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Enforcement and Removal

05/06/2019

ICE launches program to strengthen immigration enforcement

LARGO, Fla. – U.S. Immigration and Customs Enforcement (ICE) announced today the creation of a new collaborative program intended for local law-enforcement that wish to honor immigration detainers but are prohibited due to state and local policies that limit cooperation with the agency.

The Warrant Service Officer (WSO) program was launched during a signing ceremony with Lieutenant Governor of Florida Jeanette Núñez, Pinellas County Sheriff Bob Gualtieri, National Sheriffs' Association Executive Director Jonathan Thompson and ICE Deputy Executive Associate Director for Enforcement and Removal Operations (ERO) David Marin. The effort, also intended for rural jurisdictions that lack the budget and personnel resources to become 287(g) partners, has gained interest from several other local law-enforcement agencies, which also attended the ceremony, and additional signings are expected soon.

"Policies that limit cooperation with ICE undermine public safety, prevent the agency from executing its federally mandated mission and increase the risks for officers forced to make at-large arrests in unsecure locations," said Acting ICE Director Matthew Albence. "The WSO program will protect communities from criminal aliens who threaten vulnerable populations with violence, drugs and gang activity by allowing partner jurisdictions the flexibility to make immigration arrests in their jail or correctional facility."

Once a WSO officer serves an administrative warrant and executes an arrest on behalf of ICE, the agency has 48 hours to conduct a transfer of custody unless an Intergovernmental Service Agreement exists. If ICE does not take the alien into custody within 48 hours, the individual must be released. WSO officers will only make arrests within the confines of the jail at which they work, and ICE will still issue immigration detainers with partner jurisdictions.

The WSO derives its authority from section 287(g) of the Immigration and Nationality Act, but unlike the 287(g) program, WSO officers will not question individuals about their citizenship, alienage or removability, nor will they process aliens who are unlawfully present in the United States. The new procedure was prompted by requests from the National Sheriffs' Association and the Major County Sheriffs of America, which asked for a program limited in scope that would allow jurisdictions prohibited from honoring immigration detainers to cooperate with ICE.

"This program gives sheriffs the legal support to help federal law enforcement keep dangerous criminal illegal aliens out of their communities," said National Sheriffs' Association Executive Director Jonathan Thompson. "It will not only decrease sheriff's liability but will give them the proper training to enforce the law."

Once a jurisdiction signs a WSO Memorandum of Agreement, the local law-enforcement agency will nominate officers to receive training from ICE certified instructors to perform WSO functions. ICE will conduct a background investigation on all nominated candidates, who will receive federal credentials that reflect their authority once training is completed. The WSO process will be supervised and directed by ICE, and the cost of travel and officer pay associated with training will be funded by the participating jurisdiction.

Additionally, the four-week immigration officer training module at the Federal Law Enforcement Training Center in Charleston, South Carolina, necessary for 287(g) partners has been modified for the WSO program. Instead, WSO candidates will receive one day of training from ICE personnel at a local training

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site. Pinellas County Sheriff's Office (PCSO), also a Basic Ordering Agreement partner, is the first jurisdiction to formally become a WSO participant.

"People in our country illegally who commit crimes must not be released back into our communities where they harm others," Gualtieri said. "The Warrant Service Officer program allows sheriffs to lawfully help ICE keep criminal illegal aliens in jail and off the street by serving ICE arrest warrants. The WSO program helps enforce the rule of law and keeps our communities safe."

For some jurisdictions restricted by local policies that prohibit the recognition of immigration detainers, the WSO program would be the most appropriate initiative that allows for enhanced cooperation with ICE. For example, the Basic Ordering Agreement, which was launched in January 2018, was intended for jurisdictions that honored immigration detainers but sought additional legal defense from potential lawsuits. Jurisdictions interested in participating in the WSO program should contact their local ICE ERO field office.

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