



Practice Pointer

How to Locate Clients that Have Been Apprehended by ICE

By AILA's ICE Liaison Committee

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This practice pointer provides attorneys with best practices and tips for effectively locating clients that have been apprehended by ICE.

Summer 2019 Reports of Large-Scale Enforcement Actions and Raids

Towards the end of June 2019, it was [widely reported](#) that ICE would begin large-scale enforcement actions against migrant family units with final orders of removal. [Reports indicated](#) that ICE planned to target up to 2,000 [family units with removal orders](#) in the following ten locations: Atlanta; Baltimore; Chicago; Denver; Houston; Los Angeles; Miami; New Orleans; New York City; and San Francisco. The [Miami Herald](#) additional categories of individuals ICE planned to target for enforcement actions. At the end of June, [CNN reported](#) that President Trump expects ICE raids to happen after July 4th.

- To review additional media reports of large-scale enforcement actions and raids, please visit [Media Reports of Raids](#) on AILA's Featured Issue page, [2019 Large-Scale Enforcement Actions and Raids](#).

Locating Your Client Using the ICE Online Detainee Locator System

If your client or potential client is arrested by ICE and is 18 years of age or older (including unaccompanied children over 18), you should first try to confirm where your client is detained via the [ICE Online Detainee Locator System](#) (ODLS). ICE [policy](#) requires ODLS systems to be updated within eight hours of release, removal, or transfer of detainees. You can search either by Alien Number (A#) or by Biographical Information. To search by A#, you will need both the individual's A# and country of birth. To search by biographical information, you will need the client's first name, last name, and country of birth. You can also enter a date of birth to help narrow the search results. However, it is important to be aware that ODLS does not always provide accurate information when using biographic information searches, especially if there is any error or discrepancy in the biographical data. You must also be aware that often times families and even clients themselves do not regularly use the full name of the person you are looking for and unless you have the exact complete name, with both last names (if applicable) and each name spelled exactly correct, ODLS will likely not return a result. In that case, follow up with the family and see if there is any other or more complete names of the person you are trying to locate. The same problem is encountered if there is entry made by ICE in entering any data in the system.

ICE ERO

If you experience difficulty in locating your client using the ODLS, you may want to contact the local ICE ERO office with jurisdiction over the location of the arrest. ICE's website, www.ice.gov/contact/field-offices, provides general contact information for each ICE ERO office,

including a phone number for the public. Even if ICE is not willing to tell you where your particular potential client is being held, ICE will normally tell you what facilities their particular office is using to detain individuals. If you experience difficulties in contacting ICE ERO, you may want to follow up with ICE’s Community Relations Officers (CRO) using the contact information provided on their website at <https://www.ice.gov/contact/occe>.

Detention Center Contact Information

If you are still unable to locate your client, there may be no alternative other than simply calling each of the possible facilities where ICE may have placed your potential client.

- ICE maintains a directory (www.ice.gov/detention-facilities) with links to various ICE detention centers. Here you will find the ICE detention center address, how to contact your client, visiting hours for attorneys and family, how to send items to detainees, and other details. However, this directory does **not** include all facilities that detain individuals on behalf of ICE.
- ICE has a variety of facilities governed by different types of contracts. Generally, there are five types of ICE detention facilities. (See chart below). If you are unable to locate your client using [ICE’s directory](#), you may want to review ICE’s list of facilities and contact those facilities directly.
 - [Dedicated and Non Dedicated Facility List](#)
 - [Over-72-Hour ICE Detention Facilities](#)

Note: Read the Detention Watch Network (DWN) and the National Immigrant Justice Center (NIJC) [analysis](#) about what facilities may be missing from ICE’s lists.

Facility Type	Description
Service Processing Center	A facility owned by ICE and generally operated by contract detention staff.
Contract Detention Facility (CDF)	A facility that is owned and operated by a private entity and with which ICE contracts directly for immigration detention services.
U.S. Marshals Service Inter-Governmental Agreement (USMS IGA)	A facility owned by a state or political subdivision of a state. The U.S. Marshals Service contracts with the state or local government for the use of the facility’s detention services through an Intergovernmental Agreement. ICE uses beds at the facility as a rider on the USMS agreement.
Inter-Governmental Service Agreement (IGSA)	A facility owned by a state or political subdivision of a state. ICE uses beds at this kind of facility pursuant to an Intergovernmental Service Agreement with the state or political subdivision of the state.
Dedicated Inter-Governmental Services Agreement (DIGSA)	An IGSA facility of which ICE generally has exclusive use.

Special Note About Detainees who are Minors

It is important to be aware that under the [Homeland Security Action of 2002](#), any unaccompanied minor child who is apprehended for immigration enforcement purposes anywhere, not just at the Southern border, is not kept under the custody of ICE. They are instead held under the custody of the Office of Refugee Resettlement (ORR) within the U.S. Department of Health and Human Services (HHS).

It is important to know how ORR carries out its custodial duties related to minors in your jurisdiction. In general, ORR maintains “a continuum of care for the children in a [shelter facility](#), foster care or [group home](#) (which may be [therapeutic](#)), [staff-secure](#) or [secure care facility](#), a [residential treatment center](#), or special needs care facility.” See [ORR Fact Sheet on Unaccompanied Minors](#).

If you are an attorney that practices in an area of the country where ORR does not maintain some form of child detention on the “continuum of care” detailed above, it is very possible that your minor potential client may be transferred out of your jurisdiction to some location in the United States where ORR does have a placement available for him/her. These cases present special concerns to the immigration practitioner. You can and should approach the ICE Officer who you believe is processing the potential client as quickly as possible with a translated birth certificate demonstrating the child is under the age of eighteen. Adult custody for a child for immigration purposes is, of course, inappropriate. This puts ICE on notice **not** to detain the minor child with adult detainees.

However, ICE may well push back indicating that if the individual is a minor, they will be transferred to some other jurisdiction immediately (because ORR has no child custody facility or other arrangement available in your jurisdiction to maintain custody of minors), removing the child away from family and/or other support individuals. Also, once you have established that your potential client is in fact a minor, ICE and ORR and any other contract agencies working on behalf of ORR to provided custody of detained minors, may become very reluctant to disclose information related to the minor and may treat the custody of the minor as a confidential juvenile case.

Alternatively, ICE may also offer to release the child to a parent, but may also process the parent for removal proceedings if the parent is undocumented.

All of these possible outcomes need to be carefully weighed and discussed with the minor’s family before deciding what course of action to take. Custody decisions related to a minor tend to move very quickly once the underage status is confirmed and it is important that the family be advised accordingly. [AILA’s ICE Liaison Committee](#) recommends that you reach out to a local AILA colleague who represents immigrant children in proceedings in your jurisdiction to know what is the local practice of ICE and ORR in handling these cases.

Local AILA Chapter Liaison Information

For AILA attorneys, most local AILA Chapters maintain a current list of ICE/ERO Officers and contact information, as well as where ICE is currently holding detainees. You can access this information via [the chapter website](#). Most AILA Chapters also appoint a local AILA ICE Liaison who can assist if you are unable to find this information on their website. Contact information for AILA’s Local ICE Liaisons can be found by using AILA’s Group Directory, <http://www.aila.org/group-directory>. These resources can also be accessed via AILA’s “[Resources By State](#)” page.