



U.S. Immigration
and Customs
Enforcement

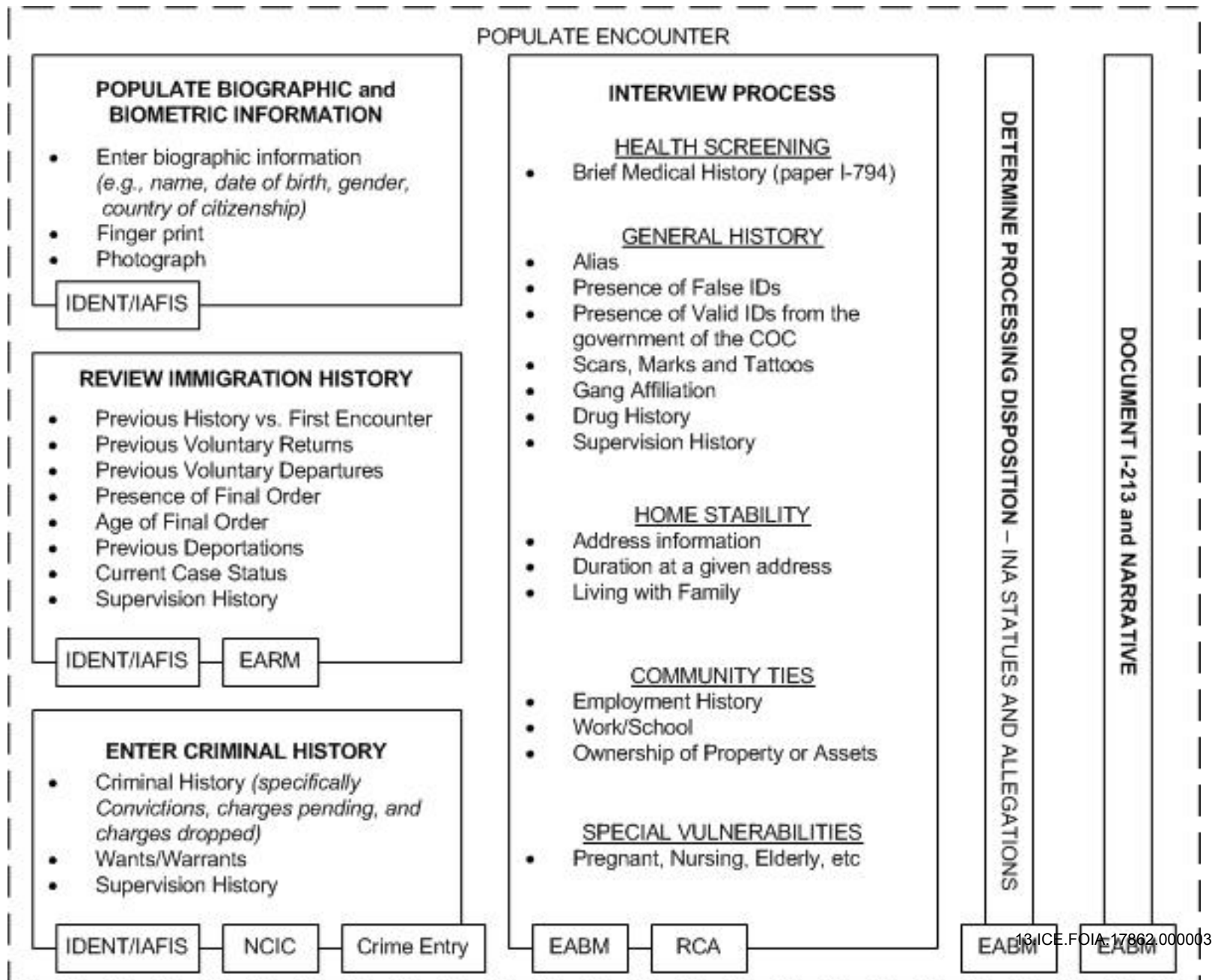
Risk Classification Assessment ICE Leadership Scope Brief

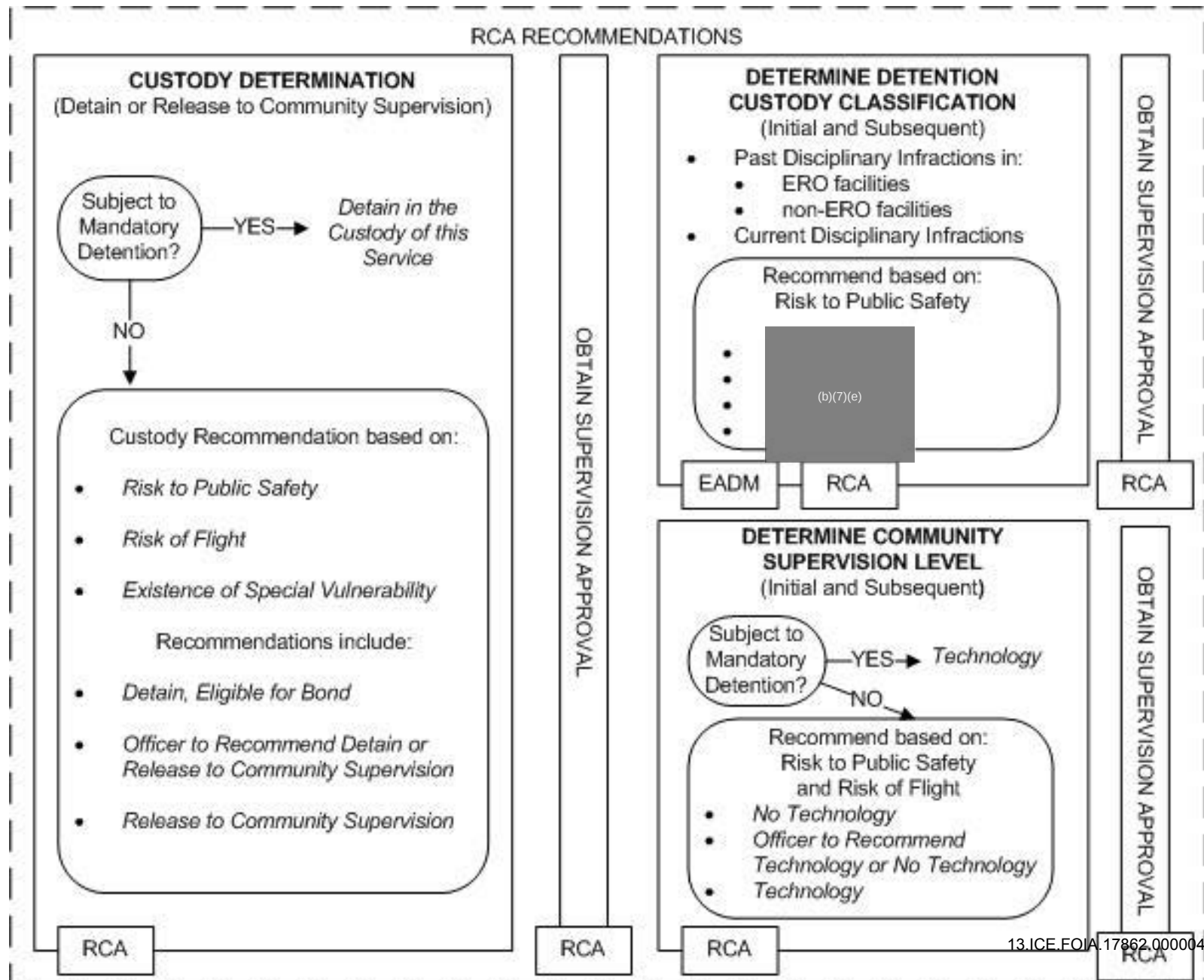
June 6, 2011



OBJECTIVES

- Review the proposed capabilities of the Risk Classification Assessment (RCA) Solution
- Validate the business rules for determination of “Subject to Mandatory Detention”.
- Determine approved terminology for “Targeted Offenses” concept (DUI and Domestic Violence)







- The RCA solution will enable the officer to execute discretion at all times throughout the Risk Classification Assessment process.
- The solution supports the current operational process for an officer to make a decision outside of guidelines, with justification and supervisory approval.



[Home](#) [EABM](#) [RCA](#) [EADM](#) [EARM](#) [eTD](#) [Report Center](#) [Help](#) [Admin](#) Logged In (b)(6),(7)(c) [Logout](#) | [Preferences](#)

RCA Header (see WF:RCA: Sub-Header for details about this area)

Allen Sub-Header with Risk Classification Assessment Snapshot (see WF:RCA: Sub-Header for details about this area)

(b)(6),(7)(c)

[Summary](#) [Special Vulnerabilities](#) [Subject to Mandatory Detention](#) [Public Safety Factors](#) [Flight Risk Factors](#) [Recommendation / Decision Log](#)

1 Summary Last refresh: 08/17/2011 09:34 [Refresh Data](#) [Assessment History](#) [Print](#)

3 Status: Awaiting Custody Classification Supervisory Approval

Initiated on: 07/18/2011

Applied to encounter (b)(7)(e)

Last submitted for supervisory approval on: 07/18/2011

Last submitted for supervisory approval by (b)(6),(7)(c)

Special vulnerabilities: None

Subject to mandatory detention: No

Risk to public safety: (b)(7)(e)

Flight risk: (b)(7)(e)

Detain / release decision: Detain, Eligible for Bond

Initial bond amount: \$17,000

Supervisory approval on: 07/18/2011

Supervisory approval by: (b)(6),(7)(c)

Custody classification level: Awaiting Supervisory Approval

Supervisory approval on: Incomplete

Supervisory approval by: Incomplete

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removal Division (ERD) 13-ICE-FOIA-17862-000006



(b)(6),(7)(c)

Summary

Special Vulnerabilities

Subject to Mandatory Detention

Public Safety Factors

Flight Risk Factors

Recommendation / Decision Log

Special Vulnerabilities

Last refresh: 08/17/2011 09:34 [Refresh Data](#) [Assessment History](#) [Print](#)

3 Does a special vulnerability exist? Ask the individual and review all documentation.

☐	Serious physical illness	
☐	Serious mental illness	
☒	Disabled	3a
☐	Elderly	
☐	Pregnant	3b
☐	Nursing	
☐	Sole caretaking responsibility	
☐	Risk based on sexual orientation / gender identity	
☒	Victim of persecution / torture	3c
	Were you persecuted in your home country or have you been tortured?	
☐	Victim of sexual abuse or violent crime	
	Have you been the victim of recent sexual abuse or violent crime?	
☐	Victim of alien trafficking	
	Since entering the United States, has someone intimidated, deceived, obligated or forced you into prostitution or labor against your will? NOTE: If the individual claims to be a victim of trafficking, contact Homeland Security Investigations for immediate referral at 000-000-0000 to provide biographic and location details to the local HSI duty officer for further investigation.	
☐	Other	3d

Provide further explanation as necessary:

Further explanation is always available to the user, but it is required if the user selects the "Other" option.

3f



Home EABM RCA EADM EARM eTD Report Center Help Admin

Logged In (b)(2),(b)(6),(7)(c) Logout | Preferences

RCA Header (see WF:RCA: Sub-Header for details about this area)

Allen Sub-Header with Risk Classification Assessment Snapshot (see WF:RCA: Sub-Header for details about this area)

(b)(6),(7)(c)

Summary

Special Vulnerabilities

Subject to Mandatory Detention

Public Safety Factors

Flight Risk Factors

Recommendation / Decision Log

Subject to Mandatory Detention

Last refresh: 08/13/2011 09:34



Refresh Data



Assessment History



Print

3



Is the alien subject to any provision requiring mandatory detention under the INA? [\(Info\)](#)

Yes

3a



Is the alien a re-entry after a previous removal order (executed final order)? [\(Info\)](#)

No

3b



Is the alien's case in a final order of removal with the final order date within 90 days of the current date? [\(Info\)](#)

No

3c



If the final order date is outside of 90 days of the current date, is the alien's removal likely in the reasonable foreseeable future? [\(Info\)](#)

N/A

3d

✓ Item complete

➔ Item not complete

4

Subject to Mandatory Detention

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removals Division (ERO)



- The RCA Solution can make a determination of “Subject to Mandatory Detention” based on the following inputs:
 - INA Charges
 - This information is available in current ERO systems once legal sufficiency has been determined by the officer, and OPLA if appropriate.
 - Existence of a Final Order
 - This information is available in current ERO systems
 - If Final Order has been executed
 - Age of Final Order, if not executed
- **DECISION:** Should the RCA Solution automate the determination of “Subject to Mandatory Detention” based on criminality (conviction in criminal history) for aliens with unexecuted Final Orders less than 90 days old?



- **DECISION:** Need approved terminology for “Targeted Offenses” (DUI and DV).

Home EABM RCA EADM EARM eTD Report Center Help Admin Logged (b)(2),(b)(6),(7)(C) Logout Preferences

RCA Header (see WF:RCA: Sub-Header for details about this area)

Alien Sub-Header with Risk Classification Assessment Snapshot (see WF:RCA: Sub-Header for details about this area)

(b)(6),(7)(c)

Summary Special Vulnerabilities Mandatory Detention **Public Safety Factors** Flight Risk Factors Final Decision

Public Safety Factors 2 Print

3a - Criminal Record Complete

✓ Severity of charges / convictions associated with the ICE encounter. (info)	Increased risk to public safety – High Severity 4a
✓ Number of targeted offenses (e.g., DUI and domestic violence) (excluding those used above). (info)	Increased risk to public safety – (2) Targeted Offenses 4b
✓ Single most serious conviction remaining in criminal history (excluding those used above). (info)	Increased risk to public safety – Moderate Severity 4c
✓ Number of felony / misdemeanor convictions remaining (excluding those used above). (info)	Increased risk to public safety – (2) Misdemeanors 4d
✓ Severity of remaining violent criminal charges (two or more required) (excluding those used above). (info)	No relevant criminal history 4e

3b - Other Public Safety Factors Complete

✓ Type of open wants / warrants. (info)	Violent crime 4a
✓ Supervision history (e.g., bond breaches, conditions of supervision violations). (info)	☐ None 4b ☐ Walk-away from a non-secure facility ☐ Attempted escape from a non-secure facility ☐ Abscond ☒ Immigration bond breach (automated) ☐ Civil / criminal bond breach ☐ Violations of prior voluntary departure orders (automated) ☒ Violations of conditions of supervision ☒ Prior revocations of supervision ☐ Escape or attempted escape from a secure facility
✓ Security Threat Group (STG) status. (info)	STG / gang affiliation confirmed / strongly suspected 4c
✓ Risk to Public Safety	Complete 4d

✓ Item complete
➔ Item not complete

Save Successful! 5 Save

13.ICE.FOIA.17862.000010

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removals Division (ERO)



(b)(6),(7)(c)

Summary Special Vulnerabilities Subject to Mandatory Detention **Public Safety Factors** Flight Risk Factors Recommendation / Decision Log

Public Safety Factors

Last refresh: 08/13/2011 09:34



Refresh Data



Assessment History



Print

3a + Criminal Record

Complete

3b + Other Public Safety Factors

Complete

3c - Disciplinary Infraction Information

Incomplete



Number of historic sustained disciplinary infractions involving violence or behavior representing a threat to the facility [\(info\)](#)

4a



Historic disciplinary infractions while detained in ERO facilities (captured in EADM) [\(info\)](#)

One (1) sustained infraction

4b



Current disciplinary infractions while detained in ERO facilities [\(info\)](#)

Two (2) sustained infractions

4c



Combative behavior disciplinary infractions during current detention? [\(info\)](#)

Yes

4d



History of violent crimes (derived from alien's criminal history and any open wants / warrants) [\(info\)](#)

No known violent history

4e



Disciplinary Infraction Information

Incomplete

4f



Item complete



Item not complete

Save

5



Home EABM RCA EADM EARM eTD Report Center Help Admin Logged In: (b)(6),(7)(c) Logout Preferences

RCA Header (see WF:RCA: Sub-Header for details about this area)

Alien Sub-Header with Risk Classification Assessment Snapshot (see WF:RCA: Sub-Header for details about this area)

(b)(6),(7)(c)

Summary Special Vulnerabilities Mandatory Detention Public Safety Factors **1 Flight Risk Factors** Final Decision

Flight Risk Factors 2 Print

3a - Immigration / Substance Abuse / Identification Complete

☒	Immigration violation history. (info)	1 or 2 VRs and/or VDs	4a
☒	Substance abuse history. (info)	No known history of substance abuse	4b
☒	Possession of valid identification documents (IDs) from country of citizenship. (info)	No	4c
☒	Possession of invalid identification documents (IDs) from any country. (info)	Yes Number of unique names/aliases: 1	4d
☒	Immigration case status. (info)	No change to flight risk – Currently in proceedings	4e
☒	Principal Flight Risk Factors Risk	Complete	4f

3b - Home Stability Complete

☒	Does the alien have a stable address in the United States? (info)	Yes	4a
☒	Does the alien reside with immediate family? (info)	No	4b
☒	Has the alien resided at the current address for greater than 6 months? (info)	Yes	4c
☒	Home Stability Risk	Complete	4d

3c - Ties to Local Community Complete

☒	Does the alien have family or support in the local community? (info) (If yes, select one or more of the following:)	Yes	4a
	The alien has a work authorization or is in a school / training program? (info)	☐ Yes	4b
	The alien has a spouse, child or family OR is sole caretaker of minor in local community? (info)	☒ Yes	4c
	The alien owns property OR considerable assets in the community? (info)	☐ Yes	4d
	The alien has a U.S. sponsor OR has legal representation? (info)	☒ Yes	4e
	The alien has family in the U.S. but NOT in the local community? (info)	☐ Yes	4f
☒	Ties to Local Community Risk	Complete	4g

☒ Item complete
☐ Item not complete

Save 5

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removals (OER) 17862.000012



1

Submit for Detain / Release Supervisory Approval

Subject to mandatory detention? No

Special vulnerabilities? None 2

Public safety risk:
(k)(2),(b)(7)(e)

Flight risk:

Detain / release recommendation: Detain, Eligible for Bond (Info) 3

Recommended bond amount: \$17,000 (Info) 4

Recommendation override explanation:
Provide any explanation of possible reasons to override the
recommendation (if applicable).

5

* Affirm decision to submit for supervisory approval: ☒ Submit for supervisory approval 6

7

Submit

Cancel

8



Initial Detain / Release Decision

Subject to mandatory detention? No

Special vulnerabilities? None

Public safety risk:
(k)(2), (b)(7)(e)

Flight risk:

Detain / release recommendation: Detain, Eligible for Bond (Info)

* Agree / disagree with recommendation? Agree

** New detain / release decision (if applicable):

Recommended bond amount: \$17,000 (Info)

** Agree / disagree with bond amount? Disagree

** New bond amount (if applicable): 20000

** Comments / justification:

Provide rationale and include aggravating / mitigating circumstances that were considered. If a decision is outside the guidelines that were recommended, then justification must be supplied here.

I agree with the detain / release decision but the recommended bond amount is not high enough. This is a (k)(2), (b)(7)(e) individual and a \$20,000 minimum bond amount is my recommendation. I've superseded the system's recommendation of \$17k with a new \$20k recommendation.

* Supervisory affirmation of custody classification level decision: ☒ Decision affirmed by (b)(6), (7)(c)

10 Submit Cancel 11



Submit for Custody Classification Supervisory Approval

Subject to mandatory detention? **No**

Special vulnerabilities? **None** 2

Public safety risk:

Flight risk:

(b)(7)(e)

Custody classification level recommendation: (Info) 3

Recommendation override explanation:

Provide any explanation of possible reasons to override the recommendation (if applicable).

4

* Affirm decision to submit for supervisory approval: ☒ Submit for supervisory approval 5

6 Submit

Cancel

7



Custody Classification Level Decision

Subject to mandatory detention? **No** 2

Special vulnerabilities? **None**

Public safety risk: (b)(7)(e)

Flight risk: (b)(7)(e)

Recommended custody classification level: (b)(7)(e) Info 3

* Agree / disagree with recommendation: **Disagree** 4

** New custody classification level (if applicable): (b)(7)(e) 5

*** Comments / justification:
Provide rationale and include aggravating / mitigating circumstances that were considered. If a decision is outside the guidelines that were recommended, then justification must be supplied here.

Justification comments must be entered here due to a Disagree selection above. 6

* Supervisory affirmation of custody classification level decision: ☒ Decision affirmed by (b)(6),(7)(c) 7

8 **Submit** Cancel 9



Submit for Community Supervision Supervisory Approval

Subject to mandatory detention? No

Special vulnerabilities? None 2

Public safety risk:

Flight risk:

(b)(7)(e)

Community Supervision level recommendation: Technology [Info](#) 3

Recommendation override explanation:

Provide any explanation of possible reasons to override the recommendation (if applicable).

4

* Affirm decision to submit for supervisory approval: ☒ Submit for supervisory approval 5

6 Submit

Cancel 7



Community Supervision Level Decision

Subject to mandatory detention? No **2**

Special vulnerabilities? None

Public safety risk:
Flight risk: (b)(7)(e)

Recommended community supervision level: Technology [Info](#) **3**

* Agree / disagree with recommendation: Disagree **4**

** New community supervision level (if applicable): No Technology **5**

*** Comments / Justification:

Provide rationale and include aggravating / mitigating circumstances that were considered. If a decision is outside the guidelines that were recommended, then justification must be supplied here.

Justification comments must be entered here due to a Disagree selection above. **6**

* Supervisory affirmation of community supervision level decision: ☒ Decision affirmed by (b)(6),(7)(c) **7**

8 [Cancel](#) **9**



- Backup Information



- Alien biographical information is currently entered into existing systems used by ERO for alien processing.
- All attributes about the alien collected currently during intake processing will be available for use by the Risk Classification Assessment solution.
- The Civil Enforcement Priority Level is already **available** in the existing ENFORCE system, but is used to prioritize the arrest decision and not influence a determination for custody, custody classification level, or community supervision level.
- The RCA solution does not recommend INA charges or administrative actions, but assumes that the user has already made a determination of an appropriate charge in consultation with the Field Office's General Counsel or OPLA.



- EABM entry of alien biographic data:

(b)(6),(7)(c), (b)(7)(e)



- EABM entry of INA charges:

(b)(6), (7)(c), (b)(7)(e)



- Crime Entry Screen (CES) entry of alien criminal history:

Encounter Crime Data

Add Crime Details

Full Name: JUANA GONZALEZ FIN Number: Subject ID: 30182

* NCIC Code/Charge:

* Charge Date:

Encounter Due to Charge:

Conviction Date:

Conviction Overturned Date:

Dismissed Date:

Dropped Date:

Sentence Length: Years Months Days

Crime Against Minor:

Crime Loss Exceeds \$10,000:

Conviction Documents Requested: Conviction Documents Received:

Person Crime Data

Date Added	NCIC Code	Crime Description	Criminal Offense Level	Crime Loss > \$10,000	Charge Date	Disposition	Sentence Length	
04/01/2011	5404	Driving Under Influence Liquor	3	No	04/08/2010	Convicted	0yr 2m 0dy	edit delete
04/01/2011	5403	Driving Under Influence Drugs	3	No	01/01/2011	Convicted	0yr 1m 0dy	edit delete

Total Crimes: 2 records



- If the alien is not subject to Mandatory Detention, the presence of a Special Vulnerability for an individual alien will provide additional consideration in the Custody Determination (details will be discussed in Custodial Determination).
- To support the electronic capture of Special Vulnerabilities and the desire for this information to be required as an input, a Special Vulnerability of “None” was added.
- In an effort to provide additional details to officers as to what constitutes a “victim”, the verbiage was changed per NGO and ODPP requests.
- ODPP is currently defining the instructions that will be used as guidance for an officer to distinguish a Special Vulnerability claim from a determination that one exists and should influence the custody recommendation.
- The option to select “Other” was removed from the paper-based RCA worksheet’s list of Special Vulnerabilities.
 - The RCA solution team removed “Other” as a selector from Special Vulnerabilities to prevent ambiguity when selecting a value. The proposed list of Special Vulnerabilities was created with input from several sources, including Hill Staffers, NGOs, and ODPP.



The following questions from the RCA worksheet can be automated the RCA solution to make a determination of whether the alien is Subject to Mandatory Detention:

- *Is the individual subject to any provision requiring mandatory detention under the INA?*
 - This information is available in current ERO systems once legal sufficiency has been determined by the officer, and OPLA if appropriate.
 - The solution will use the statutes, charges and allegations an officer enters into the Notice To Appear (NTA).
- *Is an individual either a fugitive or re-entered after deportation?*
- *Should the individual be detained because he/she has a final order of removal and removal is significantly likely in the reasonably foreseeable future?*
 - While neither question is asked by an officer during the intake interview, the data for both of these questions is evaluated by the solution for use in the determination for custody recommendation.
 - The solution may determine requirements for mandatory detention by reviewing the alien's immigration history in the ENFORCE Alien Removal Module (EARM) to determine possession of a Final Order, previous execution of a Final Order, age of a Final Order, and if the alien is likely removable.



- Logic for Determination of “Subject to Mandatory Detention”:

(b)(7)(e)



- The RCA solution will contain each of the Public Safety Factor considerations from the RCA worksheet.
- The solution will electronically calculate an alien's Risk to Public Safety ensuring consistency and accuracy.
- The Risk Classification Assessment will utilize the details of an alien's Criminal History currently manually entered into ERO systems via the Crime Entry Screen.
- Crime information is gathered via NCIC, IDENT/IAFIS, local state/county judicial systems as well as during the intake processing interview with the alien.
- The presence of open wants / warrants will be an additional factor in the assessment.



- The RCA solution proposes to utilize the Public Safety factors listed below from the alien's Criminal History (currently available via the Crime Entry Screen).
- The Risk to Public Safety will be based upon Convictions and Pending Charges. Dismissed and Overturned charges are excluded from the analysis.
- Each evaluation will exclude any charge(s) or conviction(s) previously scored in the Risk to Public Safety.
 - Severity of Charge/Conviction Associated with the ICE Encounter
 - If the Charge/Conviction Associated with the ICE Encounter is also identified as a Targeted Offense, the point value will be 7 points rather than 1 point.
 - Recidivist Charges/Convictions for DUI and Domestic Violence are named Targeted Offenses in the electronic solution
 - Single Most Serious Conviction in the Individual's Criminal History
 - Scoring supports a reduced rate of decay for high offense severities over time.
 - Additional Prior Convictions
 - History/Pattern of Violence – two or more arrests
 - For consistency in scoring, if two or more remaining charges map to violent charges, the RCA solution shall use the age of the most recent offense combined with a "High" Severity Offense Level to obtain the point value.



- The RCA solution will gather data on the following Public Safety Factors via manual data entry. This information is gathered currently through records searches (TECS/NCIC) as well as through the alien's intake processing interview.
 - Supervision History
 - RCA solution will manually capture an alien's supervisory history
 - Security Threat Group
 - RCA solution will manually capture the presence of a Security Threat Group (i.e., gang affiliation)
 - Open Wants and Warrants
 - The field believes an Open Want or Warrant is an indicator as to a propensity for violence.
 - RCA solution will manually capture if an alien has an Open Wants or Warrants, and if such exists, whether it is Violent or Non-violent in nature
 - If a Non-Violent Open Want or Warrant exists, 3 additional points will be added to the Risk to Public Safety Score.
 - If a Violent Open Want or Warrant exists, 5 additional points will be added to the Risk to Public Safety Score.



- The RCA solution team does not plan to remove any of the Flight Risk Factor considerations from the RCA worksheet.
- The solution will electronically calculate an alien's Risk of Flight ensuring consistency and accuracy.
- The solution will capitalize on existing data available in the ENFORCE Alien Removal Module (EARM) as well as manual data entry populated from information gathered during the intake processing interview.
- Two additional factors will be used in the Risk of Flight assessment:
 - Possession of a valid Government Issued Document from the Country of Citizenship
 - Possession of False Identifications



- The RCA solution will utilize information in the current system to address Flight Risk Factors via available EARM data:
 - Immigration Violations History (Encounter History Screen)
 - The solution will pre-populate the number of Voluntary Return and Voluntary Departures documented in EARM for the officer to review.
 - The officer may change the pre-populated values in the RCA solution if he/she determines the data populated is incorrect. Often recidivists, especially in border areas will have additional VRs issued by Border Patrol which are not in EARM.
 - Per feedback from the field, Voluntary Departures were included in the assessment. One or more VD will be scored as 5 points.
 - Case Status (Case Actions & Decisions Screen)
 - The RCA solution shall use the Case Category of the active EARM case to determine Case Status.



- The RCA solution will manually gather the following Flight Risk Factors via manual data entry from information gathered during the intake processing interview:
 - Substance Abuse
 - Home Stability
 - Ties to the Local Community
 - Valid Government Issued Document from the Country of Citizenship
 - The officer may manually denote in the solution if an alien possesses valid identification documentation issued by the alien's Country of Citizenship.
 - The presence of a valid identification will positively affect an alien's Risk to Flight.
 - False Identifications
 - The officer may manually input if an alien possesses false identification.
 - The alien will be scored based on the number of unique names for which they possess false identification.
 - The presence of false identification will negatively affect an alien's Risk to Flight.



- The RCA solution will utilize the Risk to Public Safety Score and Risk of Flight Score to make the following custody recommendations:
 - **Detain, In the Custody of this Service**
 - **Detain, Eligible for Bond**
 - The RCA solution requires an officer to complete the Public Safety **and** Flight Risk factors to calculate a bond amount.
 - Bond is calculated by combining the Risk to Public Safety Score and a plus or minus from the Risk to Flight Score, multiplied by \$1,000.
 - The supervisor can change the bond amount if desired.
 - **Officer to Determine – Detain or Release on Community Supervision**
 - The solution shall not make a detain or release recommendation for those aliens who score in the middle-range and could be candidates for either recommendation. The officer shall manually select a decision.
 - **Release on Community Supervision**



- Proposed logic for Detain or Release to Community Supervision Determination:

(b)(7)(e)



- The solution will utilize a modified version of the Risk to Public Safety score (does not use “Targeted Offenses”) and the number of Sustained Disciplinary Infractions involving violence or behavior representing a threat to the facility to make a detention custody classification recommendation.

(b)(7)(e)

(b)(7)(e)

RCA Solution will be based on four
levels of Custody Classification:

(b)(7)(e)



- The RCA solution proposes to utilize the Risk of Public Safety Score along with the Risk of Flight Score to recommend the following levels of “Community Supervision”:
 - **No Technology**
 - **Officer to Determine – No Technology or Technology**
 - The solution shall not recommend a technology or no technology recommendation for aliens who score in the middle-range and could be candidates for either recommendation. The officer shall manually select a decision.
 - **Technology**
 - Decision for telephonic monitoring, passive or active GPS is at the field office’s discretion.
 - The field shall also determine if the Technology managed by ICE or a contractor.



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment: Briefing for Council 118

June 16, 2011



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c), (b)(5)

13.ICE.FOIA.17862.000041

UNCLASSIFIED / PRE-DECISIONAL / FOUO



(b)(6), (7)(c), (b)(5)



Risk Classification Assessment: Subject to Mandatory Detention Screen

(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6), (7)(c)

(b)(6), (7)(c)

(b)(6), (7)(c), (b)(5)

13.ICE.FOIA.17862.000046

UNCLASSIFIED / PRE-DECISIONAL / FOUO



(b)(7)(e)

(b)(5)



(b)(7)(e)

(b)(6),(7)(c), (b)(5)



(b)(7)(e)

(b)(5)



(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(7)(e)

(b)(7)(e)



(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment: Briefing for IIDS Team

July 11, 2011



(b)(5)



(b)(5)



(b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c)



Risk Classification Assessment: Subject to Mandatory Detention Screen

(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(7)(e)

(b)(5)



(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(7)(e)

(b)(5)



(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)



(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)

13.ICE.FOIA.17862.000069



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment: NGO Directors Advisory Group Briefing

July 27, 2011



(b)(5)



(b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(6), (7)(c)

(b)(6), (7)(c)

(b)(6), (7)(c), (b)(5)



(b)(6),(7)(c)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c), (b)(5)

13.ICE.FOIA.17862.000077

UNCLASSIFIED / PRE-DECISIONAL / FOUO



(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(5)



(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment Final Order Logic - Change Request Scope Brief

August 9, 2011



OBJECTIVES

- Review the Detain or Release recommendation logic as defined in the current Risk Classification Assessment (RCA) business requirements.
- Review the proposed change to the Detain or Release recommendation logic as proposed by ODPP.
- Compare the potential outcomes of each approach to address ODPP concerns about how absconders will be handled in each approach
 - The permutations of the possible outcomes for each approach have been evaluated. It has been determined that in addition to (b)(7)(e) absconders, there are other situations where the solution's recommendation will change including:
 - (b)(7)(e) individuals on Community Supervision who have not absconded
 - Individuals released as a result of POCR who are deemed not removable in the reasonably foreseeable future
 - (b)(7)(e) Risk Absconders
- Identify and document a decision as to the status of the proposed scope Change Request.



(b)(7)(e)



• AFFECTED PERMUTATIONS FOR DETAIN / RELEASE RECOMMENDATION

Subject to Mandatory Detention (INA)	Possession of Final Order	Executed Final Order	Risk to Public Safety	Risk of Flight	Special Vulnerabilities	v1.7 Requirement Returned Recommendation Value	Proposed Requirement Update Returned Recommendation Value
No	Yes	No	(b)(7)(e)	Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Detain in the Custody of this Service	Detain in the Custody of this Service
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		Yes	Officer to Determine, Detain or Release	Release on Community Supervision	Release on Community Supervision
No	Yes	No		No	Officer to Determine, Detain or Release	Release on Community Supervision	Release on Community Supervision
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Detain in the Custody of this Service	Detain in the Custody of this Service
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Detain in the Custody of this Service	Detain in the Custody of this Service
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Detain in the Custody of this Service	Detain in the Custody of this Service
No	Yes	No		Yes	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release	Officer to Determine, Detain or Release
No	Yes	No		No	Officer to Determine, Detain or Release	Detain in the Custody of this Service	Detain in the Custody of this Service

* Per INA law, an alien is not eligible for bond if in possession of a Final Order.



• SUMMARY

- Impact seems to be at the outlying cases, for the majority of the permutations, the recommendation of “Officer to Determine, Detain or Release on Community Supervision” will still be presented to the officer for a more thoughtful review of the case file.
- Of the 144 permutations of the Detain/Release Decision
 - 18 permutations are related to the condition of a Final Order that has not yet been executed where the alien is not Subject to Mandatory Detention.

Recommendation	Current Logic	Proposed Logic
Detain, in the Custody of this Service	0	5
Detain, Eligible for Bond	n/a*	n/a*
Officer to Determine, Detain or Release	18	11
Release on Community Supervision	0	2

* Per INA law, an alien is not eligible for bond if in possession of a Final Order.



- The following four scenarios show how the RCA solution will make detain or release recommendations for alien's with Final Orders that have not yet been executed under the current and proposed logic.

(b)(7)(e)



(b)(7)(e)



- The Secure Communities Business Transformation team has communicated this potential change to the OCIO development team and has requested that they perform an analysis of what impacts to the cost and schedule this change would cause.
 - Initial feedback indicates that this change could likely be accommodated via the administration functionality of the Business Rules Engine and would not require any changes to the design of the RCA design
- In order to proceed, the RCA team requires confirmation from ICE, ODPP, ERO, and OPLA leadership whether the proposed change in logic is approved for inclusion in the RCA business requirement documentation.



- Appendix
 - Custodial Recommendation Overview
 - Scenario Overview
 - Original Mandatory Detention Logic (pre June 2011)



The RCA solution will make the following detain or release recommendations:

- **Detain, In the Custody of this Service**
 - Used for individuals who are not eligible for bond
- **Detain, Eligible for Bond**
 - The RCA solution requires an officer to complete the Public Safety **and** Flight Risk factors to calculate a bond amount.
 - Bond is calculated by combining the Risk to Public Safety Score and a plus or minus from the Risk to Flight Score, multiplied by \$1,000.
 - The supervisor can change the bond amount if desired.
- **Officer to Determine – Detain or Release on Community Supervision**
 - The solution shall not make a detain or release recommendation for those aliens who score in the middle-range and could be candidates for either recommendation. A supervisory officer shall manually select a decision after a review of the individual's total case.
- **Release on Community Supervision**
 - The RCA solution will enable the officer to execute discretion at all times throughout the Risk Classification Assessment process.
 - The solution supports the current operational process for an officer to make a decision outside of guidelines, with justification and supervisory approval.



(b)(7)(e)



U.S. Immigration and Customs Enforcement

Risk Classification Assessment: Appendix: Scenario A

(b)(7)(e)



(b)(7)(e)



(b)(7)(e)



(b)(7)(e)



(b)(7)(e)



(b)(7)(e)



(b)(7)(e)



- This Appendix contains the original Mandatory Detention Logic for the RCA solution which was changed as a result of the ICE Assistance Deputy Director Briefing on June 6, 2011.
 - The OPLA guidance provided during and after this meeting was that the many factors relating to the Final Order which include, age of Final Order, criminality of alien, and likelihood of removability created such a grey area that each individual case would require the officer, supervisor, and legal counsel to evaluate whether the alien is subject to mandatory detention and ultimately to be detained or released.
 - In order to ensure that each case is thoroughly reviewed, the RCA system will recommend “Officer to Determine – Detain or Release” for any individual with an existing un-executed Final Order of Removal.
 - The supervisor will have the opportunity to take into account all factors which could influence their ultimate detain or release decision.
 - These factors include, but are not limited to, date Final Order of Removal was issued, likelihood of removability, Risk to Public Safety Score, and Flight Risk Score.



- Mandatory Detention Determination Logic:

(b)(7)(e)



The following items were altered from the RCA worksheet to streamline the electronic RCA solution process:

- **Question 4.1** Is the individual subject to any provision requiring mandatory detention under the INA?
 - This information is available in current ERO systems once legal sufficiency has been determined by the officer, and OPLA if appropriate.
 - The solution will use the statutes, charges and allegations an officer enters into the Notice To Appear (NTA).
- **Question 4.3** Is an individual either a fugitive or re-entered after deportation?
- **Question 4.6** Should the individual be detained because he/she has a final order of removal and removal is significantly likely in the reasonably foreseeable future?
 - While neither question is asked by an officer during the intake interview, the data for both of these questions is evaluated by the solution for use in the determination for custody recommendation.
 - The RCA working group determined aliens possessing a Final Order may be subject to mandatory detention. The solution may determine requirements for mandatory detention by reviewing the alien's immigration history in the ENFORCE Alien Removal Module (EARM) to determine possession of a Final Order, previous execution of a Final Order, age of a Final Order, and if the alien is likely removable.



The following items were altered from the RCA worksheet to streamline the electronic RCA solution process:

- **Question 4.2** Is the individual a threat to national security?
 - Current operational process for handling these cases requires information be handled on a need-to-know basis.
 - The RCA solution team determined this question warranted use of existing specialized handling and is out of scope for evaluation by the solution.
- **Question 4.4** Is the individual subject to an active warrant?
 - Discussions with the RCA working group, specifically the field SMEs, determined that the presence of an open want or warrant is used by an officer when determining the Risk to Public Safety.
 - This question is still a data consideration, but will be evaluated as an element to the Risk to Public Safety assessment.
- **Question 4.5** Are there any public health reasons why the individual should be detained?
 - The RCA working group determined this question was covered in the Pre-Booking Health Screen Assessment.



- Proposed electronic capture for Mandatory Detention Determination Logic:

Home EABM RCA EADM EARM eTD Report Center Help Admin Logged In (b)(6),(7)(c) Logout | Preferences

RCA Header (see WF:RCA: Sub-Header for details about this area)

Alien Sub-Header with Risk Classification Assessment Snapshot (see WF:RCA: Sub-Header for details about this area)

(b)(6),(7)(c)

1

Summary Special Vulnerabilities **Mandatory Detention** Public Safety Factors Flight Risk Factors Final Decision

Mandatory Detention

2 Print

✓	Is the alien subject to any provision requiring mandatory detention under the INA? (info)	No
✓	Is the alien a re-entry after a previous removal order (executed final order)? (info)	No
✓	Is the alien's case in a final order of removal with the final order date within 90 days of the current date? (info)	No
✓	If the final order date is outside of 90 days of the current date, is the alien's removal likely in the reasonable foreseeable future? (info)	No

No Mandatory Detention

United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removals Division (ERO)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment: AFL-CIO/SEIU Briefing

March 20, 2012



(b)(5)



(b)(5)



(b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6), (7)(c)

(b)(6), (7)(c), (b)(5)



(b)(5)



U.S. Immigration and Customs Enforcement

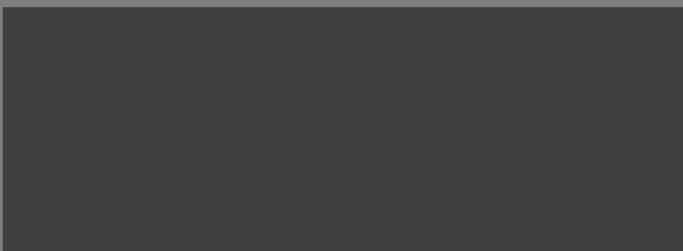
(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)

(b)(6),(7)(c)



(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)



U.S. Immigration
and Customs
Enforcement

Intake Risk Assessment Project Kick-off

January 25, 2011



(b)(7)(e)



U.S. Immigration and Customs Enforcement

(b)(7)(e)



U.S. Immigration and Customs Enforcement

(b)(7)(e)



U.S. Immigration and Customs Enforcement

(b)(5)



(b)(7)(e)



Intake Risk Assessment: Milestones and High Level Schedule

(b)(7)(e)



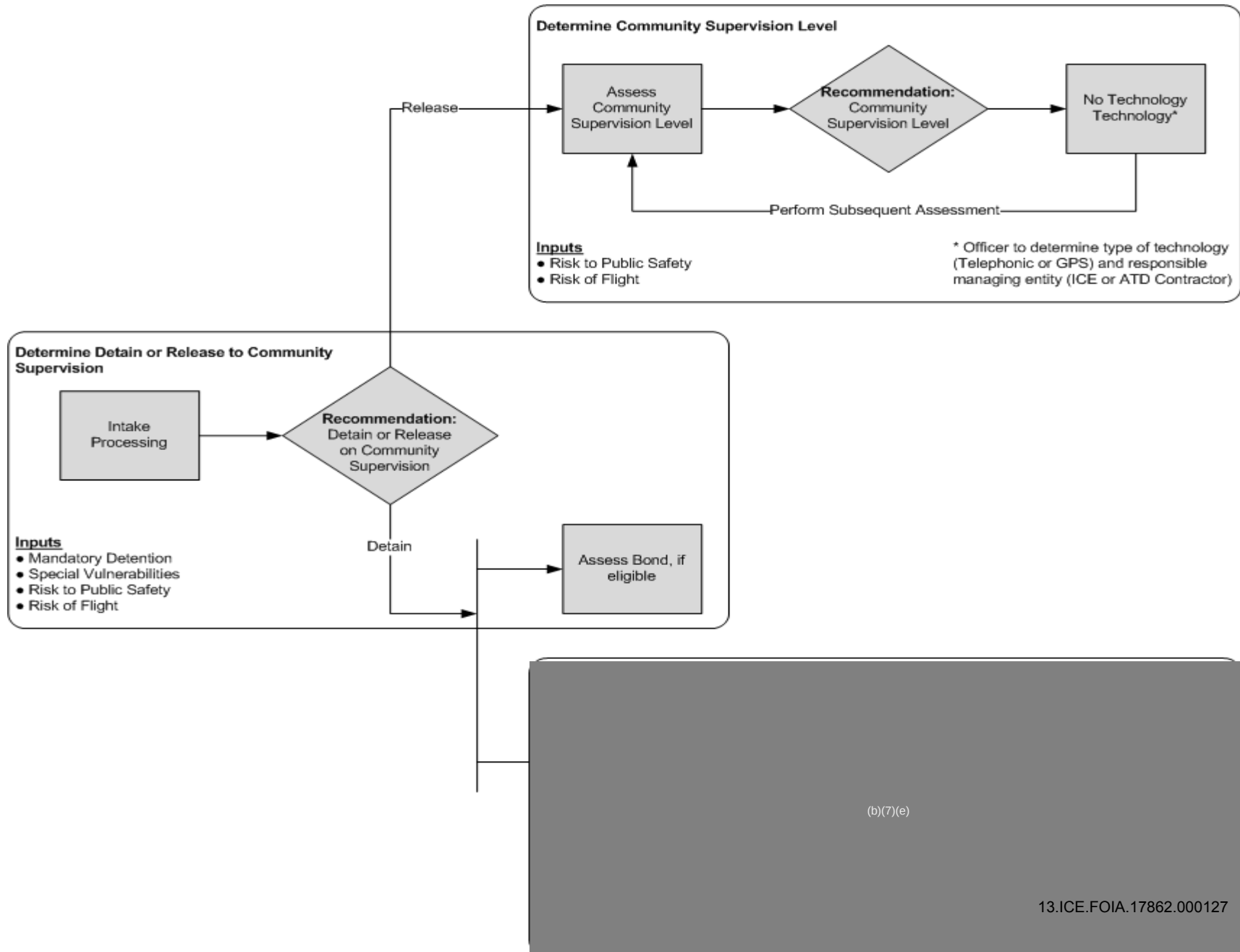
(b)(6),(7)(c)

(b)(7)(e)
(b)(6),(7)(c)

(b)(6),(7)(c)

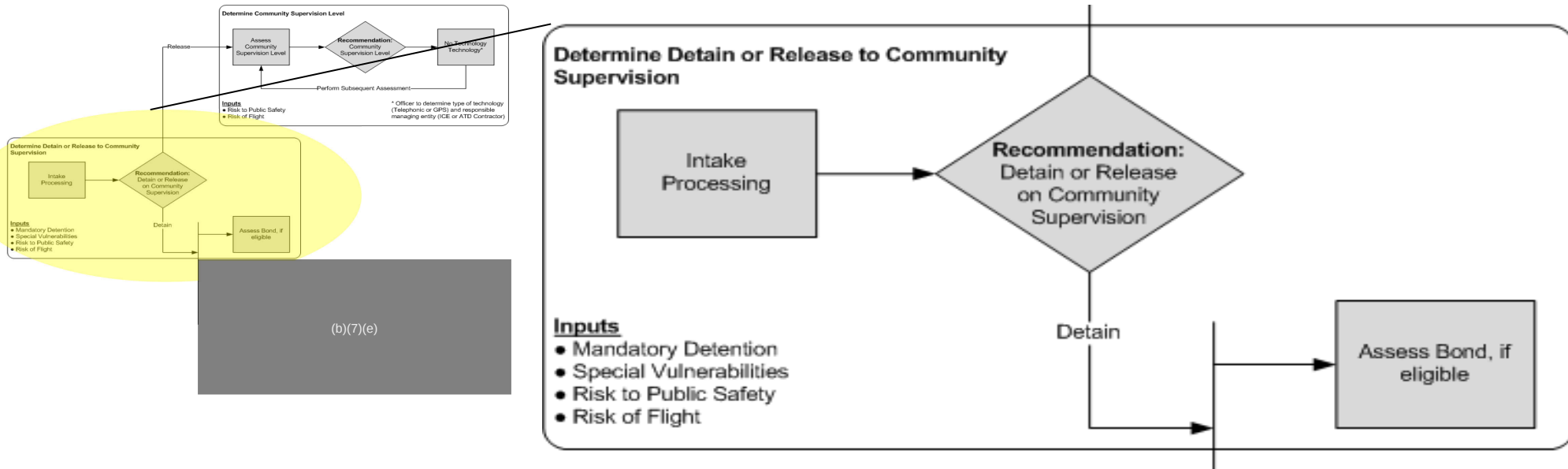


Risk Classification Assessment Process





Risk Classification Assessment Process



• Recommendation of Detain or Release

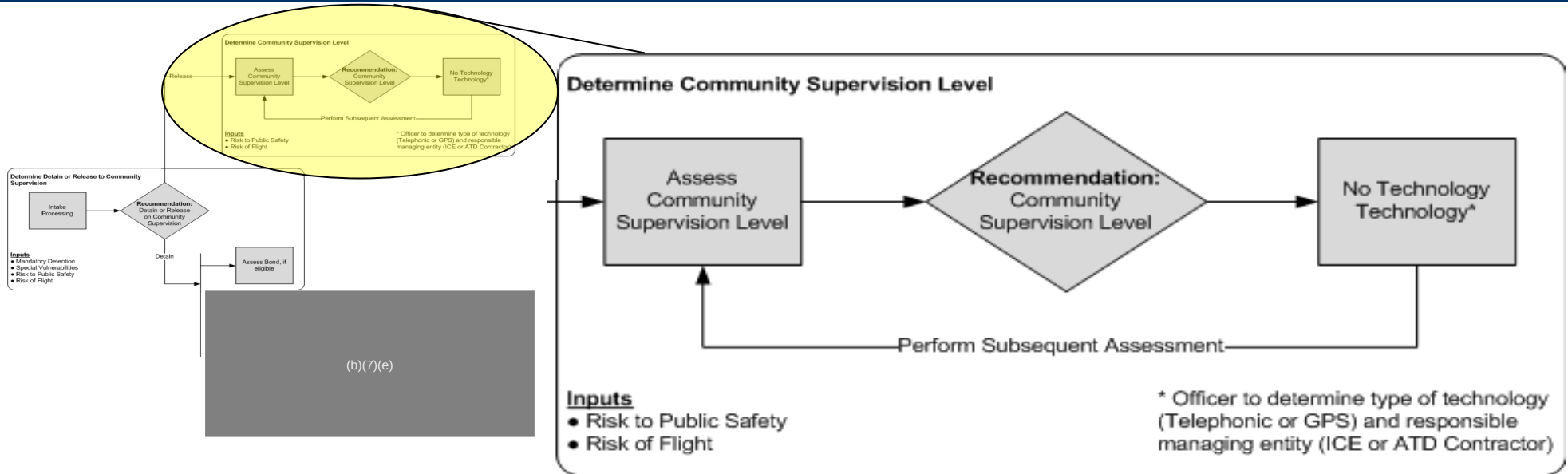
- Recommend Statutory Mandatory Detention if
 - Subject to Mandatory Detention
 - Final order, 90 Day Removal Period, and there is significant likelihood of removal in the reasonably foreseeable future (SLRRFF)

- Recommend Detain, Eligible for Bond if

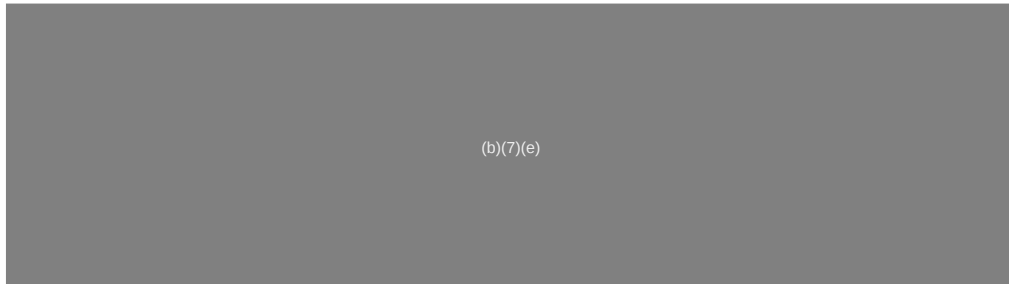
(b)(7)(e)

- Recommend Release on Community Supervision if

(b)(7)(e)

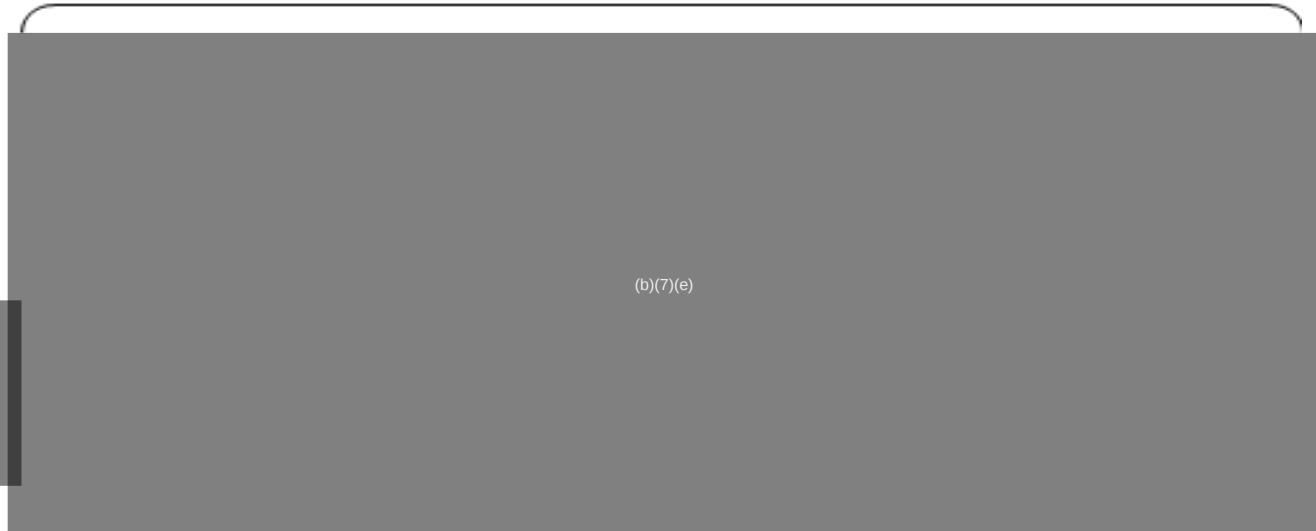
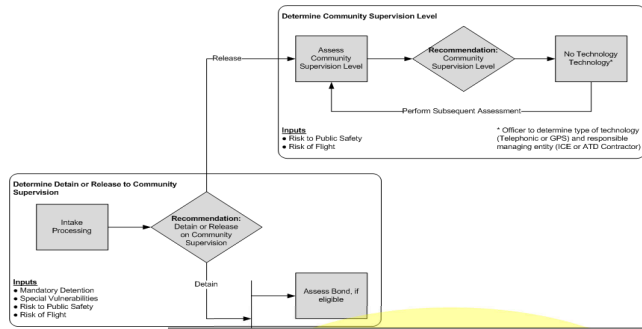


• Recommendation of Community Supervision Level





Risk Classification Assessment Process



• Recommendation of Custody Classification Level





- The following slides outline how the RCA solution will determine recommendations.
 - Data Requirements
 - Currently Captured in ENFORCE
 - Not Currently Captured in ENFORCE
 - Scoring Methodology
 - What factors are used to calculate each score
 - Recommendation Methodology
 - How scores are used to make recommendations
 - How non scoring factors are used to make recommendations



- Detention Considerations:
 - Currently Captured in ENFORCE – EABM and EARM
 - INA Charges from EABM
 - Encounter History from EARM
 - Country of Citizenship from EARM/EABM
 - These include:
 - Mandatory Detention will be determined depending on INA charge selected in EABM
 - In these cases, the recommendation will be Detain – Not Bond Eligible
 - Removability in the foreseeable future will be determined if Final Order of Removal exists and has been executed, or has not been executed and is less than 90 days old
 - If the alien is determined to be removable in the foreseeable future, the recommendation is Detain – Not Bond Eligible
 - If Final Order exists and has not been executed, and alien is from a country that removability is unlikely, recommendation is Release
 - New functionality will include a mapping of Removable Countries that an alien's Country of Citizenship will be compared to in order to make this determination



- Special Vulnerabilities:
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - These include:
 - Serious Physical Illness
 - Serious Mental Illness
 - Disability
 - Elderly (Defined as 74 or older)
 - Pregnant/Nursing
 - Sole Caretaking Responsibility
 - Victim of torture/persecution/abuse/violence/crime/trafficking
 - Risk based on sexual orientation/gender identity
 - Individuals with a Special Vulnerability will be recommended for Release



- Public Safety Risk Score:

- Criminal History Data

- Currently Captured in ENFORCE – Crime Entry Screen (CES)

- Charge(s)/Conviction(s) Related to the Encounter
 - Prior Charge(s)/Conviction(s) and disposition(s)

- New Functionality will include a mapping of NCIC charges to Severity Offense Level

(b)(7)(e)

(b)(7)(e)

- Scoring Factors Include:

- The most serious charge/conviction related to the encounter is scored based on severity
 - “Targeted Offenses” (currently DUI and Domestic Violence) are scored based on the number of charges/convictions in the alien’s criminal history – recidivists are given a score high enough to recommend Detain
 - The single most serious conviction is scored based on the severity and age of the crime
 - A crime of a higher severity level that occurred years in the past could be considered less serious than a lower severity crime that was more recent
 - Remaining convictions are scored based on the number of felonies and misdemeanors
 - The felony / misdemeanor determination is made by the length of sentence entered into CES (<12 months = felony)
 - “Violent Crime” charges are scored based on the number and age of the most recent
 - If two or more violent crime charges exist, a score is assigned based on the age of the most recent. The further in the past, the lower the score



- Public Safety Risk Score (cont):
 - Open Wants/Warrants
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - Wants/Warrants will be scored based on the most severe – Violent or Non-Violent
 - Supervision History
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If a prior instance of the following exist, a score will be assessed:
 - Walk-Away or attempted escape from a Non Secure Facility
 - Abscond
 - Bond Breach
 - Violation of prior VR departure order
 - Violation of condition of supervision
 - Revocation of Supervision
 - Escape or attempted escape from a Secure Facility
 - Gang Affiliation
 - TBD if existing capture in EABM can be utilized
 - Scoring Factors Include:
 - Gang: Yes or No – if yes, a score is assessed



- Flight Risk Score:
 - Prior Immigration History and Case Status
 - Currently Captured in ENFORCE – EARM
 - Prior encounter history of an individual
 - Case status of current EARM case
 - Scoring Factors Include:
 - A score is assigned based on the number of prior Voluntary Removals or Departures
 - If an immigration judge has ordered removal, but an appeal has been filed, score is reduced
 - If a final order exists with no pending appeals, score is increased
 - Substance Abuse History
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - A score is assigned depending on if the alien has a history of drug abuse or is a current user
 - Home Stability
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If an alien has lived at their address for over six months, score is reduced
 - If an alien lives with family members, score is reduced
 - If an alien has no stable address, score is increased



- Flight Risk Score (cont):
 - Ties to the Local Community
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If an alien has work authorization, or attends a school or training program, score is reduced
 - If an alien has a spouse, child, or other family member in the local community or a caretaker for a minor child, score is reduced
 - If an alien owns property or has considerable assets in the community, score is reduced
 - If an alien has a USC sponsor or is represented by an attorney, score is reduced
 - If an alien has no established family or community support, score is increased
 - Identification Documentation
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If an alien has valid identification (of any type), the score is reduced
 - If an alien has false identification (of any type), the score is increased depending on the number of identities (not pieces of ID)



- Detention Custody Score:
 - Certain aspects of the Public Safety Score are used
 - Number of Sustained Disciplinary Infractions
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - A score will be assessed depending on the number of disciplinary infractions an alien has while in custody



- Recommendations:
 - A Detain or Release Recommendation is made based on:
 - Does a Special Vulnerability Exist?
 - If so, Release
 - Does a Detention Consideration Exist?
 - If so, Detain – Not Bond Eligible
 - Score based recommendation:
 - A range of Public Safety and Flight Risk Scores will be designated as Detain or Release
 - Both scores will be assessed to determine a single recommendation
 - The recommendation will be based on which score results in the most restrictive option
 - If both scores recommend Release, the final recommendation is Release
 - If at least one score recommends Detain, the final recommendation is Detain – Bond Eligible
 - The scoring factors for Flight Risk Score are also used to calculate a recommended Bond Amount



- Recommendations (cont):

- If a Release recommendation is made, a Community Supervision Level recommendation is also made:
 - A range of Public Safety and Flight Risk Scores are designated as “No Technology” or “Technology”
 - The recommendation will be based on which score results in the most restrictive option
 - If both scores recommend No Technology, the final recommendation is No Technology
 - If at least one score recommends Technology, the final recommendation is Technology
 - A recommendation of Technology includes both Contractor (BI) managed technology monitoring and ICE managed technology monitoring
 - Telephonic and/or GPS
 - Local ATD considerations will dictate whether a released alien on technology will be contractor of ICE managed. These considerations can include:
 - Number of ATD slots available
 - Distance alien lives from BI office
 - Use of ICE managed technology monitoring



- Recommendations (cont):

- If a Detain recommendation is made, a Detention Level recommendation is also made:
 - A range of Custody Classification Scores are designated as:



- The operational and technical impacts of this recommendation will be determined in the near future. If the current structure is left in place, the range for Custody Classification Scores will be altered to reflect three levels.

- Note: *The ability for an officer to exercise discretion will be maintained throughout the process. When necessary, the officer will be able to make detain or not detain, custody classification level, and community supervision level decisions which override the Risk Classification Assessment recommendations.*



- Re-Evaluation Details

- An alien can be re-evaluated at any time to determine new recommendations for detain/release, custody level, and community supervision level
- Factors that may change a score include:
 - Public Safety Score can change over time
 - Additional charges/convictions may be added to the alien's criminal history that were not known at time of intake
 - Convictions may age enough to change the scoring associated with the offense
 - Additional Supervision History infractions can occur after initial intake
 - Flight Risk Score can change over time
 - Additional Home Stability and Ties to the Local community factors can be discovered after intake
 - Case Status will change after intake as case progresses through proceedings
 - Detention Custody Score
 - Additional Disciplinary infractions can occur while in custody

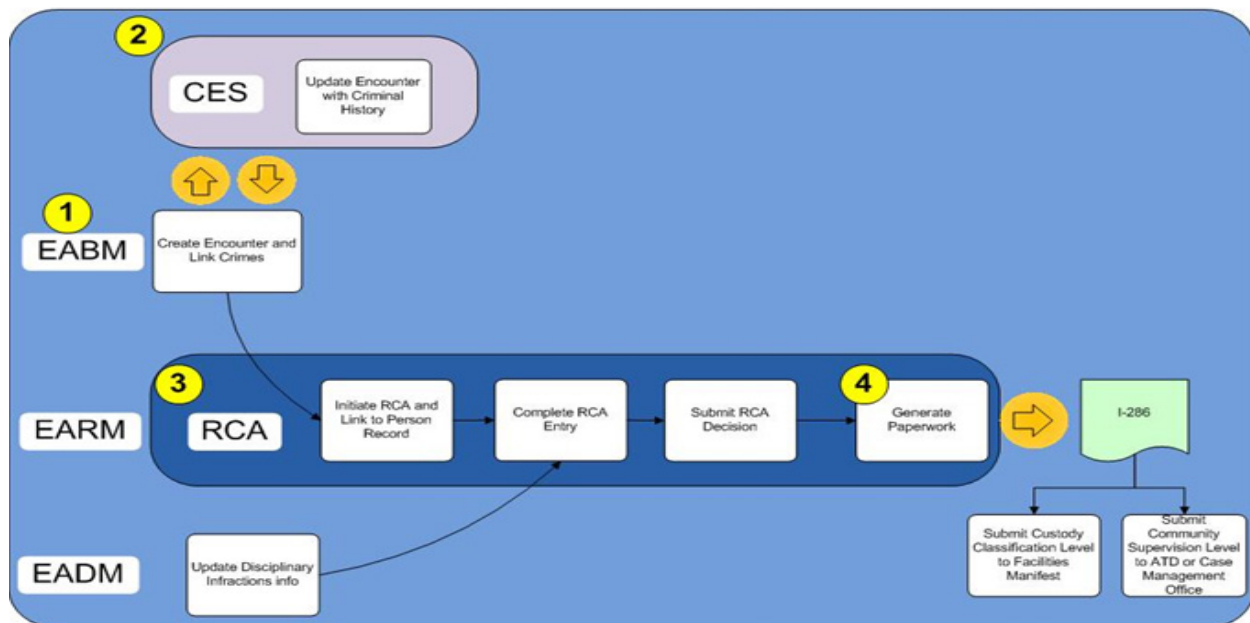
- Reporting Needs

- Reporting Requirements are currently being gathered, but will likely include:
 - Operational:
 - Field will be able to view the recommendations made by the solution for all aliens on both the detained and non-detained docket in order to make bed space, bond, and community supervision decisions
 - Analytical:
 - The scoring methodology will be analyzed once the solution is deployed to validate and modify, if necessary, the scoring ranges that determine each recommendation



Helpful Hints when Starting an RCA for Detain/Release Decision:

The following chart illustrates the RCA System Workflow and the ENFORCE/EARM modules it interacts with:



ENFORCE/EABM:

(b)(7)(e)

(b)(7)(e)

Helpful Hints for Supervisory Approval for Detain/Release Decisions in RCA

1. Begin RCA by searching in EARM using either the Alien Number or Subject ID. Click on the Subject ID once the results are returned and then select the RCA header to enter the module.
2. Click on the **RCA Recommendation/Decision** tab. Review the RCA recommendations in the “Current Risk Classification State” box. Remember that the supervisor may override any RCA recommendation at his or her discretion.
 - a. Click on any RCA tab to review the individual data fields selected by the submitting officer.
 - b. Click the green Complete Approval button. After clicking Complete Approval, RCA takes the supervisor to a new page. Click Continue.
 - i. Agree or Disagree with the recommended RCA decision (not with whether the supervisor agrees or disagrees with the submitting user). If the supervisor disagrees, he/she must select a new decision from the drop down list.
 - ii. If the recommendation is “Detain, Bond Eligible” and the supervisor agrees with this decision, RCA will also recommend a bond amount. Agree or Disagree with the amount. If the supervisor disagrees with the bond amount, he/she must enter a new numeric amount.
 - iii. Enter comments if desired (required by RCA in some cases depending on the recommendation and situation). Click the Decision Affirmed box, and the green Submit button at the bottom of the page.
3. Remember that a supervisor may NOT approve his or her own initial submission. If a supervisor submits an RCA decision, another supervisor in the same DCO must approve the decision. Best practice suggests asking an officer to make any required edits to the subject and then re-submitting for approval so that more than one supervisor is not required.
 - a. A user’s DCO may be updated via the “Preferences” link at the top right hand corner of EARM.
 - b. Any user may be granted a supervisory role when necessary (e.g. due to leave, detail, etc) by the field office’s UAM moderator.



(b)(6),(7)(c), (b)(7)(e)

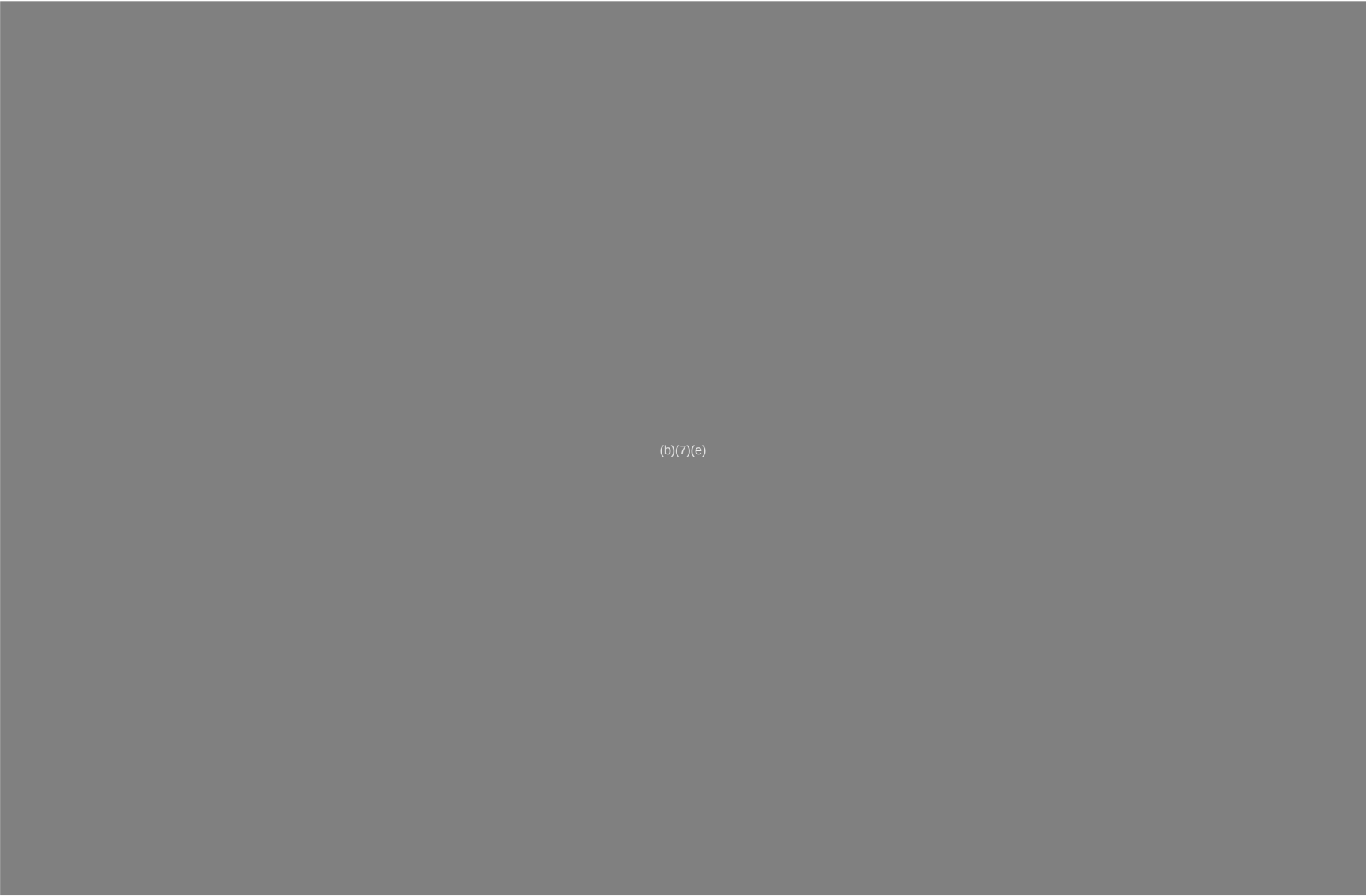


U.S. Immigration
and Customs
Enforcement

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)



(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e), (b)(6),(7)(c)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(k)(2),(b)(6),(7)(c)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c), (b)(7)(e)

(b)(6),(7)(c) , (b)(5)

This message is sent on behalf of Gary Mead, Executive Associate Director.

To: All ERO Employees

Subject: Risk Classification Assessment

In July 2012, Enforcement and Removal Operations (ERO) began the phased deployment of the Risk Classification Assessment (RCA) module within the Enforce Alien Removal Module (EARM) application suite.

The RCA module aids ERO personnel in making consistent custody and classification decisions by automating the review of an alien's biographic information, criminal history, immigration history, and other factors related to determining an alien's potential risk to the community and risk of flight. RCA provides an initial recommendation on whether to detain or release an alien, custody classification level if detained, or level of community supervision if released.

While RCA generates recommendations based on the data provided, ERO officers and agents may always record disagreement and override RCA's recommended action. The final decision rests with the ICE Supervisory Detention and Deportation Officer. The RCA scoring methodology is configurable, and will evolve based on the feedback provided by ICE officers, agents, and supervisory officers. RCA also produces reports designed to assist ERO in bed-space management and the identification of vulnerable populations within the ICE detention system.

Once the RCA is activated in their respective AOR, field offices are responsible to complete the RCA as early in the processing phase as possible. This shall include aliens arrested by other agencies or components and transferred to ERO custody, except as described below.

Officers/Agents are not required to complete an RCA for any alien for whom detention is mandatory and whose departure or removal will likely occur within five days. Officers/ Agents are not required to complete an RCA for any alien detained on behalf of another agency or component (Room and Board cases).

The aforementioned exemptions do not relieve officers and agents from reporting the arrest of vulnerable aliens to supervisory personnel for custody consideration as outlined in ICE directive titled "[Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens](#)".



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment (RCA) Overview

2013



(b)(7)(e)



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment (RCA) NGO Presentation

September 20, 2012



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration and Customs Enforcement

(b)(5)



(b)(5)



(b)(5)



(b)(5)



(b)(5)



(b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(7)(e)



(b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

2),(b)(7

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment (RCA) Overview for UNHCR Roundtable

September 25, 2012



U.S. Immigration and Customs Enforcement

(b)(5)



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment Project Briefing

April 25th, 2011



- History
- ODPP Goals
- RCA Project Goals
- RCA High Level Process
- RCA Methodology
- Project Objectives
- Technical and Operational Impacts
- Milestones and High Level Schedule
- Current Status and Accomplishments to Date
- Issues for Discussion with STU Management
- Integrated Project Team Resources
- Data Inputs for Scoring and Recommendations
- Questions



- Office of Detention Policy and Planning (ODPP) studied ICE ERO operations to evaluate the effectiveness of detention custody decisions
- Results of the study found that ERO was:
 - Not taking advantage of risk classification methodologies used at most other law enforcement agencies
 - Inconsistent in the process the field offices used to make custody decisions
 - A variety of existing forms and tools are currently used to support the custody decision process
 - I-213, I-265, I-286, Bond Determination Worksheet, Primary and Secondary Assessment Form
 - Process varies from field office to field office and decisions are made based on local operating procedures
- ODPP was tasked with creating a risk classification assessment *methodology* based on current industry standard risk assessment techniques to standardize the custody decision making process across all ERO field offices



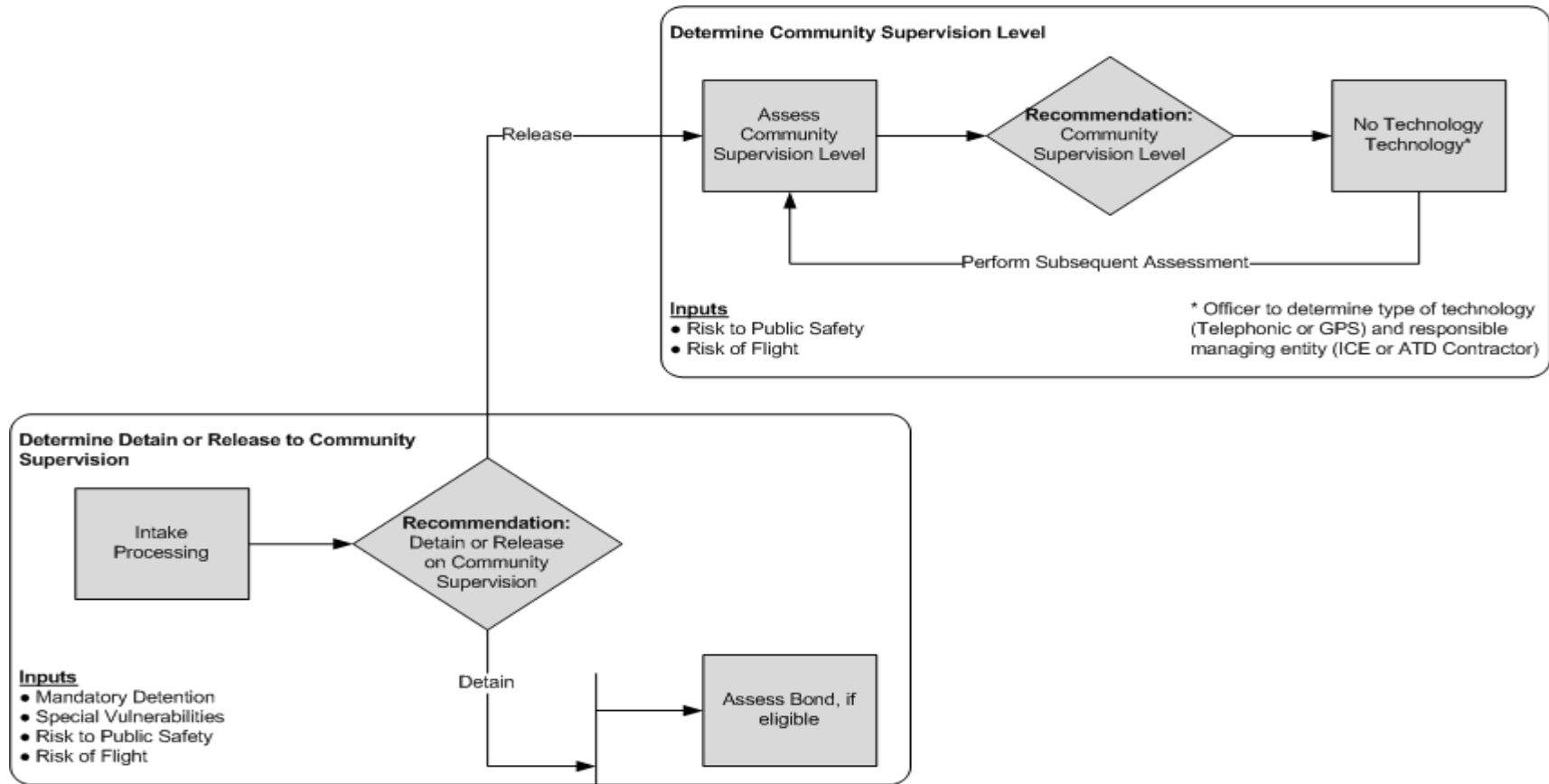
- ODPP Team developed a Risk Classification Assessment framework with the goals of optimizing public safety by:
 - Implementing modern methodologies that use risks of harm (public safety) and flight (flight factors) to make detention decisions and
 - Increase standardization and transparency in the custody determination process
- This framework provides the ability to generate custody recommendations at time of intake and at other points during the alien's detention lifecycle
- The original Risk Classification Assessment developed by ODPP is a paper-based evaluation form that leverages a scoring methodology to assist with the following decisions:
 - Whether an individual should be detained or released on community supervision
 - If detained, the custody classification level
 - If released, the community supervision level



- Integrating the functionality of the ODPP Risk Classification Assessment paper-based evaluation form into ERO operations by:
 - Modifying existing ERO intake and custody determination processes and policies
 - Updating relevant systems (ENFORCE) with functionality to generate custody recommendations based on risk assessment methodologies
- The RCA solution within ENFORCE will use a scoring methodology to generate the following recommendations during the intake and subsequent assessment process:
 - Detain or Release
 - Detain (in the Custody of This Service), Detain (Bond Eligible), Release
 - Custody Classification Level, if detained
 - (b)(7)(e)
 - Community Supervision Level, if released
 - No Technology, Technology
 - Officer to determine type of technology (Telephonic or GPS) and responsible managing entity (ICE or ATD Contractor)
- **The ability for an officer to exercise discretion will be maintained throughout the process. When necessary, the officer will be able to make detain or not detain, custody classification level, and community supervision level decisions which override the Risk Classification Assessment recommendations.**



Risk Classification Assessment Process



(b)(7)(e)



- The following factors are used first to determine custody recommendation:
 - Considerations to Detain (in the Custody of this Service)
 - Subject to Mandatory Detention
 - Final order, 90 Day Removal Period, and likelihood of removal in the reasonably foreseeable future
 - Considerations to Release on Community Supervision
 - Special Vulnerabilities
 - Serious Physical Illness
 - Serious Mental Illness
 - Disability
 - Elderly
 - Pregnant / Nursing
 - Sole Caretaking Responsibility
 - Victim of torture / persecution / abuse / violence / crime / trafficking
 - Risk based on sexual orientation / gender identity



- If a custody recommendation is not made based on mandatory detention and special vulnerability considerations (prior slide), a recommendation is made based on calculations of the following Public Safety Risks and Flight Risks:
 - Public Safety Factors
 - Criminal History
 - Open Wants / Warrants
 - Supervision History
 - Gang Affiliation
 - Custody Disciplinary Infractions (Used for Detention Custody Classification Level)
 - Flight Factors
 - Immigration Violation History
 - Home Stability
 - Ties to the Local Community
 - Substance Abuse History
 - Immigration History and Case Status
 - Identity documentation (valid vs. falsified)



- Document the current ERO intake and custody determination process
 - Understand current custody decision points, information used, forms completed, systems accessed, and reports generated
- Update ENFORCE (EABM, EARM, EADM) to:
 - Enable the capture of information required to make a recommendation that is not currently collected in the system
 - Make initial custody recommendations based on the risk classification methodology
 - Enable subsequent custody recommendations based on changes to the alien's information (e.g. additional convictions, failure to appear, etc.)
 - Capture actions taken by ERO officer after receiving custody recommendations as well as justification for use of officer discretion to override custody recommendations



- Operational Impacts:
 - Impacts existing policies and forms
 - Primary and Secondary Assessment Forms currently used for custody level determination will be replaced by the RCA Solution
 - Existing policies guiding Mandatory Detention, Special Vulnerabilities, Targeted Offenses, etc will be required to be modified or created
 - Revised Detention Standards currently being created will be impacted
 - Modification of existing standard operating procedures (SOPs)
 - ERO Processing Guide will require updates to reflect changes made to operational systems to accommodate the RCA Solution
 - Training curriculum for current staff and Academy/FLETC
 - Implementation will require training of all operational personnel in the field
 - Reinforces need for accurate and complete alien criminal history (via CES)
 - Complete criminal history for an alien is required to accurately make custody recommendations



- Technical Impacts:
 - Updates to EID, IIDS, and all modules of ENFORCE
 - ENFORCE modules require changes to capture the data needed to make custody recommendations
 - Modules will require both visual (interface) updates as well as logic programming to calculate scores used for custody recommendations
 - EID will change to store new assessment data
 - IIDS will change to enable reporting on new information



- System Analysis and Requirements Definition Phase
 - January 2011 – June 2011
 - San Antonio AOR Site Visit
 - Document Current State Intake Assessment Process
 - Define Future State Intake Assessment Process
 - Business Requirement Documentation
 - Finalize Functional and Technical Requirements
 - Submit Requirements for Approval
- System Design Phase
 - June 2011 – July 2011
 - Finalize Functional Design Documentation
 - Finalize Technical Design Documentation
- System Development Phase
 - July 2011 – September 2011
 - Complete Development of Functioning Application



- System Testing Phase
 - September 2011 – November 2011
 - Develop testing approach and plan
 - Contractor Testing (FQT), Government Testing (UAT, SAT)
 - Identify Deployment Sequence and Schedule
 - Develop Training Curriculum & Materials
- System Implementation Phase
 - November 2011 – January 2012
 - Obtain Finalized Approval on all Policy and Procedural Updates
 - Finalize Communication and Change Management Plan
 - Conduct Training (Train-the-Trainer and User)
 - Obtain all Approvals for Go-Live (e.g. C&A, PIA, ATO)
 - Conclude Nation-Wide Deployment by January 2012
 - Post-production Support and Validation



- **Fall 2010:** ODPP Team completed Site Visits to San Diego, Miami, Baltimore, and Washington Field Offices in the development of the Risk Classification Assessment Methodology
- **Feb 2011:** RCA Project Team completed Site Visits to San Antonio and Baltimore Field Offices to document the current state process
- **Mar – Apr 2011:** RCA Project Team is currently developing Future State processes:
 - Detain or Release Recommendation at Intake
 - Determine Public Safety Score
 - Determine Flight Risk Score
 - Detention Custody Level Recommendation if Detained at Intake
 - Community Supervision Level Recommendation if Released at Intake
 - Re-Evaluation of Detention Custody Level Recommendation
 - Re-Evaluation of Community Supervision Level Recommendation
 - Calculation of Bond Amount, if alien is bond eligible
- **Mar – Apr 2011:** RCA Project Team is currently developing prioritized business requirements
 - Determine what requirements are required for the core release of RCA
 - Determine what requirements can be deferred for future releases



(b)(6),(7)(c)



- Detention Considerations:
 - Currently Captured in ENFORCE – EABM and EARM
 - INA Charges from EABM
 - Encounter History from EARM
 - Country of Citizenship from EARM/EABM
 - These include:
 - Mandatory Detention will be determined depending on INA charge selected in EABM
 - In these cases, the recommendation will be Detain – Not Bond Eligible
 - Removability in the foreseeable future will be determined if Final Order of Removal exists and has been executed, or has not been executed and is less than 90 days old
 - If the alien is determined to be removable in the foreseeable future, the recommendation is Detain – Not Bond Eligible
 - If Final Order exists and has not been executed, and alien is from a country that removability is unlikely, recommendation is Release
 - New functionality will include a mapping of Removable Countries that an alien's Country of Citizenship will be compared to in order to make this determination



- Special Vulnerabilities:
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - These include:
 - Serious Physical Illness
 - Serious Mental Illness
 - Disability
 - Elderly (Defined as 74 or older)
 - Pregnant/Nursing
 - Sole Caretaking Responsibility
 - Victim of torture/persecution/abuse/violence/crime/trafficking
 - Risk based on sexual orientation/gender identity
 - Individuals with a Special Vulnerability will be recommended for Release



- Public Safety Risk Score:

- Criminal History Data

- Currently Captured in ENFORCE – Crime Entry Screen (CES)

- Charge(s)/Conviction(s) Related to the Encounter
 - Prior Charge(s)/Conviction(s) and disposition(s)

- New Functionality will include a mapping of NCIC charges to Severity Offense Level

(b)(7)(e)

(b)(7)(e)

- Scoring Factors Include:

- The most serious charge/conviction related to the encounter is scored based on severity
 - “Targeted Offenses” (currently DUI and Domestic Violence) are scored based on the number of charges/convictions in the alien’s criminal history – recidivists are given a score high enough to recommend Detain
 - The single most serious conviction is scored based on the severity and age of the crime
 - A crime of a higher severity level that occurred years in the past could be considered less serious than a lower severity crime that was more recent
 - Remaining convictions are scored based on the number of felonies and misdemeanors
 - The felony / misdemeanor determination is made by the length of sentence entered into CES (<12 months = felony)
 - “Violent Crime” charges are scored based on the number and age of the most recent
 - If two or more violent crime charges exist, a score is assigned based on the age of the most recent. The further in the past, the lower the score



- Public Safety Risk Score (cont):
 - Open Wants/Warrants
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - Wants/Warrants will be scored based on the most severe – Violent or Non-Violent
 - Supervision History
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If a prior instance of the following exist, a score will be assessed:
 - Walk-Away or attempted escape from a Non Secure Facility
 - Abscond
 - Bond Breach
 - Violation of prior VR departure order
 - Violation of condition of supervision
 - Revocation of Supervision
 - Escape or attempted escape from a Secure Facility
 - Gang Affiliation
 - TBD if existing capture in EABM can be utilized
 - Scoring Factors Include:
 - Gang: Yes or No – if yes, a score is assessed



- **Flight Risk Score:**
 - **Prior Immigration History and Case Status**
 - **Currently Captured in ENFORCE – EARM**
 - Prior encounter history of an individual
 - Case status of current EARM case
 - **Scoring Factors Include:**
 - A score is assigned based on the number of prior Voluntary Removals or Departures
 - If an immigration judge has ordered removal, but an appeal has been filed, score is reduced
 - If a final order exists with no pending appeals, score is increased
 - **Substance Abuse History**
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - **Scoring Factors Include:**
 - A score is assigned depending on if the alien has a history of drug abuse or is a current user
 - **Home Stability**
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - **Scoring Factors Include:**
 - If an alien has lived at their address for over six months, score is reduced
 - If an alien lives with family members, score is reduced
 - If an alien has no stable address, score is increased



- Flight Risk Score (cont):
 - Ties to the Local Community
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If an alien has work authorization, or attends a school or training program, score is reduced
 - If an alien has a spouse, child, or other family member in the local community or a caretaker for a minor child, score is reduced
 - If an alien owns property or has considerable assets in the community, score is reduced
 - If an alien has a USC sponsor or is represented by an attorney, score is reduced
 - If an alien has no established family or community support, score is increased
 - Identification Documentation
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - If an alien has valid identification (of any type), the score is reduced
 - If an alien has false identification (of any type), the score is increased depending on the number of identities (not pieces of ID)



- Detention Custody Score:
 - Certain aspects of the Public Safety Score are used
 - Number of Sustained Disciplinary Infractions
 - Not Currently Captured in ENFORCE, so new data entry capability required
 - Scoring Factors Include:
 - A score will be assessed depending on the number of disciplinary infractions an alien has while in custody



- Recommendations:
 - A Detain or Release Recommendation is made based on:
 - Does a Special Vulnerability Exist?
 - If so, Release
 - Does a Detention Consideration Exist?
 - If so, Detain – Not Bond Eligible
 - Score based recommendation:
 - A range of Public Safety and Flight Risk Scores will be designated as Detain or Release
 - Both scores will be assessed to determine a single recommendation
 - The recommendation will be based on which score results in the most restrictive option
 - If both scores recommend Release, the final recommendation is Release
 - If at least one score recommends Detain, the final recommendation is Detain – Bond Eligible
 - The scoring factors for Flight Risk Score are also used to calculate a recommended Bond Amount

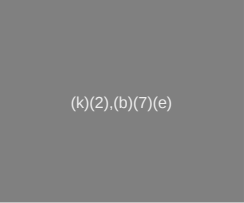


- Recommendations (cont):

- If a Release recommendation is made, a Community Supervision Level recommendation is also made:
 - A range of Public Safety and Flight Risk Scores are designated as “No Technology” or “Technology”
 - The recommendation will be based on which score results in the most restrictive option
 - If both scores recommend No Technology, the final recommendation is No Technology
 - If at least one score recommends Technology, the final recommendation is Technology
 - A recommendation of Technology includes both Contractor (BI) managed technology monitoring and ICE managed technology monitoring
 - Telephonic and/or GPS
 - Local ATD considerations will dictate whether a released alien on technology will be contractor of ICE managed. These considerations can include:
 - Number of ATD slots available
 - Distance alien lives from BI office
 - Use of ICE managed technology monitoring



- Recommendations (cont):

- If a Detain recommendation is made, a Detention Level recommendation is also made:
 - A range of Custody Classification Scores are designated as:
 -  (k)(2),(b)(7)(e)
 -
 -
 -
 - Currently, the business requirement for ODPP is that there be 4 levels of detention custody classification levels, instead of the existing 3
 - The operational and technical impacts of this recommendation will be determined in the near future. If the current structure is left in place, the range for Custody Classification Scores will be altered to reflect three levels.

- Note: *The ability for an officer to exercise discretion will be maintained throughout the process. When necessary, the officer will be able to make detain or not detain, custody classification level, and community supervision level decisions which override the Risk Classification Assessment recommendations.*



- Re-Evaluation Details

- An alien can be re-evaluated at any time to determine new recommendations for detain/release, custody level, and community supervision level
- Factors that may change a score include:
 - Public Safety Score can change over time
 - Additional charges/convictions may be added to the alien's criminal history that were not known at time of intake
 - Convictions may age enough to change the scoring associated with the offense
 - Additional Supervision History infractions can occur after initial intake
 - Flight Risk Score can change over time
 - Additional Home Stability and Ties to the Local community factors can be discovered after intake
 - Case Status will change after intake as case progresses through proceedings
 - Detention Custody Score
 - Additional Disciplinary infractions can occur while in custody

- Reporting Needs

- Reporting Requirements are currently being gathered, but will likely include:
 - Operational:
 - Field will be able to view the recommendations made by the solution for all aliens on both the detained and non-detained docket in order to make bed space, bond, and community supervision decisions
 - Analytical:
 - The scoring methodology will be analyzed once the solution is deployed to validate and modify, if necessary, the scoring ranges that determine each recommendation





U.S. Immigration
and Customs
Enforcement

RCA Overview:

Field Operations Briefing



(b)(5)



(b)(5)



(b)(5)



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration and Customs Enforcement

(b)(5)

13.ICE.FOIA.17862.000271

UNCLASSIFIED / PRE-DECISIONAL / FOUO



(b)(5)



U.S. Immigration
and Customs
Enforcement

RCA System Overview

FY13 Q2



(b)(5)



(b)(5)



RCA in Relation to the Booking Process

(b)(7)(e)

(b)(5)



U.S. Immigration and Customs Enforcement

(b)(5)



(b)(5)



(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



(b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(k)(2),(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c)



U.S. Immigration
and Customs
Enforcement

Background Information



(b)(5)



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration
and Customs
Enforcement

RCA System Version 1.1 Screenshots

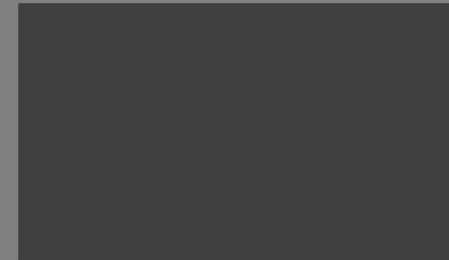
FY13 Q1



(b)(5)



RCA in Relation to the Booking Process



(b)(5)



(b)(5)



(b)(6),(7)(c)

(b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(5)



U.S. Immigration and Customs Enforcement

(b)(6),(7)(c)

(b)(5), (b)(6),(7)(c)

(b)(6),(7)(c)

(b)(7)(e)

(b)(5), (b)(6),(7)(c)

(b)(6),(7)(c)



(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(6),(7)(c)



(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)



(b)(6),(7)(c)

(b)(6),(7)(c)

(b)(6),(7)(c), (b)(5)

(b)(7)(e)

(b)(7)(e)

(b)(6),(7)(c)

(b)(7)(e)

(b)(6),(7)(c)



RCA Automated Solution Process Description

(b)(5)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment (RCA)

January 2013



(b)(5)



(b)(5)



U.S. Immigration and Customs Enforcement

(b)(5)



(b)(7)(e)



(b)(5)



Override rates for aliens with a history of DUI* are displayed in the following table:

RCA Detain or Release Override Rates for Aliens with DUI				
AOR	Count of RCA Detain/Release Decisions	% Supervisor Disagree	% Sup Disagree, DEB to DCS Override	% Sup Disagree, Other Overrides
BAL	85	9.4%	9.4%	0.0%
WAS	558	45.3%	40.6%	4.7%
ELP	43	23.3%	23.3%	0.0%
PHI	84	17.9%	16.7%	1.2%
SEA	189	43.4%	42.3%	1.1%
DEN	95	15.8%	15.8%	0.0%
SLC	63	15.9%	15.9%	0.0%
SNA	127	17.3%	12.6%	4.7%
CHI	123	13.8%	13.8%	0.0%
LOS	118	40.7%	27.1%	13.6%
SFR	80	28.8%	18.8%	10.0%
Total	1565	32.1%	28.3%	3.8%

This table includes RCA Detain/Release decisions from 7/30/12 – 12/28/12 for aliens who:

- Have a DUI/DWI conviction in their criminal history or a DUI/DWI Encounter Causing charge and in some instances may have additional criminal history.
- Were not Subject to Mandatory Detention per Statutes and Allegations at time of RCA Decision
- Not in a Final Order of Removal Status (no prior executed or unexecuted FO at time of RCA Decision)
- Not classified as an Expedited Removal (not removed as a ER after RCA decision or currently have an active ER case as of 1/14/13)

* Some field offices do not offer bond to aliens w/DUI/DWI in their criminal record.



RCA Custody Classification Override Rates

(b)(5)



(b)(7)(e)

(b)(7)(e)

(b)(7)(e)

(b)(5)



(b)(5)



(b)(5)



(b)(5)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment (RCA)

August 2012



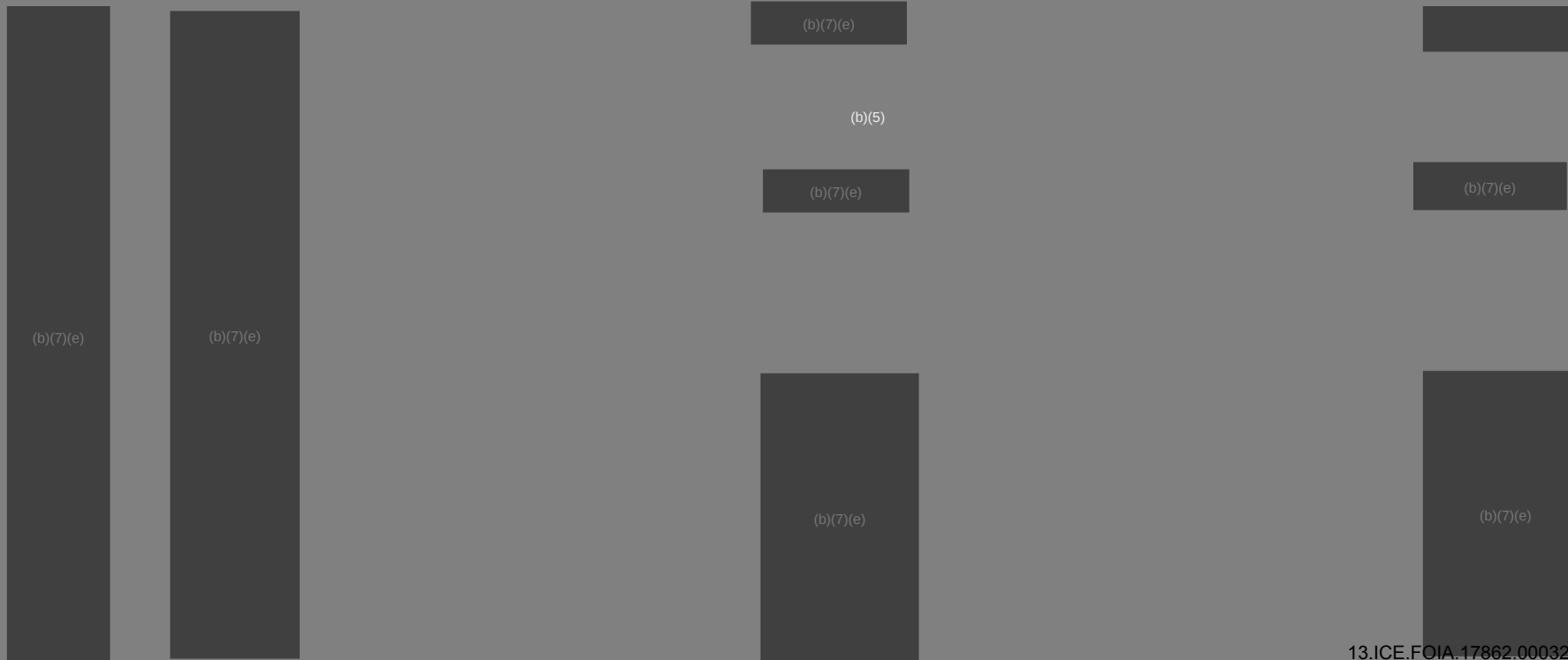
(b)(5)



(b)(5)



(b)(5)





(b)(6),(7)(c)

(b)(5)

(b)(7)(e)

(b)(7)(e)



(b)(6),(7)(c)

(b)(5)

(b)(7)(e)



U.S. Immigration and Customs Enforcement

(b)(5)



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment Project Overview

May 10, 2011



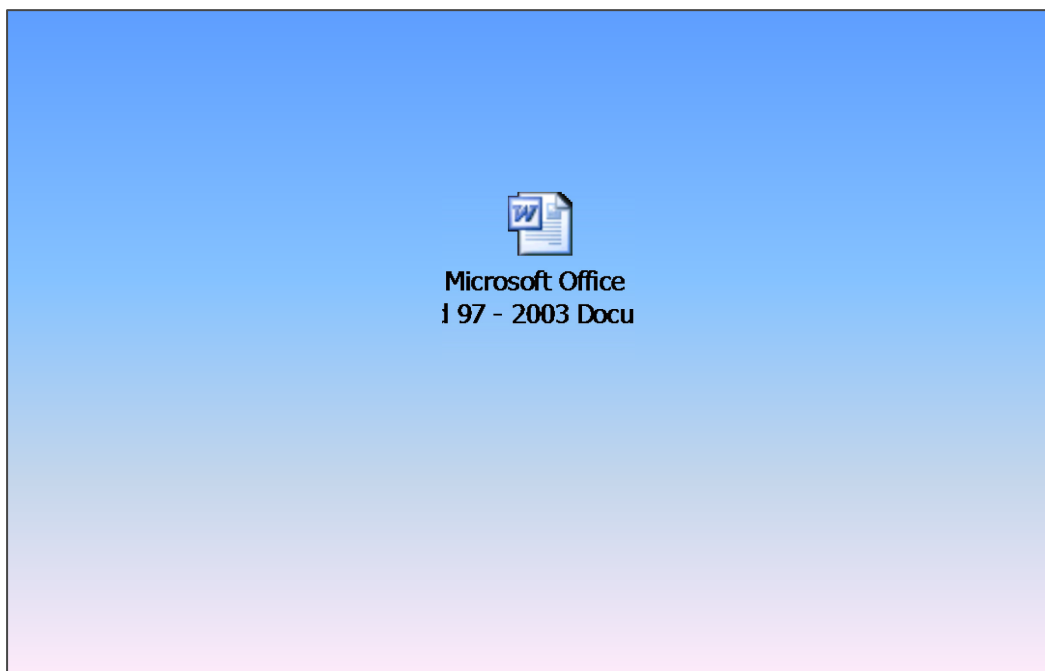
- Origin
- ODPP Effort
 - Risk Classification Assessment (RCA) Methodology
 - ODPP Form
- RCA Project Goals
- RCA High Level Process
 - Change in Custody Classification Levels
- RCA Solution Project Objectives
- RCA Solution Impacts
- Next Steps
- Project Team
- Questions



- Office of Detention Policy and Planning (ODPP) studied ICE ERO operations to evaluate the effectiveness of detention custody decisions
- Results of the analysis found that ERO was:
 - Not taking advantage of risk classification methodologies used at most other law enforcement agencies
 - Inconsistent in the process the field offices used to make custody decisions
 - A variety of existing forms and tools are currently used to support the custody decision process
 - I-213 Record of Deportable/inadmissible Alien, I-265 Notice to Appear, Bond and Custody Processing Sheet, I-286 Notice of Custody Determination, Bond Determination Worksheet, Primary and Secondary Assessment Form
 - Process varies from field office to field office and decisions are made based on local operating procedures
- **ODPP was tasked with creating a risk classification assessment *methodology* based on current industry standard risk assessment techniques to standardize the custody decision making process across all ERO field offices**



- ODPP Team developed a Risk Classification Assessment framework
 - Uses the following major factors to make a detention recommendations
 - Special Vulnerabilities
 - Mandatory Detention
 - Risks of harm (public safety)
 - Risk of flight (flight factors)
 - Framework provides the ability to generate custody recommendations at time of intake and at other points during the alien's detention lifecycle
- The original Risk Classification Assessment is a paper-based evaluation form that leverages a scoring methodology to assist with the following decisions:
 - Whether an individual should be detained or released on community supervision
 - If detained, the custody classification level
 - If released, the community supervision level





- Integrating the functionality of the ODPP Risk Classification Assessment paper-based evaluation form into ERO operations by:
 - Modifying existing ERO intake and custody determination processes and policies
 - Updating relevant systems (ENFORCE) with functionality to generate custody recommendations
- The RCA solution within ENFORCE will use a scoring methodology to generate the following recommendations during the intake and subsequent assessment process:
 - Detain or Release
 - Detain (in the Custody of This Service), Detain (Bond Eligible), Release
 - Custody Classification Level, if detained
 - (b)(7)(e)
 - Community Supervision Level, if released
 - No Technology, Technology
 - Officer to determine type of technology (Telephonic or GPS) and responsible managing entity (ICE or ATD Contractor)

The ability for an officer to exercise discretion *will be maintained* throughout the process.

When necessary, the officer will be able to make detain or not detain, custody classification level, and community supervision level decisions which *override* the Risk Classification Assessment recommendations.



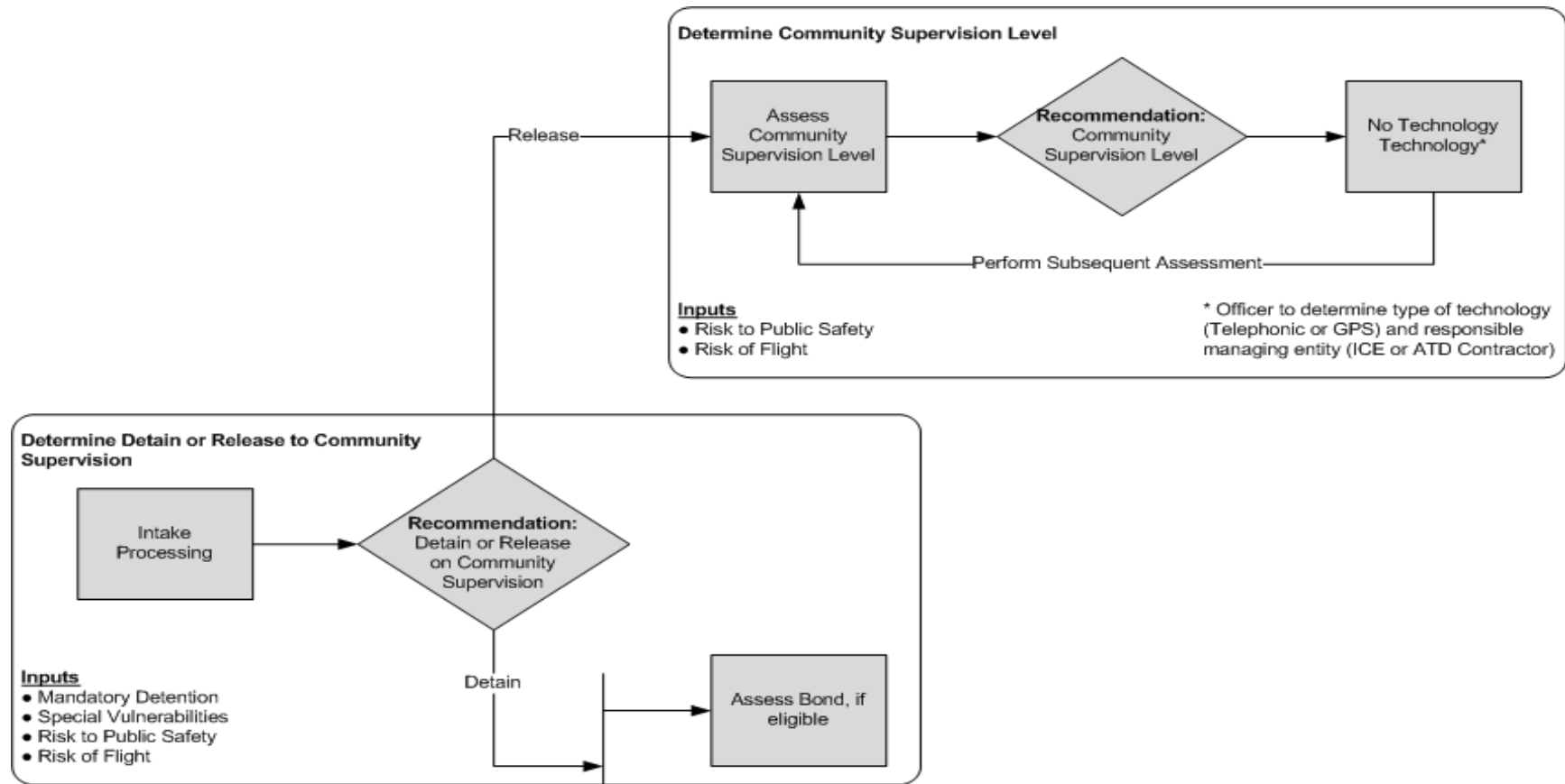
- Evaluation Factors to Detention Recommendations
 - Considerations to Detain in the Custody of this Service
 - Subject to Mandatory Detention
 - Final order, 90 Day Removal Period, and there is significant likelihood of removal in the reasonably foreseeable future (SLRRFF)
 - Considerations to Release on Community Supervision
 - Special Vulnerabilities
 - Serious Physical Illness
 - Serious Mental Illness
 - Disability
 - Elderly
 - Pregnant / Nursing
 - Sole Caretaking Responsibility
 - Victim of torture / persecution / abuse / violence / crime / trafficking
 - Risk based on sexual orientation / gender identity



- If a custody recommendation is not made based on mandatory detention and special vulnerability considerations (prior slide), the recommendation is made based on calculations of the following Public Safety and Flight Factors:
 - Public Safety Factors
 - Criminal History
 - Open Wants / Warrants
 - Supervision History
 - Gang Affiliation
 - Custody Disciplinary Infractions (Used for Detention Custody Classification Level)
 - Flight Factors
 - Immigration Violation History
 - Home Stability
 - Ties to the Local Community
 - Substance Abuse History
 - Immigration History and Case Status
 - Identity documentation (valid vs. falsified)



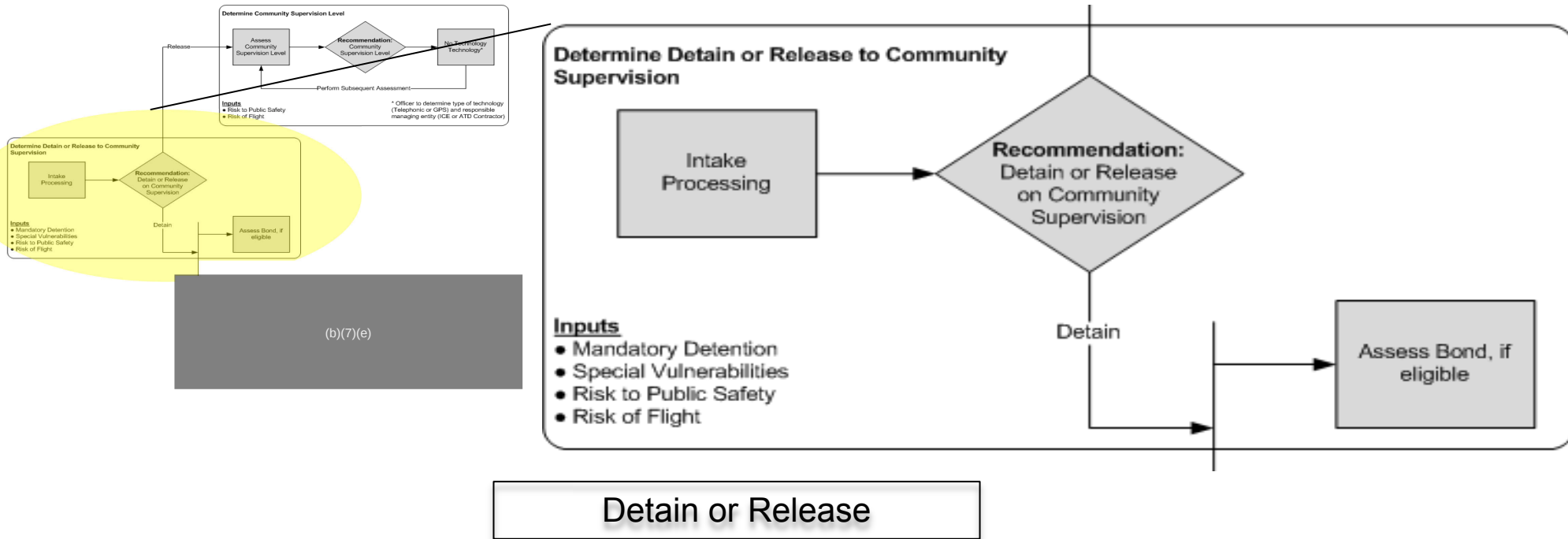
Risk Classification Assessment Process



(b)(7)(e)

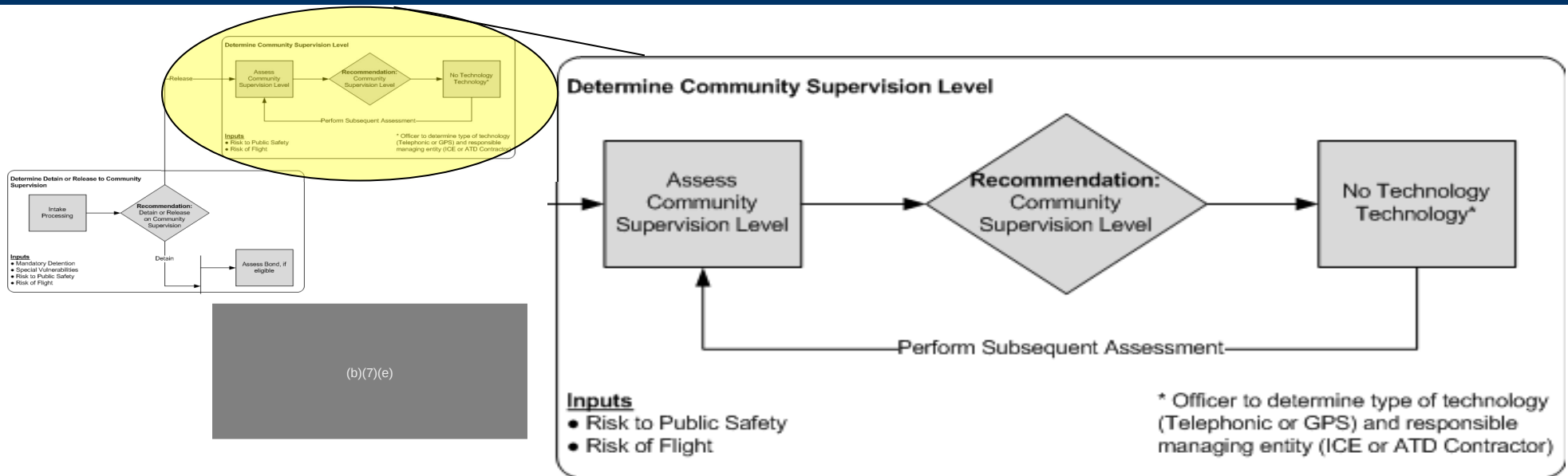


Risk Classification Assessment Process



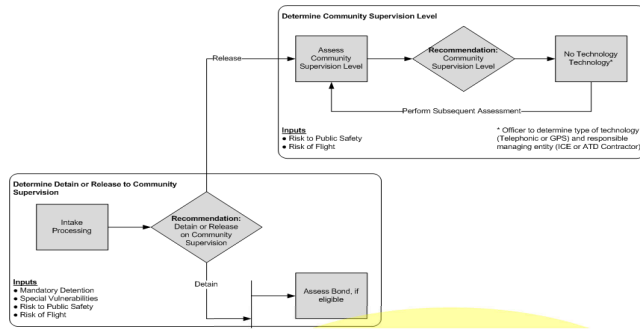
- Recommend Detain in the Custody of this Service
 - Statutory Mandatory Detention
 - Final order, 90 Day Removal Period, SLRRFF
- Recommend Detain, Eligible for Bond
 - (b)(7)(e) Public Safety or Flight Risk Scores
 - Recommend Bond Amount based on Public Safety and Flight Risk Score

- Recommend Release on Community Supervision
 - Special Vulnerability
 - (b)(7)(e) Public Safety and Flight Risk Scores



Community Supervision Level

- Recommend No Technology
 - (b)(7)(e) Public Safety and Flight Risk Scores
- Recommend Technology
 - (b)(7)(e) Public Safety or Flight Risk Scores



Custody Classification Level

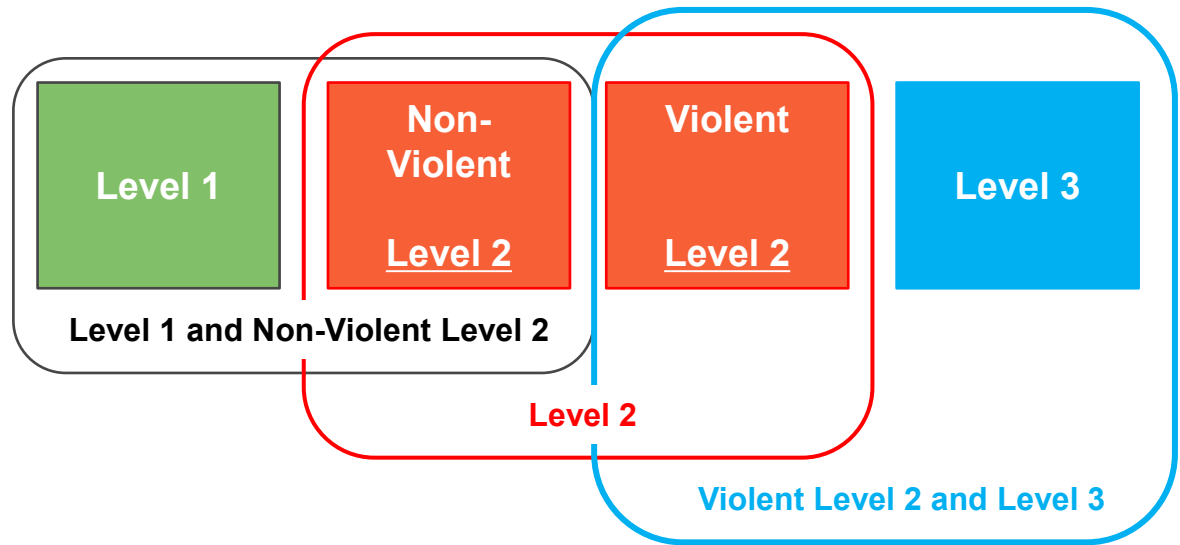
- Recommend (b)(7)(e)
 - (b)(7)(e) Public Safety score
- Recommend (b)(7)(e)
 - Moderate Public Safety score
 - Non-Violent and Non-Combative History

- Recommend (b)(7)(e)
 - (b)(7)(e) Public Safety score
 - Violent and Combative History
- Recommend High
 - (b)(7)(e) Public Safety score

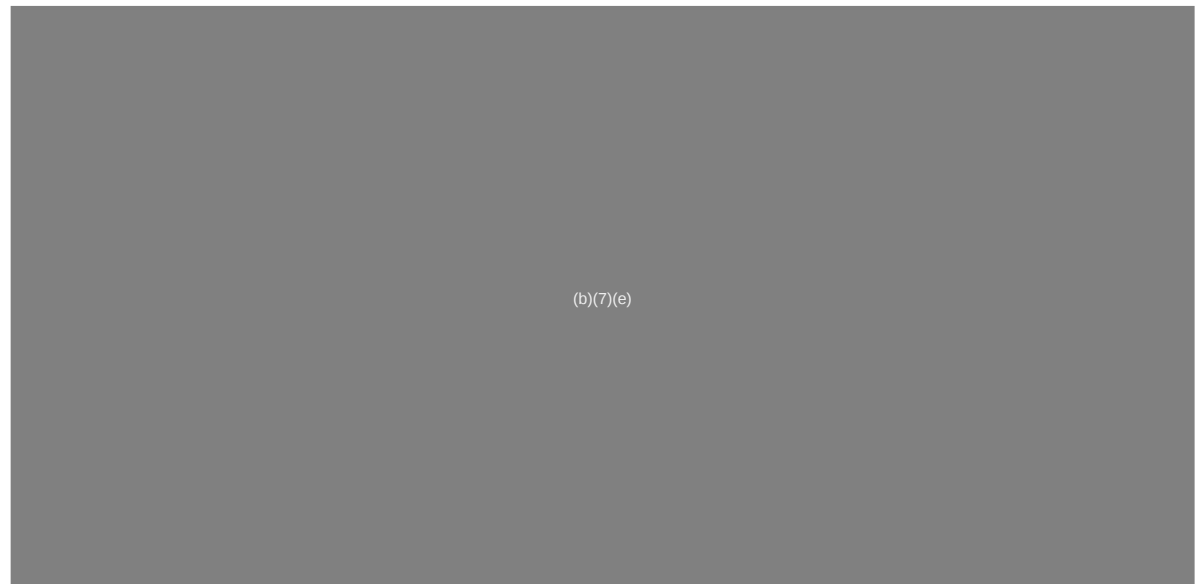
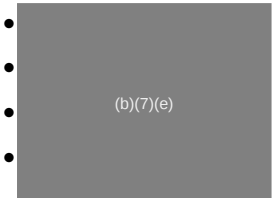


Change in Custody Classification Levels

Current Custody
Classification has three
levels (1, 2, 3) but
managed as if there were
four



Future Custody
Classification will specify
four levels





- Document the current ERO intake and custody determination process
 - Understand current custody decision points, information used, forms completed, systems accessed, and reports generated
- Update ENFORCE (EABM, EARM, EADM) to:
 - Enable the capture of information required to make a recommendation that is not currently collected in the system
 - Make initial custody recommendations based on the risk classification methodology
 - Enable subsequent custody recommendations based on changes to the alien's information (e.g. additional convictions, failure to appear, etc.)
 - Capture actions taken by ERO officer after receiving custody recommendations as well as justification for use of officer discretion to override custody recommendations



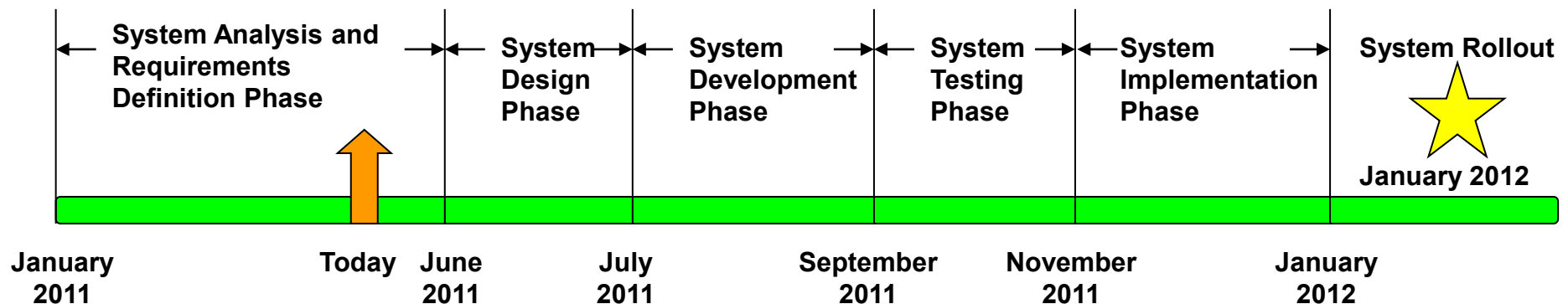
- Operational Impacts:
 - Impacts existing policies and forms
 - Primary and Secondary Assessment Forms currently used for custody level determination will be replaced by the RCA Solution
 - Existing policies guiding Mandatory Detention, Special Vulnerabilities, Targeted Offenses, etc. will be required to be modified or created
 - Revised Detention Standards currently being created will be impacted
 - Modification of existing standard operating procedures (SOPs) including the ERO Processing Guide
 - Reinforces need for accurate and complete alien criminal history (via CES) earlier in the process
 - Complete criminal history for an alien is required to accurately make custody recommendations
 - Training curriculum for current staff and Academy/FLETC
 - Implementation will require training of all operational personnel in the field



- Technical Impacts:
 - Updates to EID, IIDS, and all modules of ENFORCE
 - ENFORCE modules require changes to capture the data needed to make custody recommendations
 - Modules will require both visual (interface) updates as well as logic programming to calculate scores used for custody recommendations
 - EID will change to store new assessment data
 - IIDS will change to enable reporting on new information



- Define Future State RCA Processes
- Document and Prioritize Requirements for Release 1 – Core RCA Functionality
- Finalize Functional and Technical Requirements
- Submit Requirements for Approval
 - Request senior management approval for any changes to existing ICE policies, forms, or standard operating procedures dictated by the RCA requirements
- Document requirements deferred for future releases
- System Design Phase
- System Development Phase
- System Test Phase
- Deployment – January 2012





Integrated Project Team Resources

Sponsors

Integrated Project Team



U.S. Immigration and Customs Enforcement

Questions



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment Project Overview for STU Management

April 25, 2011



- History
- ODPP Goals
- RCA Project Goals
- RCA High Level Process
- RCA Methodology
- Project Objectives
- Technical and Operational Impacts
- Milestones and High Level Schedule
- Current Status and Accomplishments to Date
- Issues for Discussion with STU Management
- Integrated Project Team Resources
- Questions



- Office of Detention Policy and Planning (ODPP) studied ICE ERO operations to evaluate the effectiveness of detention custody decisions
- Results of the study found that ERO was:
 - Not taking advantage of risk classification methodologies used at most other law enforcement agencies
 - Inconsistent in the process the field offices used to make custody decisions
 - A variety of existing forms and tools are currently used to support the custody decision process
 - I-213, I-265, I-286, Bond Determination Worksheet, Primary and Secondary Assessment Form
 - Process varies from field office to field office and decisions are made based on local operating procedures
- ODPP was tasked with creating a risk classification assessment *methodology* based on current industry standard risk assessment techniques to standardize the custody decision making process across all ERO field offices



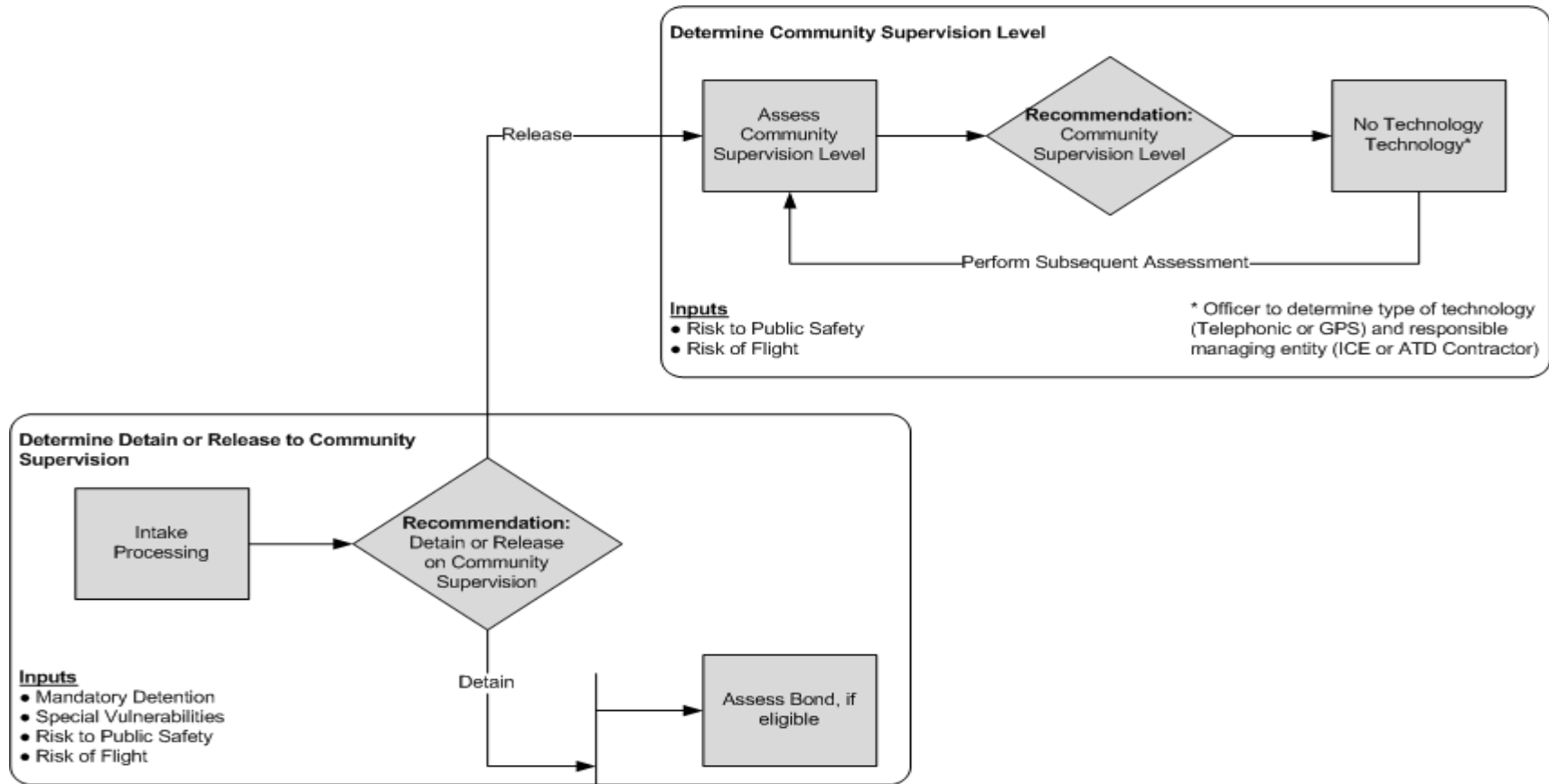
- ODPP Team developed a Risk Classification Assessment framework with the goals of optimizing public safety by:
 - Implementing modern methodologies that use risks of harm (public safety) and flight (flight factors) to make detention decisions and
 - Increase standardization and transparency in the custody determination process
- This framework provides the ability to generate custody recommendations at time of intake and at other points during the alien's detention lifecycle
- The original Risk Classification Assessment developed by ODPP is a paper-based evaluation form that leverages a scoring methodology to assist with the following decisions:
 - Whether an individual should be detained or released on community supervision
 - If detained, the custody classification level
 - If released, the community supervision level



- Integrating the functionality of the ODPP Risk Classification Assessment paper-based evaluation form into ERO operations by:
 - Modifying existing ERO intake and custody determination processes and policies
 - Updating relevant systems (ENFORCE) with functionality to generate custody recommendations based on risk assessment methodologies
- The RCA solution within ENFORCE will use a scoring methodology to generate the following recommendations during the intake and subsequent assessment process:
 - Detain or Release
 - Detain (in the Custody of This Service), Detain (Bond Eligible), Release
 - Custody Classification Level, if detained
 - (b)(7)(e)
 - Community Supervision Level, if released
 - No Technology, Technology
 - Officer to determine type of technology (Telephonic or GPS) and responsible managing entity (ICE or ATD Contractor)
- **The ability for an officer to exercise discretion will be maintained throughout the process. When necessary, the officer will be able to make detain or not detain, custody classification level, and community supervision level decisions which override the Risk Classification Assessment recommendations.**



Risk Classification Assessment Process



(b)(7)(e)



- The following factors are used first to determine custody recommendation:
 - Considerations to Detain (in the Custody of this Service)
 - Subject to Mandatory Detention
 - Final order, 90 Day Removal Period, and likelihood of removal in the reasonably foreseeable future
 - Considerations to Release on Community Supervision
 - Special Vulnerabilities
 - Serious Physical Illness
 - Serious Mental Illness
 - Disability
 - Elderly
 - Pregnant / Nursing
 - Sole Caretaking Responsibility
 - Victim of torture / persecution / abuse / violence / crime / trafficking
 - Risk based on sexual orientation / gender identity



- If a custody recommendation is not made based on mandatory detention and special vulnerability considerations (prior slide), a recommendation is made based on calculations of the following Public Safety Risks and Flight Risks:
 - Public Safety Factors
 - Criminal History
 - Open Wants / Warrants
 - Supervision History
 - Gang Affiliation
 - Custody Disciplinary Infractions (Used for Detention Custody Classification Level)
 - Flight Factors
 - Immigration Violation History
 - Home Stability
 - Ties to the Local Community
 - Substance Abuse History
 - Immigration History and Case Status
 - Identity documentation (valid vs. falsified)



- Document the current ERO intake and custody determination process
 - Understand current custody decision points, information used, forms completed, systems accessed, and reports generated
- Update ENFORCE (EABM, EARM, EADM) to:
 - Enable the capture of information required to make a recommendation that is not currently collected in the system
 - Make initial custody recommendations based on the risk classification methodology
 - Enable subsequent custody recommendations based on changes to the alien's information (e.g. additional convictions, failure to appear, etc.)
 - Capture actions taken by ERO officer after receiving custody recommendations as well as justification for use of officer discretion to override custody recommendations



- Operational Impacts:
 - Impacts existing policies and forms
 - Primary and Secondary Assessment Forms currently used for custody level determination will be replaced by the RCA Solution
 - Existing policies guiding Mandatory Detention, Special Vulnerabilities, Targeted Offenses, etc will be required to be modified or created
 - Revised Detention Standards currently being created will be impacted
 - Modification of existing standard operating procedures (SOPs)
 - ERO Processing Guide will require updates to reflect changes made to operational systems to accommodate the RCA Solution
 - Training curriculum for current staff and Academy/FLETC
 - Implementation will require training of all operational personnel in the field
 - Reinforces need for accurate and complete alien criminal history (via CES)
 - Complete criminal history for an alien is required to accurately make custody recommendations



- Technical Impacts:
 - Updates to EID, IIDS, and all modules of ENFORCE
 - ENFORCE modules require changes to capture the data needed to make custody recommendations
 - Modules will require both visual (interface) updates as well as logic programming to calculate scores used for custody recommendations
 - EID will change to store new assessment data
 - IIDS will change to enable reporting on new information



- System Analysis and Requirements Definition Phase
 - January 2011 – June 2011
 - San Antonio AOR Site Visit
 - Document Current State Intake Assessment Process
 - Define Future State Intake Assessment Process
 - Business Requirement Documentation
 - Finalize Functional and Technical Requirements
 - Submit Requirements for Approval
- System Design Phase
 - June 2011 – July 2011
 - Finalize Functional Design Documentation
 - Finalize Technical Design Documentation
- System Development Phase
 - July 2011 – September 2011
 - Complete Development of Functioning Application



- System Testing Phase
 - September 2011 – November 2011
 - Develop testing approach and plan
 - Contractor Testing (FQT), Government Testing (UAT, SAT)
 - Identify Deployment Sequence and Schedule
 - Develop Training Curriculum & Materials
- System Implementation Phase
 - November 2011 – January 2012
 - Obtain Finalized Approval on all Policy and Procedural Updates
 - Finalize Communication and Change Management Plan
 - Conduct Training (Train-the-Trainer and User)
 - Obtain all Approvals for Go-Live (e.g. C&A, PIA, ATO)
 - Conclude Nation-Wide Deployment by January 2012
 - Post-production Support and Validation



- **Fall 2010:** ODPP Team completed Site Visits to San Diego, Miami, Baltimore, and Washington Field Offices in the development of the Risk Classification Assessment Methodology
- **Feb 2011:** RCA Project Team completed Site Visits to San Antonio and Baltimore Field Offices to document the current state process
- **Mar – Apr 2011:** RCA Project Team is currently developing Future State processes:
 - Detain or Release Recommendation at Intake
 - Determine Public Safety Score
 - Determine Flight Risk Score
 - Detention Custody Level Recommendation if Detained at Intake
 - Community Supervision Level Recommendation if Released at Intake
 - Re-Evaluation of Detention Custody Level Recommendation
 - Re-Evaluation of Community Supervision Level Recommendation
 - Calculation of Bond Amount, if alien is bond eligible
- **Mar – Apr 2011:** RCA Project Team is currently developing prioritized business requirements
 - Determine what requirements are required for the core release of RCA
 - Determine what requirements can be deferred for future releases



- RCA Solution will require the creation of new reports or modifications to existing reports
 - Additional Alien Biographic Data will be captured that could be useful in new or existing reports
 - Detention Considerations
 - INA Charges in subject record will be flagged if mandatory detention
 - Special Vulnerabilities
 - Vulnerabilities that influence a release recommendation will be entered
 - Public Safety Factors
 - CES records will be classified as:
 - Severity of charge/conviction
 - Violent Crimes
 - Targeted Offenses (Domestic Violence and DUI)
 - Open Wants/Warrants (violent vs non-violent)
 - Gang Affiliation (Y/N)
 - Supervision History
 - Flight Factors
 - Substance Abuse History
 - Home Stability
 - Local Ties to the Community



- RCA Solution will require the creation of new reports or modifications to existing reports
 - How custody recommendations are made
 - Mandatory Detention Considerations
 - Detain in the custody of this service
 - Special Vulnerabilities
 - Release on Community Supervision
 - Public Safety and Flight Risk Scores
 - Detain (Bond Eligible) or Release on Community Supervision
 - If Detained, Custody Classification Level
 - If Released, Community Supervision Level
 - Bond Recommendation (based on Public Safety and Flight Risk Scores)
 - How custody recommendations are used to make custody decisions
 - Recommendation accepted
 - Recommendation over-ride
 - Actual decision
 - Reason for over-ride
 - User performing over-ride



- RCA Solution will require the creation of new reports or modifications to existing reports
 - Proposed change in Custody Classification Level
 - Business Requirement to change to four levels
 - (b)(7)(e)
 - Impacts of shift from three to four levels
 - Conversion of historic detention records
 - Mapping of existing levels 1-3 to L, LM, HM, H
 - Conversion of current detention records
 - Run each record through the scoring algorithm to determine new level
 - Mapping of existing levels 1-3 to L, LM, HM, H at time of RCA rollout and use the RCA solution when subsequent classification occurs (45-60 days)



Integrated Project Team Resources

Sponsors

- (b)(6),(7)(c)

Integrated Project Team

- (b)(6),(7)(c)



U.S. Immigration and Customs Enforcement

Questions



United States Department of Homeland Security Scratch RCA Sheet

Special Vulnerabilities

- | | |
|--|---|
| ☐ serious physical illness | ☐ pregnant |
| ☐ serious mental illness | ☐ nursing |
| ☐ disabled | ☐ primary caretaking responsibility |
| ☐ elderly | ☐ risk based on sexual orientation/gender identity |
| ☐ victim of persecution/ torture | ☐ None |
| ☐ victim of sexual abuse or violent crime | |
| ☐ victim of human trafficking | |
| ☐ other (specify): | |

Public Safety Factors

Type of Open Wants/Warrants

- ☐
- Violent
- ☐
- Non-Violent
- ☐
- None

Security History (e.g. bond breaches, conditions of supervision violations)

- | | |
|--|--|
| ☐ Attempted escape from a non-secure facility | ☐ Attempted escape from a secure facility |
| ☐ Escape from a secure facility | ☐ Prior revocations of supervision for Criminal |
| ☐ Violations of conditions of Supervision | ☐ None |

Security Threat Group (STG) status

- ☐
- No confirmed or suspected STG/gang affiliation
-
- ☐
- STG/gang affiliation confirmed/strongly suspected

Risk of Flight Factors

Immigration Violation History

- ☐
- 1 or 2 Prior VR(s) and VD(s)
-
- ☐
- 3 or more Prior VR(s) and/or VD(s)
-
- ☐
- None

History of Absconding

- ☐
- Bond Breach Immigration and Criminal
-
- ☐
- Fled or used other means to avoid removal after an immigration judge has issued a Final Order
-
- ☐
- Prior Revocation of Supervision for Immigration
-
- ☐
- Violation of Conditions of Supervision for Immigration
-
- ☐
- Walk-away From a Non-Secure Facility or ATD
-
- ☐
- None

Substance Abuse History

- ☐
- Current drug user
-
- ☐
- Documented history of drug use
-
- ☐
- No known history of receiving treatment

Identification

- ☐
- The Individual possesses a valid government issued document from their COC
-
- ☐
- The individual possess invalid identification documents (IDs) from any country.
-
- Enter Count**
- _____

Immigration Case status

- | | |
|---|--|
| ☐ Alien has final order of removal, but Alien has filed appeal | ☐ Alien has a case in immigration proceedings |
| ☐ Alien has a final order of removal and no pending appeals | ☐ Alien is not yet in proceedings |

Home Stability (select all that apply)

- | | |
|---|--|
| ☐ The individual lives with immediate family members | ☐ The individual has a stable address, but has lived there less than 6 months |
| ☐ The individual has lived at his/her address for 6 months or more | ☐ The individual has no stable address |

Ties to the Local Community (select all that apply)

- | | |
|--|---|
| ☐ The individual has a pending benefit application with USCIS | ☐ The individual is enrolled in a school or training program |
| ☐ The individual or spouse is currently serving in or is a veteran of the US Armed Forces | ☐ The individual has work authorization |
| ☐ The individual has a US citizen spouse or child | ☐ The individual owns property or has considerable assets in the community |
| ☐ The individual has a spouse, child or other family members in the local community | ☐ The individual has legal representation |
| ☐ The individual has family in the US but not in the local community | ☐ None |



U.S. Immigration
and Customs
Enforcement

Risk Classification Assessment CAI Briefing

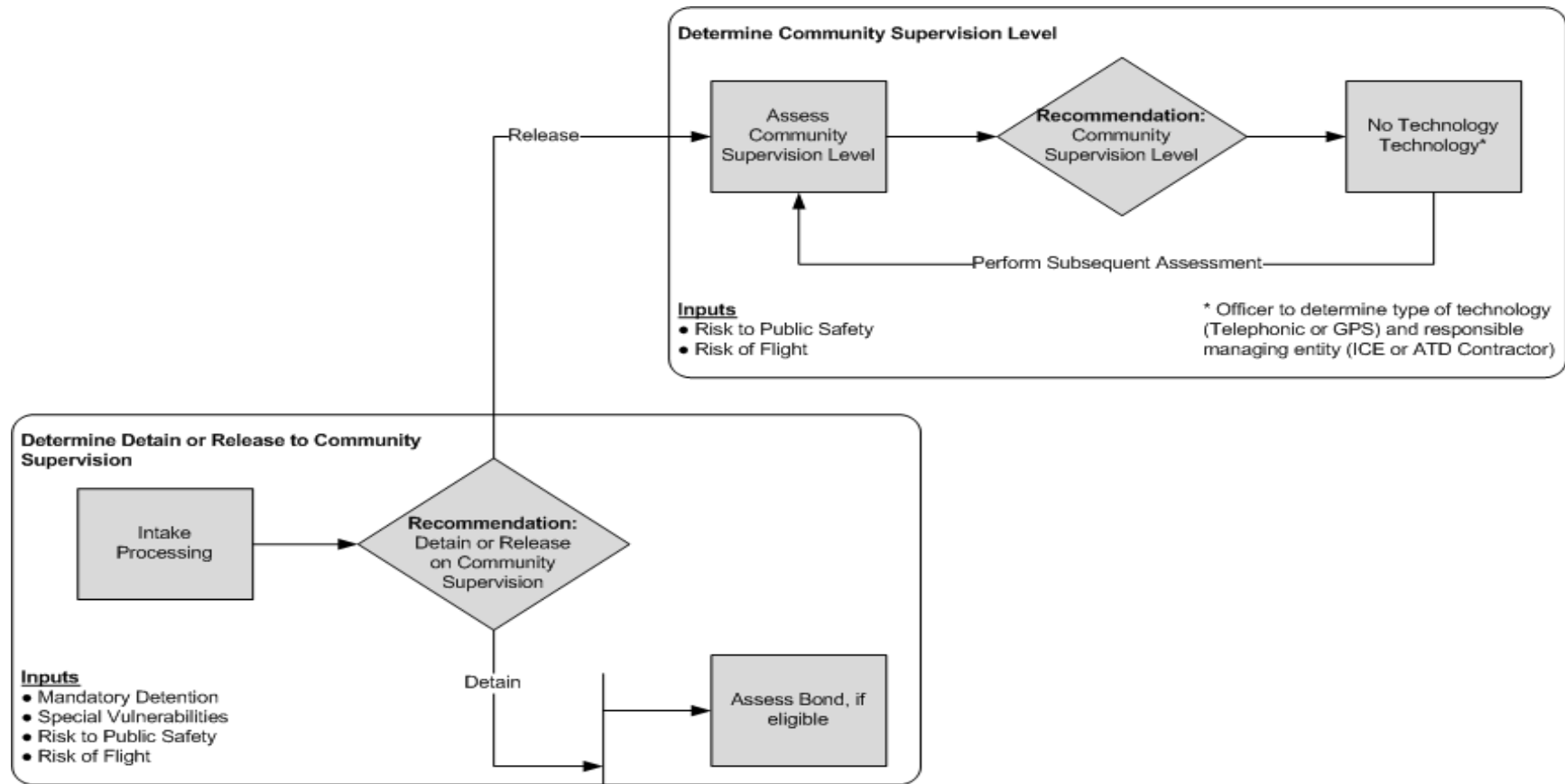
April 28, 2011



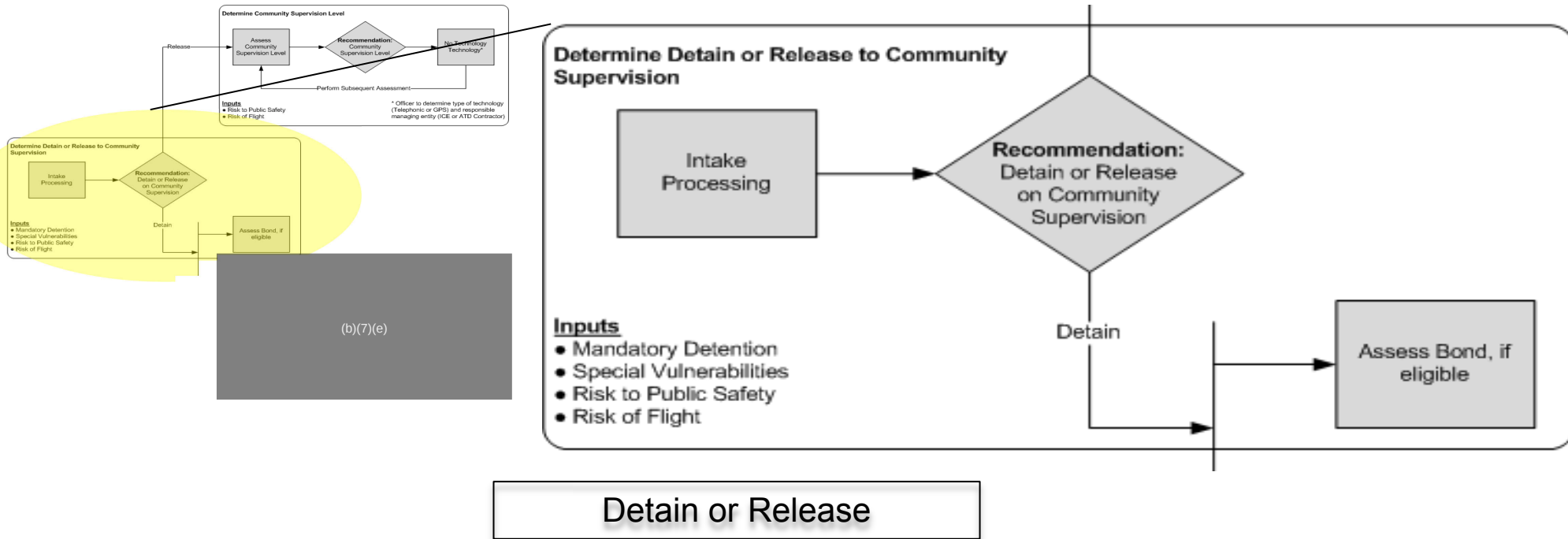
- Review RCA High Level Process
- Q&A Session on Worksheet and Instructions Distributed on 4/21
- Severity Offense Level, Targeted Offense, and Violent Crimes Overview
- Outline Future CAI Working Session RCA Presentation Agenda



Risk Classification Assessment Process

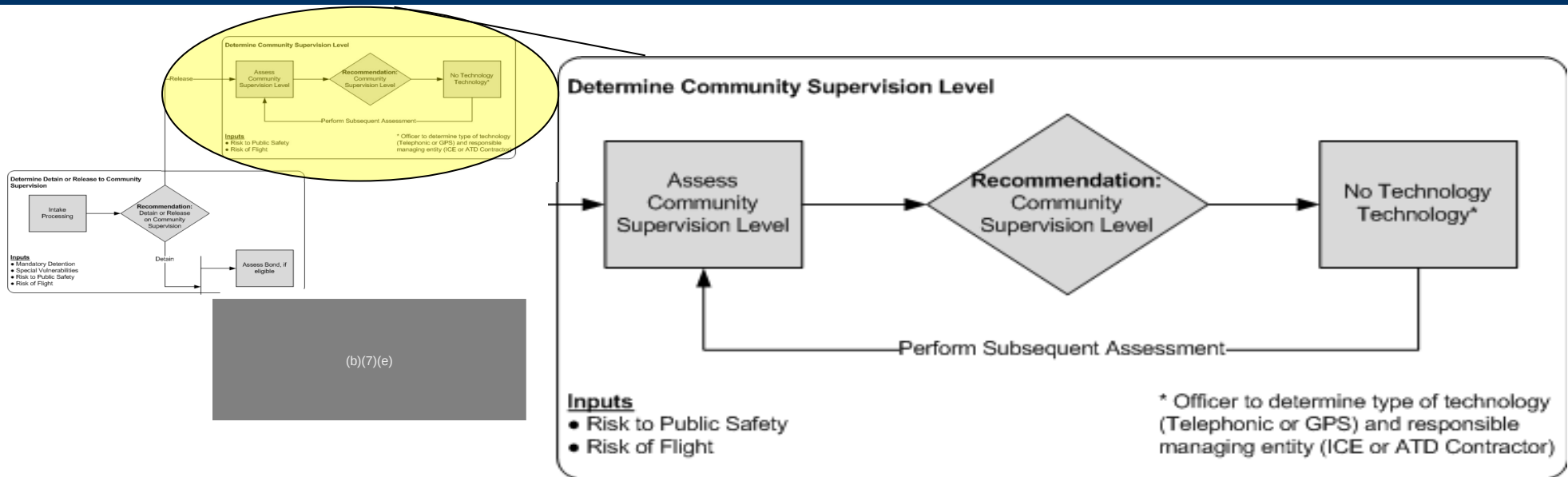


(b)(7)(e)



- Recommend Detain in the Custody of this Service
 - Statutory Mandatory Detention
 - Final order, 90 Day Removal Period, SLRRFF
- Recommend Detain, Eligible for Bond
 - (b)(7)(e) Public Safety or Flight Risk Scores
 - Recommend Bond Amount based on Public Safety and Flight Risk Score

- Recommend Release on Community Supervision
 - Special Vulnerability
 - (b)(7)(e) Public Safety and Flight Risk Scores



Community Supervision Level

- Recommend No Technology
 - (b)(7)(e) Public Safety and Flight Risk Scores
- Recommend Technology
 - (b)(7)(e) Public Safety or Flight Risk Scores



```

graph TD
    subgraph "Determine Detain or Release to Community Supervision"
        IP[Initial Processing] --> D1{Recommendation: Detain or Release on Community Supervision}
        D1 -- Detain --> AB[Assess Bond, if eligible]
        D1 -- Release --> ACSL[Assess Community Supervision Level]
    end

    ACSL --> D2{Recommendation: Community Supervision Level}
    D2 -- "No Technology Technology*" --> PSA[Perform Subsequent Assessment]
    PSA --> ACSL
    D2 -- "Recommendation: Community Supervision Level" --> R[Release]

    R --> ACSL
    R --> D1

    subgraph Inputs1 [Inputs]
        M1[Mandatory Detention]
        M2[Special Vulnerabilities]
        M3[Risk to Public Safety]
        M4[Risk of Flight]
    end
    Inputs1 --> D1

    subgraph Inputs2 [Inputs]
        I2[Risk to Public Safety]
        I3[Risk of Flight]
    end
    Inputs2 --> D2

    Note["* Officer to determine type of technology (Telephonic or GPS) and responsible managing entity (ICE or ATD Contractor)"]

```

Determine Detain or Release to Community Supervision

Initial Processing

Recommendation: Detain or Release on Community Supervision

Detain

Assess Bond, if eligible

Release

Assess Community Supervision Level

Recommendation: Community Supervision Level

No Technology Technology*

Perform Subsequent Assessment

Inputs

- Mandatory Detention
- Special Vulnerabilities
- Risk to Public Safety
- Risk of Flight

Inputs

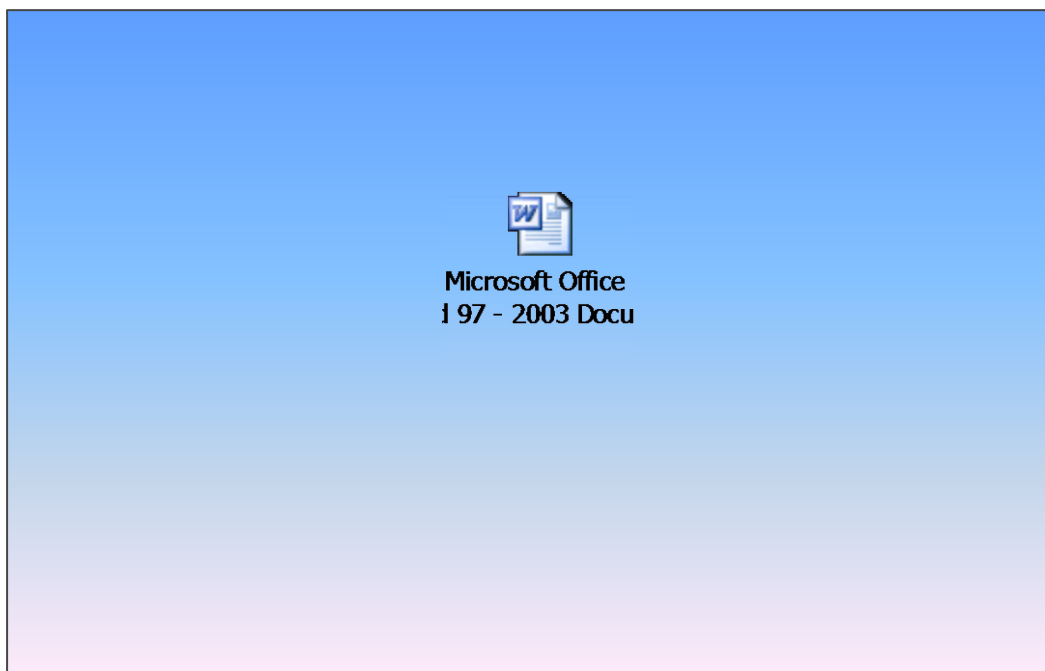
- Risk to Public Safety
- Risk of Flight

* Officer to determine type of technology (Telephonic or GPS) and responsible managing entity (ICE or ATD Contractor)

(b)(7)(e)

- Recommend (b)(7)(e)
 - (b)(7)(e) Public Safety score
- Recommend (b)(7)(e)
 - (b)(7)(e) Public Safety score
 - Non-Violent and Non-Combative History

- Recommend (b)(7)(e)
 - (b)(7)(e) Public Safety score
 - Violent and Combative History
- Recommend (b)(7)(e)
 - (b)(7)(e) Public Safety score





- ODPD developed a mapping of NCIC codes to Severity Offense Levels when the RCA Worksheet and Instructions were created in 2010.
 - Severity Offense Level is used to calculate the Public Safety Score used for RCA recommendations
 - Each NCIC Code was classified as (b)(7)(e)
- ODPD identified certain types of “targeted” offenses that would receive additional scoring consideration when the RCA Worksheet and Instructions were created in 2010.
 - NCIC codes for DUI were identified as Targeted Offenses
 - NCIC codes for Domestic Violence need to be identified as Targeted Offenses
- ODPD developed a mapping of what NCIC codes are classified as “violent crimes” during the requirement gathering process for the RCA Solution
 - As the RCA Solution requirements were defined, ODPD determined that “violent crimes” in an alien’s criminal history would receive additional scoring consideration
 - In March 2011, all NCIC codes were evaluated to determine those that were violent vs. non-violent



- The mapping of NCIC codes to both SC Criminal Offense Level and RCA Severity Offense Level was evaluated by ODPP
 - Several occurrences existed where the two mappings were not aligned
 - ODPP performed a review of the misalignments, and in several instances adjusted the RCA Severity Offense Level to be aligned with the SC Criminal Offense Level
 - While the majority of the NCIC charges are now aligned between the two levels, several differences remain, specifically:
 - 2 SC Level 1 and RCA (b)(7)(e) NCIC codes
 - 37 SC Level 1 and RCA (b)(7)(e) NCIC codes
 - 3 SC Level 3 and RCA (b)(7)(e) NCIC codes
 - 9 SC Level 3 and RCA (b)(7)(e) NCIC codes
 - The discrepancies are required to remain because the two levels are used for different purposes:
 - SC Criminal Offense Level is used to prioritize what aliens should be arrested and enter immigration proceedings
 - RCA Severity Offense Level is used once the arrest has already been made to determine public safety risk and make custody recommendations



NCIC Code	NCIC Charge	Severity Offense Level (RCA)	Offense Level (SC/CAII)	Violent Crimes	Targeted Offense Category
1099	Kidnapping	(b)(7)(e)		1	
1201	Robbery			1	
5399	Public Peace			3	
5101	Bribe - Giving			3	
1101	Rape - Gun			1 Y	
1301	Aggravated Assault - Family - Gun			1 Y	
3907	Dice Game			3	
5404	Driving Under Influence Liquor			3	DUI
1116	Statutory Rape - No Force			1	
4901	Escape			3	
5306	Riot			3	
4001	Keeping House III Fame			1	

- Examples of differences between SC Criminal Offense Level and RCA Severity Offense Level



NCIC Code	NCIC Charge	Severity Offense Level (RCA)	Offense Level (SC/CAII)	Violent Crimes	Targeted Offense Category
1099	Kidnapping	(b)(7)(e)		1	
1201	Robbery			1	
5399	Public Peace			3	
5101	Bribe - Giving			3	
1101	Rape - Gun			1 Y	
1301	Aggravated Assault - Family - Gun			1 Y	
3907	Dice Game			3	
5404	Driving Under Influence Liquor			3	DUI
1116	Statutory Rape - No Force			1	
4901	Escape			3	
5306	Riot			3	
4001	Keeping House III Fame			1	

- Examples of Targeted Offenses



NCIC Code	NCIC Charge	Severity Offense Level (RCA)	Offense Level (SC/CAII)	Violent Crimes	Targeted Offense Category
1099	Kidnapping	(b)(7)(e)		1	
1201	Robbery			1	
5399	Public Peace			3	
5101	Bribe - Giving			3	
1101	Rape - Gun			1 Y	
1301	Aggravated Assault - Family - Gun			1 Y	
3907	Dice Game			3	
5404	Driving Under Influence Liquor			3	DUI
1116	Statutory Rape - No Force			1	
4901	Escape			3	
5306	Riot			3	
4001	Keeping House III Fame			1	

- Examples of Violent Crimes



- May 5, 2011
 - Review Public Safety Risk Process Flow
- May 12, 2011
 - Review Flight Risk Process Flow
- May 19, 2011
 - Review Detain or Release Recommendation Process Flow
- May 26, 2011
 - Review Custody Level and Community Supervision Recommendation Process Flows



U.S. Immigration and Customs Enforcement

Questions



SPECIAL VULNERABILITIES QUICK REFERENCE GUIDE

Serious Physical Illness

Assess whether the individual has been diagnosed or claims to have a serious physical illness such as: diabetes, seizures, HIV/AIDS, heart problems, cancer, epilepsy, or other serious illness.

Ask:

- Have you been hospitalized in the past six months?
- Have you been taking prescription medication?
- Do you require daily medical care?
- Are you terminally ill?

Review sources of information including: medical records or prescription medications, information on I-794 or I-795 or other medical intake screening documents.

Serious Mental Illness

Assess through questioning, observation and documentation whether the individual has or claims to have a serious mental illness.

Ask:

- Have you been hospitalized or treated for mental illness?
- Have you been taking medication for mental illness?

Observe:

- Does the individual appear to be disoriented or confused;
- Does the individual appear to be aware of their surroundings;
- Does the individual ramble nonsensically, or has loud, rapid speech.
- Is the individual unable to focus on instructions or unable to answer questions;
- Is the individual hearing voices? Appears to respond to something that is not there;
- Is the individual expressing irrational or violent thoughts towards themselves or others;
- Is the individual severely withdrawn or uncommunicative.

Disabled

Assess whether the individual has a serious physical or mental disability.

Ask:

- Do you require assistance with the activities of daily living, such as bathing, eating, toileting, and dressing? Do you have difficulty walking? Speaking? Hearing?
- Have you ever been diagnosed with a disability?

Observe:

- Does the individual use a wheelchair, cane, crutches, walker or have a prosthesis?
- Is the individual blind, deaf, mute, an amputee, or have other disabilities?
- Does the individual understand the questions and is able to respond using declarative statements rather than just "yes" or "no."
- If a translator is being used, make sure that he/she is sensitive to the possibility of this or other vulnerabilities.

Elderly

Assess whether the individual has physical indicators of infirmity or fragility caused by old age. Although elderly status is often defined as being 65 years or older, the key issue is whether the individual is infirm due to old age (some under 65 may meet that definition and some 65 or older may not).

Pregnant

Ask female individuals if they are currently pregnant or have reason to believe they are pregnant.

Nursing

Ask female individuals if they are currently nursing an infant/toddler.

Sole or (Primary) Caretaking Responsibility

An individual should be considered the primary caregiver if they are largely responsible for the physical, emotional, and/or financial well-being and day-to-day care of a minor, or person with a disability or serious illness.

U.S. Immigration and Customs Enforcement

Office of Enforcement Removal Operations

Risk Classification Assessment



Ask :

- Do you have children? If YES, then:
 - Who takes care of them during the day? Who will take care of them if you are detained? Are you afraid your child will be in danger if left with that person?
- Does anyone in your household have any serious health problems or disabilities? If YES, then:
 - Can they care for themselves? If NO, then:
 - Who takes care of them? Who will take care of them if you are detained?
- Are you primarily responsible for the physical, emotional and/or financial well-being or day-to-day care of a minor OR another person who is unable to care for him or herself?

Risk Based on Sexual Orientation/Gender Identity

Ask the individual if they fear any harm in detention based on their sexual orientation or gender identity. ICE agents should note that individuals may not readily volunteer that they identify themselves with the lesbian/gay/bisexual/transgender (LGBT) population. Officers should refrain from relying on stereotypes and not make assumptions about how someone from the LGBT population looks, acts, speaks, etc.

Ask:

- Have you experienced discrimination or abuse based on their sexual orientation or gender identity?
- Do you fear being placed in a particular gender wing within the detention facility?
- Have you recently been or are you currently on hormone therapy?

Victim of Persecution/Torture

In making your assessment, consider country of origin, documentation of claim, and evidence of trauma.

Note: If the individual answers positively, provide the detainee with the number for UNHCR: 1-888-272-1913

Ask:

- Were you harmed in your home country or have you ever been tortured?
- Are you afraid you will be tortured or harmed if returned to your country?

Victim of Sexual Abuse or Violent Crime

Note: If the individual answers positively, provide the detainee with the number for the federally funded National Domestic Violence Hotline: 1-800-799-7233 which can also access eligibility for U visas. Review any evidence substantiating the claim.

Ask:

Have you been the victim of sexual abuse or a violent crime?

Victim of Human Trafficking

Note: If the individual answers positively, contact the local ICE HSI duty agent via (800) X-SECTOR and provide biographic and location details to the ICE HSI duty officer for further investigation.

Ask:

- Since entering the United States, has someone intimidated, deceived, obligated or forced you into prostitution or labor against your will?
- Have you been working in a situation you could not escape?
- Do you fear harm to yourself or your family by a former employee?
- Were you paid for your labor? How were you paid?
- Were you free to live on your own or did you live where your employer told you?

Observe:

- Does the individual: lack possession or control of documents; display unreasonable fear, anxiety or nervousness or is overly submissive; display signs of physical and/or sexual abuse, physical restraint, malnourishment or torture, including signs of branding or signs of untreated illnesses or diseases.