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Enforcement and Removal

10/27/2020

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California ruling forces ICE to release criminal aliens from detention in Adelanto

WASHINGTON — Due to an order from the Central District of California, and despite requests to transfer detainees to alternative locations, U.S. Immigration and Customs Enforcement (ICE) has complied with the mandated reduction to the overall detainee population at the Adelanto ICE Processing Center in Adelanto, California, which has resulted in the release of dangerous criminal aliens into various communities.

Pursuant to the court's order, Adelanto, which is maintained by a federal contractor, released more than 250 criminal aliens back into communities – a decision the agency continues to warn could lead to unnecessary victimization by recidivist criminals. The forced reduction is now complete and the current population at the facility is approximately 465.

"While opponents who continuously seek to discredit the agency might otherwise mislead the public to believe that those in detention pose no risk to public safety, nothing could be further from the truth," said ICE's Senior Official Performing the Duties of the Director Tony H. Pham. "ICE has complied with this overreaching court order; however, the public should know that the ruling undoubtedly places them at greater risk."

Prior to the reduction, ICE's Enforcement and Removal Operations (ERO) Los Angeles assessed that among the roughly 730 aliens detained at Adelanto, more than 85 percent had pending criminal charges and/or convictions. Among those ordered released, more than 60 had final orders of removal by federal immigration judges. The criminal histories of those released included, but was not limited to: assault with a deadly weapon, battery, child cruelty, contempt/violating a protected order, domestic violence, disorderly conduct, driving without a license, driving under the influence (DUI), false imprisonment, fraud, hit and run, grand theft, obstructing a police officer, possession of a controlled substance, prostitution, sexual offenses (including lewd/lascivious acts with a child), weapons violations, and the federal offense of illegal reentry after removal.

The agency does not exempt classes or categories of removable aliens from potential enforcement. All those in violation of immigration law may be subject to arrest, detention and, if found removable by final order, removal from the United States. ICE takes many factors into account when targeting and arresting individuals, including their criminal and immigration history.

AILA Doc. No. 20102833. (Posted 10/28/20)<https://www.ice.gov/news/releases/california-ruling-forces-ice-release-criminal-aliens-detention-adelanto>

Safety has consistently remained a top priority for the agency; as such, ICE has imposed strict reporting requirements for those being placed on alternatives to detention (ATD). As an added precautionary measure for communities, no detainee was released until officials established a high degree of certainty that they did not pose a COVID-19 public health risk.

"ICE has been placed in a difficult circumstance to comply with a binding order that completely contradicts our duty to this nation," continued Pham. "These criminal aliens have serious convictions and charges – releasing them is an extremely risky gamble to take with public safety."

ICE has adhered, and continues to adhere, to an aggressive inspections program for its detention centers. ICE ensures its facilities follow ICE's ERO [National Detention Standards](#) (NDS), while ERO's Detention Standards Compliance Unit ensures that detainees in custody reside in safe, secure and humane environments.

COVID-19

Adelanto has restricted intakes and transfers to further protect those in custody. COVID-19 testing and results at the facility remain ongoing; these are reported on a rolling basis with online information recorded from a live database. Data may change as the agency receives updated case information. Since the onset of the pandemic, ICE has taken proactive measures to tailor conditions across its detention network to maintain safe and secure environments for detainees and staff, while adhering to guidelines for the prevention and control of infectious and communicable diseases from the CDC. This has included reducing the overall detained population, providing appropriate personal protective equipment (PPE) to all staff and detainees, suspending social visitation, and maximizing social distancing practices with staggered meals and recreation times. The agency's full response to COVID-19 can be viewed on the [ICE.gov website](#); ICE's ERO COVID-19 Pandemic Response Requirements (PRR) is also [available online](#).

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