

ICE GUIDANCE FOR COMPLETING FORM I-247A

1. **Form I-247A (Immigration Detainer – Notice of Action).** Effective April 2, 2017, the Department rescinded Form I-247D (Immigration Detainer – Request for Voluntary Action), Form I-247N (Request for Voluntary Notification of Release of Suspected Priority Alien), and Form I-247X (Request for Voluntary Transfer), and replaced them with a consolidated detainer form, the Form I-247A (Immigration Detainer – Notice of Action). The Form I-247D, Form I-247N, and Form I-247X may not be issued after April 2, 2017. Detainers issued on prior versions of the detainer form remain active and need not be replaced with a Form I-247A.

2. **Form I-247A, Box 1.**
 - 1) When Box 1 is checked, Form I-247A requests that the receiving LEA: (1) notify DHS as early as practicable, at least 48 hours, if possible, before a removable alien is released from criminal custody; and (2) maintain custody of the alien for a period not to exceed 48 hours beyond the time he or she would otherwise have been released to allow DHS to assume custody for removal purposes.
 - 2) Prior to issuing an immigration detainer to an LEA, immigration officers must have probable cause to believe that the individual they seek to detain is a removable alien.
 - 3) The Form I-247A advises that a copy of the form must be served on the alien in order for the detainer to take effect.

3. **Form I-247A, Box 2.**
 - 1) When a federal, state, local, or tribal LEA requests that ICE transfer an alien detained in ICE custody for a proceeding or investigation, the immigration officer will check Box 2 on Form I-247A.
 - 2) If using Box 2, the immigration officer should not complete Box 1.
 - 3) Immigration officers who transfer an alien into the custody of another federal, state, local, or tribal LEA must serve a copy of the completed detainer form on the alien before transfer.
 - 4) When Box 2 is checked, Form I-247A requests that the receiving LEA: (1) notify DHS as early as practicable, at least 48 hours, if possible, before a removable alien is released from criminal custody; and (2) maintain custody of the alien for a period not to exceed 48 hours beyond the time he or she would otherwise have been released to allow DHS to assume custody for removal purposes.