

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION ADVISAL – REQUEST FOR NOTIFICATION

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Subject ID:
 Event #:

File No:
 Date:

TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)

FROM: (Department of Homeland Security Office Address)

REQUEST FOR ADVANCE NOTIFICATION OF RELEASE OF SUSPECTED PRIORITY ALIEN

Name of Alien ("Subject"): _____

Date of Birth: _____ Suspected Citizenship: _____ Sex: _____

THE DEPARTMENT OF HOMELAND SECURITY (DHS) SUSPECTS THAT THE SUBJECT IS A REMOVABLE ALIEN AND THAT THE SUBJECT IS AN IMMIGRATION ENFORCEMENT PRIORITY BECAUSE HE/SHE:

- has engaged in or is suspected of terrorism or espionage, or otherwise presents a danger to national security;
- has been convicted of an offense of which an element is active participation in a criminal street gang, as defined in 18 U.S.C. § 521(a), or is at least 18 years old and intentionally participated in an organized criminal gang to further its illegal activities;
- has been convicted of a federal felony, or a state felony for which immigration status was not an essential element;
- has been convicted of an aggravated felony, as defined under 8 U.S.C. § 1101(a)(43) at the time of conviction;
- has been convicted of a "significant misdemeanor" as defined under DHS policy; and/or
- has been convicted of 3 or more misdemeanors, not including minor traffic offenses and state or local offenses for which immigration status was an essential element.

IT IS THEREFORE REQUESTED THAT YOU:

- Provide notice as early as practicable (at least 48 hours, if possible) before the subject is released from your custody to allow DHS an opportunity to determine whether there is probable cause to conclude that he or she is a removable alien. This advance notification request does not request that you detain the subject beyond the time he or she is currently scheduled for release from your custody. As early as possible prior to the time you otherwise would release the subject, please notify DHS by calling _____ . If you cannot reach a DHS Official at the number(s) provided, please contact the ICE Law Enforcement Support Center in Burlington, Vermont at: (802) 872-6020.
- Provide a copy of this notification request to the subject.
- Notify this office in the event of the subject's death, hospitalization or transfer to another institution.
- Disregard the notification request related to this subject previously submitted to you on _____ (date).

 (Name and title of Immigration Officer) (Signature of Immigration Officer)

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mail or faxing a copy to _____

Local Booking/Inmate #: _____ Latest criminal charge/conviction: _____ (date) Estimated release: _____ (date)

Last criminal charge/conviction: _____

Notice: If the subject is taken into DHS custody, he or she may be removed from the United States. If the subject may be the victim of a crime, or if you want the subject to remain in the United States for prosecution or other law enforcement purposes, including acting as a witness, please notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter, or wish to communicate further with DHS about the subject.

 (Name and title of Officer) (Signature of Officer)

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER – REQUEST FOR ACTION

D

Subject ID:
 Event #:

File No:
 Date:

TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)

FROM: (Department of Homeland Security Office Address)

REQUEST TO MAINTAIN CUSTODY OF ALIEN FOR A PERIOD NOT TO EXCEED 48 HOURS

Name of Alien ("Subject"): _____
 Date of Birth: _____ Citizenship: _____ Sex: _____

THE DEPARTMENT OF HOMELAND SECURITY (DHS) HAS DETERMINED THAT THE SUBJECT IS AN IMMIGRATION ENFORCEMENT PRIORITY BECAUSE HE/SHE:

- has engaged in or is suspected of terrorism or espionage, or otherwise presents a danger to national security;
- has been convicted of an offense of which an element was active participation in a criminal street gang, as defined in 18 U.S.C. § 521(a), or is at least 16 years old and intentionally participated in an organized criminal gang to further its illegal activities;
- has been convicted of a federal felony, or a state felony for which immigration status was not an essential element;
- has been convicted of an aggravated felony, as defined under U.S.C. § 1401(a)(43) at the time of conviction;
- has been convicted of a "significant misdemeanor," as defined under DHS policy; and/or
- has been convicted of 3 or more misdemeanors, not including minor traffic offenses and state or local offenses for which immigration status was an essential element

DHS HAS PROBABLE CAUSE THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON:

- a final order of removal against the subject;
- the pendency of ongoing removal proceedings against the subject;
- biometric confirmation of the subject's identity and a records check of federal databases that indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under the immigration laws of the United States; and/or
- statements made by the subject to an immigration officer and/or other reliable evidence that indicate the subject either lacks immigration status or notwithstanding such status is removable under the immigration laws of the United States.

IT IS THEREFORE REQUESTED THAT YOU:

- Serve a copy of this form on the subject and maintain custody of him/her for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. **This request takes effect only if you serve a copy of this form on the subject and does not request that you hold the subject beyond 48 hours.**
 As early as possible prior to the time you otherwise would release the subject, please notify DHS by calling _____. If you cannot reach a DHS Official at the number(s) provided, please contact the ICE Law Enforcement Support Center in Burlington, Vermont at: (802) 872-6020. This request does not limit your discretion to make decisions about this subject's custody classification, work, quarter assignments, or other matters.
- Notify this office in the event of the subject's death, hospitalization or transfer to another institution.
- Cancel the detainer related to this subject previously placed by DHS on _____ (date).

 (Name and title of Immigration Officer)

 (Signature of Immigration Officer)

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mail or faxing a copy to _____

Local Booking/Inmate #: _____ Latest criminal charge/conviction: _____ (date) Estimated release: _____ (date)

Last criminal charge/conviction: _____

Notice: If the subject is taken into DHS custody, he or she may be removed from the United States. If the subject may be the victim of a crime, or if you want the subject to remain in the United States for prosecution or other law enforcement purposes, including acting as a witness, please notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter, or wish to communicate further with DHS about the subject.

This Form I-247D (Immigration Detainer – Request for Action) was served upon the subject by me on _____, in the following manner: in person by inmate mail delivery other (please specify): _____

 (Name and title of Officer)

 (Signature of Officer)