

Dorsey, Sarah B

From: (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 5:48 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Juveniles & DNA Rule

All – Thanks to Lade for sending this DRO policy along on the fingerprint issue.

**** Please note new desk number ****

(b)(6), (b)(7)(C)
 ELD/OPLA/ICE
 Desk: 202.7 (b)(6), (b)(7)(C)
 Cell: 202.32 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 5:44 PM
To: (b)(6), (b)(7)(C)
Subject: RE: Juveniles & DNA Rule

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

As we discussed and to further explain, here is the reference to ICE policy on fingerprinting for children 14 and older

You can also access the information on DRO's website if you want to see the entire manual.

Chapter 34 of the Detention and Removal Operations Policy and procedure Manual

34.3 Who is Fingerprinted?

The INS Servicewide Fingerprint Policy found in *Special Agent's Field Manual Appendix 16-3*, prescribes Service fingerprint requirements that encompass who is fingerprinted, what finger is to be utilized for single-prints, who takes the fingerprints, disposition and storage of fingerprints, and disposition of criminal charges/immigration benefits.

Form FD-249 is used to fingerprint every alien 14 years of age or older who has been:

- (a) taken into custody with or without a warrant of arrest per 8 CFR section 287;
- (b) served with a Notice to Appear in removal proceedings;
- (c) found to have willfully violated status as a crewman, or taken into custody for deportation as a crewman under section 252(b) of the Act;
- (d) removed from the United States under any provision of the Act (expedited removal, administrative removal, judicial removal, reinstated removal, or removal pursuant to an order of an immigration judge);
- (e) arrested by the Service and presented for prosecution for a criminal offense;

- (f) found inadmissible or has applied for admission or otherwise encountered at a Port-of-Entry and identified as mala fide, where a supervisor deems appropriate;

The INS requires applicants and petitioners age 14 to 79 for certain immigration benefits to be fingerprinted by an authorized fingerprint site via Form FD-258, Applicant Fingerprint Card, for the purpose of conducting FBI criminal background checks.

Regards,

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

(O) 202.73 (b)(6), (b)(7)(C) (BB) 202.27 (b)(6), (b)(7)(C)
 Associate Legal Advisor ELD OPLA US-ICE DHS
 ζ♦ Detailed to DRO/JFRMU ζ♦(O) 202.7 (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 5:20 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Juveniles & DNA Rule
Importance: High

All,

(b)(6), (b)(7)(C) has all previous inquiries forwarded to JFRMU and a mutual determined response was developed. According to our SME's, this information has previously been forwarded. (b)(6), (b)(7)(C) can you chime in on this?

Thanks,

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

(A) Chief
 Juvenile Family Residential Management Unit
 ICE/DRO
 202-73 (b)(6), (b)(7)(C)
 512-84 (b)(6), (b)(7)(C)

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From: (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 4:39 PM
To: Dorsey, Sarah B; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Re: Juveniles & DNA Rule

(b)(5)

From: Dorsey, Sarah B

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

Cc:

Sent: Mon Jan 05 13:02:23 2009

Subject: RE: Juveniles & DNA Rule

Thanks (b)(6), (b)(7)(C) -- I knew we could count on you!

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

Sent: Monday, January 05, 2009 4:00 PM

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

Cc:

Subject: RE: Juveniles & DNA Rule

(b)(5), (b)(7)e

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

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Desk: 202.73 (b)(6), (b)(7)(C)

Cell: 202.32 (b)(6), (b)(7)(C)

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

Sent: Monday, January 05, 2009 3:31 PM

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

Dorsey, Sarah B

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

Subject: Juveniles & DNA Rule

Hi - In following up on a few of the issues we discussed this morning, I have spoken with one of my colleagues, (b)(6), (b)(7)(C) on the the fingerprinting/collection of DNA for juveniles. (b)(6), (b)(7)(C) advises (b)(5)

(b)(5)

(b)(5), (b)(7)e

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

- please jump in if you have anything to add. If anyone has any further thoughts, please jump in as well.

I'll let you know when I hear back from OI on their policies.

Still waiting to hear back from DHS on the chain of custody issue. I'd also like to discuss the LPR issues with them again, just to make sure we're all on the same page. Will keep you posted!

Thanks!

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

**** Please note new address and desk number ****

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

Enforcement Law Division / Office of the Principal Legal Advisor / U.S. Immigration & Customs Enforcement
500 12th St., SW, 9th Floor / Washington, DC 20024

Desk: 202.73 (b)(6), (b)(7)(C) Cell: 202.32 (b)(6), (b)(7)(C)

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

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Dorsey, Sarah B

From: Dorsey, Sarah B (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 4:12 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Juveniles & DNA Rule

Among the issues we're considering regarding implementation of the DOJ DNA req is whom exactly ICE would sample. (b)(5)
(b)(5)
(b)(5) See below for some more info -- we'll keep you posted on this as it develops.

From: (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 4:06 PM
To: (b)(6), (b)(7)(C); Dorsey, Sarah B (b)(6), (b)(7)(C)
Subject: RE: Juveniles & DNA Rule

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

See what you can find out from JFRMU on this question. Thanks.

(b)(6), (b)(7)(C)
Chief, Office of Policy and Communications
ICE Detention and Removal Operations
Department of Homeland Security
(202) 73 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 05, 2009 4:04 PM
To: Dorsey, Sarah B; (b)(6), (b)(7)(C)
Subject: RE: Juveniles & DNA Rule

(b)(5)

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(b)(6), (b)(7)(C)
ELD/OPLA/ICE
Desk: 202.73 (b)(6), (b)(7)(C)
Cell: 202.321 (b)(6), (b)(7)(C)

From: Dorsey, Sarah B
Sent: Monday, January 05, 2009 4:02 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Juveniles & DNA Rule

Thanks, (b)(6), (b)(7)(C) -- I knew we could count on you!

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

Sent: Monday, January 05, 2009 4:00 PM

To: (b)(6), (b)(7)(C) Dorsey, Sarah B

Cc: [Redacted]

Subject: RE: Juveniles & DNA Rule

(b)(5)

**** Please note new desk number ****

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

ELD/OPLA/ICE

Desk: 202.73 (b)(6), (b)(7)(C)

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

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To: (b)(6), (b)(7)(C) Dorsey, Sarah B

Cc: [Redacted]

Subject: Juveniles & DNA Rule

(b)(6), (b)(7)(C), (b)(5)

Thanks!

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

**** Please note new address and desk number ****

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

Enforcement Law Division / Office of the Principal Legal Advisor / U.S. Immigration & Customs Enforcement
500 12th St., SW, 9th Floor / Washington, DC 20024

Desk: 202.73 (b)(6), (b)(7)(C) / Cell: 202.32 (b)(6), (b)(7)(C)

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