

**Phoenix Field Office**  
**Fugitive Operations Team**



**LIMITED OFFICIAL USE**

**FIELD OFFICE DIRECTOR (FOD) APPROVED  
FUGITIVE OPERATIONS PLAN:**

**ENFORCEMENT AND REMOVAL OPERATIONS**

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Immigration and Customs Enforcement  
Enforcement and Removal Operations

PHOENIX FIELD OFFICE

Operation Cross Check

Dates: October 22-26

**I. Situation**

The objective of Operation "Cross Check" is to apply an organized, methodical approach to the location and arrest of Immigration and Customs Enforcement (ICE) fugitive aliens, previously removed aliens, removable aliens convicted of crimes, and otherwise dangerous aliens at large within the Phoenix Field Office Area of Responsibility (AOR).

The Field Office Director (FOD), Deputy Field Office Director (DFOD) and Assistant Field Office Director (AFOD) have been briefed on this operational plan, and support its execution.

**A) Targeted Aliens – (180)**

One hundred and eighty (180) removable aliens have been identified and will be targeted during this operation. Enforcement actions may also be taken in this operation for other aliens encountered who are determined to be removable and meet ICE enforcement directives, as provided in this operation plan. If safe, non-targeted aliens encountered during the operation should be checked for criminal and immigration histories while at the arrest location or taken to an Enforcement and Removal Operations (ERO) office and checked as quickly as possible. Appropriate charging and detention decisions should be made on a case by case basis. (See attached Excel spreadsheet for target list.)

**B) Hours of Operation**

Prior to the beginning of the operation, team members will be briefed on operational objectives and/or daily activities. Team members will conduct (b)(7)(E) All activities will be conducted pursuant to the National Fugitive Operations Program (NFOP) Policy and Procedures. Supervisory staff will change shift hours as needed in order to facilitate the operation. When a daily target list has been exhausted early in the day, consideration should be given to pursuing additional targets originally scheduled for later in the operation.

**C) Local Situation**



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The Mobile Criminal Alien Team (MCAT), Fugitive Operations Team (FOT) and Fugitive Operations Team 2 (FOT-2) will conduct the operation with support from other resources within the Phoenix ERO AOR. The FOD has committed all necessary resources within their jurisdiction. **(See attached Excel spreadsheet for Team and LEA breakdown)**

**D) Operational De-Confliction**

The target list will be queried in (b)(7)(E) to ensure de-confliction with Homeland Security Investigations (HSI) and other law enforcement entities. Each FOD will inform their respective HSI Special Agent in Charge (SAC) of the operation and offer them the opportunity to participate.

**E) Local Law Enforcement Agencies (LEAs)**

The FOT and MCAT Supervisory Detention and Deportation Officer's (SDDO) shall advise local LEAs prior to the execution of any Headquarters (HQ) approved or FOD approved fugitive operation plan. The standard operating procedure for local law enforcement agencies will vary from location to location and should be established through proactive liaison. During the course of the operation, if a target is found to be in an area outside the jurisdictions originally notified as part of the plan, every reasonable effort will be made to notify the newly affected LEA prior to the FOT's arrival. If this is impractical, then affected agencies should be notified as soon as possible thereafter. In the presence of exigent circumstances, it may be prudent not to provide notification of impending fugitive operations within your jurisdiction. **(If this is the case, the FOD must be made aware of these circumstances and concur with written justification not to notify the local LEAs.)**

**F) Sensitive Locations and 4<sup>th</sup> Amendment**

Potential enforcement activities near locations designated as sensitive as defined in the October 24, 2011, Enforcement Actions at or Focused on Sensitive Locations policy memorandum, will be avoided unless operationally necessary, and then only when in compliance with the memorandum. Pre-planned operations conducted near a sensitive area will be reviewed and approved in writing by the FOD or Headquarters according to the memorandum and outlined in this section of the operational plan. All personnel assigned to the operation will be briefed on the policy prior to the operation and that briefing documentation will be attached to the plan.

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All personnel assigned to the operation must be current on 4<sup>th</sup> Amendment training requirements. In addition, FODs may choose to seek additional training by the Chief Counsel just prior to the operation, as is the case with national operations. **(No sensitive locations identified.)**

**G) Community Issues or Politically Sensitive Issues**

Three days prior to the execution of the operation, the field office will provide the Office of Public Affairs (OPA) and Office of Congressional Relations (OCR) with the specifics of the operation, to include the operational dates and location of the initiative. If the operation can reasonably be expected to result in a negative community response, this must be specifically communicated to these offices and the Assistant Director for Field Operations.

**H) Juveniles**

The presence of juveniles at a target location, or in the care of a targeted alien, will be explored during initial investigation, surveillance and diligent research of available indices. In the event that minors are identified or likely to be encountered at a particular residence, family members, care providers and community, as well as state and county juvenile resources, will be identified and a plan of care for juveniles will be addressed prior to the commencement of operations. Juveniles will be turned over to county resources only as a last resort. Prosecutorial discretion will be applied as appropriate. Officers will limit contact with any identified juvenile to the extent officer safety is not compromised. In addition, the utmost care and consideration will be used when dealing with juveniles, especially when juveniles are present during interviews or encounters with adults. The questioning of juveniles will be kept to a minimum and conducted in the least threatening manner and environment possible. **No juveniles will be targeted on this operation.**

If unaccompanied alien juveniles are encountered, the local juvenile coordinator will be contacted for guidance. If they are unavailable, the Office of Refugee Resettlement (ORR) will need to be notified at 202-401-5709, after all processing tasks are performed.

In the event that juvenile(s) are present, and their presence was not anticipated during operational enforcement activities, the FOT SDDO, FOT-2 SDDO, MCAT SDDO and team leaders may need to seek assistance from the state or local governmental agency responsible for juvenile issues, i.e. Child Protective Services (CPS). As such, the FOT SDDO, MCAT SDDO and team leaders are in possession of the agency's appropriate contact numbers, to be used as deemed



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necessary throughout the entirety of the operation.

**AZ Department of Child Safety**

**1-877-238-4501 (24-hour law enforcement contact number)**

or

**1-888-767-2445**

Whenever possible, juveniles will be placed in the care of immediate family members that have no ascertainable criminal history. If there are no other options, sole care givers who are subject to removal, that have no ascertainable criminal record may be placed on an Order of Supervision or Order of Release on Recognizance with SDDO/AFOD approval.

**I) Prosecutions**

In instances where an alien is amenable to prosecution, the case will be presented to the United States Attorney's Office/State Attorney's Office as appropriate. If the case is accepted for prosecution, an I-247 Immigration Detainer will be filed with the agency assuming custody of the alien. If the United States Attorney's Office/State Attorney's Office declines to prosecute, the declination will be recorded in the narrative portion of the I-213 and included in the file.

**J) Gangs**

In the event that ICE personnel encounter an alien affiliated with a street gang, officers must record the appropriate information on form I-213 and photograph any tattoos. A copy of the I-213 and photos will be forwarded to the officer responsible for entering the subject's information into the ICE gang database.

(b)(7)(E)

**ICE Definitions of Gang Member and Gang Associate**

**Gang Member:** A gang member is defined as anyone who admits gang affiliation or falls under two or more of the following criteria, one of which occurred in the previous five years:

Subject has tattoos identifying a specific gang.

Subject frequents an area notorious for gangs and or associates with known gang members.

Subject has been seen displaying gang hand signs/symbols.

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Subject has been identified as a gang member by a reliable source.  
Subject has been identified by an informant (tested or untested).  
Subject has been arrested on two or more occasions with known gang members (if the most recent arrest has occurred in the past five years, the “previous five years” requirement is deemed to have been met).  
Subject has been identified by a jail or prison as a gang member.  
Subject has been identified through seized written or electronic correspondence.  
Subject has been seen wearing gang apparel or been found possessing gang paraphernalia.  
Subject has been identified through documented reasonable suspicion.

**Associate Gang Member:** An associate gang member is defined as an individual who exhibits one of the above listed gang member criteria but not formally initiated into the gang. The officers/agents conducting the arrest will determine whether indications of association are present.

## **II. Mission**

To identify, arrest, and remove aliens who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally or otherwise undermine the integrity of our immigration laws and our border control efforts. ERO upholds America's immigration laws at, within and beyond our borders through efficient enforcement and removal operations.

One of the most important ICE mandates is the enhancement of public safety and the security of the American public. The broad authority of ICE allows for the identification and removal of dangerous, often recidivist, criminals engaged in crimes such as murder, predatory sexual offenses, narcotics trafficking, alien smuggling, and a host of other crimes that have a profoundly negative impact on our society. The Fugitive Operations Division supports this mandate by performing strategic planning and establishing policy designed to augment ICE’s ability to arrest and remove these aliens from the United States.

Operation “Cross Check” is an effort to apply an organized, methodical approach to the location and arrest of ICE fugitive cases previously removed aliens, removable aliens convicted of crimes, and otherwise dangerous aliens at large within the Phoenix Field Office AOR. The sustained cooperation of other LEAs throughout the area is paramount in order to be successful in this initiative.

## **Definitions**

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**Operation Cross Check:** A nationwide effort that serves as the operational umbrella for all other focused enforcement efforts conducted by Fugitive Operations Teams that target specific groups, such as aliens who have been convicted of specific crimes and remain at-large.

**III. Execution**

**A) Director's Intent**

This operation is being conducted in furtherance of the national Immigration Enforcement Priorities and pursuant to the National Fugitive Operations Program Handbook. The objective of the NFOP is to reduce the backlog of ICE fugitives throughout the United States and to apprehend and remove previously removed aliens, removable aliens convicted of crimes, and otherwise dangerous aliens at large in the community.

**B) Concept of Operations**

(b)(7)(E)

This operation will consist of five days of enforcement activity being executed in the Phoenix, Arizona, metropolitan area from October 22, 2017, through October 26, 2017.

- October 20, 2017: Operational briefing at 1000 hours at the Phoenix office. All officers participating in the operation will attend the pre-operational briefing.
- October 22-26, 2017: Officers from the Phoenix AOR will deploy throughout locations in Phoenix, Arizona to initiate arrests at residences and places of employment.

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- The week of October 30<sup>th</sup>, if advisable, the Phoenix ICE OPA will issue a press release following the completion of the operation once approved by the FOD.

**C) Tasks**

1. The NFOP and the National Criminal Analysis and Targeting Center (NCATC): A copy of the Operational Plan and target list has been sent to the NCATC and HQ NFOP via submission to the HQ ERO, FUGOPS Mailbox. Submissions must include the Operational Plan, Signed FOD Signature Page, Target List, and Personnel breakdown, along with any additional attachments as necessary.
2. The Law Enforcement Support Center (LESC) is available 24 hours a day, seven days a week and can provide support to Fugitive Operations Teams conducting operations. It is recommended that all officers/agents participating in the operation have the contact number for the LESL: 802-872-6020.
3. FODs: Each FOD will be responsible for identifying suitable detention space within each AOR. Should additional detention resources be required, the FOD will coordinate with HQ/Field Operations.

**IV. Administration**

**A) Safety**

Mandatory Element: **Safety is paramount.**

1. All participating officers will be fully equipped with both deadly and non-deadly force weapons, service-issued firearms and personal body armor.
2. Beyond identifying themselves verbally as law enforcement officers/agents, ERO enforcement personnel must utilize law enforcement identifiers, such as neck badges, belt badges, and outer garments affixed with ICE identifiers.
3. Officers will not engage in high/low-speed vehicle pursuits.
4. No additional training will be necessary prior to this operation.



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**B) Logistics**

1. Primary processing location: All detainees will be transported to the Phoenix Field Office for processing.
  - a. The SDDO will coordinate requests for additional staff to support the enforcement operation. Requests will be made through the Operations AFOD with concurrence from the Phoenix FOD.
2. Lodging and per diem: Lodging and per diem expenses will not be required for the operation.
3. Removal efforts: It is the intent of the FOD to expeditiously remove all ICE fugitive aliens and non-fugitive aliens from the United States. The below actions have been performed to facilitate this objective:
  - a. Once arrested, all detainees will be transported to the nearest ERO officer or local holding facility for initial processing. All files will be reviewed by the Fug Ops team leader/SDDO for legal sufficiency prior to the alien being transferred to an appropriate detention facility.

No health & safety inspection required for any facility or equipment being utilized for this operation.

No contracts need to be reevaluated.

- b. Each operational team has been instructed to secure any and all legally issued identity documents for all arrestees who will require a travel document for removal. All teams will make every legal effort to secure these documents prior to departing the arrest location. Obtaining these documents at the time of arrest will greatly decrease time spent in detention.
  - c. Prosecutorial discretion in immigration enforcement matters must be exercised consistent with all established guidelines and with supervisory oversight. This applies at all levels during the execution of the operation and could be applied during the pre-arrest, arrest, and custody phase. Communication within the local field office is imperative and nothing within this operation plan should be interpreted to supersede local management oversight and execution of prosecutorial discretion protocols.

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- d. When appropriate, a form of alternative detention can be utilized if authorized by supervisory personnel.

**C) General Reporting Requirements**

1. Daily Reports: Submitted to the AFOD via the Fugitive Operations Daily Report spreadsheet.

Via/Transmission: E-mail

Due: 1400 hours daily

Period Covered: That day's 24-hour period (0001-2400 hrs)

**Quality Assurance:** An officer, and support staff as needed, who are not involved with the operation will review target files against the daily report to ensure that the statistics reported are accurate. This review must be completed daily and at the conclusion of the operation. If asked to provide statistics prior to validation, the information must be clearly stated to be not validated and subject to change.

2. Significant Event Notification (SEN): A SEN/Significant Incident Report (SIR)/Significant Proposed Enforcement Activity Report (SPEAR) will only need to be submitted if events or incidences occur that warrant their generation in accordance with established policy and procedures.
3. At the conclusion of field operations, the team leaders will ensure that OM2 is properly updated with all MCAT/FOT arrests from the operation.
4. Director Notes: Director Notes should be submitted for events or incidents that warrant their generation in accordance with established policy and procedures.

**D) After Action Reporting Requirements**

1. Field Offices should conduct an after-action briefing as soon as practicable after completion of the operation and before the after-action conference.
2. Format: The format for issues will be:
  - a. Topic

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- b. Discussion
  - c. Recommendation(s)
3. Formal after action report: A memorandum of results will be generated and forwarded to the FOD for review as necessary.
  4. Phoenix ICE OPA will coordinate with the FOD and generate a press release upon completion of the operation as necessary. ICE Public Affairs contact number(s) 602-200-(b)(6);(b)

**V. Command and Control**

1. Primary means of communication will be via (b)(7)(E)

**General**

Emergencies: 911  
Sector: 1-800-X-SECTOR (973-2867)  
ORR: 202-401-(b)(6);(b)  
LESC: 802-872-(b)(6);(b)(7)(C)  
LESC POC:  
NCATC POC:

**Local**

AFOD: (b)(6);(b)(7)(C), 602-766-(b)(6);(b)  
SDDO: (b)(6);(b)(7)(C), 602-723-(b)(6);(b)  
SDDO: (b)(6);(b)(7)(C), 602-715-(b)(6);(b)(7)(C)  
SDDO: (b)(6);(b)(7)(C), 520-251-(b)(6);(b)(7)(C)

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