



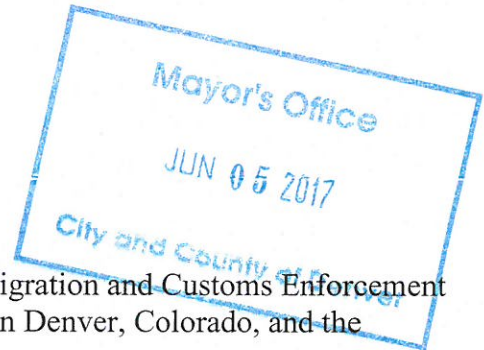
U.S. Immigration
and Customs
Enforcement

MAY 25 2017

The Honorable Michael B. Hancock
Mayor of the City of Denver
City and County Building
Denver, CO 80202

Dear Mayor Hancock:

Thank you for your April 6, 2017 letter to U.S. Immigration and Customs Enforcement (ICE) regarding ICE activity near schools and courthouses in Denver, Colorado, and the sensitive locations policy.



On October 24, 2011, ICE implemented the policy memorandum entitled *Enforcement Actions at or Focused on Sensitive Locations*. This memorandum 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 memorandum 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.

This memorandum is not intended to categorically prohibit lawful enforcement operations when there is an immediate need for enforcement actions. In situations where the risk of injury to the public, alien, and the officer is significantly increased, because the alien can more readily access a weapon, resist arrest, or flee, ICE officers and agents are required to locate and arrest these aliens in public places. Because courthouse visitors are typically screened upon entry to search for weapons and other contraband, the safety risks for the arresting officers and persons being arrested are substantially decreased.

When carrying out the immigration law enforcement mission, ICE remains sensitive to the needs of victims of crimes. ICE operations are guided by our commitment to public safety. ICE conducts targeted enforcement actions to seek out and arrest law violators who may have criminal histories or past violent behavior, or exhibit attempts to elude law enforcement with a disregard for community safety. Determinations about where and how ICE officers conduct both administrative and criminal arrests are made on a case-by-case basis, taking into account all aspects of the prospective action, including the intended target's criminal history, safety considerations, and any sensitivities involving the arrest location, pursuant to U.S. immigration law and consistent with ICE policies.

I want to assure you that we will continue to be respectful of, and work closely with, the courts in carrying out the ICE mission. 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, its officers and agents will continually improve their operations to meet the challenges to effective enforcement, including state and local policies that hinder their efforts. While these law enforcement personnel will remain mindful of concerns by the public and governmental stakeholders regarding enforcement activities, they will continue to take prudent and reasonable actions within their lawful authority to achieve their mission.

To perform their jobs safely and effectively, ICE officers must be publicly recognizable as law enforcement officers. The word "police" is the most universally recognizable term for law enforcement agencies around the world. ICE officers and special agents are—in fact—law enforcement personnel who perform law enforcement duties, such as carry firearms, make arrests, serve warrants, and conduct searches. Therefore, ICE officers must continue to identify themselves as "police," as well as "ICE," so that they are recognizable as law enforcement authority. This policy is enacted for the safety of our law enforcement officers, the individuals they encounter, and the public they serve.

Should an individual fail to recognize or acknowledge an ICE officer as a legitimate police entity due to a lack of proper identification, the individual may attempt to flee or take other action resulting in injury to the individual, harm to the officer, or danger to the public at large. ICE would fall short of its duty to promote public safety by branding itself with any marking that could lead a person to believe he or she is observing or encountering anyone other than a sworn law enforcement officer. ICE officers' proper identification is crucial to our agency's mission in enforcing federal immigration law and protecting public safety.

Thank you again for your letter and your interest in this important matter. Please share the response with the co-signers of your letter.

Sincerely,



Matthew T. Albence
Executive Associate Director