

trac@syr.edu 4:51 PM (16 hours ago)

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Transactional Records Access Clearinghouse

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FOR IMMEDIATE RELEASE

Greetings. Today Immigration and Customs Enforcement issued its first weekly report on detainers that it said had been refused by non-federal law enforcement agencies. Unfortunately, the information ICE released is very limited and selective.

At the same time ICE released its report, the agency has started withholding other more comprehensive detainer-by-detainer information that ICE previously released to the Transactional Records Access Clearinghouse (TRAC) at Syracuse University in response to Freedom of Information Act (FOIA) requests. ICE does not claim the withheld information is exempt from disclosure, it simply claims past releases were discretionary and it is no longer willing to make many of these details available to the public.

Unfortunately, because of these ICE refusals, TRAC is unable to update its online free web query tool that allows the public to view all detainers as well as notices issued to each local law enforcement agency, month-by-month, during both the Bush and Obama Administrations, and then track what happened. TRAC's apps cover not simply whether a detainer was refused, but whether ICE actually took the person into custody. They also show how often deportation ultimately occurred following the use of a detainer. To view these TRAC online tools see:

Detainers: <http://trac.syr.edu/phptools/immigration/detain/>
Removals: <http://trac.syr.edu/phptools/immigration/remove/>

In contrast, the limited information in ICE's new weekly report makes meaningful comparisons difficult. ICE's report does not provide any information on how many detainers the local law enforcement agency may have received in total, listing only those that ICE recorded as refused. The public also does not know, for example, how often ICE issued a detainer but then decided not to take the person into custody. Or having taken individuals into custody, found it did not have a legal basis to deport them.

ICE's report does not provide any information about the content of the detainer itself, or even whether the original detainer request met legal requirements that were outlined in the Department of Homeland Security's November 2014 memorandum regarding limits on its legal authority to issue detainers.

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