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COUNTY OF SANTA CLARA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

COUNTY OF SANTA CLARA,

Plaintiff,

v.

DONALD J. TRUMP, President of the  
United States of America, JOHN F. KELLY,  
in his official capacity as Secretary of the  
United States Department of Homeland  
Security, JEFFERSON B. SESSIONS, in his  
official capacity as Attorney General of the  
United States, JOHN MICHAEL "MICK"  
MULVANEY, in his official capacity as  
Director of the Office of Management and  
Budget, and DOES 1-50,

Defendants.

Case No. 17-cv-00574-WHO

**REQUEST FOR COURT APPROVAL TO  
SUPPLEMENT RECORD UNDER LOCAL  
RULE 7-3(D)**

Judge: Hon. William Orrick

Date Filed: February 3, 2017

Trial Date: Not yet set

Pursuant to Civil Local Rule 7-3(d), Plaintiff County of Santa Clara (“the County”) respectfully seeks Court approval to file the attached exhibits in support of its Motion for Preliminary Injunction (ECF No. 26). The four exhibits consist of public statements and documents issued by the Department of Justice and the Department of Homeland Security after the County filed its Reply Brief. Such materials are properly considered under Local Rule 7-3(d). *See SanDisk Corp. v. SK Hynix Inc.*, 84 F. Supp. 3d 1021, 1025 n.1 (N.D. Cal. 2015) (granting leave to file supplemental declaration with previously unavailable evidence relevant to motion).

Specifically, the County seeks to supplement the record with the following documents:

1. Transcript of March 27, 2017 White House Press Briefing featuring comments by Attorney General Jeff Sessions. Fed. News Serv. Tr., *White House Press Secretary Sean Spicer – Briefing*, 2017 WLNR 9450770 (Mar. 27, 2017) (Attached hereto as **Exhibit A**);
2. United States Immigration and Customs Enforcement, Enforcement and Removal Operations, Weekly Declined Detainer Outcome Report for Recorded Declined Detainers Jan. 28–Feb. 3, 2017, <https://www.ice.gov/declined-detainer-outcome-report> (Attached hereto as **Exhibit B**);
3. Department of Homeland Security, Fact Sheet: U.S. Immigration and Customs Enforcement Declined Detainer Outcome Report (DDOR), Mar. 20, 2017, <https://www.dhs.gov/news/2017/03/20/fact-sheet-us-immigration-and-customers-enforcement-declined-detainer-outcome-report> (Attached hereto as **Exhibit C**);
4. Department of Homeland Security, Q&A: U.S. Immigration and Customs Enforcement Declined Detainer Outcome Report (DDOR), Mar. 20, 2017, <https://www.dhs.gov/news/2017/03/20/qa-us-immigration-and-customers-enforcement-declined-detainer-outcome-report> (Attached hereto as **Exhibit D**).

These materials are relevant to the County’s motion. For example, in Exhibit A, Defendant Sessions expressly threatens to “claw back any funds awarded to a jurisdiction that willfully violates [8 U.S.C. §] 1373.” Ex. A at 2. That threat bears on the parties’ arguments regarding standing and ripeness. *See Western Radio Servs. Co. v. Qwest Corp.*, 530 F.3d 1186, 1205 (9th Cir. 2008) (“[R]ipeness is assessed based on the facts as they exist at the present moment.”). Similarly, Defendant Sessions’s admonition that “states and cities and counties” should “rethink” their policies or else risk “losing federal dollars,” Ex. A at 2, bears directly on the County’s argument that Executive Order 13768 causes irreparable harm by unconstitutionally coercing state and local governments to alter their local policies regarding community policing

and participation in federal immigration enforcement activities. See ECF No. 26 at 22–23; ECF No. 52 at 6–7. Exhibits B–D are likewise relevant because they reveal how the Administration is implementing Section 9 of the Executive Order.

The County could not have submitted these materials before the close of briefing on its motion. The Department of Homeland Security issued its first DDOR and accompanying documents on March 20, 2017, and Defendant Sessions issued his statement on March 27, 2017. Both dates post-date the County’s March 16 deadline for filing its reply brief. Furthermore, granting approval to file the attached exhibits would cause no prejudice to Defendants. The Administration cannot be heard to argue that its own public statements regarding the challenged Executive Order are irrelevant or prejudicial to the pending motion.

Accordingly, the County respectfully requests Court approval to file the attached exhibits for the Court’s consideration in connection with its motion for a preliminary injunction.<sup>1</sup>

Respectfully submitted,

Dated: March 28, 2017

OFFICE OF THE COUNTY COUNSEL,  
COUNTY OF SANTA CLARA

By: /s/ James R. Williams  
JAMES R. WILLIAMS, County Counsel

Attorneys for Plaintiff COUNTY OF  
SANTA CLARA

Dated: March 28, 2017

KEKER, VAN NEST & PETERS LLP

By: /s/ John W. Keker  
JOHN W. KEKER

Attorneys for Plaintiff COUNTY OF  
SANTA CLARA

<sup>1</sup> These documents are subject to judicial notice pursuant to Federal Rule of Evidence 201(b). See *Daniels-Hall v. Nat’l Educ. Ass’n*, 629 F.3d 992, 998–99 (9th Cir. 2010) (court may take judicial notice of information on government websites); *Ali v. Trump*, No. 17-135-JLR, slip op. at 2 n.1 (W.D. Wash. Mar. 3, 2017) (Dkt. No. 49) (taking judicial notice of White House press briefing and presidential news conference transcripts); *Hepting v. AT&T Corp.*, 439 F. Supp. 2d 974, 987 (N.D. Cal. 2006) (taking judicial notice of Attorney General’s press briefing and President’s public statements).

**FILER'S ATTESTATION**

I, John W. Keke, am the ECF user whose identification and password are being used to file this document. Pursuant to Rule 5-1(i)(3), I hereby attest that the other above named signatories concur in this filing.

/s/ John W. Keke  
JOHN W. KEKER



# **EXHIBIT A**

## NewsRoom

3/27/17 Fed. News Serv. Transcripts (Pg. Unavail. Online)  
2017 WLNR 9450770

Federal News Service Transcripts  
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March 27, 2017

White House Press Secretary Sean Spicer - Briefing

Subject: White House Participants: White House Press Secretary Sean Spicer Location: The White House, Brady Press Briefing Room Time: 13:30:00 Date: 2017-03-27

SPICER: It's Monday, so I brought a special guest.SPICER: First, I'd like to have the attorney general come up to the podium to make an announcement regarding immigration enforcement with respect to sanctuary cities. When the attorney general is done speaking, we'll have time for a couple questions and then -- and then I'll continue with the briefing. So if your question is not germane to sanctuary cities, keep your hand down and we'll get to it after we go through the events of the day.

So with that, Attorney General Sessions, come on up.

SESSIONS: Thank you. Thank you, Sean.

The Department of Justice has a duty to enforce our nation's laws, including our immigration laws. Those laws require us to promptly remove aliens when they are convicted or detained of certain crimes. The vast majority of American people support this common sense requirement. According to one recent poll, 80 percent of Americans believe that cities that make arrests -- that arrest illegal immigrants for a crime should be required to turn them over to immigration authorities.

Unfortunately, some states and cities have adopted policies designed to frustrate this enforcement of immigration laws. This includes refusing to detain known felons under federal detainer request or otherwise failing to comply with these laws. For example, the Department of Homeland Security recently issued a report showing that in a single week, there were more than 200 instances of jurisdictions refusing to honor ICE detainer requests with respect to individuals charged or convicted of a serious crime.

These -- the charges and convictions against these aliens include drug trafficking, hit and run, rape, sex offenses against a child and even murder. Such policies cannot continue. They make our nation less safe by putting dangerous criminals back on the streets. We all remember the tragic case of Kate Steinle, the 32-year-old woman who was shot and killed two years ago in San Francisco as she walked along a pier with her father.

The shooter, Francisco Sanchez, was an illegal immigrant who had already been deported five times and had seven felony convictions. Just 11 weeks before the shooting, San Francisco had released Sanchez from its custody even though Immigrations and Customs Enforcement officers had filed a -- a detainer requesting that he be held in custody until immigration authorities could pick him up for removal.

Even worse, Sanchez admitted the only reason he came to San Francisco was because it was a sanctuary city. A similar story unfolded just last week when Ever Valles, an illegal immigrant and a Mexican national, was charged with murder and robbery of a man at a light rail station. Valles was released from a Denver jail in late December despite the fact that ICE had lodged a detainer for his removal.

The American people are not happy with these results. They know that when cities and states refuse to help enforce immigration laws, our nation is less safe. Failure to deport aliens who are convicted of criminal offenses puts whole communities at risk, especially immigrant communities in the very sanctuary jurisdictions that seek to protect the perpetrators.

DUIs, assaults, burglaries, drug crimes, gang rapes, crimes against children and murderers; countless Americans would be alive today and countless loved ones would not be grieving today if these policies of sanctuary cities were ended. Not only do these policies endanger lives of every American, just last May, the Department of Justice inspector general found that these policies also violate federal law.

The president has rightly said disregard for law must end. In his executive order, he stated that it is the policy of the executive branch to ensure that states and cities comply with all federal laws including all immigration laws. Today, I'm urging states and local jurisdictions to comply with these federal laws, including 8 USC Section 1373. Moreover, the Department of Justice will require that jurisdictions seeking or applying for Department of Justice grants to certify compliance with 1373 as a condition of receiving those awards. SESSIONS: This policy is entirely consistent with the Department of Justice's Office of Justice Programs guidance that was issued just last summer under the previous administration.

This guidance requires state and local jurisdictions to comply and certify compliance with Section 1373 in order to be eligible for OJP grants. It also made clear that failure to remedy violations could result in withholding grants, termination of grants, and disbarment or ineligibility for future grants.

Department of Justice will also take all lawful steps to claw back any funds awarded to a jurisdiction that willfully violates 1373.

In the current fiscal year, Department of Justice's Office of Justice Programs and Community Oriented Policing Services anticipates awarding more than \$4.1 billion in grants.

I strongly urge our nation's states and cities and counties to consider carefully the harm they are doing to their citizens by refusing to enforce our immigration laws and to rethink these policies. Such policies make their cities and states less safe, public safety as well as national security are at stake, and put them at risk of losing federal dollars.

The American people want and deserve a lawful system of immigration that keeps us safe, and one that serves the national interests. This expectation is reasonable, just, and our government has the duty to meet it and we will meet it.

Thank you.

QUESTION: Mr. Sessions, in Montgomery County, taxes -- I'm sorry, Montgomery County right up the road, there was a rape in Maryland in -- at Rockville High School.

Has anyone from the Department of Justice had any conversation with anyone in Montgomery County or Rockville as they describe themselves as sanctuary county and city, and there's also a boatload (ph) of federal government in Montgomery County?

SESSIONS: Well, you know, Maryland is talking about a state law to make the state a sanctuary state. The governor's opposed to that, I'm glad to hear. That would be such a mistake. I would plead with the people of Maryland to understand that this makes the state of Maryland more at risk for violence and crime. That it's not good policy. And as a former prosecutor for many years in state and federal law on jurisdictions, I just know the historic relationship different federal agencies have with regard to honoring detainers. It's just a fundamental principle of law enforcement that if you have a person arrested and another jurisdiction has a charge, then they file a detainer. And when you finish with the prisoner, you turn them over to the next jurisdiction for their adjudication.

That is what should be done with...

(CROSSTALK)

QUESTION: So may I ask (ph) a question? Mr. Attorney General...

SPICER: Major.

QUESTION: Mr. Attorney, so listening to you carefully, sounds like you're applying the standards and the policy that the Obama administration put forward on compliance with underlying Justice Department rules.

Are you taking any additional steps? And have you asked the president to maybe talk about other federal funds that are not necessarily under your control as a way to punish sanctuary cities or states?

SESSIONS: Well, that's a good question.

What I'm seeing today is that essentially the policies of the Obama administration that were issued last July make clear that you should not be receiving certain federal funds if you're not in compliance with 1373.

We believe that grants in the future could be issued that have additional requirements, as every grant that's being issued in America today usually has requirements that if you qualify for this grant, you have to meet certain requirements. So we'll be looking at that in the future and we'll continue to pursue it.

But fundamentally, we intend to use all the lawful authority we have to make sure that our state and local officials, who are so important to law enforcement, are in sync with the federal government.

(CROSSTALK)

QUESTION: Mr. Attorney General (OFF-MIKE) cities, for example, bigger cities, have said despite the lack of federal funding, they will continue to be sanctuary cities; that they don't care that they're losing money essentially.

What recourse does the Department of Justice have in those cities that look at what you're doing and say, "We don't care; we're going to continue to implement this policy"?SESSIONS: Well, that's very -- you know, disheartening.

But I hope that the American people and their constituents in their own cities will communicate with them. And as we continue a dialogue and a discussion, and as we continue to ensure that monies that go for law enforcement only go to cities who are participating in an effective, collegial, cooperative way with the federal government, that that would also send a message. We have simply got to end this policy.

Thank you, all.

(CROSSTALK)

SPICER: OK, you guys ready to continue?

QUESTION: Yes.

SPICER: Good. Before I get into the day's schedule, I wanted to read -- I know there's been some interest in the State Department's statement regarding the arrest of hundreds of protesters -- peaceful protesters that occurred in Russia.

The statement that the State Department put out says, quote, "The United States strongly condemns the detention of hundreds of peaceful protesters throughout Russia on Sunday. The detention of peaceful protesters, human rights observers and journalists is an affront to essential democratic values. We are troubled to hear of the arrest of the opposition leader upon arrival at the demonstration, as well as the police raids on the anti-corruption organization he heads. The United States will monitor the situation and we call on the government of Russia to immediately release all peaceful protesters."

The Russian people, like people everywhere, deserve a government that supports an open marketplace -- open marketplace of ideas, transparent and accountable governance, equal treatment under the law and the ability to exercise their rights without fear of retribution."

Now, with respect to events for the day, this morning, after receiving his daily intelligence briefing, the president participated in a roundtable with women small business owners. The president is hosting a group of women's business owners as part of the White House's full calendar of Women's History Month events. At the roundtable this morning, Vice President Pence, SBA Administrator McMahon joined with other senior administration officials to hear from these amazing female entrepreneurs and small business leaders about their first-hand experiences, successes and challenges.

As the president said, quote, "Empowering and promoting women in business is an absolute priority in the Trump administration because I know how crucial women are as job creators, role models and leaders all throughout our communities."

The women in attendance this morning have incredible stories, including many who have started businesses from scratch with very limited resources, and through hard work and determination, turned their dreams into reality. Between them, they provide hundreds of jobs to Americans across the country.

The president is dedicated to continuing to remove the unique barriers that women face in our economy, including access to capital, markets and networks. This administration will continue to advocate for policies that support working family, including a national initiative to promote women business leaders and entrepreneurs that his daughter Ivanka is helping to lead.

In honor of Women's History Month, the White House has been hosting events all throughout March. Just to name a few, the Centers for Medicaid and Medicare System (sic) Administrator Verma held a round table with women in health care, which the president attended. The First Lady held a women's empowerment lunch on International Women's Day. Earlier this month, Second Lady Karen Pence joined women from all five military branches for lunch at Fort Meade, and last week, hosted military women at the vice presidents residence to thank them for their service.

Under President Trump, the American economy is a place for everyone, regardless of their gender, to thrive.

Following the round table, the president had lunch with the vice president and Secretary of State Tillerson. And at three o'clock, the president will have signed House Joint Resolutions 37, 44, 57 and 58, all of which use the powers of the Congressional Review Act to roll back job killing rules.

Before this administration, only one time in the nation's history had a president ever signed a bill that used the Congressional Review Act to cancel a Federal regulation. In just his first 66 (ph) days as president, he will have signed six resolutions to eliminate unnecessary and burdensome rules.

House Joint Resolution 37 rolls back the so-called blacklisting rule, which manufacturers identified during their meeting with the president as one of the most significant threats to the growing American -- to growing American businesses and to hiring more American workers.

The rule simply made it too easy for trial lawyers to go after American companies and American workers who contract with the federal government. The president saw that workers, taxpayers and businesses were the ones who truly suffered under this rule and he's glad to be signing legislation to eliminate it. House Joint Resolution 45, 57 and 58 cancel federal power grabs that took decision-making away from the states and local governments who know the unique challenges of their own populations. The president firmly believes that Washington's not always the solution to these problems and that these bills return the power to the people by putting more decision-making in the hands of states. SPICER: House Joint Resolution 44 removes a Bureau of Land Management rule, known as Planning 2.0, that would have centralized federal and land management in Washington, diluting the concerns of local citizens who have a right that is protected by law to be involved in this decision-making process.

H.J.Res. 57 and 58 eliminate the Department of Education regulations which limit states' flexibility in how they assess the performance of schools and teacher preparation and programs. Removing these additional layers of bureaucracy will make it easier for parents, teachers and communities and state leaders to address the needs of their students.

The president will continue to work with Congress and the rest of the federal government until every unnecessary regulation that stands in the way of success for American business and American people is taken off the books.

Additionally, the president spoke with German Chancellor Merkel and Indian Prime Minister Modi earlier today to congratulate them on their parties' success in recent elections. We'll have readouts on those calls a little later for you both.

The president also will announce the establishment of the American -- the Office of American Innovation. The Office of American Innovation will apply the president's ahead-of-schedule and under- budget mentality to a wide number of government operations and service (sic), enhancing the quality of life for all Americans.

The office will have a particular focus on technology and data, hearing back from leaders in the industry.

As some of its first priorities, the office will focus on modernizing the technology of ever -- every federal department, identifying transformational infrastructure projects and reimagining the V.A. system so they can better serve our nation's heroes.

The effort will be led by Assistant to the President and Senior Advisor Jared Kushner.

Tomorrow, the president will sign an executive order to strengthen the nation's energy security by reducing unnecessary regulatory obstacles that restrict the responsible use of domestic energy resources. This order will help keep energy and electricity affordable, reliable and clean, in order to boot economic growth and job creation. And finally, before I came out today, Senate Democrats continued their obstruction to the president's nomination of Judge Neil Gorsuch to the Supreme Court, with the Judiciary Committee seeking a one-week postponement on its decision.

Over the weekend, Senate Minority Leader Chuck Schumer defended his decision to mount a filibuster against the president's unquestionably qualified nominee. If Senator Schumer gets his way, this would be the first successful filibuster against a Supreme Court nominee in American history.

He argued, quote, quite misleadingly that the Senate has, quote, "required a 60-vote threshold" of, quote, "every Supreme Court nominee." That's simply not true. And as I've said before, only three support (sic) justices have faced a filibuster in the last half of the century.

Senator Schumer started (ph) four justices confirmed under Senator -- President Bush and Obama. But in fact, among those four, only one faced an attempted filibuster. That was Justice Samuel Alito. And it was President Obama who, then as a senator, voted to filibuster Justice Alito and later publicly expressed his regret for that.

The fact is, an attempted filibuster of a Supreme Court nominee is rare. And to do so in this context with such an -- an eminently qualified and brilliant judge is nothing short of obstructionism.

That's why Senator Pat Leahy, the former Democratic chairman of the Senate Judiciary (sic), said he is, quote "not inclined to filibuster," end quote, even if he ultimately may not vote to confirm the judge.

The fact that former chair -- the former chairman of the Judiciary Committee won't stand by the minority leader exposes the leader's efforts as nothing but obstructionism that undermines decades of Senate tradition.

Through four days of extensive hearings, Judge Gorsuch demonstrated his -- his judicial philosophy, his sterling academic credentials, and a brilliant legal mind. He deserves a fair up-or- down vote.

And with that, I'd be glad to take a few of your questions.

Jonathan?

QUESTION: Is the president serious about working with Democrats going forward after what happened with health care?

SPICER: Absolutely.

In fact, starting Friday afternoon through late yesterday, he's received a number of calls, as well as other members of the senior staff that had been working on health care, from members of both sides saying that they would like to work together, offer up ideas, and had suggestions about how to come to resolution on this and get to a House vote on this.

(CROSSTALK)

QUESTION: But -- but -- but wouldn't this -- wouldn't this require a...

SPICER: Sorry, John (ph), this isn't a free-for-all. Jonathan's asking a question.

QUESTION: But -- but wouldn't this require a serious course correction for the White House? I mean, the president branded Chuck Schumer a clown, you know, worked entirely with -- with Republicans on -- on this bill. Wouldn't this -- this require a serious change of course for the president? SPICER: To some degree, sure. And I think the president talked about that.

I think he's -- he -- we learned a lot through this process. I think we're obviously looking at ways that we can improve not only how we handled health care, but other things -- how we do everything.

And I -- I've mentioned it some of you in the course of things. I think, you know, one of the traits of a successful organization is to always examine how you do things.

But I think that there's been a lot of outreach from members of both sides with ideas and the president's willing to listen to these individuals and if they can come to a resolution on a way forward, obviously we're willing to listen and to move forward. But you know, there are a lot of folks that came forward with these ideas.

And with all due respect, to the beginning of your question, I don't think it's a one-way street some of the comments that have been made. I think some of the Democrats who now say they weren't involved, early on in the process said that there was -- there would be no -- they would have -- they wanted nothing to do with this process. There's no way that they would engage in any discussion of repeal.

So I -- I think it's a two-way street and I think that we have been willing to listen to folks and their ideas and the president's advice is that if we can come up with resolution on a way to move forward, we'll certainly entertain that.

QUESTION: And where's the buck (ph) stop for this failure?

(CROSSTALK)

SPICER: Well, it's not -- just so we're clear. Look, we're -- we're at the beginning of a process. I don't think we've seen the end of health care. As most people have noted, I think the Obama administration from beginning to end (inaudible) about 17 months. Went through a series of fits and starts and it wasn't until Scott Brown was elected, denying them the 60th vote in the Senate, that they finally jammed something through.

And frankly, a lot of the reason that the secretary of Health and Human Services has some of the powers that they do is because they -- they got -- they had to jam it through. But there were several failure when Obamacare went through during the process, and you know, ultimately, they tried to go through a single-payer process and they had to -- they got rebuffed on that by some of their own members.

So you know, look, we're not saying it's the end of health care, but I think that we are looking to look for a way forward and I think that a lot of the members -- and again, on both sides of the aisle have reached out not just to the president, but to members of the team, willing to share some ideas and both that will make -- they think that would make the bill stronger.

But ultimately, the goal is to get to 216 and potentially 218, depending on where we are with special elections. And so, we're -- we're going to look to see where we can get those 218 votes. And there may be other opportunities to work with people across the aisle to get us to 218, but that's the name of the game and we're going to continue to -- to pursue that.

Jim (ph).

QUESTION: Sean, the last Congress to pass significant tax reform took about five years, and that was 30 years ago in 1986. After the failure of (inaudible) American Health Care Act, on an issue where there was broad GOP consensus, what makes the president think he can pass significant tax reform this year?

SPICER: Well, I think it's been 30 years. I think people -- we have a series of -- we have an economy that's evolved, especially in the technology area that has made a lot of things change and I think our tax code is outdated. And frankly,



on the business side, we're uncompetitive. There's a reason that companies are leaving America to go to other places because -- same reason sometimes companies move from state to state.

Our corporate and regulatory system has become unattractive for a lot of companies that want to either manufacture here, grow here or begin here. And -- or want to return jobs here. I think the president recognized that business leaders from around the country -- it's not a partisan issue. I mean, you go out to the tech sector out in Silicon Valley in particular, there's a lot of these companies out there that admittedly weren't with the president during the election or continue not to be and -- and I think recognize that we are not as competitive as we can be when you consider the tax and regulatory climate of other countries around the world.

And we need to be more competitive. Then, I think you look at the individual side of the House and I think especially when you talk to -- to middle income Americans, especially in the context of health premiums, going -- skyrocketing up, they recognize that they need some relief. And so we've got to do what we can to address that.

John Christopher (ph).

QUESTION: Thank you.

Since -- historically, since health care is so -- has beguiled many presidents all the way back to Harry Truman and certainly when Hillary Clinton came to Washington, she went to the Hill and thought that she could get it done. I'm sure there are many lessons you could learn from previous presidents and perhaps previous first ladies. Has the president thought of ever reaching out to Hillary and finding out, you know, how she maneuvered and some of the best practices or some of the pitfalls that she's come into?

SPICER: Well, I -- and I think that you know -- I mean, he's met with Dr. Ezekiel Emanuel and others. It's not been a -- he has reached out to several people throughout this process to gauge both their policy ideas and strategy ideas and I think, you know, the president noted on Friday afternoon that we learned a lot on several fronts about strategically how to handle this as well as some of the members that we thought we could -- we would have with us. And we're re-examining that on a variety of bases. SPICER: Margaret (ph).

QUESTION: Thank you.

We got some guidance from the White House earlier about Chairman Nunes' meeting on the White House grounds (inaudible) and the idea that questions about the meeting should be referred to the committee chairman.

But I wanted to ask a slightly different question, which is, does the White House know now what actually happened?

Do you have issues with the idea that someone, perhaps in the executive branch, shared information on the White House grounds without you knowing about it? Are you investigating this? Do you believe it was a leak? Do you -- or was it in fact someone on the White House or the NSC staff or on loan to either who provided the information, and therefore it's not a leak?

SPICER: So I -- obviously, all of what I know has been available through public comments.

I know that Chairman Nunes has confirmed that he was on White House grounds Tuesday and, frankly, any questions regarding who he met with or why he was here should be referred to him.

I've seen some of the comments that he's made to your outlet in particular about who he met with. And -- and I would -- I would refer you to his comments that he's made.

I'm not going to get into who he met with or why he met with them. I think that's something that he has been very clear and I'll let him answer it.

This is a -- he is the one who has discussed what he is reviewing and so I will leave it up to him and not try to get in the middle of that.

QUESTION: (inaudible) just to close the circle on it, I'm asking a slightly different question.

SPICER: OK.

QUESTION: At least I'm trying to ask a slightly different question, which is -- does the White House know what happened now beyond public accounts? And are you satisfied that you don't have an inappropriate leak in the executive branch?

SPICER: No, I'm not -- we're not concerned about that.

I know that he is -- again, everything that I know about what he has done is through public reports that he has made on the record to different folks when he's said he has multiple sources, he had met with different folks to gather things as part of his review of the situation. And so, all I know, and what I'm willing to communicate, is what -- what has been made available through on-the-record comments that he has made.

QUESTION: On White House grounds -- you have to be cleared onto the White...

SPICER: No, not necessarily. I don't know that members of Congress need to be cleared.

QUESTION: But don't -- wouldn't the White House want to know?

(CROSSTALK)

SPICER: Again, I think there's a difference.

He's doing a review and it's not something that we're gonna necessarily get in the middle of or get in the way of. Part of it is to let him review and have conversations and look at things if he thinks are relevant.

Halle (ph)?

QUESTION: Clarification on your answer to Margaret.

You said "I don't know that members of Congress have to get cleared in." There is some question about that. Who in the White House signed him in, essentially? Do you...

SPICER: I don't know that you have -- I'll -- I'll be glad to check on that. I'm not sure that that's -- that that's how that works, but I will follow up on that point.

QUESTION: The second question is -- and it's related to this. I understand that you're not going to speak about, sort, of the swirl surrounding this issue with Chairman Nunes, does the White House believe that he can still lead an impartial investigation? Or would the administration support some of these calls now for an independent committee to investigate this?

SPICER: First of all, I would question what this is. Because as I've mentioned countless times from this podium, there's two issues at hand. There's multiple.

There's -- number one, there's any action with respect to Russia itself. And every single person that's been briefed by Director Comey in particular and the FBI has said there's nothing there.

What he is looking into are two things that we are aware of because of -- of the pleas that we have made.

One is the -- the leaks of classified and other information that are come out. And two is -- is whether or not there has been people that have been unmasked and whether or not their surveillance occurred (ph). I don't know why -- we stand by the original request that was made. And I think Director Comey in open testimony the other day talked about what the FBI's looking into.

So, I think we, you know, have a lot of people looking into this whole situation.

(CROSSTALK)

QUESTION: Will the administration pursue -- will the White House pursue a leak investigation into whoever is giving Chairman Nunes this information (inaudible) the executive branch?

SPICER: I -- at this point, we're letting his -- the review of this situation proceed. And we can address that after he decides to be clear about that.

(CROSSTALK)

QUESTION: Why is this leak OK but other leaks are not?

SPICER: It's not -- I think there's a difference between a leak and -- and someone pursuing a -- a review of the situation that they have determined. That's not -- there's a difference between a leak, someone leaking out to reporters for nefarious -- to take classified information and share it with people who aren't cleared.

Chairman Nunes is cleared. He is the chairman of the Intelligence Committee. Someone who is cleared to share classified information with somebody else cleared is not a leak.

QUESTION: (OFF-MIKE) Just a quick housekeeping note. At the beginning of the briefing, you read out the State Department statement on the protest and arrests in Russia. Does that reflect the White House's views sometimes...

SPICER: That reflects the view of the United States government.

QUESTION: OK. Just wanted to clarify that.

And secondly, back on -- you mentioned that there was -- there were lessons learned off of what went down last week -- the last several weeks here on health care.

Can you go into specifics of what some of those lessons are in terms of -- the president talked a lot about he learned a lot about loyalty, I think is one of the lines he used on Friday. Is he -- does he believe that some members of this party are no longer loyal to him?

You know, sort of, what are some of the lessons...SPICER: I'm not -- I'm not going to detail -- go through -- I mean obviously this is an internal thing that we discuss.

But I will say that, you know, we look at things like everything from, you know, who we met with and when we met with them to, you know, whether or not we should've -- how -- how the thing -- how everything was rolled out and what organizations were met with, what commitments were met and when.

There's a lot that goes into this, and you look at whether or not that's applicable to another situation, whether that's unique. But obviously, yeah, you do look at some of the individuals that you met with both in terms of timing, in terms of commitment, in terms of substance. And evaluate, you know, just the process itself, but then also, to some degree, the -- the individuals and whether or not that is someone that you, you know...

QUESTION: (OFF-MIKE)

SPICER: There's -- there's several folks. Again, it depends on the aspect of it. There's -- there's a legislative affairs team, there's a public policy team, there's a coms (ph) aspect to this. But we all internally talk about what went well, what didn't and we do that not just with the bad, but the good.

I mean, I think -- I think Jonathan asked it somewhat at the beginning, but I think, you know, in most organizations, whether or not you do something really well or not as well, it's usually incumbent upon you to think what did we do well so that for things that we did really well, we sustain those kind of aspects of something? Because there's always something to improve.

And even when you don't do as well, but there's parts of things that you did that you could've done -- that you did well and you don't wanna throw the baby out with the bath water. So there's an ongoing piece to this.

Major.

QUESTION: (inaudible) on Chairman Nunes and I have a question about Jared in a second. So yes, members of Congress may not need to be cleared in, but to get access to a skip (ph), I do believe that requires some cooperation from the executive branch because there are intelligence places on Capitol Hill that are secure that this meeting could've taken place. So it creates the impression that Chairman Nunes came over here, and with some degree of cooperation with this White House, was able to carry out this meeting and then make the announcement that he did, which is perceived by some, most of the Democrats I'll grant you that, that it was trying to be helpful to this president and this administration.

So it appears there was some degree of cooperation in this process that the White House granted Chairman Nunes, making it not just an investigative action, but a cooperative one.

SPICER: Right, so I would refer you to two things.

Number one, we've asked both of these entities, both the House and the Senate Intelligence Committees, to undertake this review. So it is partially at our request that they're looking into this.

Number two -- number two, based on the public comments that he made to Margaret's organization, he -- he has said, from my understanding on the record, that he is not -- that he did not meet with White House staff. So again, I think you're -- you're trying to make something that he is himself, from what I've read, not actually been the case.

QUESTION: That's not what I asked you. I asked you about cooperation.

(CROSSTALK)

SPICER: I understand that, I'm not...

(CROSSTALK)

QUESTION: ... has to be carried out with your (inaudible).

SPICER: I will be glad to take a look at that and figure out whether or not that is an accurate statement or not.

QUESTION: OK. Let me ask you about Jared. There is an understanding that's trying to be worked out, as we understand it, between Jared and the Senate Intelligence Committee. Is that testimony? Is that something that the committee has requested? Has he volunteered?

SPICER: Yeah.

QUESTION: Does he believe he has something to explain to that committee and more broadly, the American public about what he did on behalf of the transition with whom we met with and some of the meetings that he took that are raising questions about Russia and folks that he met with that are outside of diplomatic channels but have other aspects to their Russian business deals that may cause concern?

SPICER: Right, so throughout the -- the campaign and the transition, Jared served as the official primary point of contact with foreign governments and officials until we had State Department officials up which we assumed...

(CROSSTALK)

QUESTION: ... request?

SPICER: That's correct. And so given this role, he volunteered to speak with Chairman Burr's committee, but has not received any confirmation regarding a time for a meeting or anything.

QUESTION: Is this gonna be a private meeting or is this gonna be...

SPICER: I don't know. Again, he was at -- he -- he...

QUESTION: What is he (ph) trying to accomplish with that?

SPICER: I think based on the -- the questions that surround this, he volunteered to go in and sit down with them and say hey, I'm glad to talk about the role that I played and the individuals I met with.

But again, remember that given the role that he played, both during the campaign and during the transition, he met with countless individuals. That was part of his job, that was part of his role and he executed it completely as he was supposed to.

QUESTION: OK. So he doesn't believe he owes the American public an explanation...

SPICER: For what, doing his job?

(CROSSTALK)

SPICER: But you're acting as though there's something nefarious about doing what he was actually tasked to do.

QUESTION: Well, it's not every day that someone in a senior position like Jared's, who volunteers to go talk to the Senate Intelligence Committee...

SPICER: No, no...

QUESTION: ... about an investigation...

SPICER: Because of the...

QUESTION: ... dealing with meddling by a foreign power in an American election.

SPICER: Right and -- and I think based on the -- the media frenzy around this -- and I'm answering it. And I'm just saying to you that based on the media frenzy that existed around this, he volunteered to make sure that they -- he said hey, we've made some contact, I'd be glad to explain them, let me know if you'd like to talk. Plain and simple. QUESTION: Sean?

QUESTION: Sean?

SPICER: Yeah?

QUESTION: So just to be clear, just to kind of follow-up on what everyone's been asking about, Chairman Nunes. So the White House does not -- does the White House have knowledge of the information that Chairman Nunes received when he came to the White House the first time? And is -- and if that's the case -- or if that's not the case, is your position that the White House is not going to look into where he got the information from or who gave him the information until his investigation is complete?

SPICER: I think that -- that -- I'm not aware of where he got it from. I know in his public statements, he's talked about having multiple sources, and so I don't know how he derived the conclusion that he did. And you know, I think that at this point, the goal would be to wait until the review that he is undertaking is completed.

Kaitlyn (ph)?

QUESTION: Why would Nunes need to brief the president on documents he viewed on White House grounds?

SPICER: Because that's a big assumption that you're making that that's the only thing. He, as I said just a second ago, he -- he had multiple sources on multiple topics. We don't know what he briefed him on in its totality. So, to jump to that conclusion is frankly irresponsible.

QUESTION: One more question.

SPICER: Yeah?

QUESTION: When will the White House resume releasing visitor logs?

SPICER: We're reviewing that now.

Alexis (ph)?

QUESTION: Just to follow up, I had two questions, one of them (inaudible). But last week, you were -- you were advising that the Press Corps that it didn't make sense for Nunes to come to the White House and brief the president on something that he had obtained from the White House, from the administration. So, my question to you is I know what you just said, but is it -- can you say factually, you know, absolutely flatly that it's not possible that Chairman Nunes came to brief the president on something that he obtained from the White House or the administration?

SPICER: I can't say 100 percent that I know anything what he briefed him on. What I can tell you through his public comments is that he has said that he had multiple sources that he came to a conclusion on. So, to the degree to which any of those sources weighed on the ultimate outcome of what he came to a decision on, I don't know, and that's something that frankly, I don't even know that he discussed with the president.

QUESTION: So, it's possible. As far as you know...

(CROSSTALK)

SPICER: Well, anything, I mean -- anything is possible.

QUESTION: OK. Here's my question on taxes.

SPICER: Yeah.

QUESTION: The president had said that in the past that he thought maybe tax reform would blow over into 2018, calendar year 2018. And we know from the president's admiration of the 1986 tax reform that took more than two years. Can you answer two questions about tax reform? Does the president anticipate that it will take that long going into 2018 or beyond? And who is going to write the tax legislation? Who's going to devise the plan that the president wants to put his name on?

SPICER: Well, so on the first one, I know that Secretary Mnuchin has talked about August as a target date. And I think it depends. I mean, as you point out, these are big things. There's a lot of groups that are gonna want a ton of input because of the very nature that it's been 30 years.

But I think part of this is going to be dependent on whether -- how -- the degree to which we can come to consensus on a lot of big issues. But I know that it's -- we have a goal and it'll depend on a lot of these issues, both on the corporate side and on the individual side, how that process evolves.

So, to predict it, I know the secretary would like to have it done. He'll play a huge role in this. Gary Cohn will play a big role in it. I think our legislative affairs team will play a role in it. There's a lot of folks on the team -- Secretary Ross on the Commerce side. There's a lot of individuals -- he has assembled a world-class Cabinet that has a lot of interesting in helping to grow the economy, to attract jobs, create a more favorable tax climate here in the country, then also provide also tax relief for middle Americans -- middle class Americans.

So, you know, we're not -- we're not there yet.

(CROSSTALK)

SPICER: What?

QUESTION: Will it be the president's plan?

SPICER: I mean, obviously we're driving the train on this, so I don't -- I mean, we're going to work with Congress on this, but I think that the president, as you've heard through multiple times, the president has been very clear. This is a huge priority for him, something that he feels very passionate about and so we'll have more on that later.

John (ph)?

QUESTION: Sean, the documents that Chairman Nunes saw here at the White House complex described by his office as (ph) the executive branch documents. In the early days after the president sent out that tweet, the White House was digging around for anything to corroborate what the president had tweeted out. Why did it take the Intelligence Committee chairman coming here to the White House to view executive branch documents to uncover this information? Why couldn't the White House do it?

SPICER: Well, as I mentioned, I think to Margaret, I'm not going to -- I will stick to what the chairman has said publicly. And my understanding from his public comments are that there are certain systems that he doesn't have access to. That was his explanation and I'm going -- you know, I think you should follow up with him on that one.

QUESTION: Did the White House ever search the same documents that the chairman searched?

SPICER: I don't know what he found, so therefore, it'd be hard to say -- to make an assessment of what he was briefed on and what we know. So, that's a really hard question to answer at this point. QUESTION: Is it possible that these documents were merely surveillance reports that were...

(CROSSTALK)

SPICER: I'm not gonna get into hypotheticals, John (ph). I don't know what he found, and to start to say what's possible, what's not, I don't know.

QUESTION: Well, let me just finish if I could.

Is it possible that these were surveillance reports from security clearances that were collected after people had filled out Standard Form 86?

SPICER: I -- I don't know. I mean, I don't know what he -- I honestly don't know what he's got on his systems and what -- what -- what the intel community has on theirs that he wouldn't have access to. So, I don't know what he would've had access to already.

So, Aymon (ph)?

QUESTION: Thanks, Sean.

On tax cuts, it looks like you guys got a little bit of political cover from the House Freedom Caucus over the weekend to do this without paying for all of it, that is adding to the deficit.

What's the right number from the White House's perspective to add to the deficit in order to do that? So, what's -- how high are you willing to do in terms of deficit addition (ph)?

SPICER: It's a -- it's a really early question to be asking at this point.



I think the question is, as we construct this both on the -- on the corporate side and then on the individual side, I think part of it is, it's gonna be an equation that isn't just driven by that, but more of what's going to attract jobs, what's gonna help us build -- you know, what's gonna grow the economy.

I think we're -- we're growing around -- you know, potentially growing around 2.6. And the president really would like to see that growth rate up in the high 3s, 4s and 5s. And so, there's -- there's a question about what part of tax reform, especially on the corporate side, will help us spur the economy and grow jobs. And I -- I think that -- that's an ongoing discussion. And I think that's more of the driver of this. And then I think as it evolves, we'll have the score and we'll know more.

QUESTION: Are you comfortable entirely adding to the deficit or do you think...

(CROSSTALK)

SPICER: I -- I -- I think...

QUESTION: ... needs to be offset...

(CROSSTALK)

SPICER: But to -- to -- right.

QUESTION: ... some other spending (ph)...

(CROSSTALK)

SPICER: I -- I don't -- you're asking really early in the process to make that kind of analysis before we have a -- a policy set forth or have any kind of notion of what a score would like.

Olivier?

QUESTION: Thanks, Sean.

There's been a steadily escalation of the American role in the war against the Islamic State. The Marines come ashore in Syria, (inaudible) change the rules of engagement.

Has -- I'm trying to understand the relationship between that change and the president's ISIS strategy review. Has he personally signed off on all the changes in -- in America's posture in the field since January 20? Is that something that's left up to the commanders in the field?

I don't understand the relationship between...

(CROSSTALK)

SPICER: Well, it depends on which, you know, mission you're talking about specifically or...

(CROSSTALK)

QUESTION: So, the Marines left in I think October. They obviously went ashore much more recently than that.

SPICER: In...

QUESTION: So, did he have to sign off on that?

SPICER: I think it depends on -- I mean, he speaks with General Mattis, his national security team very regularly. I'm not gonna get into some of the -- the details of what comes up in those settings.

But I will say that, as I've noted in the past, I think philosophically, the president has made it very clear that -- that he wants to give the commanders on the ground much more flexibility to execute their mission, especially when it comes to defeating ISIS.

That's a -- a very big change in philosophy. But I think it also depends on the -- the magnitude of the mission, the number of ground troops in particular, or -- or -- and so, this is an ongoing discussion that he has with Secretary Mattis, Chairman Dunford and others.

QUESTION: And the (inaudible) review, are you -- are you waiting -- is the president waiting until the review's complete before you announce, sort of, a new posture, a new strategy?

SPICER: Yeah...

QUESTION: Or is it as conclusions come in, you're adapting day- to-day?

SPICER: I think some of it is an ongoing discussion that he's having with both Chairman Dunford of the joint chiefs and Secretary Mattis of the DOD, that at certain times when they meet, they'll update him on certain things and tell him -- give him an update on where they're headed right now, you know, as the review is ongoing.

There are certain events that are part of -- will be part and parcel of -- of the review in terms of where we're going. And so, we'll update him on that and talk to him about the tweaks.

Gabby (ph)?

QUESTION: Thanks, Sean.

President Trump has sent out two tweets now criticizing members of the House Freedom Caucus for preventing Planned Parenthood from being defunded by opposing the AHCA. Is that something that he would want to see tacked on in the rider to (inaudible) funding bill?

SPICER: Well, I think that he's made very clear what his position is on Planned Parenthood. And -- and obviously, this was an opportunity to defund it. And he -- but -- but I don't want to get ahead of our legislative strategy. We'll look at other opportunities. But this is definitely one that was an -- you know, a way to make that happen.

Steve?

QUESTION: On that legislative strategy and the idea of working with Democrats, there's a school of thought in this town that last week proved that the president is lacking in political capital. So I have two questions.

One is, what's in it for Democrats to work with the president now? And two, if fully pursued and to get things through the House, you know, Democrats and Republicans work together, wouldn't that tend to undermine the job security of Speaker Ryan if the House Freedom Caucus is frozen out?

SPICER: Well -- so, two things.

Number one, I think the message that sends to the -- you know, the -- as I mentioned to I think it was Jonathan at the beginning, it's a two-way street. SPICER: We heard -- I mean, you see the -- whether it's Judge Gorsuch, which they're, you know, throwing down decades of -- of Senate tradition by saying, "We're just gonna filibuster this guy."

I don't think there's anyone in America that can honestly look at his qualifications and suggest that he's not qualified as a jurist on the Supreme Court.

I mean, there's nothing that anyone has seen or laid a glove on him through these four days that suggests that he's not qualified to serve, and I think that it's a -- so -- and again, with Obamacare, repealing and replacing it, several of the leading Democrats came out from the get-go and said we have no interest in doing that.

So -- I think there's a point at which both parties can look back and figure out whether or not it's worth engaging. I think the president, as I mentioned, is eager to get to 218 on a lot of his -- on a lot of his initiatives, whether it's tax reform, infrastructure, there's a lot of things and I think that he is going to be willing to listen to other voices on the other side to figure out if people want to work with him to get these big things done, to make Washington work, to enhance the lives of the American people, then he's going to work with them.

I think he had a great meeting with the CBC the other day, for example, where he talked about infrastructure. He talked about loans and small business lending, education. There are things that he is willing to engage individuals with or groups or caucuses to get to 2018 and further advance his agenda. So it's not about undermining anybody, it's about moving the agenda forward and getting things done.

QUESTION: It's Speaker Ryan who has bills on the floor, not the president. So what's in it for Speaker Ryan?

SPICER: Getting things done. I think there is still a sense of doing what's in the best interest of this country that exists. So I mean, let's -- let's just make sure that we understand.

I think that his goal -- he came here to get things done and I think, you know, as it was pointed out, there was a level of disappointment that he expressed on Friday. He wants to get things done, if people want to work together and I think what this event on Friday did was frankly draw more people into the process, to saying, OK let's figure out if we can actually come together with some consensus ideas to get to 218, whether or not they come from one side of the aisle or the other to pass this bill and make a better system. He understands and frankly I think a lot of Democrats do, that there's an opportunity here, with health care being sort of a big issue, with Obamacare being such a looming disaster, that we have an opportunity to do some stuff. And if Democrats want to join in, then that's great and we'll do that.

Mike?

QUESTION: The -- excuse me -- you talked a quite a bit up there about the wide latitude that Secretary Price has to dismantle Obamacare from (inaudible). Is that still the case? Will he continue to try to dismantle Obamacare while you're trying to work with moderate Democrats on health care reform?

And also, the health care bill would have repealed almost all of those Obamacare taxes. Do you want to see those repealed as part of the tax reform bill?

SPICER: I think Secretary Price is up here today. There is a lot of meetings that are already taking place internally with the team. There's a lot of options that are on the table in terms of -- especially when it comes to what we called phase one and phase two, trying to get some of that stuff out the door. And as we look back on -- you know, talking about lessons learned, I think one of them is to try to get some of the phase one, phase two meshed together and pushed out.

How we do that, whether we wait for the revival of legislation before we put up -- remember, I mean, I think -- just so we're clear, and I mentioned earlier in this, Obamacare had a ton of fits and starts during its process. It was left for dead multiple times, but they pressed forward. I don't think that that's necessarily a model to look for in terms of how they jammed it down, but I do think that we have to recognize that we are, you know, 17, 18 days into this process.

I think the president's made very clear, we're not -- it's not over. There are people coming to the table, but he's going to listen to all good ideas across the spectrum to figure out what it takes to get to 218. And we'll see where we go from there.

John (ph)?

QUESTION: (OFF-MIKE)

SPICER: Yeah.

QUESTION: Follow up on -- the health care bill would have repealed those Obamacare taxes?

SPICER: And I think that's part and parcel of that discussion, is how we look at both the taxes and some of the phase one stuff. But we're not ready to announce anything now.

John Decker (ph)? QUESTION: Yeah, as far as Jared Kushner's offer to meet with Chairman Burr and talk with the Senate Intelligence Committee, is there any particular reason why the White house would not be opposed to the idea of Jared Kushner testifying under oath before that committee?

SPICER: Again, this is -- we -- Jared volunteered to meet with the committee. They haven't -- they haven't even confirmed having a meeting yet. So to get ahead of what they've even asked for would be a little silly.

QUESTION: (Inaudible) in the White House's view, a dangerous precedent in having a senior aide to the president going up. Ordinarily we see sometimes the White house invoking executive privilege. Why haven't you done this in this particular case? SPICER: Because I think Jared did a job during the transition and the campaign where he -- he was a conduit and to -- to leaders and that's until we had a State Department, a functioning place for people to go. Remember, we had a delay in some of these things, and that -- that was his role. And he has -- he wants to make sure that he's very clear about the role that he played, who he talked to and that's -- that's it.

Jim?

QUESTION: Sean, is -- is Obamacare repeal dead?

SPICER: I don't think it's dead, in the sense...

QUESTION: Well, it has to be dead if you're gonna have Democrats working with you, so.

SPICER: Why, why? No, no, no, I don't -- I don't know that that's true, because I think it...

(CROSSTALK)

QUESTION: ... Affordable Care Act, why would they -- why would they work with you...

SPICER: Because it's dying.

QUESTION: You're still trying to repeal it.

SPICER: Because I think part of it is there's a recognition that it is failing. It's dying on its own. It will be dead soon...

QUESTION: A lot of Democrats say it's not dying...

SPICER: OK, well, then a lot of Democrats need to get...

(CROSSTALK)

QUESTION: There are repairs that need to be made, they say, but...

SPICER: I understand that, but...

QUESTION: ... to kill the whole thing might not be the direction they want to go.

SPICER: I understand what they want, Brad (ph), but I think there's a difference.

I think that we recognize that premiums continue to go sky high, deductibles are going sky high, choices are going down. By Leader Pelosi's own metrics, this is dying. She's the one who crafted the metrics. She said that there was a three-prong system to determining its success. It is an abysmal failure.

If they wanna come back to the table and recognize how we can do it in a more responsible way, to achieve the goals that Obamacare set out to do, but do so in a way that's going to do the opposite of what Obamacare actually did, which is to increase choice, drive down costs, we're willing to have that discussion.

But right now and I -- and again, remember...

(CROSSTALK)

QUESTION: ... repeal has to be put to the side.

SPICER: Right, but -- but, Jim, one of the things that I mentioned, I just wanna be clear on this, is we have to figure out how we get to 216, 218, depending on where the number is that given day.

That doesn't mean we need the entire Democratic Caucus. That means we need some responsible Democrats who want to sit down and have a discussion about how to do that. And I think that there may be enough of them that are willing to do that.

But I understand where the -- where the Democratic leadership is. And that -- that's one thing. I mean, they continue to -- to stake out a very, very far left position.

That's not where all their members are. And I think that we can -- based on the calls that have come in over the last 50, you know, 60 hours, I think that here might be some room to have a conversation with people who want to engage in a constructive conversation on how to move forward.

And that, so -- so let's see how that evolves. I don't know that we're ready to jump into this today. But I think as the calls come forward, the president's view is, "If you all want to get together and start coming to a way that we can come to resolution, we're willing to listen. But right now, we've gotten an agenda to continue to pursue."

(CROSSTALK)

QUESTION: ... do you think?

SPICER: I'm not gonna jump ahead.

But I will say that we believe that there is something that could still be done at some point. And I think the further along we go, where premiums continue to go up, more and more people will be drawn into this discussion, because there's going to be a continued cry from people in terms of the impact that it's having on their pocketbook and on their ability to see people that -- a doctor of their choice or a plan that's not just not (inaudible).

April?

QUESTION: Sean?

(CROSSTALK)

QUESTION: ... quick -- real quick follow-up on Chairman Nunes.

SPICER: Yep.

QUESTION: Do you -- do you reject that there's any kind of perception problem whatsoever in having the chairman over here the day before he comes out publicly and says, "By the way, there's this information that's helpful to the president"?

SPICER: Well, I -- I think the chairman's made very clear through his public comments what his goal was. And I think anyone who wants to -- you can't ask someone to do a review of the situation and then -- and then, sort of, create inferences that because they're reviewing a situation, that there's something, you know, that -- that's not right about that.

He is -- he is reviewing a situation. He did exactly what -- and I think he's been fairly open with the press, as far as what he was doing, who he spoke to and why.

And I think, you know, from our standpoint, that's what -- what we had asked to do, is a review.

April?

QUESTION: Sean, several topics. One...

(LAUGHTER)

SPICER: Shocker.

QUESTION: Don't be.

You heard the question that I lobbed at the attorney general about the hate crime had happened in New York, the white supremacists that went to New York and targeted a black male. Hate crimes are on the rise. What do -- what do you say, what is this White House saying about this obvious apparent hate crime?

SPICER: I'm not gonna -- I mean, you're -- you -- you yelled at the -- the attorney general a specific case, if I'm not correct.

QUESTION: White Houses in the past have talked about -- and you've talked about issues...

(CROSSTALK)

SPICER: I'm glad to talk about the issue, I just want to be very clear that I'm not gonna reference any specific case before the DOJ right now.

I will say that the president has recognized that we need to bring the country together. He wants to unite this country. He wants to bring people together.

He had a very long conversation with respect to race in itself, which I think is somewhat, if I'm not correct, in your question?

QUESTION: (OFF-MIKE)

SPICER: There, OK, just wanted to be clear. Thank you.

And I think that was one of the topics that he talked about with the CBC, some of the issues with respect to crime and education and some of the solutions that they suggested that could be done during their meeting. And I think those are the kind of things that I think we can start -- we can continue that conversation. QUESTION: (inaudible) Sean, unfortunately, there's been a rise in hate crimes when it comes to different groups, to include anti- Semitic crimes.

SPICER: Yeah, and we...

QUESTION: You've commented from that podium this is (inaudible) this gentleman in his jailhouse gave a statement to a reporter, talking about he wishes the man were younger and weren't -- he was a thug that he killed. So, what do you say to this? This is clear -- it's racism at its ugliest.

SPICER: Yeah, two issues.

Number one, I think hate crimes, anti-Semitic crimes of any nature should be called out in the most reprehensible way. There is no room for that in our country and I think the president noted that in the joint address, that there is one issue that, despite policy, should unite us, and that is calling out hate, that is calling out divisiveness based on the color of one's skin, one's religion, one's gender. The president's been very clear on that and he's called it out before.

He's -- with respect to certain particular situations, he made it very clear at the opening of his joint address. That's what he led with is a call to -- to denounce hate no matter where we come from politically. He's also talked about it -- the night that he took the stage on that Wednesday morning around 2:40 A.M. about how one of the things that he needed to do and wanted to do as president was unite all Americans.

But I think that there's one other piece to this, April, that I just want to be clear on. While we unequivocally, no question about it, need to call out hate, anti-Semitism where it exists, there is another thing that we have to do. And in your case in particular, while I don't know all of the details and I don't want to reference any specific case -- but I think we saw this the other day with some of the anti-Semitic behavior that was going out with respect to people of the Jewish faith is that we saw these threats coming into Jewish community centers and there was an immediate jump to criticize folks on the right and to denounce us -- denounce people on the right and ask them to condemn them.

And it turns out that, in fact, it wasn't someone on the right and it was -- the -- and the president from the get-go had said I bet you it's not someone -- and he was right. And yet... QUESTION: I'm not calling...

(CROSSTALK)

SPICER: Oh no, I understand that. And that's...

(CROSSTALK)

SPICER: I understand that. And I think in those cases, there's no question, black and white, we need to call out all instances of this.

But that being said, while we're on the topic, I do think that there has been a rush to judgment in a lot of other cases when it comes to in particular some of the anti-Semitic discussion where people have jumped to the conclusion about denouncing people on the right and asking for this. And in that particular case, we saw that the president was right and that this rush to judgment by a lot of folks on the left was wrong and none of them have been held to account on that.

And that is something that equally needs to be called out. When people are charging something of someone that is not true, there has been nothing to go back to (ph) those individuals, nothing on the left who came and asked for everyone on the right to denounce something that they weren't guilty of. And I think that there needs to be an equal go back in time and call out those individuals for -- for rushing to judgment and calling out those individuals.

QUESTION: And my second topic and I'm done. Someone who was in the room -- you like talking about the CDC meeting that happened last week. Someone who was actually in the room at that meeting said that the issue of HBCUs came up. It's a very sensitive subject right now in the black community and here at the White House. The issue of HBCUs came up and it's -- Omarosa said that she would be the one heading the HBCU office at the White House and the president did not make a response confirming or denying.

Will this be the case? Is this the case?

SPICER: I -- we don't have any announcements to make. I -- I assume that you're referring to the executive order and we don't have anything to announce on that subject at this time.

Kristen (ph)?

QUESTION: Sean, thank you. Given that the Freedom Caucus blocked the bill to repeal and replace (ph) Obamacare, does the president still believe he can work with the Freedom Caucus on future pieces of legislation?

SPICER: I think it's gonna depend on what legislation.

QUESTION: But not necessarily?



SPICER: Well, again, I'm not gonna -- it's not a question of -- we're gonna work with anybody who wants to work with us on -- on achieving the goals that the president set out. I don't think -- we're not putting (ph) anyone and saying we'll never work with you again. It is that balance...

(CROSSTALK)

SPICER: No, I don't think he's written -- no, I -- I think as -- as he mentioned, he learned a lot through this process about loyalty and it's not just a block, it's certain individuals. On -- and again, I'm not gonna get into naming names, but I think the president learned a lot through this process.

And -- and, you know, one of the things that's interesting is when you look back in the -- and I know there's been a lot to make of this. The president also recognizes that when there's not a deal to be made, when to walk away. That's one of the -- one of the traits -- it's not just about making deals, it's knowing when to walk away from deals and knowing when there's a bad deal that's the only solution.

And I think the president understood that where we were -- that while you can get a deal at the time, that sometimes a bad deal is worse than getting a deal. And I think he smartly recognized that what was on the table was not gonna be keeping with the vision that he had, and so he -- he -- he decided that this was not the time and that a deal was not at hand. QUESTION: Let me ask you about this tweet over the weekend. Does he regret tweeting to his followers that they should tune in to Judge Jeanine, only to tune in and then have her call for House Speaker Paul Ryan...

(CROSSTALK)

SPICER: He's a fan of the show. That's it, plain and simple. I mean...

QUESTION: Doesn't he owe Speaker Ryan an apology then?

SPICER: He and Speaker Ryan talked extensively over the weekend. I mean, he's...

QUESTION: (OFF-MIKE)

SPICER: I don't know if they talked today, I think they talked both Saturday and Sunday at length. But -- but again, he is a fan of the show. He tweeted out support of it. That's it, plain and simple.

QUESTION: A lot of people...

(CROSSTALK)

SPICER: I know what a lot of people say, Kristen (ph), I just said it.

QUESTION: Doesn't he owe...

(CROSSTALK)

SPICER: No. He doesn't -- he has spoken -- for what? For supporting a show on Fox? No.

Dave (ph)? Dave (ph)? Dave (ph)?

(CROSSTALK)

QUESTION: Two questions. One on the president choosing Jared Kushner (inaudible) American innovation to reform government across the government. Obviously, Jared Kushner has 60-some days of experience in Washington, never had a prior government job. Does the president view that, somehow, as an advantage in his pick?

SPICER: In some cases. When you look at the individuals that he's bringing in, again, I think one of the things that Jared -- and again, they may talk more about this later. But one of things that Jared's looking at is some of the procurement, the technology aspects, and if you've ever really dealt with the government and recognize how outdated and un-modernized some of this is, it is not serving the American people, it is not serving the constituents that many departments have.

And I think looking at how we procure different things and procure technology in particular is important. It's important -- I mean, I think that when you look at the V.A. in particular and recognize how it handles certain things -- there are certain things it does really well, by the way. It buys prescription drugs really well, buys them in bulk, gets the job done. But there's certain things that it may not do as well in terms of how it keeps its records and how it serves veterans, how it lends money, et cetera, that we can look at and figure out is there a better way?

Government is not business, right? We recognize that there are certain things that business would never do in terms of what government has to do because we serve all of our people. But there are certain practices that we can put in place that can help us deliver a better product and a better service to the American people in some of these key areas.

And I think that when you look at some of the business acumen that Jared and some of the other individuals who he is bringing into this process can really -- I think it is a great service to this country. There are so many individuals that Jared has talked to that have done so well and been so blessed by our nation, that it wanted to give back in some way, shape or form and are using this opportunity to help our country and serve our country in ways that they -- they believe they can use their expertise to do.

Yeah?

QUESTION: And on health care, this review that you've talked about, what went right, what when wrong, I know you don't want to name names, but would it be fair to say at this point that the president has written off some people?

SPICER: I just -- I think I answered that question. It's not a question of written them off, it's a question of understanding there's sort of an understanding of, you know, how you deal with certain people and how they've dealt with you. But it's not a question of writing them off.

We're going to need to get to -- you know, as time goes on, we'll get to -- I'm just going to keep saying 218, it's easier. I won't screw that one up down the line. But I think that we recognize that as we go down this path of a big bold agenda that the president has, that we're going to need every vote we can and hopefully grow the vote in some cases to well beyond that. But we're not writing off anybody. But we do recognize there are some lessons learned from this process and the president made it very clear on Friday.

Thank you guys very much. I'll see you tomorrow. Enjoy the day. END

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**NewsRoom**

## **EXHIBIT B**



U.S. Immigration  
and Customs  
Enforcement

## ENFORCEMENT AND REMOVAL OPERATIONS

Weekly Declined Detainer Outcome Report

For Recorded Declined Detainers Jan. 28 – Feb. 3, 2017

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### Summary

Pursuant to section 9(b) of [Executive Order 13768, Enhancing Public Safety in the Interior of the United States](#), and section H of the Secretary of Homeland Security's subsequent implementation memo, [Enforcement of the Immigration Laws to Serve the National Interest](#), U.S. Immigration and Customs Enforcement (ICE) is making available for public release the non-Federal jurisdictions that release aliens from their custody, notwithstanding that such aliens are subject to a detainer or similar request for custody issued by ICE to that jurisdiction. For instances of such release, the report also includes the associated individual's citizenship, detainer issued and declined dates, and notable criminal activity. ICE compiled this report based on jurisdictions with detainees that were recorded as declined between January 28, 2017, and February 3, 2017, regardless of detainer issuance date.

It should be noted that law enforcement agencies (LEA) do not generally advise ICE of when a detainer is not honored, and therefore this report represents declined detainees that ICE personnel have become aware of during their enforcement activities.

This report is comprised of four sections:

- Section I: Highest Volume of Detainers Issued to Non-Cooperative Jurisdictions between January 28, 2017, and February 3, 2017
- Section II: Jurisdictions with Recorded Declined Detainers Broken Down by Individuals Released between January 28, 2017, and February 3, 2017
- Section III: Table of Jurisdictions that have Enacted Policies which Limit Cooperation with ICE
- Section IV: Report Scope and Data Fidelity

### **Section I: Highest Volume of Detainers Issued to Non-Cooperative Jurisdictions between January 28, 2017, and February 3, 2017**

During the week of January 28, 2017, through February 3, 2017, ICE issued 3,083 detainers throughout the United States. The following table reflects the jurisdictions that do not comply with detainers on a routine basis, which had the highest volume of detainers issued during the reporting period (157 to these ten jurisdictions during the reporting period). While these counties have a policy of non-cooperation, the outcome of these specific detainers is yet to be determined. Consistent with these counties' policies, ICE expects these detainers to reflect as declined in Section II of future weekly reports.

As further noted in Section IV, ICE field offices have been instructed to resume issuing detainers on all removable aliens in a LEA's custody regardless of prior non-cooperation. **As a result, the number of issued detainers will increase over the next several reporting periods.**

| County     | State        | Issued Detainers |
|------------|--------------|------------------|
| Clark      | Nevada       | 51               |
| Nassau     | New York     | 38               |
| Cook       | Illinois     | 13               |
| Montgomery | Iowa         | 12               |
| Snohomish  | Washington   | 12               |
| Franklin   | New York     | 9                |
| Washington | Oregon       | 7                |
| Alachua    | Florida      | 5                |
| Franklin   | Iowa         | 5                |
| Franklin   | Pennsylvania | 5                |



## Section II: Jurisdictions<sup>1</sup> with Recorded Declined Detainers Broken Down by Individuals Released between January 28, 2017, and February 3, 2017

The following table describes the individuals released by detention location that declined detainers during the period.<sup>2</sup>

**In sum, these jurisdictions declined 206 detainers issued by ICE.**

The table also provides the associated country of citizenship, detainer issue and decline dates, and a notable criminal activity (charge or conviction) associated with the individual released from custody. The entries below are sorted alphabetically by state.<sup>3</sup> Note that an alien may have been subject to detainers in multiple jurisdictions during the time period reported.

| Detention Location                   | County      | State       | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                         |
|--------------------------------------|-------------|-------------|-------------|-----------------------|---------------------|---------------------------------------------------|
| HOOVER CITY JAIL                     | Jefferson   | Alabama     | Mexico      | 2/1/2017              | 12/6/2014           | Drug Possession (Conviction)                      |
| SANTA RITA JAIL-<br>ALAMEDA COUNTY   | Alameda     | California* | Cambodia    | 1/29/2017             | 1/28/2017           | Domestic Violence (Conviction)                    |
| LAPD - VALLEY JAIL (VAN<br>NUYS), CA | Los Angeles | California* | Mexico      | 2/2/2017              | 10/27/2016          | Arson - Residence-Endangered Life<br>(Conviction) |
| LOS ANGELES CITY JAIL                | Los Angeles | California* | Mexico      | 1/31/2017             | 9/6/2014            | Assault (Conviction)                              |
| LOS ANGELES CITY JAIL                | Los Angeles | California* | Mexico      | 2/2/2017              | 1/24/2017           | Domestic Violence (Conviction)                    |

<sup>1</sup> Jurisdictions include counties, boroughs, and parishes.

<sup>2</sup> According to the reporting described in Section IV.

<sup>3</sup> An asterisk after the jurisdiction name or state indicates that a policy is in place that limits or prohibits cooperation with ICE; policy details can be found in Section III.

| Detention Location                 | County        | State       | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                   |
|------------------------------------|---------------|-------------|-------------|-----------------------|---------------------|---------------------------------------------|
| LOS ANGELES COUNTY JAIL-TWIN TOWER | Los Angeles   | California* | Mexico      | 1/31/2017             | 8/26/2016           | Assault (Conviction)                        |
| LOS ANGELES COUNTY JAIL-TWIN TOWER | Los Angeles   | California* | El Salvador | 1/31/2017             | 5/4/2016            | Domestic Violence (Conviction)              |
| MADERA CO DEPT OF CORRECT          | Madera        | California* | Mexico      | 1/30/2017             | 12/1/2016           | Driving Under Influence Liquor (Conviction) |
| ANAHEIM CITY JAIL                  | Orange        | California* | Mexico      | 1/30/2017             | 1/18/2017           | Burglary (Charge)                           |
| SACRAMENTO COUNTY JAIL             | Sacramento    | California* | Guatemala   | 2/2/2017              | 2/2/2017            | Cruelty Toward Wife (Conviction)            |
| SANTA BARBARA COUNTY JAIL          | Santa Barbara | California* | Mexico      | 2/3/2017              | 1/30/2017           | Forgery (Conviction)                        |
| SANTA CLARA CO MAIN JAIL           | Santa Clara   | California* | Mexico      | 2/1/2017              | 2/1/2016            | Domestic Violence (Conviction)              |
| BOULDER COUNTY JAIL                | Boulder*      | Colorado    | Mexico      | 1/31/2017             | 8/7/2015            | Assault (Conviction)                        |
| BOULDER COUNTY JAIL                | Boulder*      | Colorado    | Mexico      | 1/31/2017             | 12/27/2016          | Assault (Conviction)                        |
| BOULDER COUNTY JAIL                | Boulder*      | Colorado    | Mexico      | 1/31/2017             | 6/30/2016           | Assault (Conviction)                        |
| BOULDER COUNTY JAIL                | Boulder*      | Colorado    | Mexico      | 1/31/2017             | 10/24/2016          | Burglary (Conviction)                       |



| Detention Location          | County     | State    | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                   |
|-----------------------------|------------|----------|-------------|-----------------------|---------------------|---------------------------------------------|
| BOULDER COUNTY JAIL         | Boulder*   | Colorado | Mexico      | 1/31/2017             | 12/27/2016          | Cocaine - Possession (Charge)               |
| BOULDER COUNTY JAIL         | Boulder*   | Colorado | Mexico      | 1/31/2017             | 11/7/2016           | Dangerous Drugs (Charge)                    |
| DENVER JUSTICE CENTER       | Denver*    | Colorado | Mexico      | 1/29/2017             | 12/9/2016           | Driving Under Influence Liquor (Conviction) |
| BROOMFIELD DETENTION CENTER | Jefferson* | Colorado | Mexico      | 1/31/2017             | 1/20/2017           | Forgery (Conviction)                        |
| BROOMFIELD DETENTION CENTER | Jefferson* | Colorado | Mexico      | 1/31/2017             | 6/28/2016           | Driving Under Influence Liquor (Conviction) |
| BROOMFIELD DETENTION CENTER | Jefferson* | Colorado | El Salvador | 1/31/2017             | 10/21/2016          | Driving Under Influence Liquor (Conviction) |
| WELD COUNTY JAIL            | Weld*      | Colorado | Mexico      | 2/3/2017              | 12/7/2016           | Violation of a Court Order (Charge)         |
| BROWARD COUNTY JAIL         | Broward    | Florida  | Guatemala   | 1/30/2017             | 1/29/2017           | Failure To Appear (Charge)                  |
| MARION COUNTY JAIL          | Marion     | Florida  | Venezuela   | 1/30/2017             | 1/28/2017           | Traffic Offense (Conviction)                |
| SAC COUNTY JAIL             | Sac        | Iowa     | Mexico      | 1/30/2017             | 2/11/2014           | Drug Possession (Conviction)                |
| SIOUX COUNTY JAIL           | Sioux*     | Iowa     | Guatemala   | 1/31/2017             | 1/27/2017           | Traffic Offense (Charge)                    |

| Detention Location           | County           | State       | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                  |
|------------------------------|------------------|-------------|-------------|-----------------------|---------------------|--------------------------------------------|
| ORLEANS PARISH SHERIFF       | Orleans Parish*  | Louisiana   | Mexico      | 2/1/2017              | 1/31/2017           | Battery (Conviction)                       |
| BALTIMORE COUNTY DET. CENTER | Baltimore City   | Maryland    | Mexico      | 2/1/2017              | 10/4/2016           | Drug Trafficking (Charge)                  |
| MONTGOMERY COUNTY DET.       | Montgomery*      | Maryland    | El Salvador | 2/1/2017              | 11/30/2016          | Assault (Charge)                           |
| PRINCE GEORGES CO DET CEN    | Prince George's* | Maryland    | El Salvador | 2/2/2017              | 1/13/2015           | Assault (Charge)                           |
| HENNEPIN COUNTY ADC          | Hennepin*        | Minnesota   | Mexico      | 2/3/2017              | 2/2/2017            | Amphetamine - Possession (Conviction)      |
| HENNEPIN COUNTY ADC          | Hennepin*        | Minnesota   | Mexico      | 2/3/2017              | 2/2/2017            | Possession Of Weapon (Charge)              |
| HARRISON DETENTION CENTER    | Harrison         | Mississippi | Honduras    | 2/2/2017              | 12/25/2016          | Driving Under Influence (Conviction)       |
| BROOKLYN CENTRAL BOOKING     | New York City*   | New York    | Ecuador     | 2/3/2017              | 3/30/2015           | Obscene Material - Possession (Conviction) |
| QUEENS CENTRAL BOOKING       | New York City*   | New York    | India       | 2/3/2017              | 1/31/2017           | Intimidation (Charge)                      |
| RIKERS ISLAND, QUEENS, NY    | New York City*   | New York    | Mexico      | 2/3/2017              | 1/6/2017            | Dangerous Drugs (Conviction)               |
| RIKERS ISLAND, QUEENS, NY    | New York City*   | New York    | Mexico      | 2/1/2017              | 1/27/2017           | Assault (Charge)                           |

| Detention Location            | County        | State          | Citizenship        | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                   |
|-------------------------------|---------------|----------------|--------------------|-----------------------|---------------------|---------------------------------------------|
| WESTCHESTER CO.JAIL, VALHA    | Westchester   | New York       | Honduras           | 2/2/2017              | 2/1/2017            | Assault (Charge)                            |
| RICHMOND COUNTY JAIL          | Richmond      | North Carolina | Guatemala          | 2/3/2017              | 2/25/2016           | Identity Theft (Conviction)                 |
| CLACKAMAS CO JAIL             | Clackamas*    | Oregon         | Mexico             | 2/3/2017              | 2/3/2017            | Driving Under Influence Liquor (Conviction) |
| MARION CO JAIL                | Marion*       | Oregon         | Mexico             | 1/31/2017             | 12/30/2016          | Indecent Exposure (Conviction)              |
| MULTNOMAH COUNTY JAIL         | Multnomah*    | Oregon         | Mexico             | 1/31/2017             | 3/22/2016           | Assault (Conviction)                        |
| MULTNOMAH COUNTY JAIL         | Multnomah*    | Oregon         | Tonga              | 2/1/2017              | 7/22/2014           | Amphetamine - Possession (Conviction)       |
| CHESTER CNTY JAIL, PA         | Chester*      | Pennsylvania   | El Salvador        | 2/3/2017              | 2/29/2016           | Probation Violation (Conviction)            |
| PHILADELPHIA 9TH POLICE DIST. | Philadelphia* | Pennsylvania   | Jamaica            | 2/1/2017              | 4/17/2015           | Homicide (Charge)                           |
| RIVERSIDE CORR. FACILITY      | Philadelphia* | Pennsylvania   | Dominican Republic | 2/3/2017              | 2/26/2016           | Heroin - Sell (Charge)                      |
| BASTROP COUNTY JAIL           | Bastrop       | Texas          | Guatemala          | 2/1/2017              | 12/1/2016           | Indecent Exposure (Conviction)              |
| BASTROP COUNTY JAIL           | Bastrop       | Texas          | Mexico             | 2/1/2017              | 1/17/2017           | Liquor (Charge)                             |



| Detention Location       | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                      |
|--------------------------|---------|-------|-------------|-----------------------|---------------------|------------------------------------------------|
| BASTROP COUNTY JAIL      | Bastrop | Texas | Mexico      | 2/1/2017              | 1/24/2017           | Domestic Violence (Charge)                     |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 12/11/2016          | Assault (Conviction)                           |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 7/4/2016            | Carrying Prohibited Weapon (Conviction)        |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 11/20/2016          | Fraud (Conviction)                             |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 11/12/2016          | Driving Under Influence Liquor (Conviction)    |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 8/19/2016           | Aggravated Assault - Family-Strongarm (Charge) |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 10/30/2016          | Aggravated Assault - Family-Weapon (Charge)    |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Nicaragua   | 2/1/2017              | 10/25/2016          | Aggravated Assault - Weapon (Charge)           |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Honduras    | 2/1/2017              | 12/8/2016           | Assault (Charge)                               |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 10/17/2016          | Assault (Charge)                               |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 1/30/2017           | Assault (Charge)                               |

| Detention Location       | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                          |
|--------------------------|---------|-------|-------------|-----------------------|---------------------|----------------------------------------------------|
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Guatemala   | 2/1/2017              | 11/13/2016          | Driving Under Influence Liquor (Charge)            |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 12/14/2016          | Driving Under Influence Liquor (Charge)            |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 11/25/2016          | Driving Under Influence Liquor (Charge)            |
| TRAVIS COUNTY STATE JAIL | Travis* | Texas | Mexico      | 2/1/2017              | 12/20/2016          | Driving Under Influence Liquor (Charge)            |
| TRAVIS CTY JAIL          | Travis* | Texas | Mexico      | 2/1/2017              | 5/23/2016           | Aggravated Assault - Family-Strongarm (Conviction) |
| TRAVIS CTY JAIL          | Travis* | Texas | Mexico      | 2/1/2017              | 1/8/2017            | Aggravated Assault - Weapon (Conviction)           |
| TRAVIS CTY JAIL          | Travis* | Texas | Mexico      | 2/1/2017              | 4/6/2016            | Assault (Conviction)                               |
| TRAVIS CTY JAIL          | Travis* | Texas | Honduras    | 2/1/2017              | 8/3/2016            | Assault (Conviction)                               |
| TRAVIS CTY JAIL          | Travis* | Texas | Mexico      | 2/1/2017              | 9/20/2016           | Assault (Conviction)                               |
| TRAVIS CTY JAIL          | Travis* | Texas | Honduras    | 2/1/2017              | 11/6/2016           | Assault (Conviction)                               |
| TRAVIS CTY JAIL          | Travis* | Texas | Mexico      | 2/1/2017              | 8/3/2016            | Domestic Violence (Conviction)                     |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                             |
|--------------------|---------|-------|-------------|-----------------------|---------------------|-------------------------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 12/16/2016          | Robbery (Conviction)                                  |
| TRAVIS CTY JAIL    | Travis* | Texas | Cuba        | 2/1/2017              | 1/28/2017           | Indecent Exposure (Conviction)                        |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 11/22/2016          | Carrying Prohibited Weapon (Conviction)               |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/31/2017           | Burglary - Forced Entry-Residence (Conviction)        |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/3/2017            | Burglary - No Forced Entry-Non-Residence (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 3/31/2016           | Burglary (Conviction)                                 |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/31/2016           | Burglary (Conviction)                                 |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/2/2016           | Burglary (Conviction)                                 |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/26/2016          | Cocaine - Possession (Conviction)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 8/8/2016            | Marijuana - Possession (Conviction)                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/24/2016          | Family Offense (Conviction)                           |



| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                                     |
|--------------------|---------|-------|-------------|-----------------------|---------------------|---------------------------------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 2/1/2017            | Family Offense (Conviction)                                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/10/2017           | Flight To Avoid (prosecution, confinement, etc.) (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 9/25/2016           | Fraud - False Statement (Conviction)                          |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/13/2016          | Resisting Officer (Conviction)                                |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/2/2016           | Resisting Officer (Conviction)                                |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/21/2015          | Driving Under Influence Liquor (Conviction)                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/26/2016          | Driving Under Influence Liquor (Conviction)                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Nicaragua   | 2/1/2017              | 1/1/2017            | Driving Under Influence Liquor (Conviction)                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 6/10/2016           | Driving Under Influence Liquor (Conviction)                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 7/29/2016           | Driving Under Influence Liquor (Conviction)                   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/16/2017           | Driving Under Influence Liquor (Conviction)                   |



| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                   |
|--------------------|---------|-------|-------------|-----------------------|---------------------|---------------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/22/2017           | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/23/2016          | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/10/2016          | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 9/24/2016           | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/29/2017           | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/24/2015          | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/26/2017           | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/22/2017           | Driving Under Influence Liquor (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 3/27/2016           | Domestic Violence (Conviction)              |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 11/29/2016          | Domestic Violence (Conviction)              |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 6/27/2016           | Domestic Violence (Conviction)              |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                                         |
|--------------------|---------|-------|-------------|-----------------------|---------------------|-------------------------------------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 9/7/2015            | Domestic Violence (Conviction)                                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 8/25/2016           | Domestic Violence (Conviction)                                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/6/2016           | Domestic Violence (Conviction)                                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 12/11/2016          | Domestic Violence (Conviction)                                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 6/24/2016           | Domestic Violence (Conviction)                                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/6/2016           | Domestic Violence (Conviction)                                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/27/2017           | Illegal Entry (INA SEC.101(a)(43)(O), 8USC1325 only) (Conviction) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/28/2016          | Sex Assault - Carnal Abuse (Charge)                               |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/9/2016           | Sex Assault - Carnal Abuse (Charge)                               |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 9/21/2016           | Sex Assault (Charge)                                              |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 7/7/2016            | Sex Assault (Charge)                                              |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                           |
|--------------------|---------|-------|-------------|-----------------------|---------------------|-----------------------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 2/20/2016           | Sex Assault (Charge)                                |
| TRAVIS CTY JAIL    | Travis* | Texas | Guatemala   | 2/1/2017              | 12/30/2016          | Sex Assault (Charge)                                |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/20/2016           | Sex Assault (Charge)                                |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 1/3/2017            | Aggravated Assault - Family-Strongarm (Charge)      |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/28/2016          | Aggravated Assault - Family-Strongarm (Charge)      |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/4/2017            | Aggravated Assault - Family-Strongarm (Charge)      |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/27/2017           | Aggravated Assault - Family-Strongarm (Charge)      |
| TRAVIS CTY JAIL    | Travis* | Texas | Guatemala   | 2/1/2017              | 11/6/2016           | Aggravated Assault - Family-Weapon (Charge)         |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/14/2016           | Aggravated Assault - Police Officer-Weapon (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 8/9/2016            | Aggravated Assault - Weapon (Charge)                |
| TRAVIS CTY JAIL    | Travis* | Texas | Cuba        | 2/1/2017              | 10/25/2016          | Aggravated Assault - Weapon (Charge)                |



| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity            |
|--------------------|---------|-------|-------------|-----------------------|---------------------|--------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/23/2016          | Aggravated Assault - Weapon (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 5/2/2016            | Aggravated Assault - Weapon (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 7/11/2016           | Aggravated Assault - Weapon (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 7/29/2016           | Aggravated Assault - Weapon (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/15/2017           | Assault (Charge)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/11/2017           | Assault (Charge)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 3/5/2016            | Assault (Charge)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/26/2016          | Assault (Charge)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Colombia    | 2/1/2017              | 12/24/2016          | Assault (Charge)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/12/2016          | Assault (Charge)                     |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/27/2016          | Assault (Charge)                     |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity           |
|--------------------|---------|-------|-------------|-----------------------|---------------------|-------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/23/2016          | Assault (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/28/2014          | Assault (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/10/2017           | Assault (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/25/2016          | Intimidation (Charge)               |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/7/2016           | Simple Assault (Charge)             |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/2/2016           | Kidnapping (Charge)                 |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/12/2016          | Robbery (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/21/2016          | Robbery (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/20/2017           | Robbery (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 6/9/2016            | Indecent Exposure to Minor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 8/7/2016            | Indecent Exposure to Minor (Charge) |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                   |
|--------------------|---------|-------|-------------|-----------------------|---------------------|---------------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 11/3/2015           | Sex Offense (Charge)                        |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 4/29/2016           | Sex Offense Against Child-Fondling (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/27/2015          | Sex Offense Against Child-Fondling (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/22/2015           | Sex Offense Against Child-Fondling (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 10/3/2016           | Sex Offense Against Child-Fondling (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/2/2017              | 2/2/2017            | Carrying Prohibited Weapon (Charge)         |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 3/25/2016           | Burglary - Forced Entry-Residence (Charge)  |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/25/2017           | Burglary (Charge)                           |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/25/2017           | Burglary (Charge)                           |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 2/1/2017            | Burglary (Charge)                           |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/24/2016          | Burglary (Charge)                           |



| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity               |
|--------------------|---------|-------|-------------|-----------------------|---------------------|-----------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/26/2017           | Burglary (Charge)                       |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/2/2017              | 2/2/2017            | Burglary (Charge)                       |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 12/12/2016          | Marijuana - Possession (Charge)         |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 6/13/2016           | Public Order Crimes (Charge)            |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/10/2016          | Damage Property (Charge)                |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 8/13/2016           | Vehicle Theft (Charge)                  |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 12/5/2016           | Resisting Officer (Charge)              |
| TRAVIS CTY JAIL    | Travis* | Texas | El Salvador | 2/1/2017              | 1/19/2017           | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Guatemala   | 2/1/2017              | 1/26/2017           | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 10/18/2016          | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/28/2017           | Driving Under Influence Liquor (Charge) |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity               |
|--------------------|---------|-------|-------------|-----------------------|---------------------|-----------------------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/2/2017              | 2/2/2017            | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/8/2017            | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/21/2017           | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 11/21/2016          | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 1/28/2017           | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/30/2017           | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 9/6/2016            | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 9/13/2016           | Driving Under Influence Liquor (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | El Salvador | 2/1/2017              | 10/23/2016          | Hit and Run (Charge)                    |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 1/23/2017           | Domestic Violence (Charge)              |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 5/30/2015           | Domestic Violence (Charge)              |

| Detention Location | County  | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity  |
|--------------------|---------|-------|-------------|-----------------------|---------------------|----------------------------|
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 8/28/2016           | Domestic Violence (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 8/29/2016           | Domestic Violence (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 11/30/2016          | Domestic Violence (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | El Salvador | 2/1/2017              | 9/26/2016           | Domestic Violence (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 12/22/2016          | Domestic Violence (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/12/2017           | Domestic Violence (Charge) |
| TRAVIS CTY JAIL    | Travis* | Texas | Nicaragua   | 2/1/2017              | 1/3/2017            | Drug Possession (Charge)   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 1/22/2017           | Drug Possession (Charge)   |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 9/30/2016           | Drug Possession (Charge)   |
| TRAVIS CTY JAIL    | Travis* | Texas | Honduras    | 2/1/2017              | 10/16/2010          | Drug Possession (Charge)   |
| TRAVIS CTY JAIL    | Travis* | Texas | Mexico      | 2/1/2017              | 6/23/2016           | Drug Possession (Charge)   |



| Detention Location       | County            | State      | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity                   |
|--------------------------|-------------------|------------|-------------|-----------------------|---------------------|---------------------------------------------|
| WILLIAMSON COUNTY JAIL   | Williamson        | Texas      | Mexico      | 2/1/2017              | 12/30/2016          | Assault (Charge)                            |
| WILLIAMSON COUNTY JAIL   | Williamson        | Texas      | Brazil      | 2/1/2017              | 7/5/2016            | Sex Offense Against Child-Fondling (Charge) |
| WILLIAMSON COUNTY JAIL   | Williamson        | Texas      | Mexico      | 2/1/2017              | 1/24/2017           | Driving Under Influence Liquor (Charge)     |
| WILLIAMSON COUNTY JAIL   | Williamson        | Texas      | Mexico      | 2/1/2017              | 9/29/2016           | Domestic Violence (Charge)                  |
| CHESTERFIELD CO. JAIL    | Chesterfield*     | Virginia   | El Salvador | 2/3/2017              | 3/25/2016           | Driving Under Influence Liquor (Conviction) |
| CHESTERFIELD CO. JAIL    | Chesterfield*     | Virginia   | Guatemala   | 2/3/2017              | 11/16/2015          | Forgery (Charge)                            |
| HENRICO COUNTY JAIL      | Henrico           | Virginia   | Guatemala   | 2/3/2017              | 5/10/2016           | Prostitution (Charge)                       |
| RIVERSIDE REG JAIL       | Hopewell City     | Virginia   | Guatemala   | 2/3/2017              | 1/5/2016            | Rape - Strongarm (Conviction)               |
| NEWPORT NEWS CITY JAIL   | Newport News City | Virginia   | Honduras    | 2/2/2017              | 10/31/2015          | Driving Under Influence Liquor (Conviction) |
| CHELAN CO. REGIONAL JAIL | Chelan            | Washington | Mexico      | 1/31/2017             | 1/31/2017           | Domestic Violence (Conviction)              |
| CLARK COUNTY JAIL        | Clark*            | Washington | Mexico      | 2/2/2017              | 2/2/2017            | Assault (Charge)                            |

| Detention Location                | County | State      | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity      |
|-----------------------------------|--------|------------|-------------|-----------------------|---------------------|--------------------------------|
| REGIONAL JUSTICE CENTER           | King*  | Washington | Vietnam     | 2/3/2017              | 9/14/2016           | Domestic Violence (Charge)     |
| SCORE-SOUTH CORRECTIONAL FACILITY | King*  | Washington | Guatemala   | 1/30/2017             | 12/19/2016          | Assault (Conviction)           |
| SCORE-SOUTH CORRECTIONAL FACILITY | King*  | Washington | Honduras    | 2/3/2017              | 3/31/2015           | Domestic Violence (Conviction) |



### Section III: Table of Jurisdictions that have Enacted Policies which Limit Cooperation with ICE

All jurisdictions and their corresponding detainer ordinances listed in this document are based upon public announcements, news report statements, publicly disclosed policies, and/or information given directly to ICE personnel in the field regarding these jurisdictions' new level of cooperation with ICE detainers. As such, there may be other non-cooperative jurisdictions not contained in this Section of the document. Additionally, a jurisdiction's criteria for honoring detainers may have changed since publication of this report. The entries below are sorted chronologically, with most recent first, by the date a policy was enacted in the stated jurisdiction.

| Jurisdiction (AOR)                           | Date Enacted    | Policy                                                                                             | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------|-----------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ithaca, New York (Buffalo)                   | February 2017   | Municipal Code Change                                                                              | <ul style="list-style-type: none"> <li>Will only honor "warrantless detainer requests from the federal government under limited, specified circumstances" such as violent or serious crimes or terrorist activities</li> </ul>                                                                                                                                                              |
| Travis County, Texas (San Antonio)           | January 2017    | Travis County Sheriff's Office Policy on Cooperation with U.S. Immigration and Customs Enforcement | <ul style="list-style-type: none"> <li>Willing to accept requests accompanied by a court order</li> <li>Willing to accept requests when the subject of the detainer request is charged with or has been convicted of Capital Murder, First Degree Murder, Aggravated Sexual Assault, or Continuous Smuggling of Persons</li> </ul>                                                          |
| Iowa City, Johnson County, Iowa (Saint Paul) | January 2017    | Resolution Reaffirming the Public Safety Function of Local Law Enforcement                         | <ul style="list-style-type: none"> <li>Willing to only accept some requests for notifications, I-247N form.</li> </ul>                                                                                                                                                                                                                                                                      |
| Boulder County, Colorado (Denver)            | January 2017    | Boulder Municipal Code Title 12, Chapter 12-5                                                      | <ul style="list-style-type: none"> <li>Will not honor ICE detainers unless ICE has an arrest warrant for an individual</li> </ul>                                                                                                                                                                                                                                                           |
| Montpelier, Vermont (Boston)                 | July, 2016      | Fair and Impartial Policing                                                                        | <ul style="list-style-type: none"> <li>Will not hold individuals based solely on an ICE detainer</li> </ul>                                                                                                                                                                                                                                                                                 |
| New Orleans, Louisiana (New Orleans)         | February, 2016  | New Orleans Police Department Manual                                                               | <ul style="list-style-type: none"> <li>Will not honor detainer without a judicial order or criminal warrant</li> </ul>                                                                                                                                                                                                                                                                      |
| Philadelphia, Pennsylvania (Philadelphia)    | January 2016    | Mayoral Executive Order (Reverts back to April 2014 policy)                                        | <ul style="list-style-type: none"> <li>Willing to only honor ICE detainers where the alien has a prior conviction for a first or second degree felony offense involving violence and the detainer is accompanied by a judicial arrest warrant</li> <li>The order also prohibits notice to ICE of pending release of subjects of interest to ICE unless the above criteria is met</li> </ul> |
| Alachua, Florida (Miami)                     | September, 2015 | Sheriff's Decision                                                                                 | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a judicial order or criminal warrant</li> </ul>                                                                                                                                                                                                                                                                  |

| Jurisdiction (AOR)                            | Date Enacted  | Policy                                       | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------|---------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Franklin County, Pennsylvania (Philadelphia)  | June 2015     | County Commission Decision                   | <ul style="list-style-type: none"> <li>Recognizes ICE detainers as non-binding requests, not mandatory orders</li> <li>Will not hold inmates beyond his/her release date</li> </ul>                                                                                                                                                                                                                                |
| Arlington County, Virginia (Washington)       | January 2015  | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor an ICE detainer unless ICE first presents the sheriff's office with a judicially issued warrant authorizing detention</li> </ul>                                                                                                                                                                                                                             |
| Clay, Florida (Miami)                         | December 2014 | Standard Operating Procedure                 | <ul style="list-style-type: none"> <li>Will not hold without a judicial order or criminal warrant</li> </ul>                                                                                                                                                                                                                                                                                                       |
| San Miguel, New Mexico (El Paso)              | December 2014 | San Miguel Detention Policies and Procedures | <ul style="list-style-type: none"> <li>Will only detain if reimbursed</li> </ul>                                                                                                                                                                                                                                                                                                                                   |
| DeKalb County, Georgia (Atlanta)              | December 2014 | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor an ICE detainer unless ICE first presents the sheriff's office with a warrant or "sufficient probable cause"</li> </ul>                                                                                                                                                                                                                                      |
| Clayton County, Georgia (Atlanta)             | November 2014 | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor an ICE detainer unless ICE first presents the sheriff's office with a judicially issued warrant authorizing detention.</li> </ul>                                                                                                                                                                                                                            |
| Chesterfield County, Virginia (Washington)    | November 2014 | County Jail Policy                           | <ul style="list-style-type: none"> <li>The county will notify ICE when a detainee is going to be released, however, they will not hold an individual for any additional time.</li> </ul>                                                                                                                                                                                                                           |
| Erie County, Pennsylvania (Philadelphia)      | October 2014  | County Jails' Policy                         | <ul style="list-style-type: none"> <li>Will not hold individuals based on the standard I-247 ICE detainer form</li> <li>Will hold individuals if an I-203 Order to Detain <i>and</i> an I-200 Warrant of Arrest form is submitted</li> <li>Will send a list of currently held individuals upon request</li> <li>Will allow ICE to inspect jail at any time and to ride-along with local law enforcement</li> </ul> |
| Lycoming County, Pennsylvania (Philadelphia)  | October 2014  | County Prison's Policy                       | <ul style="list-style-type: none"> <li>Will not hold individuals solely on ICE detainers</li> <li>Will notify ICE two hours prior of an inmate's release if ICE had issued a detainer</li> </ul>                                                                                                                                                                                                                   |
| Montour County, Pennsylvania (Philadelphia)   | October 2014  | County Prison's Policy                       | <ul style="list-style-type: none"> <li>Will not honor ICE detainers</li> </ul>                                                                                                                                                                                                                                                                                                                                     |
| Perry County, Pennsylvania (Philadelphia)     | October 2014  | County Prison's Policy                       | <ul style="list-style-type: none"> <li>Will not honor ICE detainers without a warrant or court order</li> <li>Will not arrest, detain, or transport anyone solely based on an immigration detainer or an administrative warrant</li> </ul>                                                                                                                                                                         |
| New Mexico County Jails, New Mexico (El Paso) | October 2014  | County Jails' Decisions                      | <ul style="list-style-type: none"> <li>All county jails in New Mexico will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                                                                                                       |



| Jurisdiction (AOR)                               | Date Enacted   | Policy                                | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------|----------------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Montgomery County, Maryland (Baltimore)          | October 2014   | County Executive's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainees without adequate probable cause</li> </ul>                                                                                                                                                                                                                         |
| Prince George's County, Maryland (Baltimore)     | October 2014   | County Executive's Decision           | <ul style="list-style-type: none"> <li>Department of Corrections will not honor ICE detainees without a warrant signed by a judge that demonstrates probable cause</li> </ul>                                                                                                                                                          |
| Bedford County, Pennsylvania (Philadelphia)      | September 2014 | County Correctional Facility's Policy | <ul style="list-style-type: none"> <li>Will notify ICE of a probable release date if ICE places a detainer, but will not hold an inmate without a court order authorized by a judge</li> </ul>                                                                                                                                         |
| Butler County, Pennsylvania (Philadelphia)       | September 2014 | County Prison's Policy                | <ul style="list-style-type: none"> <li>Will not hold individuals solely on an ICE detainer</li> <li>Staff will not allow ICE officials to have access to inmates for investigative purposes without a court order or a "legitimate law enforcement purpose...that is unrelated to the enforcement of civil immigration law"</li> </ul> |
| Westmoreland County, Pennsylvania (Philadelphia) | September 2014 | County Prison's Policy                | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a judicially authorized warrant or court order</li> </ul>                                                                                                                                                                                                   |
| Colorado County Jails, Colorado (Denver)         | September 2014 | County Jails' Decisions               | <ul style="list-style-type: none"> <li>All county jails in Colorado will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                             |
| Sarpy County, Nebraska (St. Paul)                | September 2014 | County Sheriff's Office Decision      | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a warrant</li> </ul>                                                                                                                                                                                                                                        |
| Washoe County, Nevada (Salt Lake City)           | September 2014 | County Sheriff's Office Decision      | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless provided with a warrant which could be issued without review by a judge</li> </ul>                                                                                                                                                                           |
| Delaware, Pennsylvania (Philadelphia)            | August 2014    | Correctional Facility's Policy        | <ul style="list-style-type: none"> <li>Will not hold individuals solely based on an ICE detainer</li> <li>Arrangements may be made for "in person" review of the policy</li> </ul>                                                                                                                                                     |
| Northampton, Massachusetts (Boston)              | August 2014    | Mayoral Executive Order               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer that is non-criminal and not subject to a judicially issued warrant</li> </ul>                                                                                                                                                                                      |
| Boston, Massachusetts (Boston)                   | August 2014    | Boston Trust Act                      | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a criminal warrant</li> </ul>                                                                                                                                                                                                                               |
| Jefferson County, Iowa (St. Paul)                | August 2014    | County Jail's Decision                | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                       |

| Jurisdiction (AOR)                    | Date Enacted | Policy                           | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Iowa County, Iowa (St. Paul)          | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Benton County, Iowa (St. Paul)        | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Franklin County, Iowa (St. Paul)      | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Marion County, Iowa (St. Paul)        | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Greene County, Iowa (St. Paul)        | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Cass County, Iowa (St. Paul)          | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Montgomery County, Iowa (St. Paul)    | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Fremont County, Iowa (St. Paul)       | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Ida County, Iowa (St. Paul)           | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Pottawattamie County, Iowa (St. Paul) | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Monona County, Iowa (St. Paul)        | August 2014  | County Jail's Decision           | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Ocean County, New Jersey (Newark)     | August 2014  | Department of Corrections Policy | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless individual has an indictable offense of the first, second, or third degree and involve one of the following offenses: <ul style="list-style-type: none"> <li>Offenses for danger to the person or community;</li> <li>Offenses against property;</li> <li>Offenses against others'</li> <li>Offenses against public order, health, and decency; or</li> </ul> </li> <li>In addition, other offenses such as escape and eluding an officer or tampering with witnesses and informant will be honored</li> </ul> |
| Union County, New Jersey (Newark)     | August 2014  | County Counsel's Decision        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without warrant, court order, or other legally sufficient proof of probable cause from ICE</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                 |



| Jurisdiction (AOR)                                            | Date Enacted | Policy                                                               | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------|--------------|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Franklin County, New York (Buffalo)                           | August 2014  | County Sheriff's Office Decision                                     | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without warrant</li> </ul>                                                                                                                                                                                                                          |
| St. Lawrence County, New York (Buffalo)                       | August 2014  | County Sheriff's Office Decision                                     | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                                          |
| Bernalillo, New Mexico (El Paso)                              | July 2014    | Immigration Detainers and Warrants                                   | <ul style="list-style-type: none"> <li>Will not detain any inmate and will not delay the otherwise authorized release of any inmate, as a result of detainer requests or administrative warrants received by ICE.</li> </ul>                                                                                           |
| Onondaga County, New York (Buffalo)                           | July 2014    | County Sheriff's Office Decision                                     | <ul style="list-style-type: none"> <li>Onondaga County Justice Center Jail will not honor ICE detainer without a signed warrant</li> </ul>                                                                                                                                                                             |
| Wayne County, New York (Buffalo)                              | July 2014    | County Sheriff's Office Decision                                     | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                                          |
| Rhode Island Department of Corrections, Rhode Island (Boston) | July 2014    | Department of Corrections Policy from Governor                       | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a warrant</li> </ul>                                                                                                                                                                                                                        |
| Hall County, Nebraska (St. Paul)                              | July 2014    | County Corrections Decision                                          | <ul style="list-style-type: none"> <li>Hall County Corrections will not honor ICE detainer without a warrant</li> </ul>                                                                                                                                                                                                |
| Middlesex County, New Jersey (Newark)                         | July 2014    | County Decision                                                      | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless an individual: <ul style="list-style-type: none"> <li>Is charged with a first- or second-degree crime;</li> <li>Is identified as a known gang member; or</li> <li>Has been subject to a final order of removal by ICE</li> </ul> </li> </ul> |
| Clark County, Nevada (Salt Lake City)                         | July 2014    | The LVMPD Will No Longer Detain Persons on Federal Immigration Holds | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                                          |
| Hennepin, Minnesota (Saint Paul)                              | July 2014    | Sheriff Stanek Statement on U.S. Immigration and Customs Detainers   | <ul style="list-style-type: none"> <li>Will not honor ICE detainer absent judicial authority</li> </ul>                                                                                                                                                                                                                |



| Jurisdiction (AOR)                           | Date Enacted | Policy                                                         | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                    |
|----------------------------------------------|--------------|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bradford County, Pennsylvania (Philadelphia) | June 2014    | County Correctional Facility's Policy                          | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without paperwork that an individual has a criminal warrant or a criminal conviction</li> <li>Will not hold individuals solely for the detainer and will request further information should they receive a detainer</li> </ul> |
| Nassau County, New York (New York City)      | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a warrant</li> </ul>                                                                                                                                                                                                   |
| Cambridge, Massachusetts (Boston)            | June 2014    | City Council Resolution                                        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless in cases where immigration agents have a criminal warrant or Cambridge officials have a legitimate law enforcement purpose not related to immigration</li> </ul>                                                        |
| Hernando County, Florida (Miami)             | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                     |
| Harvey County, Kansas (Chicago)              | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a court order or warrant</li> </ul>                                                                                                                                                                                    |
| Butler County, Kansas (Chicago)              | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a court order or warrant</li> </ul>                                                                                                                                                                                    |
| Story County, Iowa (St. Paul)                | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                  |
| Sioux County, Iowa (St. Paul)                | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant</li> </ul>                                                                                                                                                  |
| East Haven, Connecticut (Boston)             | June 2014    | East Haven Police Department Policies and Procedures No. 428.2 | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                     |
| Sedgwick County, Kansas (Chicago)            | June 2014    | County Sheriff's Decision                                      | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a court order or warrant</li> </ul>                                                                                                                                                                                    |
| Finney County, Kansas (Chicago)              | June 2014    | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without probable cause or a warrant</li> </ul>                                                                                                                                                                                 |
| Shawnee County, Kansas                       | June 2014    | Sheriff Directive                                              | <ul style="list-style-type: none"> <li>Will not honor detainees without additional probable cause</li> </ul>                                                                                                                                                                                      |
| Chester County, Pennsylvania (Philadelphia)  | May 2014     | County Prison's Policy                                         | <ul style="list-style-type: none"> <li>Will not detain individuals solely based on an ICE detainer</li> <li>Will allow ICE agents access to daily population reports and other records for investigative purposes</li> </ul>                                                                      |
| San Juan County, Washington (Seattle)        | May 2014     | County Sheriff's Office Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                     |

| Jurisdiction (AOR)                                | Date Enacted | Policy                                                  | Criteria for Honoring Detainer                                                                                                                                                                                                                                                            |
|---------------------------------------------------|--------------|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lehigh County, Pennsylvania (Philadelphia)        | May 2014     | Board of Commissioners Resolution 2014-36               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without a judicially issued detainer, warrant, or order</li> </ul>                                                                                                                                                     |
| Somerville, Massachusetts (Boston)                | May 2014     | Mayoral Executive Order and Board of Alderman Ordinance | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless ICE provides criminal warrant or if there is a legitimate law enforcement purpose beyond immigration status for keeping a suspect in custody after bail is posted or a judge releases the individual</li> </ul> |
| Aurora Detention Center, Aurora Colorado (Denver) | May 2014     | Detention Center Decision                               | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                             |
| Clallam County, Washington (Seattle)              | May 2014     | County Sheriff's Office Decision                        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                             |
| Jefferson County, Washington (Seattle)            | May 2014     | County Sheriff's Office Decision                        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                             |
| Whatcom County, Washington (Seattle)              | May 2014     | County Sheriff's Office Decision                        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                             |
| Skagit County, Washington (Seattle)               | May 2014     | County Sheriff's Office Decision                        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                             |
| Bucks County, Pennsylvania (Philadelphia)         | April 2014   | County Department of Corrections Policy                 | <ul style="list-style-type: none"> <li>Will not hold solely on an ICE detainer, but will notify ICE via email of a pending release from custody</li> </ul>                                                                                                                                |
| Montgomery County, Pennsylvania (Philadelphia)    | April 2014   | County Correctional Facility's Policy                   | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> <li>Will not accept anyone brought to it solely on an ICE detainer</li> <li>Has daily contact with ICE</li> </ul>                                                                                                 |
| Clark County, Washington (Seattle)                | April 2014   | Chief Jail Deputy's Decision                            | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless ICE provides an affidavit of probable cause</li> </ul>                                                                                                                                                          |
| Cowlitz County, Washington (Seattle)              | April 2014   | County Sheriff's Office Decision                        | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                             |



| Jurisdiction (AOR)                              | Date Enacted | Policy                           | Criteria for Honoring Detainer                                                                               |
|-------------------------------------------------|--------------|----------------------------------|--------------------------------------------------------------------------------------------------------------|
| Snohomish County, Washington (Seattle)          | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                |
| Baker County, Oregon (Seattle)                  | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                |
| Clatsop County, Oregon (Seattle)                | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                |
| Thurston County, Washington (Seattle)           | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                |
| Wallowa County, Oregon (Seattle)                | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Yamhill County, Oregon (Seattle)                | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Union County, Oregon (Seattle)                  | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Tillamook County, Oregon (Seattle)              | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Malheur County, Oregon (Seattle)                | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Jefferson County, Oregon (Seattle)              | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Josephine County, Oregon (Seattle)              | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Grant County, Oregon (Seattle)                  | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Coos County, Oregon (Seattle)                   | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Springfield Police Department, Oregon (Seattle) | April 2014   | Department Policy                | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Polk County, Oregon (Seattle)                   | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |
| Lincoln County, Oregon (Seattle)                | April 2014   | County Sheriff's Office Decision | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul> |

| Jurisdiction (AOR)                        | Date Enacted  | Policy                                       | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------|---------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jackson County, Oregon (Seattle)          | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul>                                                                                                                                                                                                                                                                                   |
| Douglas County, Oregon (Seattle)          | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul>                                                                                                                                                                                                                                                                                   |
| Marion County, Oregon (Seattle)           | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul>                                                                                                                                                                                                                                                                                   |
| Deschutes County, Oregon (Seattle)        | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul>                                                                                                                                                                                                                                                                                   |
| Clackamas County, Oregon (Seattle)        | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer unless there is probable cause for such detention</li> </ul>                                                                                                                                                                                                                                                                |
| Washington County, Oregon (Seattle)       | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant Sheriff's office will now only send a daily roster of foreign-born individuals in county custody instead of notifying ICE of each person individually</li> </ul>                                                                                                                             |
| Walla Walla County, Washington            | April 2014    | Special Order 2014-002                       | <ul style="list-style-type: none"> <li>Will not hold individuals on the authority of an ICE detainer</li> </ul>                                                                                                                                                                                                                                                                                |
| Multnomah County, Oregon (Seattle)        | April 2014    | County Sheriff's Office Decision             | <ul style="list-style-type: none"> <li>Will not honor ICE detainer without court order or warrant</li> </ul>                                                                                                                                                                                                                                                                                   |
| Philadelphia, Pennsylvania (Philadelphia) | April 2014    | Mayoral Executive Order                      | <ul style="list-style-type: none"> <li>Will honor ICE detainer where the alien has a prior conviction for a first or second degree felony offense involving violence and the detainer is accompanied by a judicial arrest warrant</li> <li>Order also prohibits notice to ICE of the pending release of subjects of interest to ICE unless the above criteria is met</li> </ul>                |
| King County, Washington (Seattle)         | December 2013 | Ordinance 2013-0285 ICE Detainer Ordinance   | <ul style="list-style-type: none"> <li>Convicted of a homicide at any time in the past;</li> <li>Convicted of a violent, serious, sex, or serious traffic offense within the past 10 years; or</li> <li>Released from prison after serving sentence for violent, serious, sex, or serious traffic offense conviction, among other criteria</li> <li>Accompanied by criminal warrant</li> </ul> |
| Newark, New Jersey (Newark)               | July 2013     | Newark Police Department General Order 13-04 | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                                                                                                                  |



| Jurisdiction (AOR)                      | Date Enacted   | Policy                                                                                                                                   | Criteria for Honoring Detainer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| New York City, New York (New York City) | March 2013     | A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the police department | <ul style="list-style-type: none"> <li>Will not honor ICE detainer</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Washington, DC (Washington DC)          | July 2012      | Immigration Detainer Compliance Amendment Act of 2011                                                                                    | <ul style="list-style-type: none"> <li>Requires written agreement from ICE reimbursing costs in honoring detainer; and that the alien is: <ul style="list-style-type: none"> <li>Convicted of a dangerous crime;</li> <li>Convicted of a crime of violence within the last 10 years;</li> <li>Convicted of a homicide; or</li> </ul> </li> <li>Released in the past five years for these crimes</li> </ul>                                                                                                       |
| Chicago, Illinois (Chicago)             | July 2012      | Municipal Code of Chicago Chapter 2-173-005 and 2-173-042                                                                                | <ul style="list-style-type: none"> <li>Has an outstanding criminal warrant;</li> <li>Convicted of a felony;</li> <li>Is a defendant in a criminal case where a judgment has not been entered and a felony charge is pending; or</li> <li>Identified as known gang member</li> </ul>                                                                                                                                                                                                                              |
| Milwaukee, Wisconsin (Chicago)          | June 2012      | Resolution 12-135                                                                                                                        | <ul style="list-style-type: none"> <li>Convicted of at least one felony or two non-traffic misdemeanor offenses;</li> <li>Convicted or charged with any domestic violence offense or any violation of a protective order;</li> <li>Convicted or charged with intoxicated use of a vehicle;</li> <li>Is a defendant in a pending criminal case;</li> <li>Has an outstanding criminal warrant;</li> <li>Identified as known gang member; or</li> <li>Is a possible match on the US terrorist watch list</li> </ul> |
| Amherst, Massachusetts (Boston)         | May 2012       | Bylaw Regarding Sharing of Information with Federal Agencies                                                                             | <ul style="list-style-type: none"> <li>To the extent permissible by law, will not honor immigration detainer requests</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                 |
| Providence, Rhode Island                | March 2011     | Resolution of the City Council                                                                                                           | <ul style="list-style-type: none"> <li>The State of Rhode Island does not honor ICE detainees</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                         |
| Cook County, Illinois (Chicago)         | September 2011 | Ordinance 11-0-73; Chapter 46 Law Enforcement, Section 46-37 of Cook County Code                                                         | <ul style="list-style-type: none"> <li>Requires written agreement from ICE reimbursing costs in honoring detainer</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                     |



| Jurisdiction (AOR)                          | Date Enacted   | Policy                                                                               | Criteria for Honoring Detainer                                                                                                                                                                                                                    |
|---------------------------------------------|----------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lebanon County, Pennsylvania (Philadelphia) | August 2008    | County Correctional Facility's Policy                                                | <ul style="list-style-type: none"> <li>Will not hold individuals solely on ICE detainers</li> <li>Will send weekly reports to ICE about newly incarcerated individuals, and allows ICE to access the facility and records</li> </ul>              |
| Hartford, Connecticut (Boston)              | August 2008    | Article XXI - City Services Relating To Immigration Status (Ord. No. 20-08, 8-11-08) | <ul style="list-style-type: none"> <li>Will not arrest or detain a person based solely on their immigration status unless there is a criminal warrant</li> </ul>                                                                                  |
| Clarion County, Pennsylvania (Philadelphia) | September 1997 | County Corrections Policy                                                            | <ul style="list-style-type: none"> <li>Will not hold individuals solely based on ICE detainer; requires legal and authorized commitment paperwork</li> </ul>                                                                                      |
| Pike County, Pennsylvania (Philadelphia)    | Undated        | Correctional Facility's Standard Operating Procedures                                | <ul style="list-style-type: none"> <li>ICE detainers are not acceptable commitment paperwork nor can be used as a valid hold</li> <li>Has a contract with ICE to hold those who are in federal custody pending immigration proceedings</li> </ul> |

## **Section IV: Report Scope and Data Fidelity**

### **Operational/Policy**

1. Some field offices ceased issuing detainers to known uncooperative jurisdictions. ICE field offices have been recently instructed to issue detainers on all removable aliens in a LEA's custody. As a result, the number of issued detainers is expected to increase over the next several reporting periods.
2. Currently, uncooperative jurisdictions prevent ICE from knowing when an alien has been released from custody. Consequently, active detainers exist for aliens who are no longer incarcerated. The field offices are in the process of reviewing outstanding active ICE detainers, potentially affecting the list of jurisdictions listed in future reporting periods.
3. ICE field offices are also being instructed to update the criminal history information contained within ICE's records at the time of detainer issuance, as ICE does not normally enter criminality until it assumes custody post-processing. Hence, the list of crimes reported for aliens subject to detainers that are subsequently declined may be temporarily under-reported until this new change improves data quality.
4. At present, ICE does not document, in a systematically reportable manner, the immigration status of an alien at time of detainer issuance. ICE sends detainers to law enforcement agencies, which requests aliens be turned over to ICE prior to release, if ICE possesses probable cause to believe that the alien is removable from the United States.

### **Statistical Reporting**

5. ICE will update this report weekly, noting the time period for which it collected data. Data reflected will be 6 weeks past to ensure data integrity.
6. ICE compiled this report based on jurisdictions with detainers that were declined between January 28, 2017, and February 3, 2017, regardless of detainer issuance date. As such, the declined detainers may include a combination of I-247, I-247D, I-247N, and/or I-247X forms.
7. This report should not be considered an exclusive factor in determining a jurisdiction's level of cooperation with and support of ICE or the law enforcement community.

8. The I-247N form and some I-247X forms requested that the LEA provide notice to ICE as early as possible, or as early as practicable before the subject is released from LEA custody (at least 48 hours). This notification is intended to allow ICE time to respond and take custody of the alien where resources may not be instantly available. This report may reflect instances in which the LEA may have technically provided notification to ICE in advance of an alien's release, but where the LEA did not provide sufficient advance notification for ICE to arrange the transfer of custody prior to release due to geographic limitations, response times, or other logistical reasons. In these instances ICE records the detainer as declined by the LEA.
9. This report does not, nor does it intend to create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; contractors or any other person.

## **EXHIBIT C**



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# Fact Sheet: U.S. Immigration and Customs Enforcement Declined Detainer Outcome Report (DDOR)

**Release Date:** March 20, 2017

Office of Public Affairs

Contact: 202-282-8010

U.S. Immigration and Customs Enforcement (ICE) issues detainers and requests for notification to law enforcement agencies (LEAs) to provide notice of its intent to assume custody of an individual detained in federal, state, or local custody. Detainers are placed on aliens arrested on criminal charges for whom ICE possesses probable cause to believe that they are removable from the United States.

A detainer requests that a LEA notify ICE as early as practicable—ideally at least 48 hours—before a removable alien is released from criminal custody and then briefly maintain custody of the alien for up to 48 hours to allow DHS to assume custody for removal purposes. A request for notification requests that a LEA notify ICE as early as practicable – ideally at least 48 hours – before a removable alien is released from criminal custody.

These requests are intended to allow a reasonable amount of time for ICE to respond and take custody of the alien. When LEAs fail to honor immigration detainers or requests for notification and release serious criminal offenders, it undermines ICE's ability to protect public safety and carry out its mission. The Declined Detainer Outcome Report (<https://www.ice.gov/declined-detainers>) (DDOR), which meets the requirement outlined in the president's Executive Order, Enhancing Public Safety in the Interior of the United States, is a weekly report that lists the LEAs that declined ICE detainers or requests for notification and includes criminal charges associated with those released aliens.

The DDOR may reflect instances in which the LEA may have technically provided notification to ICE in advance of an alien's release, but where the LEA did not provide sufficient advance notification for ICE to arrange the transfer of custody prior to release due to geographic limitations, response times, or other logistical reasons. In these instances, ICE records the detainer or request for notification as declined by the LEA.

This report only reflects the data related to the release of criminal aliens that is available to ICE. In uncooperative jurisdictions like Cook County, Illinois, and the City of Philadelphia, ICE is barred from interviewing arrestees in local custody. Therefore, in these communities a large number of criminals who have yet to be encountered by ICE are arrested by local authorities and released in these communities without any notification to ICE.

ICE continues to collaborate with all law enforcement agencies to help ensure that aliens who may pose a threat to our communities are not released onto the streets to potentially reoffend and harm individuals living within our communities. However, in some cases, state or local laws, ordinances or policies restrict or prohibit cooperation with ICE. In other cases, jurisdictions choose to willfully decline ICE detainers or requests for notification and release criminals back into the community.

When criminal aliens are released from local or state custody, they have the opportunity to reoffend. There are also many risks and uncertainties involved when apprehending dangerous

criminal aliens at-large in the community. It takes careful planning and extensive resources to mitigate those risks and make a safe apprehension in a community setting. It is much safer for all involved—the community, law enforcement, and even the criminal alien—if ICE officers take custody in the controlled environment of another law enforcement agency.

# # #

Topics: [Immigration Enforcement \(/topics/immigration-enforcement\)](/topics/immigration-enforcement)

Keywords: [immigration enforcement \(/keywords/immigration-enforcement\)](/keywords/immigration-enforcement),  
[immigration \(/keywords/immigration\)](/keywords/immigration)

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## **EXHIBIT D**



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# Q&A: U.S. Immigration and Customs Enforcement Declined Detainer Outcome Report (DDOR)

**Release Date:** March 20, 2017

## Q: What is a detainer?

A: U.S. Immigration and Customs Enforcement (ICE) issues detainers to federal, state, and local law enforcement agencies to provide notice of its intent to assume custody of a removable alien detained in federal, state, or local custody. A detainer requests that the law enforcement agency notify ICE as early as practicable—ideally at least 48 hours—before a removable alien is released from criminal custody and briefly maintain custody of the alien for up to 48 hours to allow DHS to assume custody for removal purposes.

## Q: What is a declined detainer?

A: When law enforcement agencies fail to honor immigration detainers and release a criminal alien onto the streets, they have declined an ICE detainer. This undermines ICE's ability to protect public safety and carry out its mission. Federal immigration laws

authorize DHS to issue detainers and provide ICE broad authority to detain removable aliens.

## Q: How is an individual placed under a detainer?

A: When an individual is booked into custody by a law enforcement agency, his or her biometric data is automatically routed through federal databases to the FBI. The FBI shares this information with ICE. If ICE has probable cause to suspect the individual is a removable alien, ICE sends a detainer to the law enforcement agency.

## Q: Why is ICE providing these reports now?

A: The president's Executive Order 13768, Enhancing Public Safety in the Interior of the United States, and DHS Secretary Kelly's memorandum on the implementation of the same, instructs the ICE Director to make this report public.

## Q: Why do some jurisdictions ignore detainers?

A: In some cases, state or local laws, ordinances, or policies restrict or prohibit cooperation with ICE. In other cases, jurisdictions choose to willfully decline ICE detainers and release criminals back into the community. The results in both cases are the same: aliens released onto the streets to potentially reoffend or harm individuals living within our communities.

## Q: Why should the public care if jurisdictions don't observe ICE detainers?

A: If jurisdictions do not honor ICE detainers, criminals are released into communities, where they can commit more crimes and are subject to at-large arrests which may be disruptive to communities. Three examples of criminal aliens who are subject to removal but were released despite the issuance of an active detainer within the last few months follow; all have been re-arrested and are currently in custody:

- Milton Berrera-Lopez was released from local custody when a detainer lodged with Philadelphia authorities was not honored. The Guatemalan national has a previous conviction for two counts of indecent exposure involving minors.
- Estivan Rafael Marques Velasquez, a self-admitted MS-13 gang member, was released from New York City custody with an active ICE detainer in place. The Salvadoran national has a criminal history in the United States which includes reckless endangerment in the second degree, criminal possession of a weapon in the fourth degree, and disorderly conduct.
- Ramon Aguirre Ochoa was deported in May 2009. In 2015, he was arrested on domestic aggravated assault charges in Philadelphia. The charges were dismissed, despite ICE filing a detainer to take custody and remove him from the country again. Philadelphia ignored that detainer and released Aguirre Ochoa back into the community. He was arrested again in Philadelphia on July 26, 2016, and charged with involuntary sexual intercourse, unlawful contact with a minor, unlawful restraint, false imprisonment, indecent assault on person less than 13, indecent exposure, and simple assault.

Q: Does ICE still work with jurisdictions that do not observe detainers on other law enforcement actions?

A: Yes. ICE is committed to maintaining and strengthening its relationships with local law enforcement. ICE continues to collaborate with all law enforcement agencies to help ensure that individuals who may pose a threat to our communities are not released onto the streets to potentially reoffend and harm individuals living within our communities.

Q: Where does the list come from?

A: ICE maintains records for each detainer or request for notification that is issued and updates those records when a detainer or request for notification is declined. The list is generated from this data.

Q: Why is the public safer when jurisdictions honor ICE detainers?

A: When criminal aliens are released from local or state custody, they have the opportunity to reoffend. There are also many risks and uncertainties involved when apprehending dangerous criminal aliens at-large in the community. It takes careful planning and extensive resources to mitigate those risks and make a safe apprehension in a community setting. It is much safer for everyone—the community, law enforcement, and even the criminal alien—if ICE officers take custody of the alien in the controlled environment of another law enforcement agency as opposed to visiting a reported alien's residence, place of work, or other public area.

Q: What is ICE's overall mission? Why do they want the detainers enforced?

A: ICE is committed to using its unique enforcement authorities and available resources and tools to promote national security, uphold public safety, and preserve the integrity of our immigration system. The use of detainers is an efficient, effective and safe means to carry out ICE's mission.

## Q: Are detainers placed on random criminal aliens?

A: ICE places detainers on individuals whom ICE has probable cause to suspect are removable aliens in state and local law enforcement agency custody on criminal charges.

## Q: Are the jurisdictions or agencies on this list considered sanctuary locations?

A: The Declined Detainer Outcome Report (DDOR) is intended to provide the public with information regarding criminal actions committed by aliens and any jurisdiction that ignores or otherwise failed to honor any detainers or requests for information with respect to such aliens. As set forth in Executive Order 13768, Enhancing Public Safety in the Interior of the United States, the Secretary has the authority to designate, in his discretion and to the extent consistent with law, a jurisdiction as a sanctuary jurisdiction. The Department of Homeland Security (DHS) continues to evaluate the appropriate criteria for such designation.

## Q: How does the report inform the decision on whether a location is a sanctuary jurisdiction?



A: The president's Executive Order, Enhancing Public Safety in the Interior of the United States, requires publication of this report. The report lists locations that have ignored or otherwise failed to honor an immigration detainer or request for notification. As set forth in the Executive Order, the Secretary has the authority to designate, in his discretion and to the extent consistent with law, a jurisdiction as a sanctuary jurisdiction. DHS continues to evaluate the appropriate criteria for such designation.

Q: My jurisdiction is on the Declined Detainer Outcome Report. Will we lose our federal funding? What federal funding might my jurisdiction lose? For example, if a natural disaster occurs, will we receive federal assistance?

A: The DDOR is intended to provide the public with information regarding criminal actions committed by aliens and any jurisdiction that ignores or otherwise failed to honor any detainers or requests for notification with respect to such aliens. ICE does not administer grants, and inclusion on the DDOR will not automatically result in ineligibility for grants. Section 9(a) of the Executive Order recognizes the authority of the Attorney General and the Secretary of Homeland Security, in their discretion and consistent with law, to ensure that jurisdictions that willfully refuse to comply with 8 USC § 1373 are not eligible to receive federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary. DHS is currently working to develop a process, in coordination with the Department of Justice and other interagency partners, to address this requirement of the EO.

## Q: Does this report include Requests for Notification (I-247N)? If so, why?

A: Yes. The Request for Voluntary Notification (Form I-247N) is one of the tools ICE has used to notify law enforcement agencies of its interest in taking custody of an alien in state or local custody. The declination of Requests for Voluntary Notification also result in the release of criminal aliens, which provides an unnecessary risk to public and officer safety as ICE personnel are forced to arrest such aliens in an at-large setting. Although this report includes information relating to Form I-247N, DHS will be replacing Forms I-247D, I-247N, and I-247X in the near future. Information related to the superseding detainer form and its predecessors will be documented and reported by ICE going forward. Until fully vetted, reviewed, and approved, ICE will utilize the existing detainer and notification forms as an interim measure.

Q: This report notes that it may reflect instances in which a law enforcement agency may have provided notification to ICE in advance of an alien's release, but where the LEA did not provide "sufficient advance notification" for ICE to arrange the transfer of custody prior to release due to geographic limitations, response times, or other logistical

reasons. What is sufficient advance notification?

A: Lack of sufficient advance notification is based on the judgment of immigration officers, taking into consideration geographic limitations, response times, and other local logistical details. Advance notification is sufficient when ICE is given enough time to mobilize its resources to effectuate a safe transfer into ICE custody. Sufficient advance notice is a commonly understood standard for law enforcement jurisdictions working closely together.

Q: How many of these instances were included in this report for my jurisdictions? Please provide the details of these instances and why ICE thought they did not have sufficient advance notification.

A: Detainers and Requests for Notification are not honored for a variety of reasons, as noted in the Declined Detainer Outcomes Report. ICE documents non-honored Detainers and Requests for Notification once discovered by ICE personnel during their enforcement activities. In instances of insufficient notification to ICE, these are generally cases in which the law enforcement agency did not provide ICE with enough time to mobilize its resources to effectuate a safe custody transfer.

Q: Is DHS changing its legal position that ICE detainers are

voluntary?

A: DHS has not retreated from its position that detainers serve as a legally-authorized request, upon which a law enforcement agency may rely, to continue to maintain custody of the alien for up to 48 hours so that ICE may assume custody for removal purposes.

Q: The February 21 DHS implementing memorandum on the Executive Orders stated that DHS will eliminate the existing forms (I-247D, I-247N, and I-247X) and replace them with a new form to more effectively communicate with recipient law enforcement agencies. Why are old forms still being used? When will they be replaced?

A: DHS is in the process of creating a new detainer form to more effectively communicate with recipient law enforcement agencies. Although this report includes information relating to Form I-247N, DHS will be replacing Forms I-247D, I-247N, and I-247X in the near future. Information related to the superseding detainer form and its predecessors will be documented and reported by ICE going forward. Until fully vetted, reviewed, and approved, ICE will utilize the existing detainer and notification forms as an interim measure.

Q: Why are jurisdictions listed here when they are prohibited from honoring detainers based on state laws, binding judicial opinions, or consent decrees limiting detainer compliance?

A: Regardless of the reason for which a jurisdiction does not honor ICE detainers or requests for notification, such action by the jurisdiction nonetheless adversely impacts public safety. When a jurisdiction declines to honor an ICE detainer or request for notification, a criminal alien is released into the community, where he or she has the opportunity to commit additional crimes, rather than being safely detained and processed for removal by ICE.

Q: What does “notable criminal activity” mean? Why aren’t all criminal charges and convictions listed in this report?

A: “Notable criminal activity” documents egregious charges and convictions of the alien for whom a detainer was not honored. This report includes criminal charges contained in local, state, and federal indexes and recorded in ICE's database.

Q: I have information that contradicts what is on this report. What is the process for



## correcting the information on this report?

A: Concerns from the community can be relayed to a local community relations officer who may be contacted via a local ICE field office, which can be found at:

<https://www.ice.gov/contact/field-offices>

(<https://www.ice.gov/contact/field-offices>)

## Q: Is this report inclusive of all declined detainees?

A: This report is inclusive of declined detainees that were not honored by a law enforcement agency, discovered by ICE personnel during their enforcement activities as not being honored, and documented in ICE systems during the reporting period specified.

## Q: Can I get more information about a specific case?

A: Members of the public may submit requests for information to ICE's Freedom of Information Act (FOIA) Office. Each request will be evaluated under the disclosure provisions of FOIA.

# # #

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