From:

(b)(6), (b)(7)(C)

Sent:

Friday, February 24, 2017 2:34 PM

To:

(b)(6), (b)(7)(C)

Attachments:

cbp-teds-policy-20151005_1.pdf

(b)(6), (b)(7)(C)

Deputy Patrol Agent in Charge

Willcox, AZ

(b)(6), (b)(7)(C) Mobile

Office

(b)(6), (b)(7)(C) From: Tuesday, February 2, 2016 4:42 PM Sent: To: (b)(7)(E)Cc: Subject: RE: Policy Reminder Regarding CBP's National Standards on TEDS Attachments: cbp-teds-policy-20151005_1.pdf Attached TEDS Policy. (b)(7)(E)From Sent: Tuesday, February 02, 2016 2:37 PM To: STN1-MAIL-LIST A-Z (b)(7)(E) (b)(7)(E)Cc: STN MANAGEMENT GML Subject: Policy Reminder Regarding CBP's National Standards on TEDS ALL-Please ensure to read and adhere to the CBP National Standards on Transport, Escort, Detention, and Search (TEDS) Policy. The TEDS document is a CBP overarching policy that reinforces current practices and working conditions. It addresses detention standards for the short-term custody of persons arrested or detained by Border Patrol agents and detained in hold rooms at Border Patrol stations, checkpoints, processing facilities and other facilities that are under CBP control.

As part of this policy, DHS Office of Inspector General & CBP's Management Inspection Division will begin inspections & audits to observe performance & compliance.

Copies have been placed in the Fishbowl, Watch Office, and have also been saved in the public drive under the policy/TEDS folder for quick reference.

Thanks, (b)(6), (b)(7)(C) STN SBPA



Laredo Sector Centralized Processing Unit Standard Operating Procedures

Law Enforcement Sensitive - For Official Use Only

February 2018

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CBP Form 3501 (06/08)

18. Alien Property

- Memorandum: "New Procedures for Handling and Disposition of Non-Forfeitable Abandoned Currency" dated March 31, 2006
- Memorandum: "Procedures for the Disposal of Alien Property" dated September 5, 2003
- c. "Authorization for Release of Personal Effects Hold Harmless & Release Agreement" Form
- d. "Notice of Abandonment" Form
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Laredo Sector Policy

SUBJECT: Laredo Sector Centralized Processing Unit Reference Number: Date Issued:

Laredo Sector Centralized Processing Unit

- PURPOSE. This directive establishes Sector Standard Operating Procedures (SOP) for the Laredo Sector Centralized Processing Unit (LRTCPU) and will establish guidelines and common practices for all stations within the Laredo Sector.
- POLICY. This SOP is meant only to augment and not replace National Border Patrol Policy. Detainees arriving at the LRTCPU for processing will be processed as per current guidelines and will be housed within established policies set forth in the National Border Patrol Policy #08-11267 "Hold Rooms and Short Term Custody".

3. AUTHORITIES/REFERENCES.

- 3.1 Title 8, United States Code, Section 1226
- 3.2 Title 8, Code of Federal Regulations, Section 236
- 3.3 Border Patrol Handbook
- 3.4 Officers Handbook (M-68)
- 3.5 The Law of Arrest, Searches and Seizures for Immigration Officers (M-69)
- 3.6 Hold Rooms and Short Term policy
- 3.7 Customs and Border Protection's Use of Force Policy Handbook
- 3.8 Memorandum from Chief Patrol Agent John W. Montoya dated September 5, 2003.

4. **DEFINITIONS**:

- 4.1 <u>Custody.</u> The period of time in which a detainee is under arrest or is detained in a Border Patrol hold room.
- 4.2 <u>Detention Log.</u> The Detention Log is a database that is used to track detainees entering the Laredo Sector Centralized Processing Unit.
- 4.3 Excess Clothing. Any clothing that the detainee is not wearing. Detainees may wear one pair of pants, appropriate undergarments, a shirt, socks, footwear or other clothing items that do not create an officer safety hazard or health risk.
- 4.4 <u>Hold Cell.</u> An area as a detention cell, a search room, or an interview room in which detained persons are temporarily held pending processing or transfer.
- 4.5 <u>High Risk Detainee.</u> Any detainee that shows signs of distress, hostility, depression or other unusual behavior that may pose an undue risk to himself/herself or others.
- 4.6 Open Area. An area within the secure facility where the detainee is not in a locked room but where there are locked doors to prevent escape (i.e., a processing room).
- 4.7 Juvenile- A person under 18 years of age.
 - 4.7.1 Persons under the age of 18 who have been emancipated by a state court or convicted and incarcerated for a criminal offense as an adult are NOT considered juveniles. Such individuals must be treated as adults for all purposes including confinement and release on bond.
 - 4.7.2 If a reasonable person would conclude that an individual claiming to be a juvenile is really an adult, that person will be treated as an adult for all persons, including transportation, confinement, and release on bond or own recognizance. Age determination will be conducted, if necessary, in accordance with Immigration Customs Enforcement guidelines on age determination
 - 4.7.3 An unaccompanied alien child (UAC) is defined in section 462 (g) (2) of the Homeland Security Act of 2002 as a child who:
 - A. Has no lawful immigration status in the United States;
 - B. Has not attained 18 years of age; and

C. With respect to whom-

- i. There is no parent or legal guardian in the United States; or
- No parent of legal guardian in the United States is available to provide care and physical custody
- 4.8 Intermediate Devices. (b)(5), (b)(7)(E)
 (b)(5), (b)(7)(E)
- 4.9 I-216- Record of Person and Property Transferred.
- 4.10 I-385- Alien Booking Record.
- 4.11 I-779- Health and Safety Screening.
- 4.12 G-166- Report of Investigation.
- 4.13 <u>I-44-</u> Report of Apprehension and Seizure.

5. FACILITY:

The Laredo Sector Centralized Processing Unit (LRTCPU) will be in a facility mutually agreed upon by key stakeholders that provides a secure environment for both agents and detainees. The location of the facility is subject to change to meet the needs of Customs and Border Protection (CBP) and the Department of Homeland Security (DHS). Currently, the Laredo North Station (b)(7)(E) detention and processing facility has been identified to fulfill the requirements set forth in this policy

(b)(7)(E)

Quality Control Checklist

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		I-213 narrative indicates alien was adv	rised to speak with Consular Offi	ce?
		I-213 narrative includes Credible Fear	statement	
		I-213 includes GPS Coordinates		
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		3 X I-860 (all w/orig Sigs)		3 X I-213
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		e3 Photo Sheet		I-214 (Only if Mag Ct.)
				Modified Orantes (El Sals Only)
				List of Legal Service
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ALL FORMS				I-217 (On all OTM's)
ORIGINAL S				Property Receipt
30.000	1000000	4.50		Booking Printout
				Record Checks/Ident Printouts (If Any)
				2 X FD-249
OTMS WITH	MEDIC	AL PROBLEMS MUST		1 X R-84 (green form)
				The state of the s

BE CLEARED BY A DOCTOR OR HOSPITAL.

PAPERWORK MUST STATE "CLEARED FOR TRAVEL".

PREGNANT FEMALE: (6-8 mths) must be cleared for travel

				Quality Control Checklist
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	ble Fear ail: I-860 (Sign	SBPA	FOS	Checklist Top Portion Only), Fax (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)
(b)(5),	(b)(7)(E)			Fax (b)(5), (b)(6), (b)(7)(C), (b)(7)(E) Asylum notified via e-mail or fax of where alien will be held. (b)(5), (b)(7)(E)
Place FAX Does Di	or E-MAIL			receipt of transmission in file. ER/CF?
REVIEWED	BY: SBPA	and the same of	"Credible I	Fear Alien" any forms. Forms will be issued by Asylum Officer.)
	FO	s		

AILA Doc. No. 21040731. (Posted 4/7/21)

trol Checklist

SBPA	FOS	
		I-867 A/B est. Identity, Alienage, Inadmissibility, Date & Time of Entry?
-		I-867A/B signed by witness?
		Apprehension meets 14 day and 100 mile requirement
		I-213 Charge Code indicates I7A1
		I-213 narrative indicates alien was advised of right to speak w/Consular Office?
		I-213 narrative includes Credible Fear statement
		I-213 contains GPS coordinates
		(b)(5), (b)(7)(E)
		Alien provided copies of I-296,I-860,// If Needed: I-863,M-444,I-214,List of FLS

REVIEWED BY:		
	SBPA	
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	FOS	

REINSTATEMENTS

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				(3 letter code)	
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All foreign currency currency.					
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(b)(7)(E)

March 31, 2006



MEMORANDUM FOR:

ALL PATROL AGENTS IN CHARGE

FROM:

(b)(6), (b)(7)(C)

SUBJECT:

New Procedures for the Handling and Disposition of Non-Forfeitable Abandoned Currency

Effective immediately, the following are the new procedures that will be followed for the handling and disposition of non-forfeitable currency that is abandoned property. These procedures supersede the currency section on the "Procedures for the Disposal of Alien Property" memorandum dated September 5, 2003, LRT 10/12.18, attached.

CBP POLICY

It is the policy of CBP to maintain 100 percent accountability and control for personal effects that are to be disposed of by the agency and returned to an owner or authorized agent at a later date. (Refer to CBP Directive No. 5240-007)

(b)(5), (b)(7)(E)

NOTIFICATION

All non-forfeitable currency that is abandoned will be stored at the station. Upon the expiration of 30 days, the PAICs will notify LRT Asset Forfeiture (b)(6), (b)(7)(C) via email, of the abandoned currency.

NOTICE OF ABANDONMENT

The Asset Forfeiture Office will be responsible for mailing the "Notice of Abandonment" to the violator. The notice will contain the appropriate FP&F case number(s), the date of retention, name of the violator, the regulation pertaining to abandonment (41 C.F.R. 101-48.102-1, "Vesting of title in the United States"), description of currency being held, and the procedures for the release of the currency along with a time frame for the violators to either abandon or recover their currency. Violators will have up to 30 days from the date of receipt of the "Notice of Abandonment" to request either a release or abandonment of their non-forfeitable currency. It is the Station's responsibility to keep the currency secure until the Asset Forfeiture Office makes the final disposition. (Refer to section 4.5.2 and 4.5.3 of CBP Directive No. 5240-007)

RELEASE OF CURRENCY

In cases where the violator requests the release of their currency, the Asset Forfeiture Office will require that the violator sign a "Hold Harmless and Release Agreement" prior to the release of the currency. In cases where the violator refuses to sign the "Hold Harmless and Release Agreement," the Laredo Office of Chief Counsel will be consulted. Once the "Hold Harmless and Release Agreement" is signed, the Asset Forfeiture Office will instruct the PAIC to release the currency to the violator. The Asset Forfeiture Office will forward a disposition order (CBP Form 7605) to the station PAIC. If the violator allows another party to pick up the currency, a letter of authorization or Power of Attorney must be completed by the violator naming the individual(s), law firm, etc., whom they are authorizing to recover their currency before the release of the currency is authorized. The Stations are responsible to update the SEACATS record to reflect the currency disposition. (Refer to section 4.5.4 of CBP Directive No. 5240-007)

TRANSFER AND ACCEPTANCE

In cases where the 30-day time frame has expired and the violator/owner either assents to abandonment of the currency or does not respond to the Asset Forfeiture Office (the owner(s) does not make any claims to the currency), pursuant to 41 C.F.R. 101-48.102-1, "Vesting of title in the United States", the Asset Forfeiture Office will declare the nonforfeitable currency abandoned. After the non-forfeitable currency has been declared abandoned, arrangements will be made between the Station and the Asset Forfeiture Office to transfer the currency. The PAIC or designee will turn over custody of nonforfeitable abandoned currency to Asset Forfeiture Office. (Refer to section 4.5.4.2 of

Form CF 6051S CHAIN OF CUSTODY

Station Officers will to complete a CF 6051S form to transfer the non-forfeitable abandoned currency to the Asset Forfeiture Office. The Asset Forfeiture Office will subsequently deposit the abandoned currency in a special suspense account with Bank

of America and the money will remain in that account for three years from the date that the title of the abandoned currency was vested to the United States. Then, the Asset Forfeiture Office will update the SEACATS record to reflect final disposition of the case.

During the week of April 9, 2006, a meeting between LRT Asset Forfeitures and the station Seized Property Specialist (SPS) will be held at the LRT Sector Conference Room.

Please confirm acknowledgement of this memorandum immediately upon receipt via email to (b)(6), (b)(7)(C) , and via official memorandum, addressed to the Unier Patrol Agent, within ten days of dated material.

Please direct any questions to

(b)(6), (b)(7)(C)

of my staff, at

b)(6), (b)(7)(C)

Attachments

CBP Directive No. (b)(7)(E) ated February 3, 2006 Memorandum LRT 10/12.18 dated September 5, 2003



Department of Homeland Security
Bureau of Customs and Border Protection
U.S. Border Patrol

(b)(7)(E)

Office of the Chief Patrol Agent

Larado Sector Headquarters 207 W. Del Mar Blvd. Larado, Texas 78041

September 5, 2003

MEMORANDUM FOR:

DAIC'S PROCESM MANAGERS

FROM:

(b)(6), (b)(7)(C)

SUBJECT:

Procedures for the Disposal of Alien Property

Effective immediately, the following procedures are to be implemented for the disposal of personal property belonging to subjects in custody, to include personal property in seized vehicles.

Clothing, Material or Fabric

All excess clothing, to include any material or fabric, is to be declared unsafe and unhealthy. Seized property categorized as unsafe and unhealthy is to be placed in plastic bags and the detainee is to be notified that all excess clothing is considered a health risk and will be destroyed immediately. The Station/location will request an AMIS-generated "Report of Excess Property" (Form SF-120) from the Property Disposal Specialist (PDS) Ana San Miguel to begin the excess procedures. The PDS will forward an SF-120 and a G-504, "Report of Property Shipped/Received", with certification statements authorizing the station/location to dispose of the clothing. G-504's will be signed by the station/location property custodian, a witness, and be forwarded to the PDS after the items have been destroyed.

Cell Phones

Cell phones will be handled differently from other property. When a station/location recovers/seizes a cell phone that is not going to be used as evidence in either an alien or a narcotics smuggling case, the phone is to be transferred on a G-504, with

Memorandum for PAIC's & Program Managers
Subject: Procedures for the Disposal of Alien Property

Page

2

Currency

All currency that is abandoned property will be kept at the station for thirty days. Upon the expiration of the 30 days, the currency will be transferred to the Supervisory Border Patrol Agent, Prosecutions, utilizing Form I-43, "Baggage and Personal Effects of Detained Aliens".

The Sector Policy affecting seized currency remains unchanged and is not affected by the guidelines set out on this memorandum.

Other valuables (jewelry, televisions, etc)

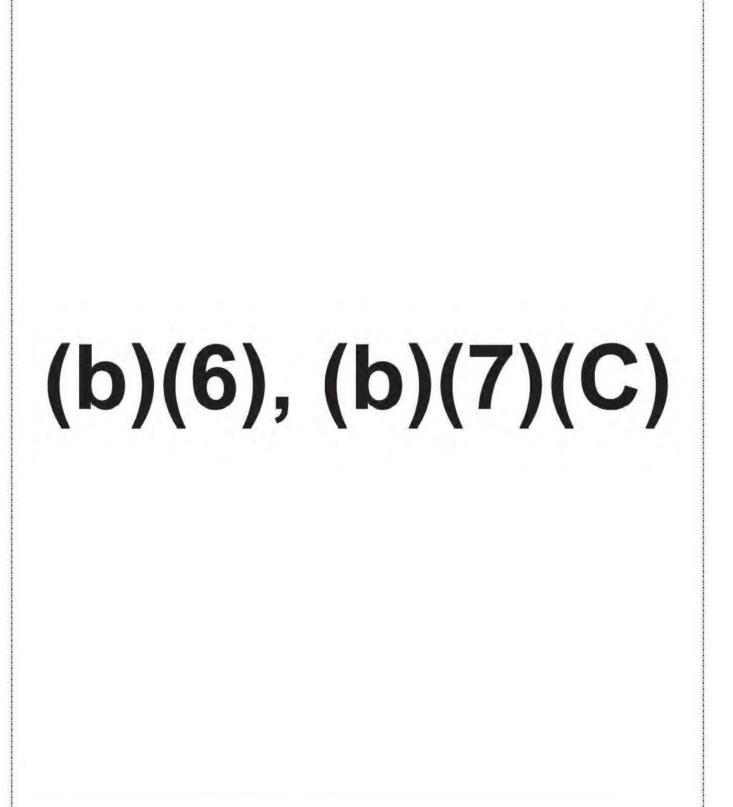
The PDS sends the station/location an email every three (3) months requesting a fax copy of any property logs. The email will also request that all valuables be sent to the PDS for disposal action. The station/location will then coordinate with the PDS to effect the transfer of all valuables utilizing a G-504.

Property will no longer be mailed or shipped at Government expense. Within the first 20 days that property is in our control, (other than clothing, material or fabric categorized as unhealthy or unsafe), the station/location will send a Registered Letter (international) or a Registered Letter, Receipt Requested (Domestic) to the address provided by the detainee with a copy of the I-43. If no response is received within 30 days, the property is considered "abandoned" and title is vested to the U.S. Government. Property is then excessed in accordance with the guidelines set forth above, depending on the type of property.

If there are any questions, please contact Ms.

(b)(6), (b)(7)(C)

Attachments



(b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

CONSULATES

Consul General of Honduras

6161 Savoy Drive, Suite 625

Houston, TX 77036

Telephone: 713-785-5625

El Salvador Consulate General

Address 1702 Hillendahl Blvd.

Houston, TX 77055

Telephone (713) 270-6239, 270-9683

Consul General of Ecuador

4200 Westheimer, Suite 218

Houston, TX 77027

Consul General of Brazil

1233 West Loop South, Suite 1150

Houston, TX 77027

Telephone: 713-961-3063

Fax: 713-961-3070

Consul General of Chile

1300 Post Oak Boulevard, Suite 1130

Houston, TX 77056

Telephone: 713-963-9066

Consul General of China

3417 Montrose Boulevard

Houston, TX 77006

Telephone: 713-520-1462

Honorary Consul General of Bolivia

800 Wilcrest UN., Suite 100

Houston, TX 77042

Telephone: 713-977-2344

Fax: 713-977-2362

Honorary Consul General of Belize

7101 Breen

Houston, TX 77086

Telephone: 713-999-4484

Consulate of the Dominican Republic

3300 Gessner Road, Suite 113,

Houston, TX 77063

Telephone: (713) 266-0165

Consul General of Guatemala

3013 Fountainview, Suite 210

Houston, TX 77057

Telephone: 713-953-9531

Fax: 713-953-9383

Consul General of India

1990 Post Oak Boulevard, Suite 600

Houston, TX 77056

Telephone: 713-626-2148

Fax: 713-626-2450

Consul of Nicaragua

8989 Westheimer Road, Suite 103

Houston, TX 77063

Telephone: 713-789-2762

Fax: 713-789-3164

Consul General of Columbia

5851 San Felipe UN., Suite 300

Houston, TX 77057

Telephone: 713-527-8919

Consulate General of Mexico

1612 Farragut

Laredo, Texas 78041

Telephone 956-723-6369

Honorary Consul of Albania

10 Waterway Court

The Woodlands, TX 77380-2641

Telephone: 281-548-4740

Consulate General of Peru

9330 Amberton Parkway, Suite 2130

Dallas, TX, 75243