TUNISIA	-	1	-	1
TURKEY	-	1	-	1
TURKS AND CAICOS ISLANDS	-	1	-	1
UGANDA	-	2	-	2
UKRAINE	4	1	-	5
UNITED KINGDOM	9	3	-	12
UNKNOWN	19	21	14	54
URUGUAY	-	1	-	1

Country of Citizenship	Convicted Criminal	Pending Criminal Charges	Other Immigration Violator	Total
USSR ⁵	10	1	-	11
UZBEKISTAN	1	1	-	2
VENEZUELA	13	113	-	126
VIETNAM	106	17	3	126
YEMEN	1	-	-	1
YUGOSLAVIA	3	-	-	3
ZIMBABWE	2	-	-	2

⁵ Country of Citizenship data are recorded exactly as they exist in the system of record at the time that the data are pulled. "USSR" is available in the Enforcement integrated database 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. ICE further notes that some noncitizens have resided in the United States for significant lengths of time. As a result, these noncitizens are citizens of geopolitical entities that no longer exist, including the USSR.

IV. Conclusion

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. Further, the safety of the community, law enforcement personnel, and the criminal noncitizen is protected better and more effectively when ICE officers take custody in the controlled environment of another LEA. By honoring ICE detainees, particularly those 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
Q4	Fourth Quarter