

By JOSEPH G. LARIOS

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CHICAGO (*jGLi*) – The U.S. Immigration and Customs Enforcement (ICE) is creating an advisory committee on minor traffic offenses that will provide ICE Director John Morton recommendations within 45 days on how ICE can adjust Secure Communities program to stop removal of individuals charged with, but not convicted of, minor traffic offenses, who have no other criminal history or egregious immigration violations.

This committee will be composed of police chiefs, sheriffs, state and local prosecutors and immigrant advocates to provide feedback to ICE about the program.

At the same time, Director Morton has also issued a new memo providing guidance for ICE law enforcement personnel and attorneys “to ensure that

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victims of and witnesses to crimes are properly protected” while exercise of discretion “is inappropriate in cases involving threats to public safety, national security and other agency priorities.”

These are two of several recommendations announced Friday (June 17) by Morton in Washington, D.C., during a media conference call as he seeks to improve implementation of the Secure Communities Program that has been criticized by some immigrant and civil rights advocates for upsetting the lives of innocent people.

As part of the Obama administration’s continued commitment to smart, effective immigration enforcement, ICE also announced key improvements of the program that prioritizes removal resources on individuals who are found to be illegally in the country after being arrested for other crimes.

“Secure Communities is a critical tool for law enforcement agencies working to protect the citizens and communities they serve,” said Mr. Morton.

“However, we need to do a better job of ensuring that the program is more focused on targeting those that pose the biggest risk to communities. Today we are undertaking several reforms—developed in collaboration with our law enforcement partners and other stakeholders—that help us achieve that goal and will improve and strengthen the program.”

HELPS IDENTIFY DANGEROUS CRIMINALS

Secure Communities currently helps identify dangerous criminals through an information sharing process. When individuals are arrested, they are fingerprinted and booked into jail, and their fingerprints are conveyed to the FBI and checked against the FBI criminal database. That fingerprint data is then also shared with ICE and checked against immigration databases, allowing ICE to identify which individuals may not have legal immigration status.

A press release sent to this reporter by Ms. Nicole Navas, ICE spokesperson, indicated that up until April 30, 2011, more than 77,000 immigrants convicted of crimes, including more than 28,000 convicted of aggravated felony (level 1) offenses like murder, rape and the sexual abuse of children were removed from the United States after identification through Secure Communities.

These removals significantly contributed to a 71% increase in the overall percentage of convicted criminals removed by ICE, with 81,000 more criminal removals in FY 2010 than in FY 2008. As a result of the increased focus on criminals, this period also included a 23% reduction or 57,000 fewer non-criminal removals.

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At the direction of Secretary of Homeland Security Janet Napolitano, ICE, in consultation with DHS Office for Civil Rights and Civil Liberties (CRCL), has developed a new policy specifically to protect victims of domestic violence and other crimes and to ensure these crimes continue to be reported and prosecuted. This policy directs ICE officers to exercise appropriate discretion to ensure victims and witnesses to crimes are not penalized by removal. ICE is also working to develop additional tools that will help identify people who may be a victim, witness, or member of a vulnerable class so officers can exercise appropriate discretion.

Implemented in 2008 by the Bush Administration, Secure Communities is now in place in 42 states is on track “to be implemented nationwide by 2013,” refining the program that will enable ICE to focus its limited resources on the most serious criminals across the country. # # #

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