How ICE ACCESS Programs Interact with the Criminal Justice System

287(g) Jail Enforcement Teams target arrestees for interviews

Under CAP, jail gives ICE booking & bio info; used to target who to interview

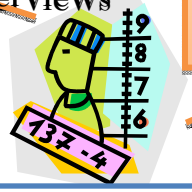
Using info from database check or interview, ICE issues detainer

Bail denied b/c of detainer, OR

Bail granted but release triggers detainer & transfer to ICE custody

Additional interviews while in custody

ICE or 287(g) officer initiates paperwork for removal process



Booking Into Jail After Arrest

Arrestee in Jail (Pre/Post Bail Hearing)

Bail/Custody Hearing

Criminal Charges & Disposition (plea/trial/dismissal/ sentence)

Fingerprint checks of FBI & S-Comm databases

START: Police Stop/Arrest

Informal police questioning and reporting to ICE

287(g) task force officers target noncitizens for civil

Police check NCIC database for immigration law violators

Completion of sentence and release triggers immigration detainer; noncitizen goes into ICE custody/detention

Referral to US attorney for illegal reentry prosecution

Rapid REPAT

Institutional Removal Program (IRP)

Post-Conviction (appeal, completion of sentence, release from criminal custody, probation)

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