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Convicted felon among 3 men released into the community after ICE detainers ignored



NEW YORK — A twice-removed Dominican national with felony drug convictions was among three recently arrested by U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) New York after detainers lodged against them were ignored by local authorities.

The New York Police Department (NYPD) arrested Pablo Garcia-Taveras, 45, March 24, in the Bronx, New York, on local charges. Deportation officers lodged an immigration detainer with Bronx Central Booking. Garcia-Taveras was later released from NYPD custody without the detainer being honored and without notification to ICE.

“ICE is committed to promoting public safety, even when facing significant obstacles created by local elected officials’ obstructionist policies,” said Thomas Decker, field office director for ERO New York. “Every day, our officers put their lives on the line to arrest criminal aliens who could have easily been transferred to ICE custody within the confines of a secure jail environment.”

Garcia-Taveras was previously convicted of felony criminal possession of a controlled substance and felony attempted criminal possession of a controlled substance. He was removed to the Dominican Republic in July 2004, and again in 2008. In 2005, Garcia-Taveras was arrested by the NYPD on local charges. Garcia-Taveras was later arrested by ICE and subsequently convicted in federal court of federal re-entry after deportation charges, and sentenced to thirty-months imprisonment. He was then removed to the Dominican Republic following the completion of his federal prison sentence.

In October 2014, ERO deportation officers obtained information that Garcia-Taveras had once again illegally re-entered the U.S. ICE obtained a federal arrest warrant for felony re-entry after deportation, but Garcia-Taveras absconded prior to his arrest on the charge.

On Oct. 24, Garcia-Taveras was arrested by the New Jersey State Police (NJSP). ERO deportation officers were notified of the arrest by the ICE Law Enforcement Support Center, and arrested Garcia-Taveras in Newark, New Jersey, on the 2014 federal re-entry after deportation charges, which are currently pending in U.S. District Court. He is in U.S. Marshals Service custody. Depending on an alien's criminality, an alien who re-enters the United States after having been previously deported commits a felony punishable by up to 20 years in federal prison, if convicted.

Rafael Tenesa-Borocho, 37, an Ecuadorian national, was arrested by the New York Police Department (NYPD) Sept. 24, in Queens, New York, on local charges. ERO deportation officers lodged an immigration detainer with the NYPD's Queens Central Booking. Tenesa-Borocho was later released from NYPD custody without notification to ICE. On Oct. 23, Tenesa-Borocho was arrested by deportation officers in Kew Gardens, New York, on immigration charges. He is currently detained in ICE custody, pending a removal hearing before an immigration judge.

Francisco Morales-Ariza, 26, a Mexican national, was arrested by the NYPD on local charges on Sept. 19. ERO deportation officers lodged an immigration detainer with Queens Central Booking. That detainer was not honored, and Morales-Ariza was later released without the lodged immigration detainer being honored, and without notification to ICE. On Oct. 18, ERO deportation officers arrested Morales-Ariza in Manhattan, on immigration charges. He is currently detained in ICE custody, pending a hearing before an immigration judge.

Last month, [ICE announced arrests of more than 450 nationally](#) in jurisdictions where ICE is denied access to jails and prisons to interview suspected immigration violators or jurisdictions where ICE detainers are not honored.

Detainers serve as a legally-authorized request, upon which a law enforcement agency may rely, to continue to maintain custody of an alien for up to 48 hours so that ICE may assume custody for removal purposes. Pursuant to ICE policy, all ICE detainers are submitted with an accompanying administrative arrest warrant or warrant of removal depending upon the circumstances of the individual case.

ICE is focused on removing public safety threats, such as convicted criminal aliens and gang members, as well as individuals who have violated our nation's immigration laws, including those who illegally re-entered the country after being removed and immigration fugitives ordered removed by federal immigration judges.

Since January, ICE arrests comprise over 70 percent convicted criminals. Of the remaining individuals not convicted of a crime, approximately 70 percent have either been charged with a crime, are an immigration fugitive, or have been removed from the United States and illegally re-entered – reflecting the agency's continued prioritization of its limited enforcement resources on aliens who pose a threat to national security, public safety and border security.

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