



ICIRR

ILLINOIS COALITION FOR IMMIGRANT AND REFUGEE RIGHTS

Immigration Enforcement-- The Dangerous Reality Behind “Secure Communities”



Executive Summary

As US Immigration and Customs Enforcement (ICE) ramps up deportations to nearly 1,100 each day, it is selling its new “Secure Communities” program as a tool to help local police get dangerous criminals off the streets and out of the country. Yet here in Illinois, where 26 out of 102 counties participate so far, the program has been largely sweeping up immigrants who pose no harm to the community—disrupting families and wasting law enforcement resources paid for by Illinois taxpayers:

- **More than three-quarters (77%) of all immigrants arrested by ICE in Illinois under “Secure Communities” through July 2010 have no criminal convictions.**
 - In **three counties** (Winnebago, Madison, and St. Clair), **every** person arrested by ICE had no convictions
 - In **Kane County**, one of the first Illinois counties to start participating in “Secure Communities,” **82%** of the 234 individuals whom ICE has arrested and 64% of those deported had no criminal convictions.
 - By comparison, **nationwide** only **27%** of ICE detainees under “Secure Communities” had no criminal convictions.
- “Secure Communities” imposes **unfunded mandates** on local law enforcement and taxpayers in the form of housing, guarding, and feeding individuals who would otherwise be released until they can be apprehended by ICE.
- “Secure Communities” **diminishes trust between law enforcement and local communities** by turning any encounter with police into a potential deportation case, and potentially encouraging police departments and officers to engage in **racial profiling** targeting immigrants.
- “Secure Communities” **lacks transparency and accountability**: ICE has not provided answers to key questions about how the program operates or current statistics about how the program is performing. Several organizations, including ICIRR, have filed **Freedom of Information requests** seeking detailed information about “Secure Communities” and other ICE enforcement programs. Without this information, we cannot know how many people ICE is arresting pose more serious threats and how many merely missed a stop sign or failed to signal a turn.

Illinois needs a smart enforcement strategy that would limit this program and put it under greater scrutiny and accountability, so that law enforcement can focus on those immigrants who threaten our entire community, rather than wasting resources catching those who present no danger.

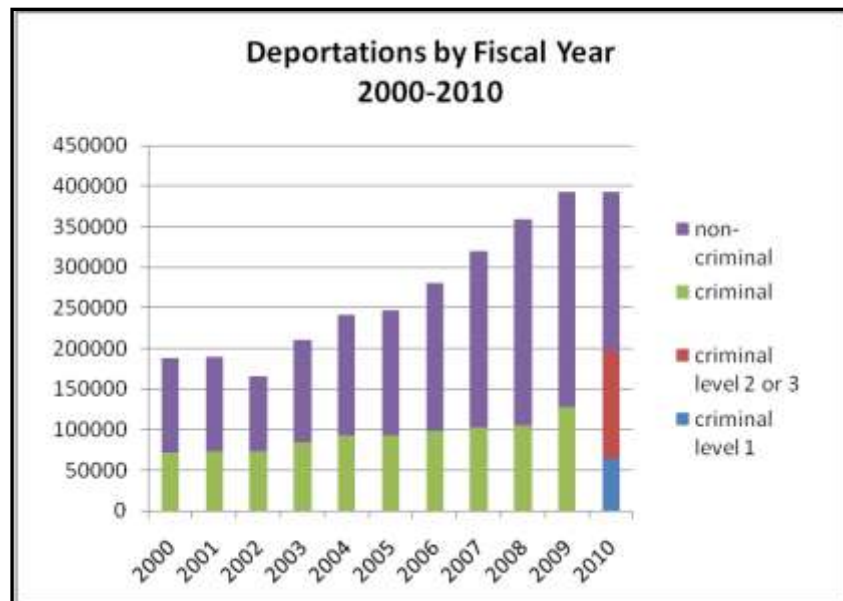
- **States** like Illinois should restrict their participation in “Secure Communities” by

- imposing monitoring and reporting requirements
 - enabling counties to opt out should they wish to
 - barring use of state funds for removal of noncriminal immigrants
 - withdrawing from the program altogether—which states can do **at any time**.
- **Counties** should
 - seek to block local activation of the program
 - limit who they arrest and fingerprint
 - strictly apply the 48-hour limit on how long they can hold detainees until ICE apprehends them.
- States and counties should also call on the **Obama Administration** to review the entire “Secure Communities” program to bring it in line with its original intention of identifying convicted criminals, so that ICE and local law enforcement can focus on the truly harmful, and not on immigrants who pose no threat, who contribute to our community and could offer so much more if given the opportunity to live in our country lawfully.

What is “Secure Communities”?

Immigrant families and communities live in fear. The 11-12 million undocumented immigrants in the US (including roughly 500,000 in Illinois) are at constant risk of being detained and deported, afraid that a traffic stop or being in the wrong place at the wrong time could lead to long-term separation from their families and friends. This fear has grown in recent years as Immigration and Customs Enforcement (ICE) has accelerated enforcement in the wake of Congress’ failure to pass comprehensive immigration reform. The **numbers of people deported** from the US has risen from 165,000 in FY 2002 to 392,000 in FY 2010—*nearly 1,100 each day*.

Creating further fear has been **local police engagement in immigration enforcement**. Even without state statutes like Arizona’s SB 1070, ICE has been implementing programs that recruit and encourage police departments on the municipal and county level to assist with immigration enforcement. Chief among these programs is **“Secure Communities,”** which engages county jails to run fingerprints of criminal



suspects through immigration databases. “Secure Communities” was originally intended by Congress as a tool to “identify aliens **convicted of a crime, sentenced to imprisonment**, and who may be deportable.”¹ [Emphasis added] However, the program primarily catches innocent immigrants, including mothers, fathers, and students, who have no criminal convictions but who nevertheless end up arrested, detained, and deported. “Secure Communities” is only one of many ways through which someone can end up in ICE custody.

“Secure Communities” uses the fingerprint clearances that county jails already routinely send to FBI databases to check on prior convictions and warrants. Under “Secure Communities,” fingerprints that go to the FBI also get sent to ICE for checks against Department of Homeland Security (DHS) databases. If someone turns up in the DHS databases, ICE can then issue a detainer, a document commanding the jail to hold that person for 48 hours so that ICE can arrest her and begin the removal process.

¹ Consolidated Appropriations Act, 2008, Public Law 110-161 (enacted December 26, 2007).

The Illinois State Police, through which all fingerprint clearance requests to the FBI from Illinois jails get sent, signed Illinois onto “Secure Communities” in November 2009.² As of January 11, 2011, **26 counties in Illinois** (out of 102) participate in “Secure Communities,” covering Waukegan, Elgin, Aurora, Joliet, Rockford, Freeport, Champaign, Danville, Carbondale, and the St. Louis Metro-East area. (see appendix 1) Many of these areas have seen significant growth in their immigrant populations, but have little infrastructure to address the basic needs of families devastated by detention and deportations. Across the US, 969 counties in 37 states participate in the program, including every county in Arizona, Delaware, Florida, Texas, Virginia, West Virginia, and Wisconsin. ICE intends to have the program in place nationwide by 2013.

Illinois Counties Where “Secure Communities” Has Been Activated	
Alexander	Madison
Champaign	Marion
Christian	Massac
Clinton	McHenry
Crawford	Piatt
DeWitt	Pulaski
DuPage	St. Clair
Effingham	Stephenson
Ford	Vermilion
Franklin	Washington
Jackson	Will
Kane	Williamson
Lake	Winnebago

What’s Wrong with “Secure Communities”

“Secure Communities” catches the wrong people

The expressed intent of “Secure Communities” is to catch and deport serious criminals. Unfortunately, it appears that “Secure Communities” is being used to deport the wrong people. As shown in the chart below, from November 2009, when the Illinois State Police signed onto the program and enabled county jails to participate, through September 2010, **78% of those detained by ICE under this program in Illinois are non-criminals**, that is, people without criminal convictions. In participating counties, immigrants are at risk of deportation as a result of even the most minor of infractions or even for traffic stops if they are brought to jail and fingerprinted—even if they are acquitted or not even prosecuted.

Nationwide, 27% of those detained by ICE under “Secure Communities” are non-criminals, and another 9% are convicted of only minor “Level 3” offenses that could include illegal gambling and disorderly conduct. The plurality of those arrested and deported by ICE under the program nationwide has been convicted of “Level 2” offenses, which could range from arson and burglary to traffic offenses. ICE, however, does not provide information on how many individuals are convicted of which offenses within each category. We therefore have no way of knowing how many “Level 2” individuals pose more serious threats to the community, and how many merely missed a stop sign or failed to signal a turn. (More complete statistics are included in appendix 2. A list of offenses in each “level” is in appendix 3.)

² Memorandum of Agreement between U.S. Department of Homeland Security Immigration And Customs Enforcement and Illinois State Police, executed November 20, 2009.

“Secure Communities” Statistics Through July 31, 2010 (Cumulative)³						
County	Administratively Arrested or Booked into ICE Custody			Removals and Returns		
	Non-Criminal	Total	Non-Criminal % of Total	Non-Criminal	Total	Non-Criminal % of Total
Winnebago	15	15	100.0%	2	2	100.0%
Madison	5	5	100.0%	1	1	100.0%
St. Clair	3	3	100.0%	0	0	0.0%
McHenry	29	33	87.9%	0	2	0.0%
Kane	191	234	81.6%	33	52	63.5%
Lake	48	60	80.0%	8	13	61.5%
DuPage	172	248	69.4%	25	63	39.7%
Will	20	30	66.7%	4	8	50.0%
Illinois total	483	628	76.9%	73	141	51.8%
National total	25,681	96,293	26.7%	13,054	50,972	25.6%

“Secure Communities” undermines trust between police and immigrant communities

The closer local law enforcement works with ICE, the more they risk burning their bridges with local immigrant communities. Law enforcement relies on the trust of immigrants and their neighbors to identify and catch criminals who are hurting and exploiting others. If immigrants and their families are afraid of coming under suspicion regarding their status, they will be far less likely to come forward to report crimes or serve as witnesses for prosecutions. Many cities and counties across the country, including Chicago and Cook County as well as Los Angeles, San Francisco, Seattle, Houston, and New York City, understand this need for trust and have enacted policies barring police and other officials from asking about immigration status. Programs like “Secure Communities,” however, undermine these trust-building measures: immigrants may still be afraid to come forward if police would have any reason to take them into custody and run their prints.

“Secure Communities” imposes unfunded mandates on local governments and taxpayers

ICE detainers impose on jails the additional costs of detaining, guarding, and providing food and health care for the detainees beyond when they would ordinarily be released (after posting bond or having charges dropped, for instance). These costs may rise further when ICE fails to pick up the detainees within 48 hours. While federal law requires that the detainees are held for only 48 hours,⁴ jails are often unaware of this limit and hold detainees far longer than 48 hours. In some cases, jails hold detainees for as long as two weeks waiting for ICE to arrive. As more immigrants get identified by “Secure Communities,” these holds will only increase in number. All of these costs eventually get paid by local taxpayers.

³ “Secure Communities Nationwide Interoperability By Conviction - July 2010” (available at http://www.ice.gov/doclib/foia/secure_communities/nationwide_interoperability_conviction-july.pdf).

⁴ 8 CFR § 287.7(d).

“Secure Communities” encourages racial profiling

The direct connection to ICE that “Secure Communities” provides to local police gives officers and departments who want to target “illegals” a tool they can use to flag immigrants. Local police may feel empowered to set up checkpoints or other operations in immigrant neighborhoods, or pull over Latino and other immigrant-appearing drivers for “windshield obstruction,” minor traffic infractions, or other trumped-up charges. Such incidents already occur in many communities that do not already participate; the ICE program would only encourage further targeting of people that “look undocumented.”

“Secure Communities” lacks transparency

ICE has not been forthcoming with information regarding many aspects of “Secure Communities.” It has yet to issue a clear statement on how counties get activated within the program, or for that matter whether they have any say in participating. (*See next section*) It has not explained which immigrants it will issue detainers for, and which it will arrest.

While ICE had been publishing figures on the numbers of immigrants it identifies, arrests, and deports under the program—after litigation—it has not posted any numbers more recent than those for September 2010, nor any county-level numbers since July 2010. Nor has ICE published any figures regarding the national origin breakdown of these immigrants, how many individuals are being deported for which specific types of offenses (such as traffic infractions), or any information on how many immigrants are being arrested and deported by ICE even if local criminal prosecutors decide not to prosecute them.

Without such information, it is difficult to evaluate how effective “Secure Communities” is in meeting its goal of removing serious criminals, or whether in fact it is sweeping up immigrants who pose no threat. ICIRR and other organizations have had to resort to Freedom of Information requests to pursue this information.

Counties that do not want “Secure Communities” cannot opt out

Several jurisdictions have tried to opt out of “Secure Communities,” including San Francisco and Santa Clara Counties in California; Arlington County, Virginia; and the District of Columbia. While ICE had originally represented that “Secure Communities” is voluntary, it is now informing these places that once their state has agreed to participate, **counties cannot opt out** once ICE decides to bring them into the program. Arlington, San Francisco, and Santa Clara Counties never consented to participating, and have resisted ICE’s attempts to put them online.⁵

⁵ Press release, “Arlington, Santa Clara, and San Francisco: The Fight to Opt Out of S-Comm Rages On,” November 9, 2010 (available at http://uncoverthetruth.org/wp-content/uploads/SCOMM_Joint-Press-Release_Meetings-with-ICE_11_9_10_FINAL.pdf).

How else is ICE ramping up enforcement?

Even without “Secure Communities,” ICE has a pervasive presence in the criminal justice system. ICE agents are present in the holding cells in **Cook County Jail**, in the Illinois state prisons, and even reportedly in some Cook County courtrooms. It is not clear what formal arrangement, if any, permits ICE presence in these places. These and other ICE deployments might be under the agency’s “Criminal Alien Program” (CAP), under which state and local law enforcement agencies receive compensation for the cost of housing immigrants charged with or convicted of crimes. It appears, though, that the state prison arrangement is not part of CAP. ICE is present in Cook County Jail even though both the City of Chicago and Cook County have “sanctuary” ordinances preventing city and county officials, including police officers, from inquiring about immigration status.

ICE is also continuing its “fugitive” operations targeting individuals with outstanding removal orders or with prior criminal convictions that might render them deportable. On some occasions, operations to arrest “fugitives” have engaged local police to collaborate with ICE agents. One ICIRR leader, Pastor Walter Bohorquez, is now facing deportation without any possible relief after being flagged by ICE for a past conviction, even though he has long since served his time and changed his life to become a religious leader in his community.

What’s already being done about “Secure Communities”?

The Immigration Policy Center published a report on the pitfalls of “Secure Communities” in November 2009.⁶ A coalition of organizations, including the Center for Constitutional Rights, the National Day Labor Organization Network, and Cardozo Law School, has filed a Freedom of Information request with ICE that prompted the agency to publish data from the program, and has issued subsequent reports challenging ICE’s arguments about the effectiveness of the program.⁷ These and other organizations are leading national and local efforts to stop or modify “Secure Communities” through several strategies, including

- working to block implementation in new states (such as New York);
- working with counties that want to opt out;
- seeking restrictions on who gets arrested or fingerprinted;
- seeking restrictions on whose fingerprints get sent to ICE and when—for instance, running checks against ICE databases only after a person has been convicted;

⁶ Michele Waslin, Ph.D, *The Secure Communities Program: Unanswered Questions and Continuing Concerns*. Washington DC: Immigration Policy Center, 2009 (available at http://www.immigrationpolicy.org/sites/default/files/docs/Secure_Communities_112309.pdf.)

⁷ “Briefing Guide To ‘Secure Communities’-- ICE’s Controversial Immigration Enforcement Program: New Statistics and Information Reveal Disturbing Trends and Leave Crucial Questions Unanswered” (published July 30, 2010); “Immigration And Customs Enforcement (ICE) Agency’s Spin Cannot Obscure The Truth About the ‘Secure Communities’ Program” (published September 1, 2010) (both available at <http://uncoverthetruth.org>).

- educating local jails that ICE detainers are valid for only 48 hours, and that individuals held under a detainer for longer should be released; and
- imposing reporting requirements on state police departments regarding who has been flagged, detained, and deported under “Secure Communities.”

What more can be done in Illinois? *Smart enforcement strategies*

ICIRR is developing several approaches that would focus law enforcement activity on people convicted of serious crimes, rather than taking a dragnet approach sweeping up anyone who gets arrested. Such a “smart enforcement” approach would target those people who pose a serious threat to the community, and not waste resources on those who do not.

State-level work

Given the ICE policy that counties cannot choose not to participate in “Secure Communities,” the key decision regarding participation now lies with the states. State police departments sign memoranda of agreement with ICE to start deployment of the program. These memoranda give states the right to rescind at any time. Given the flaws in “Secure Communities,” Illinois and other states should reconsider their participation in the program and **withdraw from their agreements with ICE.**

States like Illinois can also **restrict their participation** in “Secure Communities” or provide detailed information about their participation:

- States may be in a position to enable counties to opt out of the program by blocking fingerprint requests from those counties.
- States can also seek modifications of the ICE agreements to provide, for example, that fingerprint checks to ICE occur only after someone has been convicted of a serious offense.
- States can restrict who must be fingerprinted by state and local police, so that people would not be subject to fingerprint checks if they are arrested for only minor offenses.
- Finally, states can establish monitoring and reporting requirements for participating counties to document how many individuals are identified under “Secure Communities,” how many are arrested by ICE, and how many are actually tried and convicted of crimes—all with the intent of measuring whether the program is in fact resulting in apprehensions of serious criminals, or on the contrary catching mostly non-criminals.

ICIRR plans to develop state-level “smart enforcement” legislation that would employ several of these elements, including the reporting requirements and the provision for opting out of the program. Such legislation could also bar the state from spending funds on deportation of immigrants with no convictions. Leaders in New York and Colorado are also organizing to stop or limit implementation of “Secure Communities” after the state police department in those states entered agreements with ICE.

County and municipal-level response

Counties where “Secure Communities” still has not been deployed could **seek to block the program**, just as Santa Clara and Arlington Counties have, even if they are ultimately prevented from opting out. Cook County, Illinois’ largest and home to 600,000 noncitizens, is still not in the program. It also happens to be the home county of President Obama, whose alderman, Toni Preckwinkle, has just been elected county board president. Preckwinkle has already expressed concern regarding ICE’s presence in the county jail. She may be similarly inclined to take a strong stand against “Secure Communities” coming to Cook.

County and municipal police departments can also **limit the range of offenses for which they will arrest** an individual. Illinois state law defines who gets fingerprinted, but counties and cities can choose who they will arrest, and commit that they will fingerprint only those who must be fingerprinted under state law.

Counties can also decide to more **strictly apply the 48-hour limit** on validity of ICE detainers. ICE detainers require that jails hold individuals for 48 hours beyond when such individuals would ordinarily be released. They can determine that they will release any individual for whom ICE has issued a detainer, but whom ICE has not taken into custody within the hold period.

Research

Documentation of the impact of immigration enforcement and “Secure Communities” specifically will become increasingly important as enforcement programs further accelerate. As noted above, ICE has posted information regarding numbers of people identified, detained, and deported under “Secure Communities”; however, the agency has not posted total or state-level numbers since September 2010, and has not posted county-level numbers since July 2010. Many further questions remain, including

- What is the ethnic/national origin breakdown for those individuals identified, arrested, and deported under “Secure Communities”?
- How many individuals being detained and deported have been convicted of their current charges, as opposed to being identified based on prior convictions?
- How many individuals have no charges brought against them or have their charges dropped before ICE apprehends them?
- How many detainers does ICE issue and to which jails? Of those immigrants held by county jails under detainers, how many does ICE take into custody? If ICE is focusing on serious criminals, why are so many non-criminals being detained and deported?
- How many U.S. citizen children suffer the consequences of the deportation of one or both parents through “Secure Communities”?
- What are the economic, social and psychological consequences of such a program on immigrant families?

- What are the available resources available to immigrant families who find themselves with one or both parents in deportation as a result of such enforcement programs?

Gathering this data will require a combination of reporting by county jails and ICE, new requirements for tracking and release of this data, and requests and potential litigation under the federal and state Freedom of Information Acts. ICIRR already has a pending FOIA request with ICE seeking the numbers of Illinois immigrants arrested and deported by ICE each year since 2003, broken out by criminal and non-criminal--ICE does not make such numbers readily available.

Defending families

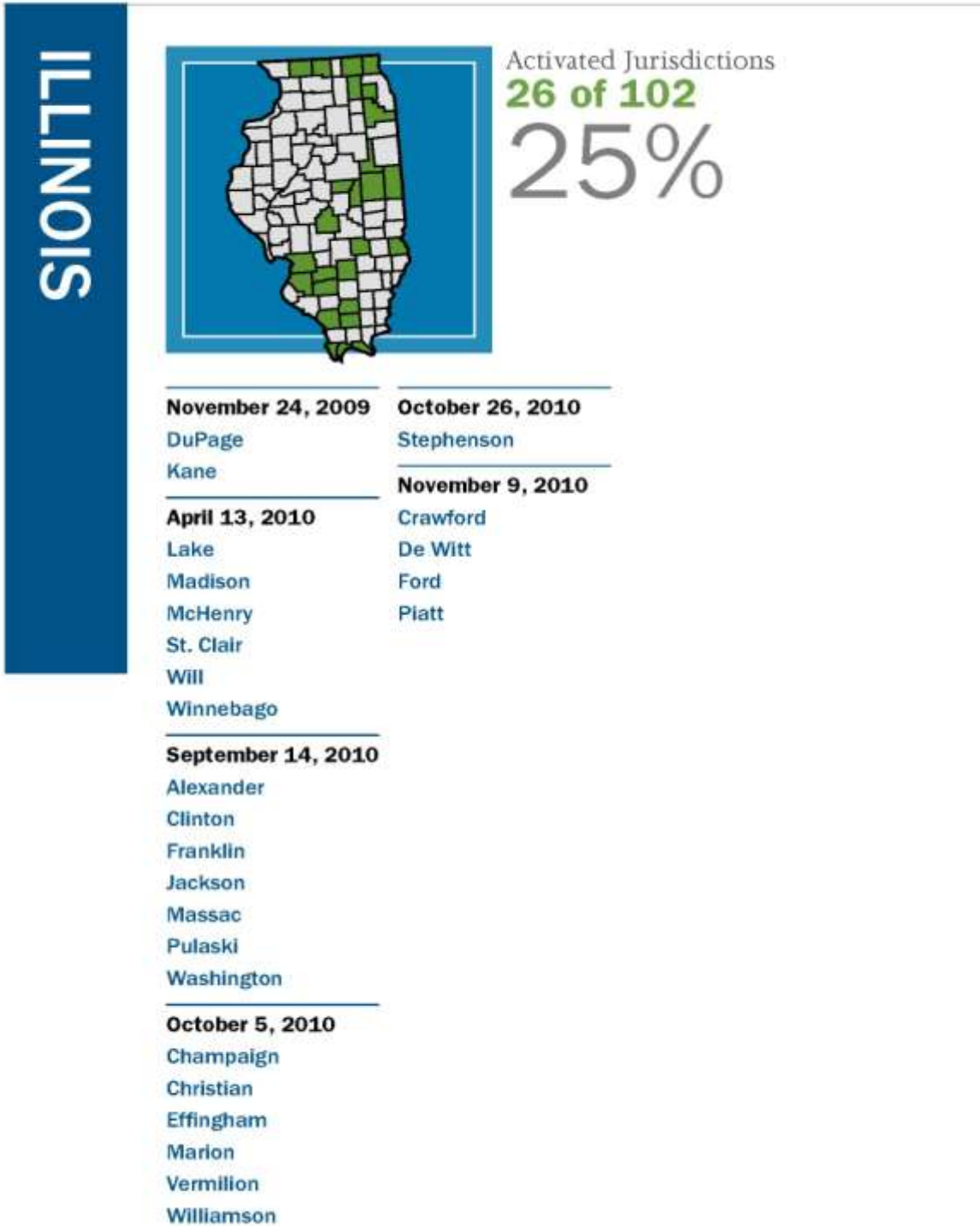
As more immigrants are deported under "Secure Communities" and other programs, aid to the families these immigrants leave behind will become increasingly necessary and urgent. ICIRR is organizing the Family Support Network that seeks to provide crisis assistance for families affected by deportation, including emergency social services, legal resources, and emotional and pastoral support. So far more than a dozen local networks have come together and received training in various parts of the state. ICIRR plans to formally launch this network in 2011.

ICIRR's network would collaborate with the Pastoral Migratoria program of the Office of Immigrant Affairs and Immigration Education in the Archdiocese of Chicago. The Pastoral Migratoria program offers reflection/formation, information, service, advocacy and accompaniment for families in crisis at a local parish level. In addition, the Office has a network of Priests, Sisters, and Brothers who are actively involved in all the issues related to immigration reform.

Federal reform

Ultimately, immigrant families will no longer live in fear should the federal government finally summon the will to enact immigration reform that will enable the undocumented to earn legal status. Without immigration reform, however, the Obama Administration should carefully review how "Secure Communities" and other ICE enforcement initiatives are affecting local communities. In particular, the Administration should ask itself whether these policies are indeed achieving their stated goal of identifying convicted criminals, or whether they are merely sweeping up immigrants who pose no threat, who contribute to our community and could offer so much more if given the opportunity to live in our country lawfully.

Appendix 1:
Counties Where “Secure Communities” Has Been Activated
 (as of January 11, 2011)⁸



⁸ <http://www.ice.gov/doclib/secure-communities/pdf/sc-activated.pdf>.

Appendix 2: “Secure Communities” Statistics in Illinois

“SECURE COMMUNITIES” STATISTICS THROUGH JULY 31, 2010 (CUMULATIVE)⁹

County	Submissions	Alien IDENT Matches			Administratively Arrested or Booked into ICE Custody						Removals and Returns					
		LESC L1	LESC L2/3	Total	L1	L2	L3	Non-Criminal	Total	Non-Criminal % of Total	L1	L2	L3	Non-Criminal	Total	Non-Criminal % of Total
DuPage	12,884	50	1,234	1,284	25	40	11	172	248	69.4%	10	23	5	25	63	39.7%
Kane	11,146	65	1,283	1,348	9	21	13	191	234	81.6%	6	7	6	33	52	63.5%
Lake	4,056	13	362	375	2	9	1	48	60	80.0%	1	4	0	8	13	61.5%
McHenry	1,882	2	174	176	1	2	1	29	33	87.9%	1	0	1	0	2	0.0%
Madison	2,923	0	23	23	0	0	0	5	5	100.0%	0	0	0	1	1	100.0%
St. Clair	1,493	1	14	15	0	0	0	3	3	100.0%	0	0	0	0	0	0.0%
Will	7,237	59	185	244	4	6	0	20	30	66.7%	1	3	0	4	8	50.0%
Winnebago	2,869	7	72	79	0	0	0	15	15	100.0%	0	0	0	2	2	100.0%
Illinois total	44,490	197	3,347	3,544	41	78	26	483	628	76.9%	19	37	12	73	141	51.8%
% of total in each category		5.6%	94.4%		6.5%	12.4%	4.1%	76.9%			13.5%	26.2%	8.5%	51.8%		
% of total in <i>previous</i> category				8.0%					17.7%						22.5%	
Nationwide	3,281,034	43,175	244,438	287,613	24,079	37,208	9,325	25,681	96,293		10,866	20,930	6,122	13,054	50,972	
% of total in each category		15.0%	85.0%		25.0%	38.6%	9.7%	26.7%		26.7%	21.3%	41.1%	12.0%	25.6%		25.6%
% of total in <i>previous</i> category				8.8%					33.5%						52.9%	

⁹ “Secure Communities Nationwide Interoperability By Conviction - July 2010” (available at http://www.ice.gov/doclib/foia/secure_communities/nationwide_interoperability_conviction-july.pdf).

“SECURE COMMUNITIES” STATISTICS THROUGH SEPTEMBER 30, 2010 (CUMULATIVE)¹⁰

County	Submissions	Alien IDENT Matches			Administratively Arrested or Booked into ICE Custody					Removals and Returns				
		LESC L1	LESC L2/3	Total	L1	L2	L3	Non-Crim	Total	L1	L2	L3	Non-Crim	Total
Illinois total	66,693	290	4,496	4,786	62	116	35	761	974	35	69	23	141	268
% of total in each category		6.1%	93.9%		6.4%	11.9%	3.6%	78.1%		13.1%	25.7%	8.6%	52.6%	
% of total in <i>previous</i> category				7.2%					20.4%					27.5%
Nationwide	4,203,942	52,548	291,281	343,829	30,967	46,390	11,173	33,188	121,718	14,020	25,619	7,259	17,174	64,072
% of total in each category		15.3%	84.7%		25.4%	38.1%	9.2%	27.3%		21.9%	40.0%	11.3%	26.8%	
% of total in <i>previous</i> category				8.2%					35.4%					52.6%

IDENT = Department of Homeland Security Automated Biometric Identification System

LESC = Law Enforcement Support Center, a national enforcement operations facility administered by ICE

L1, L2, L3 = levels of criminal offenses (*see Appendix 3*)

¹⁰ “Secure Communities Nationwide Interoperability By Conviction - July 2010” (available at http://www.ice.gov/doclib/foia/secure_communities/nationwideinteroperabilitystatisticsseptember2010.pdf).

Appendix 3:
“Secure Communities” Levels and Offense Categories by
National Criminal Information Center Code¹¹

Level 1 Crimes (NCIC Code)	Level 2 Crimes (NCIC Code)	Level 3 Crimes (NCIC Code)
National Security* (0101-0199, 1602, 5204-5299)	Arson (2001-2099)	Military (0201, 2099)
Homicide (0901-0999)	Burglary (2201-2299)	Immigration (0301-0399)
Kidnapping (1001-1099)	Larceny (2301-2399)	Extortion (2102-2199)
Sexual Assault (1101-1199)	Stolen Vehicles (2401-2411, 2499)	Damage Property (2901-2903)
Robbery (1201-1299)	Forgery (2501-2599)	Family Offenses (3801, 3804-3899)
Aggravated Assault (1301-1399)	Fraud (2601-2699)	Gambling (3901-3999)
Threats (1601)	Embezzlement (2701-2799)	Commercialized Sex Offenses (4001-4099)
Extortion –Threat to Injure Person (2101)	Stolen Property (2801-2899)	Liquor (4101-4199)
Sex Offenses (3601-3699)	Damage Property w/Explosive (2904-2906)	Obstructing the Police (4802-4899)
Cruelty Toward Child, Wife (3802, 3803)	Traffic Offenses (5402-5499)	Bribery (5101-5199)
Resisting an Officer (4801)	Smuggling (5801-5899)	Health and Safety (5501-5599)
Weapon (5201-5203)	Money Laundering (6300)	Civil Rights (5699)
Hit and Run (5401)	Property Crimes (7199)	Invasion of Privacy (5701-5799)
Drugs (Sentence >1 year)	Drugs (Sentence < 1 year)	Elections Laws (5999)
		Conservation (6201-6299)
		Public Order Crimes (7399)

***National Security** violations include the NCIC coded offenses of Sabotage, Sediton, Espionage and Treason (0101-0199); Terrorist Threats (1602); and Weapons, Arson/Incendiary Devices and Bombing offenses (5204-5299).

¹¹ http://www.ice.gov/doclib/foia/secure_communities/securecommunitiesmoatemplate.pdf.

Addendum

In the days leading up to the release of this report, ICE posted updated numbers for the “Secure Communities” program for October and November 2010. The November numbers indicate that 44% of those arrested by the agency in Illinois under the program were non-criminals, compared to 76% in the October figures and 78% in the September figures. **A closer inspection of the November figures shows a consistent pattern of reductions in the cumulative totals of noncriminal arrests and removals:**

Month	Administratively Arrested or Booked into ICE Custody			Removals and Returns		
	Non-Criminal	Total	Non-Criminal % of Total	Non-Criminal	Total	Non-Criminal % of Total
September 2010	761	974	78.1%	141	268	52.6%
October 2010	869	1,151	75.5%	177	330	53.6%
November 2010	566	1,285	44.0%	119	392	30.4%

In other words, as the cumulative total of arrests in Illinois rose by 134 from October to November, the **cumulative number of arrests classified as noncriminal *shrank*** by 303. Similarly, as cumulative removals rose by 62, cumulative noncriminal removals shrank by 58. At the same time, the numbers in the other categories of arrests and removals—particularly L2—rose dramatically.

ICE is clearly playing with the numbers in Illinois. Either its previous numbers were faulty, or the most recent numbers (November 2010) are. In either case, the noncriminal share of arrests and removals in Illinois still far exceed the national figures, and the program remains deeply flawed.

ICIRR is requesting that the Inspector General for the Department of Homeland Security investigate why these “Secure Communities” figures were altered, and why the arrests and removals were reclassified.

“Secure Communities” Statistics for Illinois—Cumulative Totals Reported by ICE

month	Administratively Arrested or Booked into ICE Custody						Removals and Returns					
	L1	L2	L3	Non-criminal	total	noncriminal % of total	L1	L2	L3	Non-criminal	total	noncriminal % of total
September 2010	62	116	35	761	974	78.1%	35	69	23	141	268	52.6%
October 2010	79	163	40	869	1,151	75.5%	43	85	25	177	330	53.6%
November 2010	161	432	126	566	1,285	44.0%	74	125	74	119	392	30.4%