



Immigration and Customs Enforcement 287(g) Program

Sheriff Eric J. Severson
Waukesha County, WI





287(g) Program Legal Authority

Section 287(g) of the Immigration and Nationality Act was added in 1996 to authorize the Attorney General to delegate federal immigration authorities to state and local law enforcement officers. This authority was later transferred to the Secretary of Homeland Security.





287(g) Steering Committee Mission

- Improve program oversight and direction.
- Identify issues and concerns regarding immigration enforcement activities.
- Increase transparency.
- Offer the community opportunities to communicate community-level perspectives.



287(g) Steering Committee Vision

Create safer communities and improve national security by enhancing ICE's ability to identify and remove criminal aliens by gaining an independent, community-level perspective on 287(g) operations.



287(g) Delegation of Authority

- Section 287(g) of the Immigration and Nationality Act provides the capability for DHS to delegate to state and local law enforcement officers the limited authority to enforce federal immigration law under a signed agreement between DHS and other agencies.
- Program enhances the safety and security of communities by partnering with state and local law enforcement agencies (LEAs) to identify and remove criminal aliens.
- 287(g) authority allows state and local law enforcement entities to enter into a partnership with ICE under a joint Memorandum of Agreement.



Waukesha County 287(g) Program Implementation

- Memorandum of Agreement (MOA) signed on February 2, 2018.
- MOA available at www.ICE.gov.
- The Waukesha County 287(g) program is operational.





Waukesha County 287(g) Program Implementation

- Currently, Waukesha County has 2 Correctional Officers that have attended and completed the Designated Immigration Officer (DIO) training.
- The DIO has limited authority to enforce U.S. immigration laws under Section 287 of the Immigration and Nationality Act.





Waukesha County 287(g) Program Oversight

- The ICE Field Program Manager (FPM) oversees the operation of the program and compliance with the MOA.
- The FPM reviews all actions by the DIOs to ensure compliance with the requirements of U.S. immigration laws and procedures.





Waukesha County 287(g) Program Oversight

- An annual Steering Committee is held jointly by ICE and the Waukesha County Sheriff's Office. This meeting is open to the public to educate them on the program and answer questions from the community.
- The ICE Office of Professional Responsibility conducts routine inspections of the program every two years.





ICE Priorities under Executive Order dated January 25, 2017

- Convicted of or charged with any criminal offense.
- Committed acts which constitute a chargeable criminal offense.
- Engaged in fraud or willful misrepresentation in connection with any official matter before a government agency.





ICE Priorities under Executive Order dated January 25, 2017 cont.

- Have abused any program related to the receipt of public benefits.
- Are subject to a final order of removal.
- Overstayed their visa status or have not complied with the visa requirements.
- In the judgement of an ICE official, poses a risk to public safety or national security.





Who is Investigated about their Immigration Status?

- Everyone arrested / brought into the Detention Center will be screened.
- No “on the street” officers will be trained to conduct immigration enforcement.
- 287(g) trained Correctional Officers authority resides solely within the confines of the Detention Center.





Waukesha County 287(g) Program Resources

- ICE provided the following at no cost to Waukesha County.
 - Program Training
 - Program Equipment
 - Program Oversight
- No Waukesha County employees are dedicated solely to the program.



Questions?