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Enforcement and Removal

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### Misinformation endangers community, law enforcement officers and illegal aliens

6 things you need to know about immigration enforcement

SEATTLE, Wash. – Advocacy groups, citizens and politicians who propagate incorrect or misleading information about the U. S. Immigration and Customs Enforcement (ICE) mission create baseless concerns in the community and place innocent bystanders, aliens and law enforcement officers in danger. Local and national efforts are being made by ICE to increase the accurate information given to the community about our mission with the intent of fostering trust and better collaboration in communities across the United States. Here is what you need to know to reduce risk associated with ICE's mission in our community:

- **U.S. Immigration laws are not policy, they are law**

The ICE mission is to protect America from the cross-border crime and illegal immigration that threaten national security and public safety. This mission is executed through the enforcement of more than 400 federal statutes and focuses on smart immigration enforcement, preventing terrorism and combating the illegal movement of people and goods. [Title 8 of the U.S. Code covers "Aliens and Nationality"](#) and contains all applicable laws ICE officers adhere to.

- **Interfering with an ICE officer's official duties is a crime.**

ICE enforcement functions do not need a judicial warrant. The ICE officer will utilize administrative removal warrants to carry out their duties. It is important to keep in mind that the underlying basis for a non-citizen's removability may be due to some criminal violation, but the removal warrant used by ICE is not a criminal warrant signed by a federal judge. The removal warrant used to process the non-citizen's removal is signed by an ICE official based on a finding that the person is removable from the United States. The inaccurate information being published by advocacy groups and shared many times via social media does nothing but endanger the alien these groups are hoping to protect. Obstructing or otherwise interfering with a federal ICE arrest is a crime, and anyone involved may be subject to prosecution under federal law including but not limited to, [18 USC § 111](#). Encouraging others to interfere or attempt to obstruct an arrest is extremely reckless and places all parties in jeopardy.

- **ICE does not conduct raids.**

Social media posts claiming ICE is conducting "raids" of events or communities are categorically false and do nothing but promote fearmongering. ICE continues to focus its limited resources first and foremost on those who pose the greatest threat to public safety. ICE does not target aliens indiscriminately. Rather, ICE conducts strictly targeted enforcement actions against criminal aliens, frequently those who were arrested by local authorities and released despite ICE detainers. The agency's arrest statistics clearly reflect this reality. Nationally, approximately 90 percent of all persons arrested by ICE during fiscal year 2018 either had a criminal conviction, a

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pending criminal charge, had illegally re-entered the U.S. after being removed previously (a crime itself), or were already subject to a final order of removal.

- **Sanctuary policies aren't necessary to report crimes without fear of deportation.**

[Section 101\(a\)\(15\)\(U\)](#) of the Immigration and Nationality Act provides legal authority for a non-citizen who reports a qualifying crime to local authorities, and assists, or may be of assistance, in the prosecution of the crime, to become eligible to apply for authorization to remain in the U.S. Advocacy groups, NGOs, and politicians are doing a disservice to the victims they are claiming to protect by disseminating inaccurate information asserting that, if victims report a crime to local authorities, they may be arrested by ICE. Federal laws in fact, prohibit ICE and other DHS agencies from relying upon such information to initiate immigration proceedings.

- **Immigration Detainers are an important tool.**

ICE lodges detainers on aliens who were arrested on local criminal charges when the agency has probable cause to believe an alien is removable from the United States. In response to such a detainer, cooperative law enforcement agencies are asked to notify ICE as early as practicable (at least 48 hours, if possible) before an alien is released from the law enforcement agency's custody. When notified, ICE will arrest the alien at the jail during the time of their release. This process ensures that the alien is taken into ICE custody and not returned to the same community that they previously victimized. Upon taking custody, ICE is able to initiate removal proceedings and if the alien is ordered removed, return the alien to his/her country of origin.

- **The Privacy Act is strictly adhered to**

The [Privacy Act](#) prohibits the disclosure of information about an individual from a system of records absent the written consent of the individual, unless the disclosure is pursuant to one of twelve statutory exceptions. Due to privacy laws, ICE, and sometimes the local agency that arrests a criminal alien, cannot disclose to the public the arrestee's complete criminal or immigration background. As a result, the public and the media do not know the true criminal or immigration histories of individuals arrested by ICE that garner public attention.

"When state and local governments decide to enact sanctuary policies based on false pretense and incorrect data, they fuel misguided anger and set the stage for dangerous attacks against federal employees and government agencies," said Nathalie Asher, field operations director, ERO Seattle. "ICE personnel have a sworn duty to uphold the immigration laws that are enacted by Congress and it's extremely concerning that these patriots are becoming targets of violent crimes, crimes that are a direct reflection of misinformation and irresponsible policies."

"Various advocacy groups, who likely have all the best intentions, are not only misinforming individuals but also encouraging them to act in an irresponsible and often illegal manner," said Bryan Wilcox, deputy field office director, ERO Seattle. "Because of external interference, immigration enforcement operations are being escalated to a truly dangerous level. There is a real danger that an alien may take advantage of that situation and cause harm to not only our agents, but to anyone near the incident."

ICE maintains that cooperation by local officials and the community at large, is an indispensable component of promoting public safety. Policy makers who strive to make it more difficult to remove dangerous criminal aliens and aim to stop the cooperation of local officials and business partners, harm the very communities whose welfare they have sworn to protect.

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