



**U.S. Immigration  
and Customs  
Enforcement**

**NOV 12 2004**

MEMORANDUM FOR: Field Office Directors  
FROM: Victor X. Cerda  
Acting Director  
SUBJECT: Orders of Supervision

A handwritten signature in black ink, appearing to read "Victor X. Cerda" followed by a flourish.

Purpose

To standardize the reporting requirements for those aliens released under an Order of Supervision (OSUP) or on an Order of Release on Recognizance (ROR).

Background

As the number of people released on OSUP and ROR increases, the need to have more precise information regarding their address and activities while out of custody becomes more important. If our fugitive teams need to react because of a failure to appear, the most current information is required during the initial portion of the investigative process to ensure the highest probability of success.

Communication with the field has identified that there appears to be no consistency in the establishment of reporting requirements.

Policy

Effective immediately, Field Offices will continue to release those aliens who meet the qualifications to be released on OSUP or ROR in accordance with established guidelines and in accordance with this policy. Additional information regarding persons released OSUP can be found in Chapter 17 of the Detention & Deportation Officer's Field Manual.

When completing Form I-220B, officers shall use Table 1 (listed below) as a reference in establishing the reporting requirements, specifically, when the alien will report. This table is to be used as a guideline and does not prevent the establishment of stricter reporting requirements based on specific circumstances such as a possible threat to the community. Additionally, Headquarters, Post-Order Detention Unit (HQPDU) may impose stricter reporting requirements for HQ ordered

releases pursuant to the Post-Order Custody Review Process. These types of cases should be given a priority in the review process. Each case officer must be cognizant of the other programs available via Alternatives to Detention, and utilize such programs to their maximum effectiveness.

Officers will not establish reporting requirements such as “the second Tuesday of each month.” The use of specific dates will be required when establishing reporting requirements for each OSUP case. This will ensure the alien is perfectly aware of what is required and will allow the case officer to better utilize his/her call-up resource in the Deportable Alien Control System (DACS). Therefore, the call-up in DACS should correspond to the date the individual is to report.

Non-Criminal (EWI, LPR, Overstay, etc)	Once every 3 Months
Criminal, (Non-LPR)	Once every Month
LPR (1 or 2 CIMTs)	Once every 2 Months
Asylum Applicant	Once every 6 Months

Table 1

DACS is a vital tool in tracking these types of cases and therefore must be properly maintained. In the Case Comments section, the case officer should list the reporting requirements established for the specific case and any information such as Next of Kin (KIN), address of alien (ADDR) and place of employment (EMPL) should be entered and/or updated, **each and every time the alien reports. Current and up-to-date contact information must be kept on every alien released on an OSUP. If the alien absconds and or fails to appear, the fugitive team will have a solid starting point at which to start an investigation. This is especially important for those cases placed under stricter reporting regulations.**

It is imperative that the case officer takes the time to fully explain what is required of the alien. The officer should go over each requirement listed on Form I-220B and allow the alien ample opportunity to ask questions. Once this is complete, the alien should sign Form I-220B acknowledging that he/she fully understands the requirements presented by the officer. It is at this time the officer should advise the alien of his/her requirements contained in Form I-229(b) which spells out the consequences for failure to abide by the terms of release. The alien should sign Form I-229(b) acknowledging receipt.

Each time, prior to the alien reporting, the case officer should conduct a query of the National Crime Information Center (NCIC) ascertaining if the alien has been arrested, convicted or has outstanding warrants issued since his last reporting date. Upon reporting, the case officer should meet with the alien and confirm that all information maintained in Immigration and Customs Enforcement (ICE) records is still accurate. If any information has changed, appropriate records should be updated. The case officer shall observe at least two types of documentation to verify the alien’s identity and to obtain whatever current information is available. Having the alien provide current utility bills, and/or other documentation showing the current address enables ICE to keep current on the alien’s information. As stated previously, this will provide the fugitive team a viable address to pursue if the alien absconds. DACS must be updated with copies of any supporting documentation maintained in each file. Specific identification numbers (drivers license, etc.) should be recorded to make identification easier if needed during a fugitive investigation. During this meeting, the case officer should advise the alien as to his/her current case status and what is required next of the alien.

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Other than the apparent reasons for adhering strictly to this policy, this will allow us to be able to generate reports regarding who has been released on an OSUP and potentially track when they are to report.

If you should have any questions regarding this policy, contact [REDACTED] Chief, Fugitive Operations Unit at (202) 353-[REDACTED]

Attachments.