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**DOI REPORT: INVESTIGATION FINDS CITY CORRECTION DEPARTMENT INVESTIGATOR VIOLATED
NYC SANCTUARY CITY LAWS AND DOC POLICY BY PROVIDING INFORMATION
ON TWO PERSONS IN CUSTODY TO FURTHER FEDERAL CIVIL IMMIGRATION ENFORCEMENT**

Jocelyn E. Strauber, Commissioner of the New York City Department of Investigation ("DOI"), issued a Report following an investigation of allegations that officers from the City Department of Correction ("DOC"), assigned to a joint federal task force, provided assistance to Immigration and Customs Enforcement ("ICE") agents in February 2025 in connection with the arrest of an individual in DOC custody who was believed to have entered the country illegally. DOI's investigation found that an investigator assigned to the Homeland Security Investigations ("HSI") Violent Gang Task Force did in fact provide that assistance, in violation of City law and DOC policy. DOI also uncovered a second incident where the same DOC investigator provided information to federal immigration authorities about another person in DOC custody, also in violation of City law and DOC policy. In both instances, the DOC investigator was not aware that the information provided to federal authorities was in furtherance of civil immigration enforcement and thus impermissible, as opposed to in furtherance of a federal criminal investigation, which would have been consistent with local law and DOC policy. DOI issued seven policy and procedure recommendations ("PPRs") to DOC to strengthen DOC's practices on how its staff responds to immigration-related requests and improve its training to staff regarding this important issue. DOI also recommended DOC conduct a department-wide audit to determine if there were other similar instances to the conduct uncovered in this Report. Because DOI notified DOC immediately upon learning of these violations, DOC already has implemented some of these recommendations. A copy of the Report follows this release and can also be found at this link: <https://www.nyc.gov/site/doi/newsroom/public-reports-current.page>

DOI Commissioner Jocelyn E. Strauber said, "New York City law and DOC policy do not allow City resources to be used for the purpose of facilitating the enforcement of federal immigration law, and that prohibition includes the sharing of information with our federal law enforcement partners for that purpose. DOI found that in at least two instances a DOC investigator unwittingly violated the law and DOC policy and that DOC failed to provide proper guidance and training to DOC staff about how to comply with City law and DOC's own policy while maintaining critical law enforcement partnerships with federal agencies. DOI's seven recommendations, including that DOC should conduct a department-wide audit to identify any other similar violations to the ones uncovered in this Report, are intended to ensure that other breaches of the law do not occur."

New York City Local Laws and Mayoral Executive Orders, referred to as "Sanctuary City" laws, and City policies, limit how and when local officials can share information with immigration authorities about non-citizens in connection with the enforcement of federal civil immigration law. These laws and related policies restrict local authorities' ability to share information about an individual's immigration status, bar local law enforcement from honoring ICE detainers, and prohibit City agencies from assisting with civil immigration enforcement under certain circumstances. The Sanctuary City laws and policies seek to

more

encourage undocumented immigrants to report crimes, seek medical help, and access other essential services without fear of deportation.

DOC, like other City agencies, has implemented policies that prohibit DOC employees from using City resources to assist federal authorities for federal immigration enforcement efforts. On February 5, 2025, a complainant reported to DOI that on February 3, 2025, DOC officers assigned to a joint federal task force assisted ICE agents with the arrest and apprehension of a person in custody (“PIC”) upon the individual’s release from a City jail. The PIC, later identified as Cristian Concepcion, was believed to have entered the country illegally in violation of the Immigration and Nationality Act (“INA”). The complainant alleged that DOC officers informed ICE agents when the PIC would be released from custody and provided real time updates to the agents about his movements following his release from Rikers Island, so that ICE could take custody of him, in furtherance of civil immigration enforcement.

DOI’s investigation concluded that an investigator assigned to DOC Correction Intelligence Bureau (“CIB”) and HSI Violent Gang Task Force (“CIB Investigator A”) did in fact assist immigration authorities in the apprehension of Concepcion, as alleged by the complainant, in violation of New York City’s Sanctuary City laws and DOC policy. While investigating that allegation, DOI also found that CIB Investigator A provided information to federal immigration authorities about another PIC, Pedro Mujica Villa Nueva, in furtherance of immigration enforcement. DOI determined that in both instances CIB Investigator A did not understand that the assistance he provided was in furtherance of federal civil immigration enforcement, as opposed to a federal criminal investigation. DOI also found that CIB Investigator A’s failure to inquire further with respect to the purpose of the assistance that HSI asked that he provide was the result of a lack of training and guidance by DOC.

DOI’s investigation made a series of findings that included:

- In November 2024, CIB Investigator A utilized City resources and provided information about Concepcion’s and Villa Nueva’s custodial status to HSI agents, in violation of [§10-178 of the New York City Administrative Code](#), which prohibits agencies from using City resources in furtherance of civil immigration enforcement. CIB Investigator A placed alerts on Villa Nueva’s and Concepcion’s custodial records and informed HSI agents of their next court dates. While both individuals were charged in pending criminal cases at that time; the charges on which they were convicted and other circumstances did not meet the criteria for permissible information sharing between local and federal authorities in furtherance of civil immigration enforcement.
- In December 2024, CIB Investigator A further assisted HSI agents by providing a screen shot of Villa Nueva’s PIC detail report, containing his booking photo, pedigree information, criminal charges, next court date, and other custodial information. Villa Nueva’s criminal case was still pending and there were no changes in circumstances that might have permitted DOC to share such information with federal immigration authorities in furtherance of civil immigration enforcement.
- In February 2025, CIB Investigator A assisted federal immigration authorities in the arrest of Concepcion. Among other assistance, CIB Investigator A provided federal authorities with information about Concepcion’s discharge status and whereabouts, in real time, upon Concepcion’s release from DOC custody. Immigration authorities did not present either a civil immigration detainer or a judicial warrant, both of which are prerequisites for local authorities to provide assistance when other criteria also are met – namely that the subject of the detainer or warrant be convicted of a “violent or serious crime” as defined in [§9-131 of the New York City Administrative Code](#). Concepcion was convicted of Assault in the Third Degree, which does not meet that definition, and therefore the assistance provided was in violation of New York City Law. CIB Investigator A did not realize that the assistance he provided was in furtherance of federal immigration enforcement.
- Prior to DOI making DOC aware of the issue, DOC had not provided any other guidance to DOC personnel with respect to DOC’s rules and procedures for interacting with law enforcement agencies involved in immigration enforcement.
- DOC does not provide any training to its officers or staff about NYC “Sanctuary City” laws or DOC’s policy issued pursuant to those laws.

- The requests for immigration enforcement assistance relating to Concepcion and Villa Nueva were not reported to the Mayor's Office of Immigrant Affairs or posted on the Department's website, as required by City Law.

As a result of these findings, DOI makes the following recommendations to DOC:

1. Provide updated guidance to DOC employees on New York City Administrative Law relating to immigration enforcement and applicable DOC policy. Such guidance should include:
 - a. In-person training and instruction.
 - b. Memorandums outlining and explaining the relevant New York City Law. The memorandums should identify scenarios, specific to DOC, where the laws may apply and provide specific guidance to staff on what to do in each scenario.

DOC accepted this recommendation and responded as follows:

The Department has already taken affirmative and concrete steps to implement this recommendation. On April 30, 2025, the Legal Division conducted an in-person training for staff in the CIB, SIU, and Custody Management. On May 14, 2025, the Department issued Teletype No. HQ-00899-0 to all commands, reiterating obligations under the local law and DOC Operations Order 9/19. The Department will continue to explore opportunities for training personnel, including incorporating these modules into recruit and promotional academy curricula, and refresher sessions for previously trained staff.

2. Provide specific guidance to staff on how to respond to requests from law enforcement partners, including:
 - a. Specific follow-up questions DOC staff should ask if assistance is sought, such as:
 - i. What is the primary purpose of the request?
 - ii. Is there an active criminal investigation and what specific crimes are being investigated?
 - iii. Is the information you are seeking for the purpose of immigration enforcement? If so, please provide a copy of the civil immigration detainer and judicial warrant.
 - b. When to seek supervisory approval, or the approval of the General Counsel's office, including if the staff member receiving the request does not know whether or not the request relates to immigration enforcement.

DOC partially accepted this recommendation and responded as follows:

The Department has implemented training for CIB and SIU staff on proper communication protocols with federal immigration authorities, in accordance with local law. Further, the Department maintains a clear policy structure whereby communications with federal immigration authorities regarding persons in DOC custody are centralized through the DOC ICE Unit, which consults with the DOC Legal Division. While additional scripted follow-up questions are not formally adopted at this time, the Department believes the current framework provides sufficient safeguards and guidance.

3. Instruct all DOC staff to direct any immigration-related requests from other law enforcement authorities to the ICE Unit and the General Counsel's Office.

DOC accepted this recommendation and responded as follows:

The Department Teletype that was issued on May 14, 2025, directs all staff to immediately refer immigration-related requests to the DOC ICE Unit and the DOC Legal Division, as required by DOC Operations Order 9/19. This ensures uniform compliance with City law and prohibits unauthorized staff action in response to requests related to civil immigration enforcement.

4. Operations Order 9/19 Section IV.A(2)(a) requires all department staff to notify the ICE Unit of any immigration-related requests. To ensure compliance with City Law, DOC should also require that the ICE Unit, on a regular basis, ask other DOC units if they have received any immigration enforcement-related requests and require a written response. Operations Order 9/19 Section IV.A(2)(a) should be amended to include this requirement.

DOC advised the recommendation is under consideration and responded to as follows:

Though DOC staff are already apprised through established policies and procedures of the obligations relating to immigration-related inquiries, the Department will consider amending the policy to require the DOC ICE Unit or the Legal Division to confirm with other units whether civil immigration enforcement requests were received.

5. Instruct senior officials at DOC to confer with senior officials at federal agencies with whom DOC staff regularly collaborate to remind them that DOC staff is bound by City Law and cannot assist in the enforcement of civil immigration law except under very limited circumstances.

DOC accepted this recommendation and responded as follows:

DOC will confer with senior officials at federal agencies to remind them that DOC is bound by City Law and cannot assist in enforcement of civil immigration law, except under very limited circumstances. DOC remains committed to ensuring that its practices comply with all applicable laws and will continue to train staff accordingly.

6. Conduct a department-wide audit to determine whether there were other instances where the Department, unintentionally or otherwise, assisted in immigration enforcement.

DOC partially accepted this recommendation and responded as follows:

The DOC ICE Unit maintains data on the number of detainees that are lodged with the Department, and the number of notifications that are made, among other data sets, and publishes the report on its website, as required by the New York City Administrative Code § 9-131. The public reports can be found here:

<https://www.nyc.gov/site/doc/data/statistics-and-compliance.page>

While an agency wide audit is impractical, the Department will consider targeted reviews consistent with Recommendation #4.

7. In accordance with the requirements of §10-178(d) of the New York City Administrative Code, report any previously unknown or unreported immigration enforcement-related requests to the Mayor's Office of Immigrant Affairs.

DOC accepted this recommendation and responded as follows:

The Department submits all reports required by §10-178(d) of the New York City Administrative Code, to the Mayor's Office of Immigrant Affairs.

The investigation was conducted by DOC Captain Lawrence Bond, assigned to DOI as a Correctional Investigator in DOI's Office of the Inspector for DOC, and Special Counsel to the Inspectors General Maria Paolillo, and was supervised by Inspector General Marissa Carro, Deputy Commissioner of Strategic Initiatives Christopher Ryan, and Deputy Commissioner/Chief of Investigations Dominick Zarrella.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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New York City
Department of Investigation



DOI Investigation into DOC
Correction Intelligence Bureau Investigator
Assisting Federal Agents
with Immigration Enforcement

Jocelyn E. Strauber
Commissioner

Marissa Carro
Inspector General for the City Department of Correction

September 2025

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I. Executive Summary

New York City laws – referred to as “Sanctuary City” laws -- prohibit City agencies from assisting the federal government with enforcement of the federal civil immigration laws. The Department of Correction (“DOC”), like other City agencies, has implemented policies that prohibit DOC employees from providing such assistance to federal authorities. On February 5, 2025, a complainant informed the New York City Department of Investigation (“DOI”) that on February 3, 2025, DOC officers assigned to a joint federal task force assisted Immigration and Customs Enforcement (“ICE”) agents with the arrest and apprehension of a person in custody (“PIC”) upon his release from a New York City jail. The PIC, later identified as Cristian Concepcion¹ (“Concepcion”), was believed to have entered the country illegally in violation of the Immigration and Nationality Act (“INA”). The complainant alleged that DOC officers informed ICE agents of the anticipated date and time of the PIC’s release from custody and provided real time updates to the agents about his movements following his release from Rikers Island, so that ICE could take custody of him, in furtherance of ICE’s civil immigration law enforcement responsibilities.

Many New York City law enforcement agencies, including the DOC, maintain partnerships with federal law enforcement agencies and assign some of their employees to federal task forces where City employees work collaboratively with federal agents. These longstanding federal/local partnerships serve vital law enforcement interests, facilitating the mitigation of public safety threats, apprehension of fugitives, and investigations and prosecutions of criminal conduct. The terms of these relationships are commonly memorialized through an agreement known as a Memorandum of Understanding (“MOU”). DOC has such agreements with the United States Marshals Service (“USMS”) Regional Fugitive Task Force, the Homeland Security Investigations (“HSI”) Violent Gang Task Force, and the Alcohol, Tobacco, Firearms & Explosives (“ATF”) Joint Firearms Task Force, and has assigned DOC officers to each.

DOI’s investigation concluded that an investigator assigned to the DOC Correction Intelligence Bureau² (“CIB”) and the HSI Violent Gang Task Force (“CIB Investigator A”) did in fact assist federal immigration authorities in the apprehension of Concepcion, as alleged by the complainant, in violation of New York City Law and DOC policy. Furthermore, while investigating that allegation, DOI also found that CIB Investigator A provided information about another PIC, Pedro Mujica Villa Nueva (“Villa Nueva”), in furtherance of federal civil immigration enforcement, to federal immigration authorities. DOI also determined that CIB Investigator A did not appreciate that the assistance he provided was in furtherance of federal civil immigration enforcement, and thus impermissible, as opposed to in furtherance of a federal criminal investigation, which would have been consistent with local law. DOI also found that CIB Investigator A’s failure to inquire further with respect to the purpose of the assistance that he was asked to provide was the result of a lack of training and guidance by DOC.

In particular, DOI’s investigation found:

1. CIB Investigator A assisted federal immigration authorities with federal civil immigration enforcement in violation of New York City Administrative Law and DOC Policy.

¹ Law enforcement database searches indicate that Concepcion is also known as Cristian Jose Concepcion-Manrique.

² CIB is responsible for gathering intelligence and conducting investigations relating to the safety and security of PICs, including gang related or other violent activity.

2. In November 2024, CIB Investigator A utilized City resources and provided information about Concepcion's and Villa Nueva's custodial status to HSI agents, in violation of §10-178 of the New York City Administrative Code, which prohibits agencies from using City resources in furtherance of federal civil immigration enforcement. CIB Investigator A placed alerts on Villa Nueva's and Concepcion's custodial records and informed HSI agents of their next court dates. While both individuals were charged in pending criminal cases at that time; the charges of conviction and other circumstances did not meet the criteria for permissible information sharing between local and federal authorities in furtherance of civil immigration enforcement.
3. In December 2024, CIB Investigator A further assisted HSI agents by providing a screen shot of Villa Nueva's Person in Custody detail report, containing his booking photo, pedigree information, criminal charges, next court date and other custodial information. Villa Nueva's criminal case was still pending and there were no changes in his circumstances that might have permitted DOC to share such information with federal immigration authorities in furtherance of civil immigration enforcement.
4. In February 2025, CIB Investigator A assisted federal immigration authorities in the arrest of Concepcion. Among other assistance, CIB Investigator A provided federal authorities with information about Concepcion's discharge status and whereabouts, in real time, upon Concepcion's release from DOC custody. Federal immigration authorities did not present either a civil immigration detainer or a judicial warrant, both of which are prerequisites for local authorities to provide assistance, when other criteria also are met – namely that the subject of the detainer or warrant be convicted of a “violent or serious crime” as defined in §9-131 of the New York City Administrative Code. Concepcion was convicted of Assault in the Third Degree, which does not meet that definition, and therefore the assistance provided was in violation of New York City Law. CIB Investigator A did not realize that the assistance he provided was in furtherance of federal civil immigration enforcement.
5. DOC has not reissued Operations Order 9/19: Interactions With Federal Immigration Authorities, which describes the circumstances under which DOC employees may assist federal immigration authorities, since 2019 it was first issued.
6. Prior to DOI making DOC aware of the issue, DOC had not provided any other guidance to DOC personnel with respect to DOC's rules and procedures for interacting with law enforcement agencies involved in federal civil immigration enforcement.
7. DOC does not provide any training to its officers or staff about NYC “Sanctuary City” laws or DOC's policies issued pursuant to those laws.
8. DOC does not provide any specific or enhanced training to officers or staff assigned to joint federal task forces, who may be more likely to receive requests for immigration assistance due to their close working relationships with federal authorities.
9. The requests for federal civil immigration enforcement assistance relating to Concepcion and Villa Nueva were not reported to the Mayor's Office of Immigrant Affairs or posted on the Department's website, as required by City Law.

Based on the above, DOI makes the following recommendations to DOC:

1. Provide updated guidance to DOC employees on New York City Administrative Law relating to civil immigration enforcement and applicable DOC policy. Such guidance should include:
 - a. In-person training and instruction.

- b. Memorandums outlining and explaining the relevant New York City Law. The memorandums should identify scenarios, specific to DOC, where the laws may apply and provide specific guidance to staff on what to do in each scenario.
2. Provide specific guidance to staff on how to respond to requests from law enforcement partners, including:
 - a. Specific follow-up questions DOC staff should ask if assistance is sought, such as:
 - i. What is the primary purpose of the request?
 - ii. Is there an active criminal investigation and what specific crimes are being investigated?
 - iii. Is the information you are seeking for the purpose of immigration enforcement? If so, please provide a copy of the civil immigration detainer and judicial warrant.
 - b. When to seek supervisory approval, or the approval of the General Counsel's office, including if the staff member receiving the request does not know whether the request relates to immigration enforcement.
3. Instruct all DOC staff to direct any immigration-related requests from other law enforcement authorities to the ICE Unit and the General Counsel's Office.
4. Operations Order 9/19 Section IV.A(2)(a) requires all department staff to notify the ICE Unit of any immigration-related requests. To ensure compliance with City Law, DOC should also require that the ICE Unit, on a regular basis, ask other DOC units if they have received any civil immigration enforcement-related requests and require a written response. Operations Order 9/19 Section IV.A(2)(a) should be amended to include this requirement.
5. Instruct senior officials at DOC to confer with senior officials at federal agencies with whom DOC staff regularly collaborate to remind them that DOC staff is bound by City Law and cannot assist in the enforcement of civil immigration law except under very limited circumstances.
6. Conduct a department-wide audit to determine whether there were other instances where the Department, unintentionally or otherwise, assisted in civil immigration enforcement.
7. In accordance with the requirements of §10-178(d) of the New York City Administrative Code, report any previously unknown or unreported civil immigration enforcement-related requests to the Mayor's Office of Immigrant Affairs.

II. Background

A. Complaint

DOI received a complaint on February 5, 2025 that prompted this investigation. The complainant alleged that between 1330 hours and 1400 hours on February 3, 2025, CIB investigators³ provided ICE agents with information in real time about the movement of a PIC being released from DOC custody. Specifically, the investigator notified ICE when the PIC was released from DOC custody and when he boarded an MTA bus leaving Rikers Island. The complainant described the former PIC as a male Hispanic, formerly housed in the Eric M. Taylor Center ("EMTC").

³ DOI determined that only one CIB investigator assisted ICE on February 3, 2025, not multiple as alleged by the complainant.

B. Scope and Methodology

DOI conducted an extensive review of applicable City Law and DOC policy related to the enforcement of federal immigration law. DOI reviewed video footage related to Concepcion's release and subsequent arrest on February 3, 2025. These videos included footage from EMTC, the Samuel L. Perry Center⁴ ("Perry Center"), Rikers Island Central Cashier/Bail Room, Rikers Island bridge and the Rikers Island entrance sign. DOI reviewed all e-mail communications between CIB Investigator A and HSI agents from October 1, 2024, to April 17, 2025. DOI reviewed DOC records detailing the number of ICE detainers received by the agency from July 2024 to February 2025. DOI also interviewed DOC staff members, including CIB Investigator A, a DOC captain responsible for compiling and maintaining ICE detainer records, and the Commanding Officer of CIB ("CIB Executive Officer").

III. Review of Applicable Laws and Policies

"Sanctuary City" laws and policies limit how and when local officials can share information with federal immigration authorities about non-citizens in connection with the enforcement of civil federal immigration law. These laws and related policies often restrict local authorities' ability to share information about an individual's immigration status, bar local law enforcement from honoring ICE detainers (requests to hold an individual believed to be in the United States illegally until ICE can take that person into custody), and prohibit city agencies from assisting with federal civil immigration enforcement. The Sanctuary City laws and policies seek to encourage undocumented immigrants to report crimes, seek medical help, and access other essential services without fear of deportation.

A. Executive Orders and City Laws

i. Executive Order 124 of 1989

In 1989 then-Mayor Ed Koch signed Executive Order No. 124, the City's first "Sanctuary City" policy. EO 124 barred city employees from disclosing information regarding a non-citizen, or alien, to federal immigration authorities unless either expressly authorized by such individual or if the individual was suspected of engaging in criminal activity. The law aimed to ensure that immigrants could access city services without fear of deportation.

ii. Executive Orders 34 and 41

In 2003, to address changes in federal law affecting EO No. 124's reporting prohibition, then-Mayor Michael Bloomberg issued Executive Order No. 34 (as amended by Executive Order No. 41), prohibiting city employees from *disclosing* immigration status information and *inquiring* about a person's immigration status.

iii. Local Law 62 of 2011(Administrative Code §9-131)

In 2011, the Council passed [Local Law 62](#) of 2011, limiting DOC's cooperation with ICE and requiring DOC to publish data related to its cooperation with ICE on the Department's website. The purpose of the legislation was to ensure that DOC cooperated with ICE solely to detain and remove only limited

⁴ The MTA Q100 Bus, which provides direct transportation to and from Rikers Island, stops in front of the Perry Center. Discharged PICs depart Rikers Island via this bus, absent other transportation.

categories of individuals and to prohibit DOC from honoring ICE's civil immigration detainers for other individuals. Specifically, the law prohibited DOC from (i) holding an individual beyond the time when he/she would otherwise be released from DOC custody, and (ii) notifying federal immigration authorities of such individual's release, for any individual who (a) has never been convicted of a misdemeanor or felony; (b) is not a defendant in a pending criminal case in any jurisdiction; (c) has no outstanding criminal warrants; (d) is not and has not previously been subject to a final order of removal, nor has an outstanding warrant of removal; (e) is not identified as a known gang member; and (f) is not identified as a possible match in the terrorist screening database. This rule effectively limited DOC's ability to hold individuals beyond their release date and time or to notify federal immigration authorities of their release to a narrow set of individuals meeting specific criteria.

iv. Local Law 58 2014 (Administrative Code §9-131)

In 2014, the Council passed Local Law 58, further limiting the circumstances under which DOC can honor ICE detainers. The law requires that DOC honor detainers only when ICE presents a judicial warrant with its detainer, issued by an Article III federal judge or a federal magistrate, and based on "probable cause" and when the subject of the detainer and warrant is either listed in a terrorist database or has been convicted of a "violent or serious" crime.⁵ Local Law 58 eliminated certain circumstances in which DOC was previously permitted to honor ICE detainers, including where: (i) the subject has any open criminal charge; (ii) the subject has an open criminal warrant; (iii) the subject is listed as a gang member in a national database; or (iv) the subject was convicted of a non-"violent or serious" crime. Local Law 58 also significantly limited the extent to which DOC may allow ICE to maintain a physical presence within DOC facilities, as well as DOC's communication with ICE. DOC could no longer allow ICE to maintain "offices or quarters" on DOC-controlled land for the purposes of enforcing civil immigration laws and DOC staff were prohibited from communicating with ICE regarding an individual's incarceration status, release date, court appearance date, or any other information about the individual, unless such response or communication: (i) relates to an individual who is convicted of a violent or serious crime or identified as a possible match in the terrorist screening database; (ii) is unrelated to the enforcement of civil immigration laws; or (iii) is otherwise required by law.

v. Local Law 228 of 2017 (Administrative Code §10-178)

Local Law 228 of 2017 continued to limit the City's cooperation with federal authorities for purposes of "civil immigration enforcement," defined as "any civil provision of the Immigration and Nationality Act and any provision of such law that penalizes a person's presence in, entry into, or reentry into the United States." The law specifically prohibits any city agency to subject its officers or employees to the direction and supervision of the Secretary of Homeland Security in furtherance of civil immigration enforcement. The law also prohibits agencies from using City resources for civil immigration enforcement and imposes a record keeping and recording obligation on City agencies with respect to non-local law enforcement requests related to civil immigration enforcement.

In 2018, then-Mayor Bill De Blasio issued citywide guidance and new NYPD protocols pursuant to Local Law 228, to clarify and implement the City's policy to avoid voluntary cooperation with federal civil immigration enforcement activities, and to coordinate with federal authorities for immigration purposes in limited circumstances only. In addition, the guidance prohibits City agencies from entering into formal or informal arrangements in which City employees are supervised by federal immigration officials.

⁵ The term "violent or serious crime" is defined to include reference to a list of approximately 170 enumerated felonies.

Consistent with the law’s requirements, this guidance obligates City agencies to document requests from non-local law enforcement agencies seeking assistance with civil immigration enforcement and to report those requests to the Mayor’s Office of Immigrant Affairs.⁶

vi. Local Law 246 of 2017

Local Law 246 of 2017 restricts access to non-public areas of city property by non-local law enforcement personnel, with certain limited exceptions. The law further requires that any City agency with jurisdiction over city property adopt guidelines or rules in furtherance of the law, including designating an individual at each city agency who would be responsible for the implementation of the law and its applicable rules and policies.

vii. Executive Order 50

In April of 2025, First Deputy Mayor Randy Mastro issued Executive Order 50, allowing certain federal law enforcement agencies to maintain office space on DOC property, staffed with designated personnel. The order specifically allows federal agencies including the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Administration, Homeland Security Investigations, and the U.S. Postal Inspection Service to establish an office on DOC property, including Rikers Island, “for the purpose of criminal enforcement and criminal investigations only.” The Order further allows for coordination between federal law enforcement agencies and CIB in their criminal investigations and intelligence sharing concerning “violent criminals and gangs, crimes committed at or facilitated by persons in DOC custody, and drug trafficking.” The Order requires that the use of such federal office space “be limited to purposes unrelated to the enforcement of civil immigrations laws,” in accordance with New York City Administrative Code §9-131 of Local Law 58 2014. On June 12, 2025, New York State Supreme Court Judge Mary Rosado granted the Council of the City of New York’s motion for a preliminary injunction, enjoining the City from taking any action to implement or otherwise advance Executive Order 50.⁷ On September 8, 2025, Justice Rosado issued a decision invalidating Executive Order 50 due to the appearance of a conflict of interest between Mayor Eric Adams and other government authorities.⁸

B. DOC Policies and Training

i. Operations Order 9/19

On March 29, 2019, the DOC issued a nineteen-page order detailing the policies and procedures governing DOC’s interaction with federal immigration authorities.

As detailed in the “Policy” section, Operations Order 9/19 (“Order 9/19”) incorporates Administrative Code §10-178, mandating that no officer or employee of DOC be supervised or directed by the DHS Secretary in furtherance of civil immigration enforcement and that no officer or employee use city

⁶ Memorandum from Dean Fuleihan to Agency Commissioners and Directors, “Guidance for agency implementation of Local Law 228 of 2017 (“in relation to immigration enforcement”),” January 31, 2018 (on file with DOI).

⁷ *Council of City of N.Y. v. Adams*, — N.Y.S.3rd —, 2025 N.Y. Slip Op 25141 (Sup.Ct., N.Y. County 2025).

⁸ *Council of City of N.Y. v. Adams*, Index No. 154909/2025, decision and order issued September 8, 2025; [ICE-on-Rikers-Final-Order-and-Judgment-1.pdf](#).

resources for federal civil immigration enforcement efforts, absent an exception. The Order directs that any request for assistance by a federal civil immigration enforcement agency, as well as any subsequent actions by DOC's officers or employees, be documented. The Order also references Administrative Code §9-131 and §23-1202⁹ and gives guidance on how to address a request from DHS for continued detention of a PIC or notification of the date and time of their expected release.

Order 9/19 provides procedures governing DOC's cooperation with federal immigration authorities where appropriate, including: A. use of City resources for civil immigration enforcement; B. interactions with inmates with immigration detainers; C. sharing information with federal law enforcement agencies; and D. conducting ICE interviews.¹⁰

A. Use of City Resources for Civil immigration enforcement

As stated in Order 9/19, DOC staff may not "consent to a request from a non-local law enforcement agency for assistance or support intended to further civil immigration enforcement, or otherwise provide such assistance or support" except in limited circumstances including when there is a cooperative arrangement, such as a task force, that is not primarily intended to further civil immigration enforcement.¹¹ That is, DOC staff can continue to participate in task forces with other goals – such as bringing criminal charges – even if that work has some impact on an individual's immigration status. This section also directs that department staff immediately notify the ICE Unit of any request for assistance with civil immigration enforcement from non-local law enforcement, and that the General Counsel's Office report all such requests, and any actions taken in response, to the Mayor's Office of Immigrant Affairs on a quarterly basis within ten days of the end of each quarter.¹²

B. Inmates with Immigration Detainers

Order 9/19 directs DOC's Office of Custody Management ICE Unit to honor an Immigration Detainer only when the inmate has a conviction for a qualifying crime or is identified as a possible match in the terrorist screening database and DOC has received a federal judicial warrant with the Immigration Detainer. Order 9/19 further states that if DHS requests in writing advance notice of the time of release of an inmate, DOC may notify DHS of the time the inmate would ordinarily be released. The Order prohibits an officer or employee from extending the standard discharge time or otherwise detaining an inmate beyond the time authorized by New York State and local law in response to such a request from DHS. Moreover, if an inmate does not meet the criteria required to honor an Immigration Detainer, the Order directs DOC not to notify DHS of the inmate's release and to discharge the inmate in accordance with DOC's standard processing directives.¹³

Order 9/19 also describes the procedures that the Custody Management ICE Unit must follow when any Immigration Detainer or other federal immigration document is received by the DOC, as well as data tracking and reporting requirements.¹⁴

⁹ Administrative Code §23-1202 governs the collection, retention, and disclosure of identifying information by city employees, contractors and subcontractors.

¹⁰ Order 9/19 Section IV. A-D, pages 3-16. Attached as addendum A.

¹¹ Order 9/19 Section IV. A (1)(b), pages 3-4.

¹² Order 9/19, Section IV. A (2)-(3), pages 4-5.

¹³ Directive 4102R-B, "Processing of Inmates for Discharging and Transferring."

¹⁴ Order 9/19, IV. B (3), Page 12.

C. Sharing Information

Upon receipt of an immigration detainer, where the inmate has been convicted of a qualifying crime or identified as a possible match in the terrorist screening database, Order 9/19 allows for communication between DOC staff and DHS “in order to effectuate City Administrative Code §9-131(b) and (h) and section IV.B [of Order 9/19].” Order 9/19 allows a DOC staff member to provide DHS with advance notice of an inmate’s release date, time, or location, and to inquire as to whether DHS plans to obtain a judicial or administrative warrant in order to process the immigration detainer or similar request. Per Order 9/19, information concerning release date, time or location may be shared only in furtherance of effectuating Administrative Code §9-131(b) and (h) and must “a. relate[] to a person convicted of a qualifying crime or identified as a possible match in the terrorist screening database; b. [be] unrelated to the enforcement of civil immigration laws, or c. [be] otherwise required by law.”¹⁵ DOC may not otherwise share information related to an inmate’s incarceration status, court appearance dates, or other information related to individuals in DOC custody.

D. ICE Interviews

Order 9/19 mandates that after DHS has made a request to speak with an inmate, DOC will make the inmate available for interview, if the inmate agrees to be interviewed by ICE. DOC must complete Form 144 ICE, which requires that the inmate indicate if they chose to be interviewed by ICE or declined to be interviewed.¹⁶ If the inmate agrees to speak with ICE and signs FORM 144 ICE, DOC will produce the inmate to a DHS agent for an interview.

Order 9/19 mandates that an informational poster entitled, “Notice to Inmates: Immigration and Customs Enforcement Interviews” which describes the rules around inmate interviews, including the requirement that the inmate consent, be conspicuously posted in various, specified areas in each facility and in the Inmate Handbook.¹⁷

ii. DOC ICE Unit

The ICE Unit within DOC’s Office of Custody Management works as a liaison with ICE, monitors all ICE detainees, and coordinates with ICE if a PIC meets the criteria to be transferred ICE custody, upon receiving a detainer. Pursuant to Administrative Code §10-178, DOC is required to report all such requests for assistance or support intended to further civil immigration enforcement, and actions taken in response, to the Mayor’s Office of Immigrant Affairs. These reports are published quarterly on Mayor’s Office of Immigrant Affairs website and by fiscal year on DOC’s website.

DOI reviewed the reports for the applicable time periods July 2024 to February 2025. The reports do not include the November 2024 or February 2025 requests for assistance from federal immigration authorities, nor any information about the assistance that DOC provided, as detailed above.

On June 13, 2025, DOI spoke with a Captain assigned to DOC’s Custody Management ICE Unit. The Captain explained that in order to comply with City Law the ICE Unit compiles a report based on ICE detainees entered into DOC’s Inmate Information System. The Captain told DOI that that the ICE Unit does not ask investigative units within DOC, such as CIB, the Special Investigation Unit, or the Investigation

¹⁵ Order 9/19, IV. C (2), Page 15.

¹⁶ Order 9/19, IV. D (3), pages 15-19.

¹⁷ Order 9/19, IV. D (7), page 16. A copy of the Notice to Inmates attached as addendum B.

Division, if they have received requests from federal immigration authorities. The ICE Unit monitors PICs with immigration detainers only.

IV. Investigative Findings

DOI concluded that CIB Investigator A's assistance to HSI was in violation of New York City Law. In the case of Concepcion, CIB's participation was critical to the arrest of Concepcion by ICE on February 3, 2025, following his release from Rikers Island. DOI also found that CIB Investigator A provided information about another PIC held on Rikers Island, Villa Nueva, in furtherance of civil immigration enforcement. This section details DOI's findings which led to these conclusions and support DOI's recommendations to improve DOC's handling of future immigration-related requests from law enforcement.

Concepcion originally entered DOC custody on June 7, 2024, charged with attempted murder in the second degree in Kings County.¹⁸ Concepcion was housed at EMTC while in DOC custody. On December 20, 2024, Concepcion pled guilty to Assault in the Third degree, a class A misdemeanor, and was sentenced to 1 year in jail. Concepcion's discharge date was February 3, 2025.

Villa Nueva originally entered DOC custody on July 12, 2024, charged with bail jumping in the second degree, grand larceny in the fourth degree and other related charges in Queens County.¹⁹ Villa Nueva was housed at EMTC and the Robert N. Davoren Center while in DOC custody. On August 8, 2024, ICE filed an Immigration Detainer for Villa Nueva with DOC. DOC did not honor that detainer, determining that Villa Nueva was eligible to be discharged from DOC custody because his criminal charges did not meet the criteria for a transfer to ICE custody. On April 7, 2025, Villa Nueva pled guilty to bail jumping in the second degree and was sentenced to a conditional discharge and released on his own recognizance. According to the New York State Unified Court System "webcrims" website, Indictment No. 73306-24 is still pending.²⁰

CIB Investigator A is assigned to the HSI Violent Gang Task Force as a Task Force Officer and assists HSI in federal criminal investigations in that capacity. His primary responsibility is to provide information to HSI in response to requests, including materials such as recorded jail calls, visitor records, and relevant DOC incident reports. He is not the primary or lead investigator on any HSI investigations, and therefore he is not consistently informed or aware of all of the details of, or the full scope of, the investigations in which he assists. CIB Investigator A informed DOI that he had attended a Task Force Officer course at HSI in January 2024 where he learned that he could not assist federal agencies with any civil immigration enforcement actions, but said that he never received any training or guidance from DOC about interacting with ICE agents, how to determine whether an ICE request involved civil immigration enforcement, or how to handle ICE requests more generally. CIB Investigator A was unaware of Order 9/19, and understood that as a City employee he should not assist federal agencies with civil immigration enforcement based on his experience from a prior assignment before CIB. CIB Investigator A believed that all immigration-related requests went through DOC's Office of Custody Management, ICE Unit, that is, he did not expect to receive any such requests through his work on the HSI task force.

CIB Investigator A acknowledged that in November 2024 he received requests for information from HSI concerning Concepcion and Villa Nueva. Specifically, on November 14, 2024, CIB Investigator

¹⁸ Indictment No. 73683-24.

¹⁹ Indictment No. 73306-24 and 73308-24.

²⁰ https://iapps.courts.state.ny.us/webcrim_attorney/AttorneyWelcome.

A received an e-mail from an HSI agent with the subject “Athens list.” The e-mail attached a spreadsheet of “7 targets,” including PIC Villa Nueva. CIB Investigator A responded to HSI that an “alert” had been placed on Villa Nueva, whose next court date was scheduled for December 3, 2024, in Queens County Supreme Court. A review of Villa Nueva’s custodial records showed that a remark was placed on Villa Nueva’s file by CIB Investigator A to “contact CIB prior to release.” On November 21, 2024, CIB Investigator A received an e-mail from an HSI agent that originated from HSI Operations, discussing an operation referred to as “Project Athens.” CIB Investigator A explained that he believed “Operation Athens” was a criminal federal conspiracy investigation targeting Tren de Aragua (“TdA”) gang members,²¹ and denied knowing that Concepcion and Villa Nueva were in fact the targets of federal civil immigration enforcement action. The November 21st e-mail attached an expanded list of suspected TdA members believed to be “amenable to custody redetermination, administrative arrest or placed on an elevated [alternatives to detention].” Villa Nueva and Concepcion were included on the list. The e-mail sent to the CIB Investigator A and others asked that CIB Investigator A “put out alerts on all these individuals...” On November 22, 2024, CIB Investigator A responded, stating that “alerts” had been put out in DOC’s databases for Villa Nueva and Concepcion. CIB Investigator A also included information about the next court date for both individuals.

As a member of the Violent Gang Task Force, CIB Investigator A stated that he did not anticipate being asked for information that would be used in furtherance of civil immigration enforcement. He confirmed that he looked up information relating to Villa Nueva and Concepcion in DOC databases and that on February 3, 2025, he e-mailed his DOC supervisors requesting that EMTC hold Concepcion in the intake area until CIB Investigator A’s arrival to Rikers Island, suggesting that HSI was going to arrest Concepcion at this time. CIB Investigator A explained that he used a black DOC van to surveil Concepcion while he (CIB Investigator A) maintained contact with HSI agents regarding Concepcion’s discharge time and Concepcion’s whereabouts upon being released from DOC custody.

DOI found CIB Investigator A to be forthright and honest during the interview and we credit his assertion that he did not know that “Operation Athens” was a federal immigration enforcement operation and not a criminal investigation or enforcement operation targeting gang activity. Given the lack of training and guidance provided to task force members by DOC it is credible that CIB Investigator A did not appreciate what was being asked of him.²²

²¹ On or about November 26, 2024, the Acting Director of ICE appeared on Fox News to speak about TdA and discussed Operation Athens to “combat specifically TdA.” <https://www.foxnews.com/video/6365225629112>. On January 20, 2025, the President of United States, through Executive Order, designated Tren de Aragua and other transnational organizations as a Foreign Terrorist Organization and Specially Designated Global Terrorists. <https://www.federalregister.gov/documents/2025/01/29/2025-02004/designating-cartels-and-other-organizations-as-foreign-terrorist-organizations-and-specially>.

²² DOI investigators also interviewed CIB Executive Officer, the highest-ranking member at CIB and CIB Investigator A’s Commanding Officer. CIB Executive Officer stated that it is his understanding that CIB does not work with federal immigration authorities and does not help or assist in immigration arrests in any way. According to CIB Executive Officer, CIB Investigator A is DOC’s liaison with HSI, responsible for assisting in investigations that involve gang activity. CIB Executive Officer expressed the incorrect view that the CIB Investigator A’s assistance as described herein was appropriate, because the assistance was provided pursuant to the investigator’s role on the HSI Task Force, and that CIB was not in a position to question directions from HSI. When asked about his understanding of the City’s Sanctuary City laws, the CIB Executive Officer stated that he never received any formal training or verbal instruction from his superiors about working with federal authorities tasked with conducting civil immigration enforcement. CIB Executive Officer stated that he was not familiar with Order 9/19

DOI investigators reviewed video surveillance footage from both the interior and exterior of EMTC, and entrance and exit points to and from Rikers Island from February 3, 2025. The surveillance footage from inside EMTC at approximately 1327 hours depicts Concepcion waiting to be discharged from DOC custody.²³

At approximately 1328 hours, Concepcion is observed on the video surveillance footage being escorted by the DOC Transportation Division to a vehicle, for transport to the Rikers Island Central Cashier/Bail room to complete the discharge process. Video surveillance footage from the Rikers Island Central Cashier and Bail Room shows Concepcion walking towards the Perry Center. Video surveillance footage from the Perry Center shows Concepcion standing at the MTA bus stop in front of the Perry Center and boarding an MTA bus at approximately 1353 hours. As the bus drove away, a black van followed the bus over the Rikers Island bridge. A review of Geotab²⁴ records and DOC vehicle rosters revealed that the black van observed on the video surveillance footage was DOC vehicle #444RW, assigned to CIB. The driver of the van was identified through interviews with DOC staff as CIB Investigator A. Video surveillance footage from cameras located near the Rikers Island entrance sign at approximately 1356 hours shows the MTA bus stopped on the corner of Hazen St and 19th Avenue in Queens, discharging passengers. The same video surveillance footage shows the same black van that followed the bus off Rikers Island simultaneously turning right onto 19th Avenue, and stopping in front of the Rikers Island sign posted at the corner of Hazen Street and 19th Avenue. At approximately 1357 hours, video surveillance footage from cameras located near the Rikers Island entrance sign shows that after the MTA bus departs, Concepcion walked across the street towards 77th and Hazen Street. Approximately 7 individuals, who DOI later learned were federal agents with the HSI Violent Gang Task Force, approach Concepcion, take him to the ground, place him in the back of an unmarked four-door vehicle, and drive away from the scene.

FBI records, obtained through an Interstate Identification Index inquiry, reflect that on February 3, 2025, Concepcion was arrested by HSI New York and charged under §212(a)(6)(A)(i) of the INA, a provision of federal civil immigration laws which prohibits a foreign individual to be present in the United States without proper admission or parole.

Concepcion's arrest was announced through an official White House social media post on X on February 4, 2025, which described Concepcion as "a Venezuelan national and known TdA gang member [who] was arrested by ICE New York on February 3, 2025."²⁵ Concepcion's arrest was also posted on the

and had never read Order 9/19. CIB Executive Officer's statements are further evidence of the lack of understanding within the CIB of the requirements of the Sanctuary City Laws.

²³ DOI identified the person depicted in the February 3, 2025 video footage as Concepcion. Among other steps taken by DOI to identify the above-referenced individual: (1) CIB Investigator A confirmed that Concepcion was the individual he assisted federal agents in apprehending on February 3, 2025; (2) DOI compared photos of Concepcion from the New York Post, and other social media posts, to the video surveillance footage from inside EMTC, and based on that comparison, DOI confirmed that the photos and video footage depicted that same person; (3) EMTC discharge logs listed Concepcion as being discharged on February 3, 2025 at 1338 hours, the same date and approximate time an individual matching Concepcion's description was observed on video footage inside EMTC and waiting to be discharged; and (4) FBI records, obtained through an Interstate Identification Index inquiry, reflected that Concepcion was arrested by HSI New York on February 3, 2025, the same date the individual depicted in video footage from inside EMTC and the entrance and exit points to Rikers Island was observed being taken into custody by federal law enforcement.

²⁴ All DOC department vehicles are outfitted with "Geotab" devices that, through the use of GPS technology and on-board diagnostics, track and document a vehicle's movement.

²⁵ <https://x.com/WhiteHouse/status/1886922974575648956>.

official website of the United States Department of Homeland Security in a video titled “*Making America Safe Again*,” during the week of February 2, 2025.²⁶ A New York Post article dated February 7, 2025, and titled “*ICE makes staggering 11K illegal migrant arrests in just 18 days – forcing agency to take over four federal prison*” also featured a photo of Concepcion, referenced his arrest by ICE and described him as a TdA member.²⁷

Using ICE’s Online Detainee Locator System, DOI determined that as of March 25, 2025, Concepcion was held at an ICE detention facility in Florida. A subsequent search on July 23, 2025, revealed that Concepcion was no longer listed in the system, suggesting that Concepcion was deported or otherwise released from ICE custody.²⁸

V. Further Investigation

As a result of this investigation, DOI conducted a limited review of five DOC e-mail accounts for correction officers assigned to both the USMS, ATF joint task forces and their DOC supervisor. Based on that review, DOI found that at least one correction officer provided DOC custodial records to federal immigration authorities that may be related to civil immigration enforcement.²⁹ Specifically, on April 15, 2025, a deportation officer from ICE sent an e-mail to CIB Investigator B asking for the address, visitor history or any other information for a former PIC, stating that they were “going to target the PIC on Thursday.” CIB Investigator B responded to the e-mail that same day, providing call detail records³⁰ and the former PICs last known address.³¹

DOI did not conduct further investigation, but the results of this limited review, as well as the broader findings of this investigation, suggest that DOC task force members may be unintentionally assisting with civil immigration enforcement. As such, DOC must take corrective action immediately and has already taken some positive first steps.

After determining that there was at least one instance of improper assistance with civil immigration enforcement, DOI reached out to DOC and brought the issue to their attention. DOC immediately conducted a training session with CIB, the Special Investigation Unit,³² and the Investigation Division³³ and issued an agency wide teletype, dated May 14, 2025, underscoring Order 9/19 with instructions that it be read at 21 consecutive roll calls.³⁴

²⁶ <https://www.dhs.gov/medialibrary/assets/video/58878>.

²⁷ <https://nypost.com/2024/06/06/us-news/migrant-stabbed-outside-nyc-shelter-after-sitting-on-attackers-moped/>.

²⁸ <https://locator.ice.gov/odls/#/search>. According to ICE’s Online Detainee Locator System website, the locator will only show if a person is currently in ICE custody, it will not reveal whether a person has been removed from the country or otherwise released from ICE custody.

²⁹ In the remaining four accounts, DOI did not find communications that were clear violations of City Law or DOC policy.

³⁰ Comprehensive log of phone call activity, detailing calls made, but not actual content of the call.

³¹ Custodial records for the former PIC reflect that on March 29, 2025, an immigration detainer and warrant of removal/deportation was filed with DOC. DOC did not honor the detainer because the former PIC did not meet the criteria for extended detention for the purposes of civil immigration enforcement and the former PIC was subsequently released from DOC on April 5, 2025. These records suggest that the deportation officer’s outreach to DOC on April 15 was for the purposes of immigration enforcement.

³² The Special Investigation Unit is responsible for conducting administrative employee misconduct investigations.

³³ The Investigation Division is responsible for conducting administrative use of force investigations.

³⁴ Addendum C.

VI. Conclusion – Findings and Recommendations

DOI's investigation determined that:

1. CIB Investigator A assisted federal immigration authorities with federal civil immigration enforcement in violation of New York City Administrative Law and DOC Policy.
2. In November 2024, CIB Investigator A utilized City resources and provided information about Concepcion's and Villa Nueva's custodial status to HSI agents, in violation of §10-178 of the New York City Administrative Code, which prohibits agencies from using City resources in furtherance of federal civil immigration enforcement. CIB Investigator A placed alerts on Villa Nueva's and Concepcion's custodial records and informed HSI agents of their next court dates. While both individuals were charged in pending criminal cases at that time; the charges of conviction and other circumstances did not meet the criteria for permissible information sharing between local and federal authorities in furtherance of civil immigration enforcement.
3. In December 2024, CIB Investigator A further assisted HSI agents by providing a screen shot of Villa Nueva's Person in Custody detail report, containing his booking photo, pedigree information, criminal charges, next court date and other custodial information. Villa Nueva's criminal case was still pending and there were no changes in his circumstances that might have permitted DOC to share such information with federal immigration authorities in furtherance of civil immigration enforcement.
4. In February 2025, CIB Investigator A assisted federal immigration authorities in the arrest of Concepcion. Among other assistance, CIB Investigator A provided federal authorities with information about Concepcion's discharge status and whereabouts, in real time, upon Concepcion's release from DOC custody. Federal immigration authorities did not present either a civil immigration detainer or a judicial warrant, both of which are prerequisites for local authorities to provide assistance, when other criteria also are met – namely that the subject of the detainer or warrant be convicted of a "violent or serious crime" as defined in §9-131 of the New York City Administrative Code. Concepcion was convicted of Assault in the Third Degree, which does not meet that definition, and therefore the assistance provided was in violation of New York City Law. CIB Investigator A did not realize that the assistance he provided was in furtherance of federal civil immigration enforcement.
5. DOC has not reissued Operations Order 9/19: Interactions With Federal Immigration Authorities, which describes the circumstances under which DOC employees may assist federal immigration authorities, since 2019 it was first issued.
6. Prior to DOI making DOC aware of the issue, DOC had not provided any other guidance to DOC personnel with respect to DOC's rules and procedures for interacting with law enforcement agencies involved in federal civil immigration enforcement.
7. DOC does not provide any training to its officers or staff about NYC "Sanctuary City" laws or DOC's policies issued pursuant to those laws.
8. DOC does not provide any specific or enhanced training to officers or staff assigned to joint federal task forces, who may be more likely to receive requests for immigration assistance due to their close working relationships with federal authorities.
9. The requests for federal civil immigration enforcement assistance relating to Concepcion and Villa Nueva were not reported to the Mayor's Office of Immigrant Affairs or posted on the Department's website, as required by City Law.

Based on these findings, DOI makes the following policy recommendations to DOC:

1. Provide updated guidance to DOC employees on New York City Administrative Law relating to civil immigration enforcement and applicable DOC policy. Such guidance should include:
 - a. In-person training and instruction.
 - b. Memorandums outlining and explaining the relevant New York City Law. The memorandums should identify scenarios, specific to DOC, where the laws may apply and provide specific guidance to staff on what to do in each scenario.

DOC accepted this recommendation and responded as follows:

The Department has already taken affirmative and concrete steps to implement this recommendation. On April 30, 2025, the Legal Division conducted an in-person training for staff in the CIB, SIU, and Custody Management. On May 14, 2025, the Department issued Teletype No. HQ-00899-0 to all commands, reiterating obligations under the local law and DOC Operations Order 9/19. The Department will continue to explore opportunities for training personnel, including incorporating these modules into recruit and promotional academy curricula, and refresher sessions for previously trained staff.

2. Provide specific guidance to staff on how to respond to requests from law enforcement partners, including:
 - a. Specific follow-up questions DOC staff should ask if assistance is sought, such as:
 - i. What is the primary purpose of the request?
 - ii. Is there an active criminal investigation and what specific crimes are being investigated?
 - iii. Is the information you are seeking for the purpose of immigration enforcement? If so, please provide a copy of the civil immigration detainer and judicial warrant.
 - b. When to seek supervisory approval, or the approval of the General Counsel's office, including if the staff member receiving the request does not know whether or not the request relates to immigration enforcement.

DOC partially accepted this recommendation and responded as follows:

The Department has implemented training for CIB and SIU staff on proper communication protocols with federal immigration authorities, in accordance with local law. Further, the Department maintains a clear policy structure whereby communications with federal immigration authorities regarding persons in DOC custody are centralized through the DOC ICE Unit, which consults with the DOC Legal Division. While additional scripted follow-up questions are not formally adopted at this time, the Department believes the current framework provides sufficient safeguards and guidance.

3. Instruct all DOC staff to direct any immigration-related requests from other law enforcement authorities to the ICE Unit and the General Counsel's Office.

DOC accepted this recommendation and responded as follows:

The Department Teletype that was issued on May 14, 2025, directs all staff to immediately refer immigration-related requests to the DOC ICE Unit and the DOC Legal Division, as required by DOC Operations Order 9/19. This ensures uniform compliance with City law and prohibits unauthorized staff action in response to requests related to civil immigration

enforcement.

4. Operations Order 9/19 Section IV.A(2)(a) requires all department staff to notify the ICE Unit of any immigration-related requests. To ensure compliance with City Law, DOC should also require that the ICE Unit, on a regular basis, ask other DOC units if they have received any civil immigration enforcement-related requests and require a written response. Operations Order 9/19 Section IV.A(2)(a) should be amended to include this requirement.

DOC advised the recommendation is under consideration and responded to as follows:

Though DOC staff are already apprised through established policies and procedures of the obligations relating to immigration-related inquiries, the Department will consider amending the policy to require the DOC ICE Unit or the Legal Division to confirm with other units whether civil immigration enforcement requests were received.

5. Instruct senior officials at DOC to confer with senior officials at federal agencies with whom DOC staff regularly collaborate to remind them that DOC staff is bound by City Law and cannot assist in the enforcement of civil immigration law except under very limited circumstances.

DOC accepted this recommendation and responded as follows:

DOC will confer with senior officials at federal agencies to remind them that DOC is bound by City Law and cannot assist in enforcement of civil immigration law, except under very limited circumstances. DOC remains committed to ensuring that its practices comply with all applicable laws and will continue to train staff accordingly.

6. Conduct a department-wide audit to determine whether there were other instances where the Department, unintentionally or otherwise, assisted in civil immigration enforcement.

DOC partially accepted this recommendation and responded as follows:

The DOC ICE Unit maintains data on the number of detainees that are lodged with the Department, and the number of notifications that are made, among other data sets, and publishes the report on its website, as required by the New York City Administrative Code § 9-131. The public reports can be found here:

<https://www.nyc.gov/site/doc/data/statistics-and-compliance.page>

While an agency wide audit is impractical, the Department will consider targeted reviews consistent with Recommendation #4.



7. In accordance with the requirements of §10-178(d) of the New York City Administrative Code, report any previously unknown or unreported civil immigration enforcement-related requests to the Mayor's Office of Immigrant Affairs.

DOC accepted this recommendation and responded as follows:

The Department submits all reports required by §10-178(d) of the New York City Administrative Code, to the Mayor's Office of Immigrant Affairs.

VII. *Addenda*

Addendum A



		<p align="center">THE CITY OF NEW YORK DEPARTMENT OF CORRECTION</p> <p align="center">OPERATIONS ORDER</p>		
<input type="checkbox"/> NEW		<input checked="" type="checkbox"/> REVISED		<p align="center">SUBJECT</p> <p align="center">INTERACTIONS WITH FEDERAL IMMIGRATION AUTHORITIES</p>
<p>EFFECTIVE DATE 3/29/19</p>	<p>NUMBER 9/19</p>	<p>PAGE 1 OF 19 PAGES</p>		
<p>AUTHORIZED BY THE CHIEF OF DEPARTMENT</p> <p align="center"><i>Hazel Jennings</i></p> <p>HAZEL JENNINGS SIGNATURE</p>				

I. PURPOSE

The purpose of this Operations Order is to establish New York City Department of Correction (Department) policies and procedures regarding interactions with federal immigration officials, including the discharge of inmates subject to civil immigration detainers from the United States Department of Homeland Security (DHS) and procedures for DHS interviews with inmates.

II. POLICY

- A. In accordance with Section 10-178 of the City Administrative Code and this Operations Order, the Department shall not subject its officers or employees to the direction and supervision of the DHS Secretary primarily in furtherance of immigration enforcement and shall not use City resources in federal immigration enforcement efforts, unless an exception applies, and shall document any requests for assistance by federal immigration enforcement agencies and Department actions taken in response, unless an exception applies. This Order details limited circumstances in which City resources may be used consistent with law.
- B. The Department shall comply with Sections 9-131 and 23-1202 of the City Administrative Code, as applicable, in order to determine how to appropriately handle a DHS request for detention or notification of date and time of release. Pursuant to Section 23-1202, the Department's Agency Privacy Officer has approved as routine the collection and disclosure of information covered by these requests.
- C. The Department shall process written requests from DHS for cooperation in transferring an inmate received from federal custody (sometimes referred to as "borrowed inmates"), which may be indicated on an Immigration Detainer form, writ of habeas corpus ad prosequendum (order to produce for the purpose of prosecution), or other applicable judicial order. Such inmates may be subject to a judicial writ, in accordance with Section 580.30 of the Criminal Procedure Law, or to other applicable requirements. If a borrowed inmate is not the subject of a judicial

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II. POLICY (Cont.)

order, any further disposition of the inmate must be cleared with the Legal Division.

- D. The Department shall ensure that inmates are advised that they may decline or accept ICE interviews. To that end, the Department shall present Form 144 ICE, "Immigration and Customs Enforcement (ICE) Interview Consent Form" (Attachment H), in a language the inmate can understand, to each inmate prior to producing the inmate to DHS agents for an interview.

III. DEFINITIONS

- A. eJusticeNY: New York State Division of Criminal Justice Services' eJusticeNY computer application. For the purposes of this Operations Order eJusticeNY shall also apply to any similar or successor application maintained by the State or City of New York, together with information received from the courts, DHS, or any other governmental entity.
- B. Immigration Detainer: Also referred to herein as a civil immigration detainer, DHS detainer, or request for detention. "Immigration detainer" is a detainer issued pursuant to 8 C.F.R. § 287.7 or any similar federal request for detention of a person suspected of violating civil immigration law.
- C. Immigration Enforcement: The enforcement of any civil provision of the Immigration and Nationality Act and any provision of such law that penalizes a person's presence in, entry into, or reentry into the United States.
- D. Instant Arrest: The arrest that resulted in the current incarceration.
- E. Qualifying Crime: A conviction for a violent or serious crime as defined by City Administrative Code 9-131(a), including a conviction under federal law or the law of another state that would constitute a "predicate felony conviction" under Section 70.06(1)(b)(i) of the New York Penal Law, provided that such conviction was for the equivalent of a violent or serious crime. The Qualifying Crimes are outlined in Attachment A.



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III. DEFINITIONS (Cont.)

1. A person shall not be considered convicted of a violent or serious crime if that person:
 - a. Was adjudicated as a youthful offender (in accordance with Article 720 of the New York Criminal Procedure Law, or a comparable status pursuant to federal law or the law of another state), or a juvenile delinquent (as defined by Section 301.2(1) of the Family Court Act), or a comparable status pursuant to federal law or the law of another state; or
 - b. Has not had a judgment (pursuant to section 1.20(15) of the criminal procedure law) entered against him or her on a violent or serious crime for at least five years prior to the date of the instant arrest, provided that any period of time during which the person was incarcerated for a violent or serious crime, between the time of the commission of such violent or serious crime and the instant arrest, must be excluded in calculating such five year period, and such five year period must be extended by a period or periods equal to the time served under such incarceration.
- F. United States Department of Homeland Security ("DHS"): Includes but is not limited to Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP).



IV. PROCEDURES

- A. USE OF CITY RESOURCES FOR IMMIGRATION ENFORCEMENT
 1. Department staff may not consent to a request from a non-local law enforcement agency for assistance or support intended to further immigration enforcement, or otherwise provide such assistance or support, except under the following circumstances:
 - a. In emergency, safety-related situations, the decision about whether to support ICE shall be made by the highest ranking supervisor at the scene, or in the absence of a supervisor, the senior-most uniformed member at the scene.

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IV. PROCEDURES (Cont.)

- b. Department staff may participate in a cooperative arrangement, such as a task force, that is not primarily intended to further immigration enforcement, and use resources in connection with such arrangement.
 - c. Department staff may take actions consistent with section 9-131, including responding to detainers or requests for notification in accordance with Section IV.B.
 - d. The General Counsel's office may otherwise approve decisions to provide assistance or support in connection with immigration enforcement, if the request for City resources from a non-local law enforcement agency is not primarily intended to further immigration enforcement, the action to be taken is in furtherance of duties under state and local law, or the action is in compliance with federal law.
2. The following notifications shall be made regarding all requests from a non-local law enforcement agency for assistance or support intended to further immigration enforcement, or if Department staff otherwise propose to provide such assistance or support; provided, however, that actions consistent with section 9-131 and criminal warrants are exempt from this notification.
 - a. Department staff shall immediately notify the ICE Unit in Custody Management of any such request or proposal.
 - b. The ICE Unit shall report all such requests or proposals to the General Counsel's office.
 - c. The General Counsel's office will determine the action to be taken after reviewing the grounds for the request or proposal.
 - d. The General Counsel's office will notify the ICE Unit of the determination, and the ICE Unit will notify the Department staff about how to proceed.
3. The General Counsel's office shall report all such requests for assistance or support intended to further immigration enforcement and actions taken in response, and other provisions of assistance or support, to the Mayor's Office of Immigrant Affairs on a quarterly basis within ten days of the end of each quarter starting with the first quarter ending March 31, 2018. The quarterly report shall not include (i) names or other identifying information, as defined in

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IV. PROCEDURES (Cont.)

Administrative Code Section 23-1202, (ii) information contained in reports required pursuant to Administrative Code Section 9-131, (iii) disclosures that would interfere with law enforcement investigations, or (iv) disclosures related to participation in cooperative arrangements with city, state, or federal law enforcement agencies that are not primarily intended to further immigration enforcement or utilizing city resources in connection with such cooperative arrangements, which would compromise public safety.

B. INMATES WITH IMMIGRATION DETAINERS



1. Guidelines

- a. When an inmate with an Immigration Detainer is otherwise eligible for release, the Department's Office of Custody Management ICE Unit or other staff specifically designated by Custody Management shall determine which of the following actions the Department shall take:
 - i. The Department will honor the Immigration Detainer.
 - A. An Immigration Detainer will only be honored if both the following criteria are met:
 1. The inmate has a conviction for a qualifying crime or is identified as a possible match in the terrorist screening database; and
 2. The Department has received a federal judicial warrant with the Immigration Detainer.
 - B. In such cases, the inmate shall be held for pick up by DHS for a maximum of forty-eight (48) hours. This 48-hour period starts at the time an inmate would otherwise have been released from Department custody.
 - C. A federal judicial warrant received with an Immigration Detainer shall be referred to the General Counsel's office immediately for expedited review.

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IV. PROCEDURES (Cont.)



- ii. The Department intends to cooperate with DHS's written request for advance notice of release, whether such request appears on an Immigration Detainer or otherwise, and cooperation in transferring custody of the inmate to DHS on Department property by notifying DHS of the time the inmate would ordinarily be released. In other words, the pick up by DHS shall not extend the time normally needed to complete the discharge process, and the Department will not detain such an individual beyond the time authorized under New York State and local law.
 - A. Upon a written request from DHS, if the subject of the request is a person convicted of a qualifying crime or identified as a possible match in the terrorist screening database, and if the request is supported by specified documentation of probable cause (either ICE Form I-200, "Warrant for Arrest of Alien," or I-205, "Warrant of Removal/Deportation," or successor forms), then the Department will cooperate with DHS by arranging a transfer of the inmate.
 - B. Upon determination that an inmate is eligible for transfer to DHS in accordance with this policy, the Department shall arrange for custody to be transferred to DHS in a non-public setting.
- iii. If the inmate does not meet the criteria in Section IV.B.1.a.i or ii, no notification to DHS of such individual's release shall be made and the inmate shall be discharged from custody in accordance with Directive 4102R-B, "Processing of Inmates for Discharging and Transferring." The Department shall clear the Immigration Detainer while proceeding with existing discharge procedures. The Department will not detain such an inmate beyond the time authorized under New York State and local law.
 - b. Custody Management shall make the determination required by Section IV.B.1.a.i or ii based on a search of eJusticeNY.
 - c. Custody Management shall retain all records regarding inmates subject to an Immigration Detainer. Custody Management shall generate a folder for each inmate subject to this screening process, and shall maintain therein

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all files, reports and records generated and used for each inquiry.

2. Processing immigration detainers and other federal immigration documents
 - a. Whenever an Immigration Detainer, a judicial warrant produced in conjunction with an Immigration Detainer, or any other similar official written request, such as an administrative warrant, is issued to the Department for an inmate, the Immigration Detainer, judicial warrant or other federal immigration documents shall promptly be entered into the Inmate Information System (IIS) Warrant/Detainer Screen and the documents shall be faxed to the ICE Unit. The ICE Unit shall transmit an acknowledgement of receipt to be maintained by the sending facility in the inmate file. The inmate shall be provided with a clear and legible copy of the Immigration Detainer, judicial warrant, or other federal immigration documents, if applicable.
 - i. After inputting the information into the IIS, the General Office shall forward a copy of the Immigration Detainer, judicial warrant, or other federal immigration documents, if applicable, to the counsel visit area during normal hours of operation.
 - ii. Upon receipt of the copy, the counsel visit officer shall summon the inmate to the area to provide the inmate with a copy of the Immigration Detainer, judicial warrant, or other federal immigration documents, if applicable.
 - iii. There shall be an "Immigration Detainer/Judicial Warrant" logbook maintained in the counsel visit area wherein the officer shall note the name, book and case number, NYSID number, and date and time the inmate is given the copy of the Immigration Detainer or judicial warrant or other federal immigration documents. The inmate shall sign the logbook confirming receipt.
 - iv. The officer shall not discuss the Immigration Detainer, judicial warrant, or other federal immigration documents with the inmate. If an inmate has any questions, the inmate shall be referred to the information on the Immigration Detainer, which includes the telephone number of the ICE Law Enforcement Support Center, if applicable, or to the hotline maintained by the Immigrant Defense

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Project at 212-725-6422.

- b. Immediately upon receipt of an Immigration Detainer, the Custody Management ICE Unit shall determine whether the inmate is identified as a possible match in the terrorist screening database or has been convicted of a qualifying crime.



- i. An inmate meets the qualifying crime criteria when the inmate has had a judgment entered on a qualifying crime in the five (5) years prior to the date of the instant arrest.

Note: If the inmate was incarcerated for a qualifying crime at any time during the five (5) years prior to the date of the instant arrest, then the five (5) year look-back period described above must be extended by an amount of time equivalent to that entire period of incarceration.

- ii. Should any inmate have a conviction that might have caused that inmate to be incarcerated within the five (5) years prior to the inmate's instant arrest, the jurisdiction of the conviction must be contacted and the inmate's incarceration dates obtained.



Note: If the Custody Management Supervisor processing the DHS discharge discovers said inmate is subject to an out of jurisdiction conviction and cannot arrive at a resolution to effect the designation as a qualifying crime, a notification must be made to Legal Division who will determine whether the out of jurisdiction conviction is equivalent to one of the enumerated crimes in Attachment A.

- iii. If the inmate has been convicted of a qualifying crime within the period of consideration, this must be noted in the inmate's Custody Management ICE Unit detainer folder and considered at the time of discharge from custody. The note should include whether the inmate was adjudicated as a Youthful Offender, a Juvenile Delinquent, or a comparable status. If so, the adjudication does not constitute a conviction of a qualifying crime.

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IV. PROCEDURES (Cont.)

- c. Custody Management shall complete Form FIR-1, "Acknowledgement of Receipt of Federal Immigration Request" (Attachment F), and transmit to ICE as soon as a determination is made. Further, Custody Management shall establish an electronic tracking system for all inmates with DHS Detainers that can be used for daily management (including the monitoring of inmates convicted of a qualifying crime or identified as a possible match in the terrorist screening database) and for required reporting.
- d. If an inmate has been made the subject of an Immigration Detainer but is otherwise eligible for discharge from Department custody (as determined by readily available information regarding the current case(s) and the IIS), the discharging facility/court command must immediately contact Custody Management for a resolution of the Immigration Detainer. Custody Management shall concurrently evaluate the Immigration Detainer while the discharge process proceeds.
- e. The discharging facility/court command shall:
 - i. Update the IIS Court Case (CC) and Warrant Detainer (WD) screen with complete and accurate disposition codes for all criminal cases.
 - ii. Upon confirmation that there are no legal holds, the facility/court command shall immediately contact a Custody Management supervisor in the rank of captain or above (see Attachment B) with the information pertaining to the pending discharge and Immigration Detainer. This procedure will apply to both new admission and detainee inmates. The following documents shall be faxed to Custody Management:
 - A. Accompanying Card;
 - B. Securing Order(s) (front/back copies);
 - C. Immigration Detainer, warrants, and any other federal immigration documents;
 - D. Sentence & Commitment Paper (when applicable);
 - E. Bail Receipt (when applicable);
 - F. All Court Disposition documents.

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Note: The above document(s) shall include the inmate's name (last, first), Book and Case number, NYSID number, criminal case docket and indictment number(s), criminal case disposition(s), and time when bail was accepted and processed at the facility.

- f. Immediately upon notification from the facility/court command, Custody Management shall determine how to process the inmate in accordance with Section IV.B.1.a. The Custody Management supervisor shall perform each of the following steps on the IIS ICE Screening for Discharge Screen (ICESCR) (see Attachment B) in the order prescribed herein.

Note: Under no circumstances shall any staff member involved in this process rely solely on the cover page of the inmate's criminal history report (RAP sheet) in determining whether to honor an Immigration Detainer.



- i. Step 1: Check if the inmate has any outstanding criminal warrant(s) or judicial orders (such as an order under N.Y. Criminal Procedure Law article 730) in the state of New York or any other jurisdiction in the United States per the NCIC/III/IJP query and, if applicable, note the relevant jurisdiction(s).
- ii. Step 2: Determine whether a judicial warrant or documentation of probable cause (either ICE Form I-200 or I-205) has been issued in addition to the Immigration Detainer. If a judicial warrant has not been issued, the Department shall not detain an inmate beyond their normal discharge time. If an ICE Form I-200 or I-205 has not been issued, the Department shall not notify DHS of the discharge time.
- iii. Step 3: Verify the disposition code for each case and proceed to Step 4 if the disposition code for any case is one of the following: Acquittal, Adjourned Contemplating Dismissal, Not Guilty, Case Dismissed, or Youthful Offender.

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IV. PROCEDURES (Cont.)

- iv. Step 4: Access the eJusticeNY database, conduct a full inquiry with National Crime Information Center/Interstate Identification Index/Integrated Justice Portal settings and print the inmate's criminal history report and inbox results from this query.
- v. Step 5: Determine whether the inmate meets the criteria for transfer in accordance with Sections IV.B.1.a.i and IV.B.1.a.ii. If the inmate does not, the Department shall not transfer the inmate to DHS.
 - A. Inspect the inmate's folder to determine whether this determination has already been investigated and noted.
 - B. Confirm that the determination noted in the folder still reflects the most up-to-date information available (is not contradicted by the new eJusticeNY search).

Note: If the Custody Management Supervisor processing the DHS discharge discovers said inmate is subject to an out of jurisdiction conviction and cannot arrive at a resolution to effect the designation as a qualifying crime, a notification must be made to Legal Division, which will determine whether the out of jurisdiction conviction is equivalent to one of the enumerated crimes in Attachment A.
- g. When Custody Management determines that an inmate is to be held pursuant to an Immigration Detainer or determines that an inmate is eligible to be transferred to DHS without additional detention, Custody Management shall communicate its determination to the facility/court command and shall coordinate the transfer with DHS and the facility/court command. Custody Management shall promptly update the inmate's status with all required information in the ICE Unit's electronic tracking system.
- h. If an inmate is transferred to DHS, the facility/court command responsible for the transfer shall enter the discharge code "INS" in the IIS WD and TD screens.



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- i. All inquiries concerning whether or not the Department will honor DHS detainers shall be referred to the Office of Constituent Services (718-546-1500 or constituentservices@doc.nyc.gov).



3. DATA TRACKING AND REPORTING

- a. The Office of Custody Management shall track on a daily basis:
 - i. The total number of detainers lodged with the Department organized according to the reason given by DHS for issuing the detainers, including but not limited to:
 - A. A final order of removal against the alien;
 - B. The pendency of ongoing removal proceedings against the alien;
 - C. Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law;
 - D. Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; or
 - E. Any other reason given by DHS.
 - ii. The number of persons held pursuant to civil immigration detainers beyond the time when such person would otherwise be released from Department custody organized according to the reason given by DHS for issuing the detainers, including but not limited to:
 - A. A final order of removal against the alien;
 - B. The pendency of ongoing removal proceedings against the alien;

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IV. PROCEDURES (Cont.)

- C. Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law;
 - D. Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; or
 - E. Any other reason given by DHS.
- iii. The number of persons transferred to the custody of DHS pursuant to civil immigration detainers.
 - iv. The number of persons transferred to the custody of DHS pursuant to civil immigration detainers who have at least one conviction for a qualifying crime.
 - v. The number of persons transferred to the custody of DHS pursuant to civil immigration detainers who had no convictions for a qualifying crime and were identified as possible matches in the terrorist screening database.
 - vi. The number of persons for whom civil immigration detainers were not honored.
 - vii. The number of persons held pursuant to civil immigration detainers beyond the time when such persons would otherwise have been released from the department's custody, who were not transferred to DHS, either because of the expiration of the forty-eight (48) hour hold period or because DHS disavowed an intention to assume custody.

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viii. The number of requests from DHS concerning a person's incarceration status, release dates, court appearance dates, or any other information related to such person in the Department's custody, and the number of responses honoring such requests by the Department, disaggregated by:

- A. The number of responses to DHS concerning a person with no convictions for a qualifying crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the Department facilitated the transfer of such persons to the custody of DHS;
- B. The number of responses to DHS concerning a person with at least one conviction for a qualifying crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the Department facilitated the transfer of such persons to the custody of DHS; and
- C. The number of responses to DHS concerning a person with no convictions for a qualifying crime who was identified as a possible match in the terrorist screening database, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the Department facilitated the transfer of such persons to the custody of DHS.

Note: This information shall be compiled and posted on the Department website no later than September 1 each year. The web posting shall indicate data for the above indicators for the previous twelve (12) month period ending June 30. However, for the 2018 report only, the new data required in Section V.B.1.d.viii above shall be reported for the period January 30 to June 30.

C. INFORMATION SHARING

1. Department personnel may communicate with DHS in order to effectuate City Administrative Code Section 9-131(b) and (h) and Section IV.B. This includes,

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but may not be limited to, providing DHS with advance notice of an inmate's release date, time, or location where the inmate has been convicted of a qualifying crime or identified as a possible match in the terrorist screening database, and inquiring as to whether DHS plans to obtain a judicial or administrative warrant for such an inmate in order to process an immigration detainer or other similar request.

2. Department personnel may not otherwise share with DHS any information that is only available to them in their official capacity, including information regarding any person's incarceration status, court appearance dates, or any other information related to individuals in the Department's custody, unless the communication:
 - a. Relates to a person convicted of a qualifying crime or identified as a possible match in the terrorist screening database;
 - b. Is unrelated to the enforcement of civil immigration laws; or
 - c. Is otherwise required by law.

Note: Disclosure of any such information must be consistent with City Administrative Code Section 23-1202(c) and, if applicable, Section IV.A.

D. ICE INTERVIEWS

1. When a DHS agent requests to speak to an inmate in the Department's custody, the DOC housing officer shall advise the inmate that he/she has an intake appointment, and will ensure that the inmate is sent to the intake area. If the inmate is under 18 years of age, he/she shall not be produced for a DHS interview without the prior written consent of the inmate's attorney of record, parent or legal guardian.
2. There, intake staff shall inform the inmate that a DHS agent is requesting an interview with him/her. The intake staff will also complete Form 144 ICE and present the form to the inmate. If the inmate is unable to understand either English or Spanish, the intake Supervisor shall be notified and arrangements shall be made to provide the inmate with language services consistent with existing departmental procedures.
3. Prior to producing the inmate to an agent of DHS, the inmate shall be directed to review Form 144 ICE and check off one of the following options on the form:



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- a. I choose to be interviewed by ICE; or
 - b. I decline to be interviewed by ICE.
4. The inmate shall only be produced to a DHS agent if the inmate checks off the first box, which states, "I choose to be interviewed by ICE." The inmate shall be required to sign the appropriate area of the form.
 5. The Department shall only produce an inmate to a DHS agent who is appropriately attired in the DHS uniform and displays their DHS credentials. There shall be no exceptions.
 6. Form 144 ICE, which is in triplicate form, is contained in a receipt book. The distribution of the form shall be as follows:
 - a. White: Inmate's Copy
 - b. Yellow: ICE Official
 - c. Pink: ICE Book
 7. The informational poster entitled, "Notice to Inmates: Immigration and Customs Enforcement Interviews" (Attachment H), notifying inmates of their rights pertaining to DHS interviews shall be added to the Inmate Handbook and conspicuously posted in the following areas:
 - a. Law Library
 - b. Visits
 - c. Counsel visit area
 - d. Intake
 - e. Programs
 8. Facilities' General Offices shall fax Forms 144 to the ICE Unit weekly. ICE Unit will tabulate these interviews and report them to the Legal Division's assigned liaison.

V. REFERENCES (Cont.) (When a referenced document is superseded, the superseding document shall apply).

- A. [Directive 4102R-B, "Processing of Inmates for Discharging and Transferring," dated 5/12/05 \(as amended\).](#)



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V. REFERENCES (Cont.)

- B. [Operations Order 43/88, "Bi/Multi-Lingual and/or Sign Language Proficient Staff," dated 6/22/88.](#)
- C. [Board of Correction Minimum Standards 1-01 Non-discriminatory Treatment Section 1-01 \(d\) \(1-3\).](#)

VI. ATTACHMENTS

- A. [List of Qualifying Crimes.](#)
- B. [IIS ICE Screen for Discharge \(ICESCR\) – Sample.](#)
- C. [IIS ICE Screening for Discharge Report – Sample.](#)
- D. [IIS ICE Daily Discharge Summary Report – Sample.](#)
- E. [Form FIR-1, "Acknowledgement of Receipt of Federal Immigration Request."](#)
- F. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Spanish\)," dated 10/09.](#)
- G. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Spanish\).](#)
- H. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Haitian Creole\)," dated 10/09.](#)
- I. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Haitian Creole\).](#)
- J. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Italian\)," dated 10/09.](#)
- K. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Italian\).](#)
- L. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Korean\)," dated 10/09.](#)



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VI. ATTACHMENTS (Cont.)

- M. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Korean\).](#)
- N. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Polish\)," dated 10/09.](#)
- O. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Polish\).](#)
- P. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Russian\)," dated 10/09.](#)
- Q. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Russian\).](#)
- R. [Form 144 ICE, "Immigration and Customs Enforcement \(ICE\) Interview Consent Form \(English and Traditional Chinese\)," dated 10/09.](#)
- S. [Notice to Inmates: Immigration and Customs Enforcement \(ICE\) Interviews \(English and Traditional Chinese\).](#)

VII. SUPERSEDES

- A. Operations Order 10/09, "Procedures for Immigration Discharge Procedures for Inmates with Immigration Detainers," dated 12/16/09.
- B. Operations Order 10/14, "Discharge Procedures for Inmates with Immigration Detainers," dated 12/14/14.
- C. Any and all orders or memorandums which may conflict with the policy and procedures outlined herein.

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CONTACT LIST

DOC CONTACTS

Custody Management Immigration Unit at West Facility..... (718) 546-4149
 (718) 546-4472
 (718) 546-4474

Custody Management Immigration Unit at West Facility Fax..... (718) 546-4467
 (718) 546-4110

Custody Management..... (718) 546-1326
 (718) 546-1377
 (718) 546-1879

Custody Management Fax..... (718) 546-1686
 (718) 546-1702
 (718) 546-1726

ICE CONTACTS

ICE Notification (Business hours)..... (212) 863-3417
 (212) 863-3425
 (212) 863-3448

ICE Notification (Non-Business hours)..... (212) 863-3458
 (212) 863-3459

In accordance with recently amended section 9-131 of the New York City Administrative Code, Chapter 1, Title 9, a “Violent or Serious Crime” shall mean:

i. a felony defined in any of the following sections of the penal law:

- 120.01, Reckless assault of a child by a child day care provider (E Felony)
- 120.02, Reckless assault of a child (D Felony)
- 120.03, Vehicular assault in the second degree (E Felony)
- 120.04, Vehicular assault in the first degree (D Felony)
- 120.04-a(4), Aggravated vehicular assault (C Felony)
- 120.05, Assault in the second degree (D Felony)
- 120.06, Gang assault in the second degree (C Felony)
- 120.07, Gang assault in the first degree (B Felony)
- 120.08, Assault on a peace officer, police officer, fireman or emergency medical services professional (C Felony)
- 120.09, Assault on a judge (C Felony)
- 120.10, Assault in the first degree (B Felony)
- 120.11, Aggravated assault upon a police officer or a peace officer (B Felony)
- 120.12, Aggravated assault upon a person less than eleven years old (E Felony)
- 120.13, Menacing in the first degree (E Felony)
- 120.18, Menacing a police officer or peace officer (D Felony)
- 120.25, Reckless endangerment in the first degree (D Felony)
- 120.55, Stalking in the second degree (E Felony)
- 120.60, Stalking in the first degree (D Felony)
- 120.70, Luring a child (E Felony)
- 121.12, Strangulation in the second degree (D Felony)
- 121.13, Strangulation in the first degree (C Felony)
- 125.10, Criminally negligent homicide (E Felony)
- 125.11, Aggravated criminally negligent homicide (C Felony)
- 125.12, Vehicular manslaughter in the second degree (D Felony)
- 125.13, Vehicular manslaughter in the first degree (C Felony)
- 125.14, Aggravated vehicular homicide (B Felony)
- 125.15, Manslaughter in the second degree (C Felony)
- 125.20, Manslaughter in the first degree (B Felony)
- 125.21, Aggravated manslaughter in the second degree (C Felony)
- 125.22, Aggravated manslaughter in the first degree (B Felony)
- 125.25, Murder in the second degree (A-I Felony)
- 125.26, Aggravated murder (A-I Felony)
- 125.27, Murder in the first degree (A-I Felony)
- 125.40, Abortion in the second degree (E Felony)
- 125.45, Abortion in the first degree (D Felony)
- 130.25, Rape in the third degree (E Felony)

- 130.30, Rape in the second degree (D Felony)
- 130.35, Rape in the first degree (B Felony)
- 130.40, Criminal Sexual Act in the third degree (E Felony)
- 130.45, Criminal Sexual Act in the second degree (D Felony)
- 130.50, Criminal Sexual Act in the first degree (B Felony)
- 130.53, Persistent sexual abuse (E Felony)
- 130.65, Sexual abuse in the first degree (D Felony)
- 130.65-a, Aggravated sexual abuse in the fourth degree (E Felony)
- 130.66, Aggravated sexual abuse in the third degree (D Felony)
- 130.67, Aggravated sexual abuse in the third degree (C Felony)
- 130.70, Aggravated sexual abuse in the first degree (B Felony)
- 130.75, Course of sexual conduct against a child in the first degree (B Felony)
- 130.80, Course of sexual conduct against a child in the second degree (D Felony)
- 130.85, Female genital mutilation (E Felony)
- 130.90, Facilitating a sex offense with a controlled substance (D Felony)
- 130.95, Predatory sexual assault (A-II Felony)
- 130.96, Predatory sexual assault against a child (A-II Felony)
- 135.10, Unlawful imprisonment in the first degree (E Felony)
- 135.20, Kidnapping in the second degree (B Felony)
- 135.25, Kidnapping in the first degree (A-I Felony)
- 135.35, Labor Trafficking (D Felony)
- 135.50, Custodial interference in the first degree (E Felony)
- 135.65(2)(b), Coercion in the first degree; compelling or inducing the victim to cause or attempt to cause physical injury to a person (D Felony)
- 140.17, Criminal trespass in the first degree (D Felony)
- 140.25, Burglary in the second degree (C Felony)
- 140.30, Burglary in the first degree (B Felony)
- 145.12, Criminal mischief in the first degree (B Felony)
- 150.05,
- 150.10, Arson in the fourth degree (E Felony)
- 150.15, Arson in the second degree (B Felony)
- 150.20, Arson in the first degree (A-I Felony)
- 160.05, Robbery in the third degree (D Felony)
- 160.10, Robbery in the second degree (C Felony)
- 160.15, Robbery in the first degree (B Felony)
- 195.07, Obstructing governmental administration in the first degree (E Felony)
- 195.08, Obstructing governmental administration by means of a self-defense spray device (D Felony)
- 195.17, Obstruction of governmental duties by means of a bomb, destructive device, explosive, or hazardous substance (D Felony)

- 215.11, Tampering with a witness in the third degree (E Felony)
- 215.12, Tampering with a witness in the second degree (D Felony)
- 215.13, Tampering with a witness in the first degree (B Felony)
- 215.15, Intimidating a victim or witness in the third degree (E Felony)
- 215.16, Intimidating a victim or witness in the second degree (D Felony)
- 215.17, Intimidating a victim or witness in the first degree (B Felony)
- 215.51, Criminal contempt in the first degree (E Felony)
- 215.52, Aggravated criminal contempt (D Felony)
- 220.18, Criminal possession of a controlled substance in the second degree (A-II Felony)
- 220.21, Criminal possession of a controlled substance in the first degree (A-I Felony)
- 220.28, Use of a child to commit a controlled substance offense (E Felony)
- 220.41, Criminal sale of a controlled substance in the second degree (A-II Felony)
- 220.43, Criminal sale of a controlled substance in the first degree (A-I Felony)
- 220.44, Criminal sale of a controlled substance in or near school grounds (B Felony)
- 220.48, Criminal sale of a controlled substance to a child (B Felony)
- 220.77, Operating as a major trafficker (A-I Felony)
- 230.05, Patronizing a prostitute in the second degree (E Felony)
- 230.06, Patronizing a prostitute in the first degree (D Felony)
- 230.19, Promoting prostitution in a school zone (E Felony)
- 230.25(2), Promoting prostitution in the third degree, Advances or profits from prostitution of a person less than nineteen years old (D Felony)
- 230.30, Promoting prostitution in the second degree
- 230.32, Promoting prostitution in the first degree
- 230.33, Compelling prostitution
- 230.34, Sex trafficking
- 235.22, Disseminating indecent material to minors in the first degree (D Felony)
- 240.06, Riot in the first degree (E Felony)
- 240.55, Falsely reporting an incident in the second degree (E Felony)
- 240.60, Falsely reporting an incident in the first degree (D Felony)
- 240.61, Placing a false bomb or hazardous substance in the second degree (E Felony)
- 240.62, Placing a false bomb or hazardous substance in the first degree (D Felony)
- 240.63, Placing a false bomb or hazardous substance in s sports stadium or arena, mass transportation facility or enclosed shopping mall (D Felony)
- 240.75, Aggravated family offense (E Felony)
- 241.05, Harassment of a rent regulated tenant (E Felony)
- 255.26, Incest in the second degree (D Felony)
- 255.27, Incest in the first degree (B Felony)
- 260.25, Endangering the welfare of an incompetent or physically disabled person in the first degree (E Felony)
- 260.32, Endangering the welfare of a vulnerable elderly person, or an incompetent or

- physically disabled person in the second degree (E Felony)
- 260.34, Endangering the welfare of a vulnerable elderly person, or an incompetent or physically disabled person in the first degree (D Felony)
- 263.05, use of a child in a sexual performance (C Felony)
- 263.10, Promoting an obscene sexual performance by a child (D Felony)
- 263.11, possessing an obscene sexual performance by a child (E Felony)
- 263.15, Promoting a sexual performance by a child (D Felony)
- 263.16, Possessing a sexual performance by a child (E Felony)
- 263.30, Facilitating a sexual performance by a child with a controlled substance or alcohol (B Felony)
- 265.01-a, Criminal possession of a weapon on school grounds (E Felony)
- 265.01-b, Criminal possession of a firearm (E Felony)
- 265.02(2) through (8), Criminal possession of a weapon in the third degree

(2) Such person possesses any explosive or incendiary bomb, bombshell, firearm silencer, machine-gun or any other firearm or weapon simulating a machine-gun and which is adaptable for such use; or

(3) Such person knowingly possesses a machine-gun, firearm, rifle or shotgun which has been defaced for the purpose of concealment or prevention of the detection of a crime or misrepresenting the identity of such machine-gun, firearm, rifle or shotgun; or

(5) (i) Such person possesses three or more firearms; or (ii) such person possesses a firearm and has been previously convicted of a felony or a class A misdemeanor defined in this chapter within the five years immediately preceding the commission of the offense and such possession did not take place in the person's home or place of business; or

(6) Such person knowingly possesses any disguised gun; or

(7) Such person possesses an assault weapon; or

(8) Such person possesses a large capacity ammunition feeding device. For purposes of this subdivision, a large capacity ammunition feeding device shall not include an ammunition feeding device lawfully possessed by such person before the effective date of the chapter of the laws of two thousand thirteen which amended this subdivision, that has a capacity of, or that can be readily restored or converted to accept more than seven but less than eleven rounds of ammunition, or that was manufactured before September thirteenth, nineteen hundred ninety-four, that has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition;

- 265.03, Criminal possession of a weapon in the second degree (C Felony)

- 265.04, Criminal possession of a dangerous weapon in the first degree (B Felony)
- 265.08, Criminal use of a firearm in the second degree (C Felony)
- 265.09, Criminal use of a firearm in the second degree (B Felony)
- 265.10, Manufacture, transport, disposition and defacement of weapons and dangerous instruments and appliances
- 265.11, Criminal sale of a firearm in the third degree (D Felony)
- 265.12, Criminal sale of a firearm in the second degree (C Felony)
- 265.13, Criminal sale of a firearm in the first degree (B Felony)
- 265.14, Criminal sale of a firearm with the aid of a minor (C Felony)
- 265.16, Criminal sale of a firearm to a minor (C Felony)
- 265.17, Criminal purchase or disposal of a weapon (A Misd)
- 265.19, Aggravated criminal possession of a weapon (C Felony)
- 265.35(2), Prohibited use of weapons, Any person who willfully discharges a loaded firearm or any other gun, the propelling force of which is gunpowder, at an aircraft while such aircraft is in motion in the air or in motion or stationary upon the ground, or at any railway or street railroad train as defined by the public service law, or at a locomotive, car, bus or vehicle standing or moving upon such railway, railroad or public highway if thereby the safety of a person is endangered (D Felony), and in every other case (E Felony)
- 270.30, Unlawful fleeing a police officer in a motor vehicle in the second (E Felony)
- 270.35, Unlawful fleeing a police officer in a motor vehicle in the first (D Felony)
- 405.16(1), Aggravated unpermitted use of indoor pyrotechnics in the second degree, Causes physical injury to another person (E Felony)
- 405.18, Aggravated unpermitted use of indoor pyrotechnics in the first degree (D Felony)
- 460.22, Aggravated enterprise corruption (A-I Felony)
- 470.21, Money laundering in support of terrorism in the fourth degree (E Felony)
- 470.22, Money laundering in support of terrorism in the third degree (D Felony)
- 470.23, Money laundering in support of terrorism in the second degree (C Felony)
- 470.24, Money laundering in support of terrorism in the first degree (B Felony)
- 490.10, Soliciting or providing support for an act of terrorism in the second degree (D Felony)
- 490.15, Soliciting or providing support for an act of terrorism in the first degree (C Felony)
- 490.20, Making a terroristic threat (D Felony)
- 490.25, Crime of terrorism
- 490.30, Hindering prosecution of terrorism in the second degree (C Felony)
- 490.35, Hindering prosecution of terrorism in the first degree (B Felony)
- 490.37, Criminal possession of a chemical weapon or biological weapon in the third degree (C Felony)

- 490.40, Criminal possession of a chemical weapon or biological weapon in the second degree (B Felony)
- 490.45, Criminal possession of a chemical weapon or biological weapon in the first degree (A-I Felony)
- 490.47, Criminal use of a chemical weapon or biological weapon in the third degree (B Felony)
- 490.50, Criminal use of a chemical weapon or biological weapon in the second degree (A-II Felony)
- 490.55; Criminal possession of a chemical weapon or biological weapon in the first degree (A-I Felony)

ii. a hate crime as defined in section 485.05 of the penal law, provided such hate crime constitutes a felony;

iii. a felony attempt, felony conspiracy, or felony criminal solicitation to commit any crime specified in subparagraph (i) of this paragraph, or a felony criminal facilitation of such specified crime;

iv. any felony set forth in section 600 of the vehicle and traffic law; or

v. any crime codified by the legislature subsequent to the enactment of this section that the department, in consultation with the police department, by rule determines to be a felony involving violence, force, firearms, terrorism, or endangerment or abuse of vulnerable persons, or any crime for which a change made by the legislature requires amendment of the crimes specified in this paragraph. The commissioner of correction shall submit any proposed additions to the crimes set forth in this paragraph to the speaker of the council at least sixty days prior to publishing such proposed rule.

02-JUL-13 11:47

ICE Screening for Discharge

(ICESCR)

BK&CS: 0000000001 Name: ROBO,DEP,TOR, MIA,GIE,FEL		NYSID: 099999999U
Housing Loc:	Housing Area:	Admit Date: 01-JAN-96
OPTIONAL: Enter Y, if applicable, for one option in Category 1,2,3,4,5 or 6.		
EXCEPTION: If 2d is set to Y, a second option in 3a-6c may also be set to Y.		
1a Current Conviction Felony	4 Outstanding Criminal Warrant	
1b Current Conviction Misdemeanor	State:	
2a At least one (1) Felony Conviction	5a Outstanding Warrant of Removal	
2b At least one (1) Misdemeanor Con_	5b Previous subject of an Order	
viction and No Felony Convictions	of Removal	
2c YO/JO Conviction Only	5c Both	
2d No Felony or Misdemeanor Convictions	6a Known Gang Member	
3a Defendant pending Felony Case	6b Terrorist Indicator	
3b Defendant pending Misdemeanor Only	6c Gang and Terrorist Indicator	
Criminal Case		
OPTIONAL: Case that brought the individual into custody dismissed:		
Time held exceeded 48 hours:		
ICE Warrant Lifted:		
REQUIRED: Enter Y alongside one of the two possible options (a or b) below.		
a. Honor ICE Detainer; Surrender to ICE:		
b. Inmate Eligible for Discharge from DOC Custody:		

Branch to:

ICE_SCR_DISCHR

02-JUL-13 08:16

N.Y.C. DEPARTMENT OF CORRECTION - INMATE INFORMATION SYSTEM

ICE Screening for Discharge Report

3K&CS: 1131200249 Name: , NYSID: 00000000
Housing Loc: Housing Area: Admit Date:

OPTIONAL: Enter Y, if applicable, for one option in Category 1,2,3,4,5 or 6.
EXCEPTION: If 2d is set to Y, a second option in 3a-6c may also be set to Y.

1a Current Conviction Felony	4 Outstanding Criminal Warrant
1b Current Conviction Misdemeanor	State:
2a At least one (1) Felony Conviction	5a Outstanding Warrant of Removal Y
2b At least one (1) Misdemeanor Con	5b Previous subject of an Order
viction and No Felony Convictions	of Removal
2c YO/JO Conviction Only	5c Both
2d No Felony or Misdemeanor Convictions	6a Known Gang Member
3a Defendant pending Felony Case	6b Terrorist Indicator
3b Defendant pending Misdemeanor Only	6c Gang and Terrorist Indicator
Criminal Case	

OPTIONAL: Case that brought the individual into custody dismissed:
Time held exceeded 48 hours:
ICE Warrant Lifted:

REQUIRED: Enter Y alongside one, of the two possible options (a or b) below.
a. Honor ICE Detainer; Surrender to ICE: Y
b. Inmate Eligible for Discharge from DOC Custody:

Reviewed by: _____
Captain, Custody Management

Date: ____/____/____

Shield #: _____

02-JUL-13 08:36

N.Y.C. DEPARTMENT OF CORRECTION - INMATE INFORMATION SYSTEM

ICE Daily Discharge Summary Report

For 01-JUL-13

1. Total number of inmates transferred to the custody of ICE pursuant to civil immigration warrants: 7

2. Number of inmates discharged and transferred to the custody of ICE pursuant to civil immigration warrants who have:
 - a. At least one felony conviction: ----
 - b. At least one misdemeanor conviction but no felony convictions: ----
 - c. YO/JO convictions only: ----
 - No felony or misdemeanor convictions: ----
 - d. No felony or misdemeanor convictions and pending Felony case: ----
 - e. No felony or misdemeanor convictions and pending Misdemeanor only Criminal Case: ----
 - f. No felony or misdemeanor convictions and outstanding Criminal Warrant: ----
 - g. No felony or misdemeanor convictions and outstanding Warrant of Removal: ----
 - h. No felony or misdemeanor convictions and previous subject of an Order of Removal: ----
 - i. No felony or misdemeanor convictions and were identified as known gang members in the database of the National Crime Information Center or a successor database maintained by the United States: ----
 - j. No felony or misdemeanor convictions and were identified as possible matches in the terrorist screening database: ----
 - k. No felony or misdemeanor convictions and have an outstanding criminal warrant: ----
3. # Cases that brought the individual into custody which were dismissed: ----
4. # Cases held over 48 hours: ----
5. # Cases in which the ICE Warrant was lifted: ----

Acknowledgement of Receipt of Federal Immigration Request

NYC Department of Correction

This letter confirms that the NYC Department of Correction (DOC) has received a request from Immigration and Customs Enforcement (ICE)/Department of Homeland Security (DHS) regarding an inmate. It also serves to notify ICE/DHS of the projected disposition of the request pursuant to Local Law 58 of 2014 (NYC Administrative Code § 9-131), based on the nature of the request and the supporting documents presented to DOC.

DOC may cooperate with a request for detention or time-of-release information regarding an individual who has been convicted of a violent or serious crime, as defined under local law, or who is identified as a possible match in the terrorist screening database, provided that ICE/DHS supports its request with certain specified documentation representing it has probable cause to believe that the subject of the request is a "removable alien." For detention requests, local law requires a judicial warrant to hold an individual beyond the time he or she would be otherwise released from custody. For requests for notification of time of release, including requests set forth in a form that may also include a detention request, DOC requires a Form I-200 or Form I-205; in cases where that documentation is received from ICE/DHS, DOC is authorized to share information and arrange an orderly transfer of custody without holding the individual beyond the time he or she would be otherwise released from custody.

Name of individual subject to request: _____ DOB: _____

Date & time DOC received request: (MM/DD/YYYY) ____ / ____ / _____, Time: _____ (use automated time stamp)

DOCUMENTS RECEIVED FROM ICE/DHS (check all that apply):

- ☐ Form I-247A (Immigration Detainer – Notice of Action)
- ☐ Form I-247D (Immigration Detainer – Request for Voluntary Action)
- ☐ Form I-247N (Request for Voluntary Notification of Release of Suspected Priority Alien)
- ☐ Form I-247X (Immigration Detainer – Request for Voluntary Transfer)
- ☐ Judicial warrant
- ☐ Form I-200 (Warrant for Arrest of Alien)
- ☐ Form I-205 (Warrant of Removal/Deportation)
- ☐ Other (please write in): _____

PROJECTED DISPOSITION OF REQUEST:

Based on DOC's review of the request, the individual's records, and applicable law:

- ☐ DOC will not (a) maintain custody for an additional period not to exceed 48 hours or (b) provide information about time of release and facilitate an orderly transfer of custody at time of release.
- ☐ DOC will provide information about time of release and facilitate an orderly transfer of custody at such time of release. In the absence of a judicial warrant, DOC will NOT maintain custody for any additional time.
- ☐ DOC will provide information about time of release and maintain custody for a period not to exceed 48 hours to allow DHS to assume custody.
- ☐ DOC may cooperate with the request, pending receipt of additional information.
 - If DHS provides a judicial warrant, DOC will provide information about time of release and maintain custody for a period not to exceed 48 hours to allow DHS to assume custody.
 - If DHS provides an administrative warrant (Form I-200 or Form I-205), DOC will provide information about time of release and facilitate an orderly transfer of custody at such time of release.
- ☐ Other (please write in): _____

Date & time this letter transmitted: (MM/DD/YYYY) ____ / ____ / _____, Time: _____

Name: _____ Shield #: _____ Signature: _____

*Distribution: ICE Unit, Department of Correction
Office of Custody Management*

Immigration and Customs Enforcement (ICE) Interview Consent Form

Form: 144 ICE (Rev.: 10/09)

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

An Immigration and Customs Enforcement (ICE) agent would like to interview you to ascertain if you are an alien not lawfully entitled to be or remain in the United States. You have the right to be represented by counsel of your choice at no cost to the government and you do not have to speak with the ICE agent at this time. Any statement you make may be used against you in a subsequent ICE administrative proceeding.

Correction Officer's Signature

Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
☐ I want to wait to have my lawyer with me for this interview.
☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

Inmate's Signature

Fecha: _____

Recluso: _____

Número de Libro y Caso: _____

Piso/Área de Dormitorio: _____

Un agente del Servicio de Inmigración y Control de Aduanas (con siglas en inglés correspondiendo a ICE) quisiera entrevistarle para acertar si usted es un extranjero quien legalmente no tiene el derecho de estar o permanecer en los Estados Unidos. Tiene el derecho de ser representado por un abogado de su preferencia sin costo alguno para el gobierno y no tiene que hablar con el agente de ICE en este momento. Cualquier tipo de declaración que haga podrá ser utilizada en su contra en cualquier otro tipo de proceso de ICE administrativo.

Firma del Oficial de Corrección

Número de Escudo y de Identificación

Para Ser Completado Por el Recluso-Seleccione Una:

- ☐ Estoy de acuerdo con asistir a la entrevista sin mi abogado.
☐ Quiero esperar a tener a mi abogado presente conmigo durante esta entrevista.
☐ No quiero ser entrevistado por el Servicio de Inmigración y Control de Aduanas (ICE).

Firma del Recluso

Distribution: **White** – Inmate's Copy

Yellow – ICE Official

Pink – ICE Book



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

Interviews with Immigration and Customs Enforcement (ICE) are voluntary. You are entitled to have your lawyer present at your own expense. Prior to an escort to the interview, you will be provided with a consent form by DOC and must make one of the following choices:

1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

NOTIFICACIÓN PARA LOS RECLUSOS

ENTREVISTAS INMIGRACIÓN Y CONTROL DE ADUANAS (ICE)

Las entrevistas con el Servicio de Inmigración y Control de Aduanas son voluntarias. Usted tiene el derecho de tener su abogado presente mientras incurra el costo del mismo. Antes de ser escoltado a la entrevista, se le entregará un formulario de consentimiento de DOC y deberá seleccionar una de las selecciones opciones:

1. Usted puede escoger ser entrevistado sin su abogado.
2. Usted puede posponer la entrevista hasta que su abogado este presente.
3. Usted puede escoger no ser entrevistado por ICE.

Por favor indique por escrito en la forma 144 ICE cuál de estas tres opciones usted desea.

Immigration and Customs Enforcement (ICE) Interview Consent Form

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

An Immigration and Customs Enforcement (ICE) agent would like to interview you to ascertain if you are an alien not lawfully entitled to be or remain in the United States. You have the right to be represented by counsel of your choice at no cost to the government and you do not have to speak with the ICE agent at this time. Any statement you make may be used against you in a subsequent ICE administrative proceeding.

 Correction Officer's Signature

 Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
- ☐ I want to wait to have my lawyer with me for this interview.
- ☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

 Inmate's Signature

Dat: _____

Prizonye: _____

Nimewo Dosye ak Rejis: _____

Nivo/Zòn Lojman: _____

Yon ajan depatman Ranfòsman Imigrasyon ak Ladwann (ICE) ta renmen fè yon entèvyou avèk ou pou detèmine si w se yon etranje ki pa gen dwa pou w vini oswa pou w rete Ozetazini legalman. Se dwa w pou w gen yon avoka ke se oumenm ki chwazi ki pou reprezante w, san ke gouvènman an pa peye pou li e ou pa oblije pale avèk okenn ajan ICE pou lemoman. Nenpòt ki deklarasyon w fè ka sèvi kont ou nan nenpòt lòt pwosè administratif ICE ta vin fè annapre.

 Siyati Ofisye Koreksyon an

 Nimewo Badj ak Idantifikasyon

Pou prizonye a – Tcheke yon sèl kaz:

- ☐ Mwen aksepte pou mwen ale nan entèvyou sa a san avoka m nan.
- ☐ Mwen vle tann pou avoka m nan la ak mwen pou entèvyou sa a.
- ☐ Mwen pa vle pou depatman Ranfòsman Imigrasyon ak Ladwann (ICE) fè entèvyou avèk mwen.

 Siyati Prizonye a



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

Interviews with Immigration and Customs Enforcement (ICE) are voluntary. You are entitled to have your lawyer present at your own expense. Prior to an escort to the interview, you will be provided with a consent form by DOC and must make one of the following choices:

1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

AVI POU PRIZONYE YO

ENTÈVYOU AVÈK DEPATMAN RANFÒSMAN IMIGRASYON AK LADWANN (ICE)

Ou pa oblije fè entèvyou avèk depatman Ranfòsman Imigrasyon ak Ladwann (ICE), ou fè l selon bon vowlwa w. Se dwa w pou gen avoka w la prezan, men se oumenm ki pou peye pou sa. Anvan yo akonpaye w nan entèvyou a, Depatman Koreksyon (DOC) pral ba w yon fòmilè konsantman e fòk ou chwazi youn nan bagay suivan yo:

1. Ou ka chwazi pou yo entèvyouve w san avoka w.
2. Ou ka ranwaye dat entèvyou a pou jis lè avoka w la ap la.
3. Ou ka chwazi pou pa fè entèvyou ak ICE.

Tanpri, endike alekri sou Fòmilè 144 ICE a kilès nan twa opsyon yo ke w vle.

Immigration and Customs Enforcement (ICE) Interview Consent Form

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

An Immigration and Customs Enforcement (ICE) agent would like to interview you to ascertain if you are an alien not lawfully entitled to be or remain in the United States. You have the right to be represented by counsel of your choice at no cost to the government and you do not have to speak with the ICE agent at this time. Any statement you make may be used against you in a subsequent ICE administrative proceeding.

 Correction Officer's Signature

 Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
- ☐ I want to wait to have my lawyer with me for this interview.
- ☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

 Inmate's Signature

Data: _____

Detenuto: _____

Nr. caso e repertorio: _____

Casa circondariale/padiglione: _____

Un agente dell'Ufficio di Polizia dell'Immigrazione (ICE - Immigration and Customs Enforcement) desidera intervistarla per accertare se lei è un cittadino straniero non legalmente autorizzato a circolare o risiedere negli Stati Uniti. Ha il diritto di essere rappresentato da un consulente legale di sua scelta e non a carico del Governo, nel qual caso non è tenuto/a a parlare con l'agente dell'ICE. Qualsiasi sua dichiarazione potrà essere usata contro di lei in un successivo procedimento amministrativo dell'ICE.

 Firma dell'ufficiale responsabile

 Codice identificativo

Per il detenuto - spuntare una risposta:

- ☐ Presto il consenso a rispondere alle domande senza la presenza del mio avvocato.
- ☐ Desidero rispondere alle domande in presenza del mio avvocato.
- ☐ Non desidero essere intervistato/a dall'Ufficio di Polizia dell'Immigrazione (ICE).

 Firma del detenuto
Distribution: **White** – Inmate's Copy**Yellow** – ICE Official**Pink** – ICE Book



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

Interviews with Immigration and Customs Enforcement (ICE) are voluntary. You are entitled to have your lawyer present at your own expense. Prior to an escort to the interview, you will be provided with a consent form by DOC and must make one of the following choices:

1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

AVVISO AI DETENUTI

INTERVISTE DELL'UFFICIO DI POLIZIA DELL'IMMIGRAZIONE (ICE)

Le interviste concesse all'Ufficio di Polizia dell'Immigrazione (ICE) sono volontarie. Ha il diritto alla presenza del suo avvocato a sue spese. Prima di essere accompagnato/a all'intervista, il Dipartimento le fornirà un modulo di consenso, nel quale dovrà indicare:

1. Se desidera essere intervistato/a senza il suo avvocato.
2. Se desidera rimandare l'intervista affinché il suo avvocato possa essere presente.
3. Se non desidera essere intervistato/a dall'ICE.

Si prega di indicare l'opzione desiderata sul modulo 144 ICE.

Immigration and Customs Enforcement (ICE) Interview Consent Form

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

An Immigration and Customs Enforcement (ICE) agent would like to interview you to ascertain if you are an alien not lawfully entitled to be or remain in the United States. You have the right to be represented by counsel of your choice at no cost to the government and you do not have to speak with the ICE agent at this time. Any statement you make may be used against you in a subsequent ICE administrative proceeding.

Correction Officer's Signature_____
Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
- ☐ I want to wait to have my lawyer with me for this interview.
- ☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

Inmate's Signature

일시: _____

수감자: _____

대장 및 사건번호: _____

층/ 수감 공간: _____

이민관세집행국(ICE) 직원이 귀하와 면담을 원하고 있습니다. 면담 목적은 귀하가 합법적으로 미국에 체류할 자격을 취득하거나 유지할 수 없는 외국인인지 확인하기 위해서입니다. 귀하는 정부에 비용을 지불하지 않고 선택하신 변호인에게 귀하의 입장을 대변하도록 요청할 권리가 있으며 지금은 ICE 대리인과 이야기하지 않으셔도 됩니다. 귀하의 모든 진술은 이후의 ICE 행정 절차에서 귀하에게 불리하게 이용될 수 있습니다.

교정 담당관 서명_____
보호장치(Shield) 및 ID 번호

수감자용 – 한 항목에만 표시하십시오:

- ☐ 본인은 변호사 없이 이 인터뷰에 응하겠습니다.
- ☐ 본인은 변호사 도착시까지 기다렸다가 이 인터뷰에 응하겠습니다.
- ☐ 본인은 이민관세집행국 (ICE)의 인터뷰에 응하지 않겠습니다.

수감자 서명



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

Interviews with Immigration and Customs Enforcement (ICE) are voluntary. You are entitled to have your lawyer present at your own expense. Prior to an escort to the interview, you will be provided with a consent form by DOC and must make one of the following choices:

1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

수감자 고지사항

이민관세집행국 (ICE) 인터뷰

이민관세집행국 (ICE)과의 인터뷰는 자발적인 것입니다. 귀하는 사비로 선임하신 변호사를 입회시킬 수 있습니다. 인터뷰에 동행하기 전에, 귀하에게 DOC (교정부) 지정 동의서 양식을 제공해 드리므로 반드시 다음 중 한 가지 선택을 하셔야 합니다:

1. 귀하는 변호사 입회 없이 인터뷰하기로 선택할 수 있습니다.
2. 귀하는 변호사 입회시까지 인터뷰를 연기할 수 있습니다.
3. 귀하는 ICE 인터뷰에 응하지 않기로 선택할 수 있습니다.

양식 144 ICE에 귀하께서 이들 중 어느 옵션을 원하는지 필기해서 알려 주십시오.

Immigration and Customs Enforcement (ICE) Interview Consent Form

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

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 Correction Officer's Signature

 Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
- ☐ I want to wait to have my lawyer with me for this interview.
- ☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

 Inmate's Signature

Data: _____

Zatrzymany: _____

Nr sprawy: _____

Poziom/Lokal: _____

Agent Immigration and Customs Enforcement (ICE) chciałby przeprowadzić wywiad z Panem/Panią w celu ustalenia czy nie jest Pan/Pani osobą nieuprawnioną do wjazdu lub pobytu w Stanach Zjednoczonych. Przysługuje Panu/Pani prawo do prawnika na własny koszt i nie musi Pan/Pani rozmawiać teraz z agentem ICE. Wszystko, co Pan/Pani powie, może być użyte przeciwko Panu/Pani w dalszym postępowaniu administracyjnym ICE.

 Podpis urzędnika ICE:

 Nr odznaki i identyfikacyjny

Do wypełnienia przez zatrzymanego - zaznaczyć jedno z poniższych pól:

- ☐ Wyrażam zgodę na udział w tym przesłuchaniu bez mojego prawnika.
- ☐ Zgadzam się na przesłuchanie w obecności mojego prawnika.
- ☐ Odmawiam udziału w przesłuchaniu przez Immigration and Customs Enforcement (ICE).

 Podpis Zatrzymanego



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

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3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

UWAGA DLA ZATRZYMANEGO

**DOTYCZĄCA PRZESŁUCHAŃ PRZEZ
URZĄD EGZEKUCJI PRZEPISÓW IMIGRACYJNYCH I CELNYCH – (ANG. ICE)**

Udział w przesłuchaniu przez Urząd Egzekucji Przepisów Imigracyjnych i Celnych (ang. ICE) jest dobrowolny. Przysługuje Panu/Pani prawo do prawnika na własny koszt. Przed doprowadzeniem na przesłuchanie, DOC dostarczy Panu/Pani formularz (wyrażenia) zgody i musi Pan/Pani wybrać jedną z poniższych opcji:

1. Może Pan/Pani udzielić zgody na udział w przesłuchaniu bez obecności prawnika.
2. Może Pan/Pani przełożyć przesłuchanie do momentu przybycia prawnika.
3. Może Pan/Pani odmówić udziału w przesłuchaniu przez ICE.

Proszę zaznaczyć na formularzu ICE 144 wybraną przez siebie opcję.

Immigration and Customs Enforcement (ICE) Interview Consent Form

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

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 Correction Officer's Signature

 Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
- ☐ I want to wait to have my lawyer with me for this interview.
- ☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

 Inmate's Signature

Дата: _____

Лицо, содержащееся под стражей: _____

Номер досье судебных документов и номер дела: _____

Ярус/ жилая зона: _____

Сотрудник Бюро по контролю за соблюдением иммиграционного и таможенного законодательства (Immigration and Customs Enforcement, ICE) хотел бы провести с вами собеседование, чтобы выяснить, не являетесь ли вы иностранцем, нелегально получившим право на пребывание в США. У вас есть право быть представленным адвокатом, нанятым по вашему выбору бесплатно для государства, и вы не обязаны разговаривать с сотрудником ICE в настоящее время. Любое сделанное вами заявление может быть использовано против вас в последующем административном производстве ICE.

 Подпись сотрудника исправительного учреждения

 Номер значка и удостоверения

Для лица, содержащегося под стражей, – отметьте один вариант.

- ☐ Я согласен (согласна) пройти данное собеседование без своего адвоката.
- ☐ Я хочу дождаться своего адвоката, чтобы он мог присутствовать со мной на этом собеседовании.
- ☐ Я не хочу проходить собеседование в Бюро по контролю за соблюдением иммиграционного и таможенного законодательства.

 Подпись лица, содержащегося под стражей
Distribution: **White** – Inmate's Copy**Yellow** – ICE Official**Pink** – ICE Book



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

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1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

УВЕДОМЛЕНИЕ ДЛЯ ЛИЦ, СОДЕРЖАЩИХСЯ ПОД СТРАЖЕЙ

СОБЕСЕДОВАНИЯ В БЮРО ПО КОНТРОЛЮ ЗА СОБЛЮДЕНИЕМ ИММИГРАЦИОННОГО И ТАМОЖЕННОГО ЗАКОНОДАТЕЛЬСТВА (ICE)

Собеседования с сотрудниками Бюро по контролю за соблюдением иммиграционного и таможенного законодательства (ICE) являются добровольными. Вы имеете право на присутствие адвоката, нанятого за ваш счет. Прежде чем вас отконвоируют на собеседование, Управление исправительных учреждений (DOC) предоставит вам форму согласия. Вы должны выбрать один из следующих вариантов.

1. Вы можете пройти собеседование без своего адвоката.
2. Вы можете отложить собеседование, пока не появится ваш адвокат.
3. Вы можете отказаться от прохождения собеседования в ICE.

Укажите в письменном виде выбранный вариант в форме ICE 144.

Immigration and Customs Enforcement (ICE) Interview Consent Form

Date: _____

Inmate: _____

Book & Case No: _____

Tier/ Housing Area: _____

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Correction Officer's Signature

Shield and ID number

For Inmate - Check One:

- ☐ I agree to attend this interview without my lawyer.
- ☐ I want to wait to have my lawyer with me for this interview.
- ☐ I do not want to be interviewed by Immigration and Customs Enforcement (ICE).

Inmate's Signature

日期： _____

在押人： _____

警局和案件號： _____

監禁區 / 收容區： _____

美國移民與海關執法局(Immigration and Customs Enforcement，簡稱ICE)的人員希望您面談，以便確定您是否屬於沒有合法權利進入美國或留在美國的外國人。您有權自己選律師作為您的代表，但政府不支付律師費，您也可以選擇這次不和ICE的官員談話。您的任何陳述都可能在ICE今後的行政程序中作為對您不利的證據。

典獄官簽字

警牌和ID號碼

由在押人填寫 – 只能選擇一項：

- ☐ 我同意在沒有律師的情況下參加本次面談。
- ☐ 我想等我的律師和我一起參加本次面談。
- ☐ 我不想接受移民與海關執法局的面談(ICE)。

在押人簽署



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

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1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

在押人通知

美國移民與海關執法局(ICE)面談

與美國移民與海關執法局(ICE)面談屬於自願性質。您有權自費請律師在場。在押送參加面談之前，獄政局(DOC)將給您一份同意函，您必須做出以下一項選擇：

1. 您可以選擇在沒有律師的情況下參加面談。
2. 您可以推遲面談，直到有律師在場。
3. 您可以不參加和移民與海關執法局(ICE)面談。

請在144 ICE表上說明您選擇其中的哪一種。



Addendum B



NOTICE TO INMATES

IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) INTERVIEWS

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1. You may choose to be interviewed without your lawyer.
2. You may postpone the interview until your attorney is present.
3. You may choose not to be interviewed by ICE.

Please indicate in writing on Form 144 ICE which of these three options you want.

NOTIFICACIÓN PARA LOS RECLUSOS

ENTREVISTAS INMIGRACIÓN Y CONTROL DE ADUANAS (ICE)

Las entrevistas con el Servicio de Inmigración y Control de Aduanas son voluntarias. Usted tiene el derecho de tener su abogado presente mientras incurra el costo del mismo. Antes de ser escoltado a la entrevista, se le entregará un formulario de consentimiento de DOC y deberá seleccionar una de las selecciones opciones:

1. Usted puede escoger ser entrevistado sin su abogado.
2. Usted puede posponer la entrevista hasta que su abogado este presente.
3. Usted puede escoger no ser entrevistado por ICE.

Por favor indique por escrito en la forma 144 ICE cuál de estas tres opciones usted desea.

Addendum C

FROM: COMMISSIONER'S ORDER

MSG#: 2025-003123

TO :

SENT: 05/14/25

2111 HRS

SUBJ:

TELETYPE ORDER NO. HQ -00899-0

DATE MAY 14, 2025

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM LYNELLE MAGINLEY-LIDDIE, COMMISSIONER

SUBJECT OPERATIONS ORDER 9/19, "INTERACTIONS WITH FEDERAL IMMIGRATION
AUTHORITIES"

*****IMMEDIATE ATTENTION*****

1. OPERATIONS ORDER 9/19, "INTERACTIONS WITH FEDERAL IMMIGRATION
AUTHORITIES," ISSUED ON MARCH 29, 2019, REMAINS IN FULL FORCE AND EFFECT.
THIS OPERATIONS ORDER GOVERNS ALL DEPARTMENTAL INTERACTIONS WITH FEDERAL
IMMIGRATION AUTHORITIES IN COMPLIANCE WITH CURRENT LOCAL LAW.

2. THE COMMANDING OFFICERS OF FACILITIES AND DIVISIONS SHALL ENSURE
FULL COMPLIANCE WITH THE PROVISIONS OF THIS TELETYPE.

3. PURSUANT TO LOCAL LAW 228 OF 2017, CODIFIED AS NYC ADMINISTRATIVE
CODE § 9-131(7), DEPARTMENT PERSONNEL ARE PROHIBITED FROM USING ON-DUTY TIME
OR DEPARTMENT RESOURCES OF ANY KIND, INCLUDING INFORMATION OBTAINED THROUGH
THE COURSE OF THEIR DUTIES, TO DISCLOSE INFORMATION AVAILABLE TO THEM SOLELY
IN THEIR OFFICIAL CAPACITY IN RESPONSE TO FEDERAL IMMIGRATION INQUIRIES. THIS
INCLUDES COMMUNICATION WITH FEDERAL IMMIGRATION AUTHORITIES REGARDING ANY
INDIVIDUAL'S INCARCERATION STATUS, RELEASE DATE, COURT APPEARANCE DATES, OR
ANY OTHER INFORMATION RELATED TO INDIVIDUALS IN THE DEPARTMENT'S CUSTODY,
EXCEPT WHEN:

A. THE INDIVIDUAL HAS BEEN CONVICTED OF A VIOLENT OR SERIOUS CRIME,
AS DEFINED IN NYC ADMINISTRATIVE CODE § 9-131(7), OR IDENTIFIED AS
A POSSIBLE MATCH IN THE TERRORIST SCREENING DATABASE;

B. THE COMMUNICATION IS UNRELATED TO THE ENFORCEMENT OF CIVIL
IMMIGRATION LAWS; OR

C. DISCLOSURE IS OTHERWISE REQUIRED BY LAW.

4. THE CUSTODY MANAGEMENT AND CENTRALIZED MOVEMENT UNIT (CMCMU), IN
CONSULTATION WITH THE LEGAL DIVISION, IS SOLELY AUTHORIZED TO DETERMINE

WHETHER THE DEPARTMENT IS PERMITTED UNDER LOCAL LAW TO COMMUNICATE WITH
FEDERAL IMMIGRATION AUTHORITIES.

5. IF ANY DEPARTMENT STAFF RECEIVES A REQUEST FROM ANY LOCAL, STATE OR
FEDERAL AGENCY FOR ANY INDIVIDUAL'S INCARCERATION STATUS, RELEASE DATE, COURT
APPEARANCE DATES, OR ANY OTHER INFORMATION RELATED TO INDIVIDUALS IN THE
DEPARTMENT'S CUSTODY, AND THE REQUEST APPEARS RELATED TO THE ENFORCEMENT OF
FEDERAL IMMIGRATION LAWS, THE STAFF MEMBER MUST IMMEDIATELY REFER THE REQUEST
TO CMCMU AND CONTACT THE LEGAL DIVISION.

6. FOR THE FULL AND COMPLETE POLICY, REFER TO OPERATIONS ORDER 9/19,
"INTERACTIONS WITH FEDERAL IMMIGRATION AUTHORITIES."

7. THE COMMANDING OFFICERS OF FACILITIES AND DIVISIONS ARE DIRECTED TO
ENSURE THAT:

- A. ALL PERSONNEL ARE APPRISED OF THE CONTENTS OF THIS TELETYPE ORDER
AND INSTRUCTED ACCORDINGLY.
- B. THE CONTENTS OF THIS TELETYPE IS READ AT **TWENTY-ONE (21)**
CONSECUTIVE ROLL CALLS.

AUTHORITY:
OFFICE OF THE COMMISSIONER
LML/MB