



**U.S. Immigration
and Customs
Enforcement**

AUG 02 2017

The Honorable Thomas A. Balmer
Chief Justice
Supreme Court of the State of Oregon
1163 State Street
Salem, OR 97301

Dear Chief Justice Balmer:

Thank you for your April 6, 2017 letter. Acting Secretary Duke asked that I respond on her behalf.

On October 24, 2011, U.S. Immigration and Customs Enforcement (ICE) implemented ICE Policy No. 10029.2: *Enforcement Actions at or Focused on Sensitive Locations*. This policy remains in effect and provides that enforcement actions at or focused on sensitive locations such as schools, hospitals, and places of worship should generally be avoided. The policy explains that such actions may only take place when prior approval is obtained from an appropriate supervisory official or there are exigent circumstances necessitating immediate action without supervisor approval.

Courthouses are not sensitive locations under ICE policy; however, they are often an option of last resort to apprehend a targeted alien. To be clear, immigration enforcement actions are initiated at or near courthouses to apprehend targeted aliens when ICE has specific information indicating those individuals are present at the location. With any planned enforcement action, ICE officers exercise sound judgment when enforcing federal law and make substantial efforts to avoid unnecessarily alarming the public and every effort to limit the time spent at arrest locations. To do this, ICE prioritizes its efforts on targeting significant public safety and national security threats, and whenever possible, makes all efforts to arrest such individuals out of the public eye. An arrest within a courthouse — an environment where visitors are typically screened upon entry for weapons and other contraband — may be the safest and most appropriate option for ICE to pursue. For these reasons, ICE will continue conducting targeted enforcement actions at courthouses.

Generally speaking, ICE asks that local law enforcement transfer aliens into ICE custody within the controlled environment of a jail. Across the country, some jurisdictions have enacted statutes and ordinances designed to specifically prohibit or hinder ICE from facilitating such custodial transfers and to shield criminal aliens from detection. As a result, ICE has been required to more frequently locate and arrest these aliens in public places, rather than in secure jail facilities where the risk of injury to the public, the alien, and the officer is significantly

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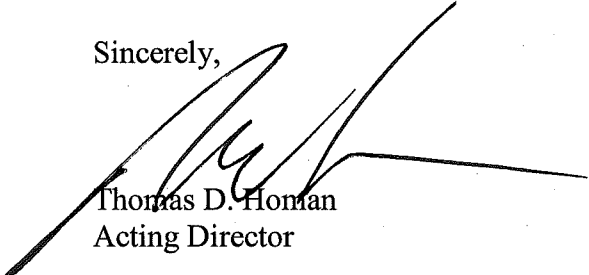
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increased. Conducting enforcement operations at courthouses helps to mitigate many of these risks.

The men and women of federal law enforcement perform their duties with the highest degree of professionalism and public service. As ICE undertakes the necessary enforcement of our country's immigration laws, ICE officers and special agents will continue to take prudent and reasonable actions within their lawful authority to achieve their mission.

Thank you again for your letter and your interest in this important matter.

Sincerely,



Thomas D. Homan
Acting Director