

AUG 15 2014



U.S. Immigration  
and Customs  
Enforcement

The Honorable Charles E. Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Senator Grassley:

Thank you for your recent letter regarding certain criminal aliens released by U.S. Immigration and Customs Enforcement (ICE) in fiscal year (FY) 2013.

As you noted, in FY 2013, ICE released 36,007 criminal aliens from ICE custody. ICE had no discretion for the releases of many of these individuals. In general, the various types of releases from custody include bond, order of recognizance, order of supervision, alternatives to detention, and parole.

Individuals released from ICE custody at ICE's discretion were released either due to eligibility for bond (pursuant to Section 236 of the *Immigration and Nationality Act*) or for reasons such as deteriorated health or advanced age. In cases where the decision to release an alien from ICE custody is not based on discretion, an alien may be released pursuant to a court order or due to the U.S. Supreme Court's decision in *Zadvydas v. Davis*, 533 U.S. 678 (2001). In response to your inquiry regarding the names of the judges and courts of jurisdiction that ordered the releases, ICE does not keep records of this information and defers to the U.S. Department of Justice's Executive Office for Immigration Review, which manages the immigration court docket.

Of the 169 ICE detainees with a homicide-related conviction who were released from ICE custody in FY 2013, 131 have been issued a final order of removal. Of the remaining 38 aliens who have not been issued a final order of removal, one was granted voluntary departure by an immigration judge and subsequently departed within the permitted timeframe. Further, 154 of the 169 were released pursuant to court order or due to *Zadvydas*. ICE system records indicate the following zip codes as those associated with the detainees:

10006	10027	10304	10453	10455	10456
10463	10474	11213	11214	11236	11385
11429	11433	13205	16146	18103	19142
21117	22304	22312	27707	28174	28212
28215	30045	30093	30126	30263	30303

30337	30340	32305	32765	33010	33012
33018	33028	33032	33034	33055	33125
33128	33133	33162	33169	33172	33173
33351	33406	33444	33463	33467	33712
34114	40203	43222	44070	48340	50320
51106	53218	55125	55408	55443	56001
56201	60544	62794	70065	70816	73844
77072	77078	77433	77450	85007	85326
85730	87121	89506	90005	90013	90019
90032	90044	90057	90211	90255	90731
91020	91201	91205	91334	91335	91506
91606	91709	91733	91744	91766	91767
91768	91770	92057	92084	92301	92562
92614	92683	92804	92835	92840	92880
93030	93206	93701	94112	94509	94544
94608	95112	95116	95132	95205	95670
95823	95824	96145	97024	97266	98168
99502	99507				

Finally, enclosed please find the information you requested regarding the name and location of the detention facilities from which the aliens with homicide-related convictions were released in FY 2013.

Ensuring that our enforcement policies and procedures are best suited to protect national security and public safety is paramount. To make certain that we are doing everything we can in this regard, I am instituting new procedures requiring that an appropriate senior-level supervisor must approve before ICE releases potentially dangerous individuals.

Thank you again for your letter. I look forward to working with you in the future. Should you or your staff have additional questions, please do not hesitate to contact the Office of Legislative Affairs at (202) 447-5890 or me at (202) 732-3000.

Sincerely,



Thomas S. Winkowski  
Principal Deputy Assistant Secretary

Enclosure

Handwritten signature or scribble in blue ink.

## **Locations of Final Book-Out for Criminal Aliens with Homicide-Related Convictions Who were Placed in a Non-Custodial Setting in Fiscal Year 2013**

The following list includes U.S. Immigration and Customs Enforcement (ICE) facilities that served as the location of final book-out for criminal aliens with homicide-related convictions who were placed in a non-custodial setting in fiscal year 2013, according to data generated from ICE system records. Thus, while aliens may have been in multiple facilities while in ICE custody, this list comprises the final locations of the aliens immediately prior to release. As such, this list is inclusive of locations that are not utilized for the long-term housing of aliens (e.g., hold rooms).

- Alabama
  - Etowah County Jail
  
- Arizona
  - Eloy Federal Contract Facility
  - Florence Service Processing Center
  - Florence Staging Facility
  - Tucson INS Hold Room
  
- California
  - Adelanto Correctional Facility
  - California City Correctional Center
  - El Centro Service Processing Center
  - Fresno Hold Room
  - Los Angeles Custody Case
  - Sacramento County Jail
  - Sacramento Hold
  - San Bernardino Hold Room
  - San Diego Contract Detention Facility - CCA
  - Santa Ana DRO Hold Room
  - SFR Hold Room
  
- Colorado
  - Denver Contract Detention Facility
  
- Florida
  - Baker County Sheriff's Office
  - Columbia Kendal Hospital
  - Glades County Detention Center
  - Krome North Service Processing Center
  - Monroe County Detention Center
  - Tampa Hold Room
  - Wakulla County Jail

- Georgia
  - North Georgia Detention Center
  - Stewart Detention Center
  - Atlanta District Hold Room
  
- Illinois
  - INS Airport Hold
  
- Kansas
  - Rice County Detention Center
  
- Louisiana
  - South Louisiana Detention Center
  
- Massachusetts
  - Plymouth County Correctional Facility
  - Suffolk County House of Corrections
  
- Maryland
  - Howard County Detention Center
  
- Michigan
  - Calhoun County Correctional Center
  
- Minnesota
  - Freeborn County Adult Detention Center
  - Sherburne County Jail
  
- North Carolina
  - Charlotte Hold Room
  
- New Jersey
  - Bergen County Jail
  - Essex County Jail
  - Hudson County Correctional Center
  - NEW/INS OS Hold Room
  
- New York
  - Buffalo (Batavia) Service Processing Center
  - NYC Field Office
  - Orange County Jail
  
- Ohio
  - Butler County Jail
  
- Oklahoma
  - Tulsa County Jail

- Oregon
  - Portland District Office
  
- Pennsylvania
  - York County Prison
  
- Texas
  - Dallas Field Office Hold Room
  - El Paso Service Processing Center
  - Houston Contract Detention Facility
  - South Texas Detention Complex
  
- Virginia
  - Washington Field Office
  
- Washington
  - Northwest Detention Center
  - Seattle Field Office Hold Room
  
- Wisconsin
  - Kenosha County Detention Center