

**From:** (b)(6), (b)(7)(C)

**Sent:** Tuesday, May 11, 2010 2:33 PM

**To:** (b)(6), (b)(7)(C); Penney, Susan E

**Cc:** (b)(6), (b)(7)(C)

**Subject:** RE: Santa Clara Secure Communities

I think that as we continue to deploy we are going to continue to encounter the “one-offs” that will not fit into our standard way of conducting business.

As long as we identify those situations early enough, we can remain nimble and adjust accordingly. I guess the tricky part, and I believe what (b)(6)... was getting at, is how to communicate this clearly to our FCs. This, in my opinion, is where our Regional Coordinators apply some finely tuned advice and facilitate an acceptable way forward.

(b)(6), (b)(7)(C)

Secure Communities

Immigration & Customs Enforcement

Chief, Deployment Branch

(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**Sent:** Tuesday, May 11, 2010 2:23 PM

**To:** (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

**Cc:** (b)(6), (b)(7)(C)

**Subject:** RE: Santa Clara Secure Communities

I'm looking at the language in the second paragraph of (b)(6), (b)(7)(C) email—which I like and certainly think is appropriate, and would very much like to share with the Field Coordinators—but in that context, I'm wondering how it applies to Cook County, where we have allowed the SIB to dictate the terms of engagement between ICE SC and the Sheriff's Office, notwithstanding existence of a signed MOA at the state level. How do we reconcile the two?

(b)(6), (b)(7)(C)

ICE Secure Communities

Regional Coordinator

(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**Sent:** Monday, May 10, 2010 12:30 PM

**To:** Penney, Susan E

**Cc:** (b)(6), (b)(7)(C)

**Subject:** RE: Santa Clara Secure Communities

Please do so.

(b)(6), (b)(7)(C)

Secure Communities

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**Sent:** Monday, May 10, 2010 11:58 AM

**To:** Penney, Susan E; (b)(6), (b)(7)(C)

**Cc:** (b)(6), (b)(7)(C)

**Subject:** RE: Santa Clara Secure Communities

We can work with C&O to update the LEA Briefing script.

Was the field made aware of the redefinition of "voluntary" participation outlined in the DRO director's memo? It's probably advisable to communicate about this to the FCs and field PAOs as well if not.

(b)(6),...

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**From:** Penney, Susan E

**Sent:** Monday, May 10, 2010 9:16 AM

**To:** (b)(6), (b)(7)(C)

**Cc:** (b)(6), (b)(7)(C)

**Subject:** RE: Santa Clara Secure Communities

We could also look at the script for the LEA outreach presentation to see if we can make it more clear and stand out:

Law Enforcement Agencies do not enter into any agreement with ICE Secure Communities for Interoperability. The agreement exists between ICE and the State Identification Bureaus. The POC for your jurisdiction will receive a courtesy email notification of the scheduled activation. The LEA is not obligated to do anything. Your cooperation in honoring detainer requests issued by ICE, however, will be very much appreciated. Each LEA may inform the SIB whether it elects to receive automatic notification of immigration status on subjects booked into custody.

Please feel free to contact me for your SIB contact to discuss the options for status notification between the SIB and your LEA. ICE Secure Communities is committed to promoting local community safety in partnership with federal, state, tribal and local law enforcement.

Susan Penney  
Secure Communities

(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**Sent:** Monday, May 10, 2010 8:54 AM

**To:** Venturella, David; Canty, Rachel E; Greenberg, Randi L; (b)(6), (b)(7)(C)

**Cc:** Penney, Susan E

**Subject:** FW: Santa Clara Secure Communities

All,

It might be helpful if we could provide Congresswoman Lofgren and her staff an SC briefing. Explaining what SC is, and is not, may go a long way toward telling the correct story and defusing the

situation before it escalates. We might also want to look into reaching out to the House members who represent Riverside County as they received a similar message as Santa Clara County. This may help us get ahead of public misperception about the program.

(b)(6), (b)(7)(C)

Secure Communities

(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**Sent:** Friday, May 07, 2010 7:33 PM

**To:** (b)(6), (b)(7)(C); Greenberg, Randi L; Venturella, David; Canty, Rachel E

**Cc:** Penney, Susan E

**Subject:** Re: Santa Clara Secure Communities

All,

Santa Clara inquired about why there was not an MOA directly with them. We have a signed MOA with the State of California that was signed on April 10, 2009 that allows us to proceed with deployment in California. Below is the response that we provided to (b)(6), (b)(7)(C) AFOD in SFR, that was sent to a command-level officer within Santa Clara County. This response is in line with our decision as to what "opting out" means and our decision to activate when an MOA is in place. I did not hear of any additional concern after the message was sent. Our sense was that they were looking for political cover.

"Santa Clara Sheriffs Office has not entered into any agreement with ICE Secure Communities or authorized a "go" response. The agreement exists between ICE and CAL DOJ. The email message you received was intended to notify you that Santa Clara County will be activated for the federal information sharing capability known as Secure Communities. This capability automatically forwards fingerprints of subjects booked into local custody to check biometric records in FBI and DHS databases. ICE will be notified if the subject is determined to be removable from the country under the US Immigration and Nationality Act. ICE will initiate enforcement action on removable aliens who have been convicted of or are currently charged with an aggravated felony offense. Santa Clara County is not obligated to do anything. Your cooperation in honoring detainer requests issued by ICE, however, will be very much appreciated. Santa Clara County may inform the CAL DOJ whether it elects to receive automatic notification of immigration status on subjects booked into custody. Please contact (b)(6), (b)(7)(C) at (b)(6), (b)(7)(C) to discuss the options for status notification between CAL DOJ and Santa Clara LEAs. ICE Secure Communities is committed to promoting local community safety in partnership with federal, state, tribal and local law enforcement. Please do not hesitate to contact me directly if you would like more information about Secure Communities."

A similar response was sent by LOS today to Riverside County.

Thanks,

(b)(6), (b)(7)(C)

Branch Chief, Deployment  
Secure Communities, ICE

(b)(6), (b)(7)(C)

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**From:** (b)(6), (b)(7)(C)

**To:** Venturella, David

**Sent:** Fri May 07 17:19:33 2010

**Subject:** Santa Clara Secure Communities

(b)(6)...

I just got a call from Congresswoman Lofgren's staff. They heard from the Santa Clara County Police Chief who said that the County was forced into Secure Communities and told they had no choice in the matter by ICE as well as the State. Do you have any info on this? It's my understanding that the MOA is with the state and that counties can opt in. Needless to say, Lofgren is up in arms about this. If I can get them an answer tonight it would probably be best.

(b)(6), ...

(b)(6), (b)(7)(C)

Deputy Director, Office of Congressional Relations  
U.S. Immigration and Customs Enforcement

(b)(6), (b)(7)(C)