



U.S. Immigration  
and Customs  
Enforcement

# FACT SHEET

Updated: January 21, 2010

## **The ICE 287(g) Program: A Law Enforcement Partnership**

U.S. Immigration and Customs Enforcement (ICE), the largest investigative agency in the Department of Homeland Security (DHS), is responsible for enforcing federal immigration laws as part of its homeland security mission. ICE works closely with federal, state and local law enforcement partners in this mission.

The 287(g) Program, one of ICE's top partnership initiatives, allows state and local law enforcement entities to enter into a partnership with ICE, under a joint Memorandum of Agreement (MOA), in order to receive delegated authority for immigration enforcement within their jurisdictions. The 287(g) Program has emerged as one of the agency's most successful and popular partnership initiatives as more state and local leaders have come to understand how a shared approach to immigration enforcement can benefit their communities.

### ***ICE ACCESS: A Partnership Approach***

The 287(g) Program is one component under the ICE ACCESS (Agreements of Cooperation in Communities to Enhance Safety and Security) program umbrella of services, which provides local law enforcement agencies an opportunity to team with ICE to combat specific challenges in their communities. ICE developed the ACCESS program in response to widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) Program, which trains local officers to enforce immigration law as authorized under section 287(g) of the Immigration and Nationality Act.

Terrorism and criminal activity are most effectively combated through a multi-agency/multi-authority approach that encompasses federal, state and local resources, skills and expertise. State and local law enforcement play a critical role in protecting our homeland because they are often the first responders when there is an incident or attack against the United States. During the course of daily duties, they often encounter foreign-born criminals and immigration violators who may pose a threat to national security or public safety.

## ***History of 287(g)***

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g), performance of immigration officer functions by state officers and employees, to the Immigration and Nationality Act. This authorizes DHS to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions, provided those officers receive appropriate training and function under the supervision of ICE officers.

State and local officers, detectives, investigators and correctional officers work in conjunction with ICE. The purpose of this collaboration is to identify and process for removal criminal aliens who pose a threat to public safety or are a danger to the community. In addition, participating entities are eligible for increased resources and support in more remote geographical locations.

## ***Memorandum of Agreement (MOA)***

Memoranda of agreement are written so that the use of 287(g) authority is aligned with ICE priorities. An MOA defines the scope and limitations of the authority to be designated. It also establishes the supervisory structure for the officers working under the cross-designation and prescribes the agreed upon complaint process governing officer conduct during the life of the MOA. Under the statute, ICE will supervise all cross-designated officers when they exercise their immigration authorities. The agreement must be signed by the ICE Assistant Secretary, and the governor, a senior political entity, or the head of the local agency before trained local officers are authorized to enforce immigration law.

## ***Law Enforcement Agency Requirements for 287(g) Partnership***

- Agencies must enter into a Memorandum of Agreement (MOA)
- Supervising political entity approval
- Sufficient criminal activity involving removable foreign born individuals
- The program must enhance the safety and security of communities focusing on the removal of criminal aliens who pose a threat to public safety or a danger to the community
- Agencies must provide office space for ICE supervisor
- Officers must attend a four-week training program

## ***Additional Evaluation Factors***

- Agency's proximity to ICE office
- Number of alien encounters per month
- Types of Encounters
- Number of officers to be trained
- Approved ICE detention space available

- Other [ICE ACCESS](#) programs or opportunities in area

### ***Officer Selection Requirements***

Participating officers in the 287(g) Program must meet the following minimum requirements:

- U.S. citizenship;
- Current background investigation completed;
- Task Force Officers must have a minimum one year experience in law enforcement that includes experience in interviewing witnesses, interrogating subjects, providing constitutional rights warnings, obtaining statements, and executing search and seizure warrants;
- Jail Enforcement Officers must have experience supervising incarcerated individuals; and
- No disciplinary actions pending.

### ***Training Requirements***

ICE offers a four-week training program conducted by certified instructors at the Federal Law Enforcement Training Center (FLETC) ICE Academy (ICEA) in Charleston, S.C.

### ***287(g) Results and Participating Entities***

Since January 2006, the 287(g) Program is credited with identifying more than 110,000 individuals, mostly in jails, who are suspected of being in the country in violation of immigration law. More than 1,101 officers have been trained and certified through the program under 71 active MOAs, as follows:

<b>287(g) Memoranda of Agreement</b>			
Mutually Signed Agreements (66)			
STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	Original Date of Participation
ALABAMA	Etowah County Sheriff's Office	JEO	7/8/2008
ALABAMA	Alabama Department of Public Safety	TFO	9/10/2003
ARKANSAS	Benton County Sheriff's Office	JEO & TFO	9/26/2007
ARKANSAS	Rogers Police Department	TFO	9/25/2007
ARKANSAS	Washington County Sheriff's Office	JEO & TFO	9/26/2007
ARKANSAS	City of Springdale Police Department	TFO	9/26/2007
ARIZONA	City of Mesa Police Department	TFO	11/19/2009
ARIZONA*	Florence Police Department	TFO	10/21/2009

<b>287(g) Memoranda of Agreement</b>			
ARIZONA	Pima County Sheriff's Office	JEO & TFO	3/10/2008
ARIZONA	Maricopa County Sheriff's Office	JEO	2/7/2007
ARIZONA	Arizona Department of Corrections	JEO	9/16/2005
ARIZONA	Arizona Department of Public Safety	TFO	4/15/2007
ARIZONA	Pinal County Sheriff's Office	JEO & TFO	3/10/2008
ARIZONA	City of Phoenix Police Department	TFO	3/10/2008
ARIZONA	Yavapai County Sheriff's Office	JEO & TFO	3/10/2008
CALIFORNIA	San Bernardino County Sheriff's Office	JEO	11/19/2005
COLORADO	Colorado Department of Public Safety	TFO	3/29/2007
COLORADO	El Paso County Sheriff's Office	JEO	5/17/2007
CONNECTICUT**	City of Danbury Police Department	TFO	10/15/2009
DELAWARE*	Delaware Department of Corrections	JEO	10/15/2009
FLORIDA	Bay County Sheriff's Office	TFO	6/15/2008
FLORIDA	Collier County Sheriff's Office	JEO & TFO	8/6/2007
FLORIDA	Florida Department of Law Enforcement	TFO	7/2/2002
FLORIDA	Jacksonville Sheriff's Office	JEO	7/8/2008
GEORGIA	Georgia Department of Public Safety	TFO	7/27/2007
GEORGIA	Hall County Sheriff's Office	JEO & TFO	2/29/2008
GEORGIA	Whitfield County Sheriff's Office	JEO	2/4/2008
GEORGIA	Cobb County Sheriff's Office	JEO	2/13/2007
GEORGIA	Gwinnett County Sheriff's Office	JEO	10/15/2009
MARYLAND	Frederick County Sheriff's Office	JEO & TFO	2/6/2008
MINNESOTA	Minnesota Department of Public Safety	TFO	9/22/2008
MISSOURI	Missouri State Highway Patrol	TFO	6/25/2008
NEVADA	Las Vegas Metropolitan Police Department	JEO	9/8/2008
NEW HAMPSHIRE	Hudson City Police Department	TFO	5/5/2007
NEW JERSEY	Hudson County Department of Corrections	JEO	8/11/2008
NEW JERSEY**	Monmouth County Sheriff's Office	JEO	10/15/2009
NORTH CAROLINA	Durham Police Department	TFO	2/1/2008
NORTH CAROLINA	Cabarrus County Sheriff's Office	JEO	8/2/2007
NORTH CAROLINA	Gaston County Sheriff's Office	JEO	2/22/2007
NORTH CAROLINA**	Guilford County Sheriff's Office	TFO	10/15/2009
NORTH CAROLINA	Mecklenburg County Sheriff's Office	JEO	2/27/2006
NORTH CAROLINA	Wake County Sheriff's Office	JEO	6/25/2008
NORTH CAROLINA	Alamance County Sheriff's Office	JEO	1/10/2007
NORTH CAROLINA	Henderson County Sheriff's Office	JEO	6/25/2008

<b>287(g) Memoranda of Agreement</b>			
OHIO	Butler County Sheriff's Office	JEO & TFO	2/5/2008
OKLAHOMA	Tulsa County Sheriff's Office	JEO & TFO	8/6/2007
RHODE ISLAND*	Rhode Island State Police	TFO	10/15/2009
SOUTH CAROLINA	Beaufort County Sheriff's Office	TFO	6/25/2008
SOUTH CAROLINA*	Charleston County Sheriff's Office	JEO	11/09/2009
SOUTH CAROLINA	York County Sheriff's Office	JEO	10/16/2007
TENNESSEE	Davidson County Sheriff's Office	JEO	2/21/2007
TENNESSEE	Tennessee Highway Patrol / Department of Safety	TFO	6/25/2008
TEXAS	Carrollton Police Department	JEO	8/12/2008
TEXAS	Farmers Branch Police Department	TFO	7/8/2008
TEXAS	Harris County Sheriff's Office	JEO	7/20/2008
UTAH	Washington County Sheriff Office	JEO	9/22/2008
UTAH	Weber County Sheriff's Office	JEO	9/22/2008
VIRGINIA	Herndon Police Department	TFO	3/21/2007
VIRGINIA	Loudoun County Sheriff's Office	TFO	6/25/2008
VIRGINIA	Manassas Police Department	TFO	3/5/2008
VIRGINIA	Manassas Park Police Department	TFO	3/10/2008
VIRGINIA	Prince William County Police Department	TFO	2/26/2008
VIRGINIA	Prince William County Sheriff's Office	TFO	2/26/2008
VIRGINIA	Prince William-Manassas Adult Detention Center	JEO	7/9/2007
VIRGINIA	Rockingham County Sheriff's Office	JEO & TFO	4/25/2007
VIRGINIA	Shenandoah County Sheriff's Office	JEO & TFO	5/10/2007
Active MOAs Pending "Good Faith" Negotiations (5) as of 1/05/2010			
STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	SIGNED
CALIFORNIA	Los Angeles County Sheriff's Office	JEO	2/1/2005
CALIFORNIA	Orange County Sheriff's Office	JEO	11/2/2006
CALIFORNIA	Riverside County Sheriff's Office	JEO	4/28/2006
MASSACHUSETTS	Massachusetts Department of Corrections	JEO	3/26/2007
NEW MEXICO	New Mexico Department of Corrections	JEO	9/17/2007
New MOAs Pending "Good Faith" Negotiations (1)			

**287(g) Memoranda of Agreement**

287(g) Memoranda of Agreement			
STATE	LAW ENFORCEMENT AGENCY	SUPPORT TYPE	SIGNED
RHODE ISLAND**	Rhode Island Department of Corrections	JEO	

\* LEA officers have not yet been to 287(g) training

\*\*LEA officers presently in 287(g) training and will graduate January 29, 2010

JEO = Jail Enforcement Officers

TFO = Task Force Officers

MOAs can be found on OSLC's website at [www.ICE.gov/OSLC](http://www.ICE.gov/OSLC)

# ICE #

*U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.*