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CITY OF DANBURY

OFFICE OF THE MAYOR
DANBURY, CONNECTICUT 06810

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MAYOR

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December 26, 2007

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Common Council Members:

In October fourteen members of the Common Council requested that the City of Danbury participate in a program of the United States Immigration and Customs Enforcement division (commonly referred to as "ICE") known as ICE ACCESS – "Agreements of Cooperation in Communities to Enhance Safety and Security." The Common Council moved to refer the request to my office, the Chief of Police and the Corporation Counsel's office for review and recommendation.

The ACCESS program provides a variety of tools in addressing the impact of illegal immigration on communities. The Chief of Police has met with ICE officials to discuss the nature of the program and the process of enrollment. Chief Baker and I believe that the program would be best used to address specific criminal activity surrounding illegal immigration. Some examples of these include but are not limited to:

- Document Fraud
- Human Trafficking
- Gangs and Organized Crime
- Identity and Benefit Theft
- Work Site Investigation

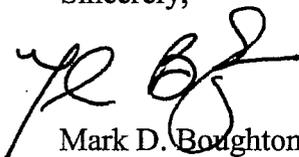
As you are aware, the Danbury Police Department is in the process of an organizational restructuring (Vision 2009) and is gearing up for a move to the new police headquarters. At this time our focus is on hiring new officers and civilians to begin training to work in the new facility.

In light of Vision 2009, we suggest participation in the ACCESS program on a limited basis. We recommend launching the program by training several officers, evaluate our progress, and then as we implement Vision 2009, train additional officers as needed.

The Corporation Counsel's office reviewed the feasibility and legality of entering into such an agreement with the Federal government. Deputy Corporation Counsel Les Pinter has rendered an opinion that there are no legal barriers to the City entering into such an agreement with the Department of Homeland Security if the Common Council approves.

ICE ACCESS will provide the City of Danbury with additional law enforcement tools as we work to respond to the challenges local communities face across the country with a failed federal immigration policy. It is my recommendation that the Common Council authorize the City of Danbury to participate in the program based on the recommendations of the Chief of Police and the legal analysis of our Deputy Corporation Counsel.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark D. Boughton', written over a printed name.

Mark D. Boughton
Mayor

MDB/mm
Attachment – ICE ACCESS Fact Sheet

ICE Agreements of Cooperation in Communities to Enhance Safety and Security

ICE ACCESS

Fact Sheet

ICE Agreements of Cooperation in Communities to Enhance Safety and Security (ACCESS) 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 the widespread interest from local law enforcement agencies who have requested ICE assistance through the 287(g) program. This program cross-designates local officers to enforce immigration law as authorized through section 287(g) of the Immigration and Nationality Act.

The 287g program is only one component under the ICE ACCESS umbrella of services and programs offered for assistance to local law enforcement officers.

ICE agents and officers will meet with agencies requesting ICE ACCESS assistance to assess local needs and to draft appropriate plans of action. Based upon these assessments, ICE and local agencies will determine which type of partnership is most beneficial and sustainable before entering into an official agreement.

Law enforcement agencies interested in reviewing the enforcement programs under the ICE ACCESS program are encouraged to call their local ICE office or visit www.ice.gov for more information.

ICE ACCESS Support and Programs

Asset Forfeiture. Criminal organizations that conduct cross-border crimes earn illicit proceeds that sustain their criminal activity and fund other criminal endeavors. Asset forfeiture laws allow ICE agents to seize and forfeit these illicit proceeds and other criminally derived assets. ICE uses asset forfeiture to disrupt and dismantle these organizations across all ICE investigative areas, such as money laundering, bulk cash smuggling, worksite enforcement and alien and drug smuggling investigations. The proceeds of these forfeitures are deposited into the Treasury Forfeiture

Fund and are returned to member agencies to pay for a variety of important law enforcement operations.

Border Enforcement Security Task Forces (BEST). The concept of the Border Enforcement Security Task Forces (BEST) is that DHS law enforcement agencies, working cooperatively with other law enforcement entities, develop a comprehensive approach to identify, disrupt and dismantle criminal organizations posing significant threats to border security. BEST forces are currently located in Arizona, California and Texas.

Criminal Alien Program (CAP). The Criminal Alien Program (CAP) focuses on identifying criminal aliens who are incarcerated within federal, state and local facilities, thereby ensuring that they are not released into the community by securing a final order of removal prior to the termination of their sentence.

Customs Cross-designation (Title 19). Title 19 United States Code 1401 (I) allows for federal, state, local and foreign law enforcement officers who participate primarily on ICE task force operations to be cross designated as "customs officers" and be granted the authority to enforce U.S. customs law. These cross-designated task force officers supplement ICE's investigative mission of combating narcotics smuggling; money laundering; human smuggling and trafficking; and fraud related activities to disrupt and dismantle criminal organizations threatening U.S. borders.

Document and Benefit Fraud Task Forces. ICE created Document and Benefit Fraud Task Forces (DBFTFs) to target, dismantle and seize illicit proceeds of the criminal organizations that threaten national security and public safety by exploiting the immigration process through fraud. The DBFTFs provide an effective platform from which to launch anti-fraud initiatives using existing manpower and authorities. Through DBFTFs, ICE partners with other federal agencies, state and local law enforce-



U.S. Immigration and Customs Enforcement

Report Suspicious Activity:

1-866-DHS-2-ICE

1-866-347-2+23

www.ice.gov

ment. These task forces focus their efforts on detecting, deterring and disrupting both benefit fraud and document fraud. DBFTFs are located in Atlanta, Boston, Dallas, Denver, Detroit, Los Angeles, New York, Newark, Philadelphia, St. Paul, Washington, D.C., Baltimore, Chicago, Miami, Phoenix, San Francisco and Tampa.

Equitable Sharing/Joint Operations. Asset forfeiture has been, and remains, a highly effective tool for taking the profit out of crime. State, local and foreign law enforcement support of federal investigative and prosecutorial initiatives is essential; and the sharing program has proved invaluable in fostering enhanced cooperation among the law enforcement agencies. In fiscal year 2006 (FY06), ICE coordinated payments of \$5.65 million in overtime costs for state and local police officers working alongside ICE agents throughout the U.S., and provided \$43.46 million in direct payments of equitable sharing of forfeited assets to 362 state and local agencies, four federal agencies and one foreign government. These payments allow agencies to cooperatively combat crimes in their jurisdictions through joint operations with ICE and have increased goodwill and partnership with these agencies.

Fugitive Operation Teams (FOTs). The primary mission of FOTs is to identify, locate, apprehend, process and remove fugitive aliens from the United States with the highest priority placed on those fugitives who have been convicted of crimes. Further, the FOTs goal is to eliminate the backlog of fugitives and ensure that the number of aliens deported equals the number of final orders of removal issued by the immigration courts in any given year. ICE relies on the assistance of all federal, state and local law enforcement agencies in this endeavor.

Immigration Cross-designation (Title 8)—287g Program. The 287(g) program cross-designates local officers to enforce immigration law as authorized through section 287(g) of the Immigration and Nationality Act. To date, more than 60 municipal, county and state agencies nationwide have requested 287(g) memorandums of agreement with ICE and more than 400 local and state officers have been trained under the program.

IPR Center. The ICE-led National Intellectual Property Rights Coordination Center (IPR Center) is the government's central point of contact in the fight against violations of intellectual property rights and the flow of counterfeit goods into the U.S. Commerce. The Center operates as a multi-agency facility responsible for coordinating a unified response regarding IPR enforcement issues. Core staffing is provided by investigative and intelligence personnel from ICE. Particular emphasis is given to protecting the public health and safety of con-

sumers, investigating major criminal organizations engaged in transnational intellectual property crimes, and pursuing the illegal proceeds derived from the manufacture and sale of counterfeit merchandise.

Law Enforcement Support Center (LESC). The mission of the Law Enforcement Support Center (LESC) is to protect the U.S. and its people by providing timely accurate information and assistance to the federal, state and local law enforcement community. The LESL serves as a national enforcement operations center by providing immigration status and identity information on aliens suspected, arrested or convicted of criminal activity. The LESL operates 24 hours a day, 7 days a week assisting law enforcement agencies with information gathered from 8 DHS databases, the National Crime Information Center (NCIC), the Interstate Identification Index (III) and other state criminal history indices.

Operation Community Shield. In February 2005, ICE launched Operation Community Shield, a national law enforcement initiative that brings all of ICE's law enforcement powers to bear in the fight against violent gangs that threatening the public safety of our communities. Operation Community Shield is part of a comprehensive approach of working with our law enforcement partners at the federal, state and local level to combat transnational gangs. Under this initiative, ICE is using its broad authorities, both criminal and administrative, against gangs and gang members. This authority includes conducting investigations involving narcotics and human smuggling, money laundering and racketeering violations.

Operation Firewall. The smuggling of bulk currency out of the U.S. has become a preferred method of moving illicit proceeds across our borders. To combat the increasing use of Bulk Cash Smuggling (BCS) by criminal organizations, the ICE Financial, Narcotics and Public Safety Division and the CBP Office of Field Operations, Tactical Operations Division, developed a joint strategic BCS initiative referred to as Operation Firewall, which began in August 2005, and has expanded through FY06 and FY07. Operation Firewall has resulted in the seizure of more than \$80 million in U.S. currency and negotiable instruments of suspected narcotics and other criminal proceeds.

Operation Predator. Operation Predator is a program designed to identify, investigate and, as appropriate, administratively deport child predators. ICE routinely coordinates and integrates investigative efforts with foreign law enforcement, in order to identify, arrest and prosecute the those involved in international pedophilic groups or who derive proceeds from commercial child exploitation ventures.