



DHS Plan to Provide Training to State and Local Law Enforcement in the Secure Communities Program

The DHS Office for Civil Rights and Civil Liberties (CRCL) and U.S. Immigration and Customs Enforcement (ICE) are creating a series of training/awareness briefings designed primarily for use by front line state and local law enforcement agency (LEA) personnel during daily muster/roll call briefings.

Project Goals:

- 1) To provide actionable information to state and local law enforcement about the civil rights and civil liberties issues that may arise when ICE begins using federal information sharing capability through Secure Communities in their jurisdictions.
- 2) To increase the transparency of the Department's active commitment to protecting the civil rights and civil liberties of all persons affected by DHS activities and programs.

Materials and Timeline

The training/awareness briefing materials will include a series of short downloadable videos, discussion guides with references to web-based resources for additional information (when available) and job aids. The primary deployment of these materials will be at muster/roll call briefings at the start of officers' shifts, though they can be used in other settings. The full series of training/awareness briefing materials will take approximately eighteen months to produce and will include input from law enforcement and community focus groups. The potential audience is hundreds of thousands of police officers.

Overview of the Proposed Issues

The videos and other materials will address the following categories of civil rights and civil liberties issues and topics that may be relevant when Secure Communities is activated in a jurisdiction. The specific video briefings may vary from this list.

1. *Introduction to Secure Communities: What Law Enforcement Needs to Know* – This module provides a broad overview of the Secure Communities program for law enforcement and emphasizes that Secure Communities imposes no new or additional requirements on state and local law enforcement, and that law enforcement attention or action should not be based on race, ethnicity, immigration status, or inability to speak English. This module will serve as the foundation for the remaining topics.
There are two versions of this video – a general version and a version for jurisdictions that also have the 287(g) program.
2. *How to Respond to an Immigration Detainer* - This module briefs officers about the ICE detainer process, including the details of the new detainer form and the responsibilities of LEAs when they receive detainers issued by ICE. In particular, this module will highlight the new means of access to assistance for detainees who allege a violation of their civil rights or have a claim to U.S. citizenship.

3. *Consular Notification: Your Role when Detaining Foreign Nationals* – This module discusses the legal obligations placed on law enforcement agencies with respect to consular notification when a foreign national is taken into their custody. It explains the importance of complying with the Vienna Convention on Consular Relations and the risks of failing to do so. Supplemental materials include Department of State job aids for use by law enforcement officials.
4. *Avoiding Racial Profiling* – This module draws, in part, from existing Department of Justice and other materials developed for multi-day officer training materials on racial profiling and nondiscrimination. Secure Communities does not license an LEA to take an individual’s race, ethnicity, national origin, or ability to speak English into account when deciding whom to stop, question, or arrest. This briefing will provide actionable information for front line officers and LEA leadership.
5. *Explaining Secure Communities to Your Community* – This module provides tools to assist law enforcement in conducting outreach to immigrant communities and address public concerns surrounding the Secure Communities program.
6. *Witnesses, Refugees and Victims of Crime or Domestic Violence: Protecting Those in Need* – This module briefly highlights the special considerations on domestic violence in the immigrant community, recognizing the signs of violence or other crimes against immigrant victims, the relief available through T and U visas, and the ability for victims of domestic violence to self-petition for lawful permanent resident status and special suspension of deportation if the victims meet certain residency requirements under the Violence Against Women Act.
7. *Retaliation by Private Actors* – This information will assist officers in identifying potential abuses by landlords, employers, or others who may be involved in conflicts with immigrants and may seek to manipulate police actions in retaliation as a result of these conflicts.
8. *Speaking Their Language: Working with Non-English Speakers* – Executive Order 13166 and 28 C.F.R. § 42.104(b)(2) require that all recipients of Federal financial assistance (including nearly all police and sheriff’s departments), take reasonable steps to provide meaningful access to all programs and activities for persons with Limited English Proficiency (LEP). This module will cover both the requirements as well as practical tips drawn from state and local law enforcement experience on how to identify LEP needs and provide the necessary assistance. Supplemental materials will offer planning resources and tools, including an “I Speak” interpretation guide that can be used by front line officers.



*Produced by the DHS Office for Civil Rights and Civil Liberties
in partnership with U.S. Immigration and Customs Enforcement
(May 2012)*