



I.C.E. - Securing Communities Program

I. PURPOSE

Identifying and removing dangerous threats to the community through a partnership between the U.S. Department of Homeland Security and Department of Justice. The Secure Communities program enhances fingerprint-data based biometric technology (Live Scan) used by local law enforcement agencies during the booking process. This enhanced technology enables fingerprints submitted during the booking process to be checked against the FBI criminal history records and DHS records, including immigration status, provide valuable information to accurately identify those in custody. The process applies to all individuals arrested and booked into custody, not just those suspected as being foreign nationals.

II. POLICY

It is the policy of the Ridgely Police Department to assist the Department of Homeland Security in their efforts to identify criminal aliens through biometric technology. If a criminal alien is identified and detention is authorized, a faxed detainer will be forthcoming to this agency within four hours of submitting the fingerprints. The detainer is simply that; a detainer and not a warrant. Keep in mind that local law enforcement cannot enforce immigration laws.

III. DEFINITIONS

- A. Foreign National - A person who is not a citizen or national of the United States
- B. Criminal Alien – A person who is a non-citizen who is charged with committing a crime while in the United States and he or she is in the country legally or illegally.

IV. PROCEDURE

- A. The fingerprinting/live scan process should be completed in the early stages of the booking process to ensure DHS has time to respond to the submission.
- B. If a criminal alien is identified and detention is authorized, a detainer will be faxed, within four hours to this agency authorizing detention. ***A copy of the detainer must be provided to the criminal alien, and the Detention Center. Criminal Aliens can only be held for no longer than 48 hours (excluding weekends and holidays).*** Normal transport to the District Court Commissioner should not be delayed solely for the purpose of waiting to see if a detainer is forthcoming.

General Order No. 8-5 (Cont.)

C. The fax machine should be checked prior to the end of the booking process and prior to releasing the prisoner from custody; either from the commissioner or to the detention center. (Note: ICE will not contact this agency by telephone and only a fax will be received if detention is authorized)

D. If the prisoner is released prior to receiving a detainer from ICE, an Officer is not authorized to seek out and take the individual back into custody in reference to the immigration detainer; as local law enforcement cannot enforce immigration laws and make arrest for immigration violation.

E. If an individual is released and a detainer is received afterwards, ICE will then be notified of this status by contacting the Law Enforcement Support Center at (802) 872-6020.

V. SECURE COMMUNITIES CONTACT INFORMATION

A. If an Officer has contact with a foreign national and has concerns or questions they can contact the Baltimore Field Office of ICE from 6 a.m. to 6 p.m. at 410-637-4021 or 4022. After hours, the local ICE duty officer can be contacted at 443-463-2956 or via the Law Enforcement Support Center at 802-872-6020.