MICHIGAN DEPARTMENT OF CORRECTIONS **OPERATING PROCEDURE**	EFFECTIVE DATE 11/24/2008	NUMBER 03.01.120B
SUBJECT PROCESSING IMMIGRATION DETAINERS	SUPERSEDES NEW	
	AUTHORITY PD 03.01.120	
	PAGE 1 OF 2	

OBJECTIVE:

To ensure immigration detainers and information regarding pending immigration detainers and prisoners who are suspected of being of interest to Immigration and Custom Enforcement (ICE) are properly recorded and utilized when screening prisoners for placement, parole, and discharge.

APPLICATION:

Correction Facilities Administration (CFA)

FORMS USED:

CAJ-293 Notification/Revocation of Detainer

DEFINITIONS:

Outside Detainer (OD): When ICE has made a request for notification of release.

Pending Immigration Detainer (PI): When it has been determined that a prisoner may not be a U.S. citizen and ICE has not yet filed a detainer.

INFORMATION:

Facility Record Office Supervisors are responsible for identifying prisoners who may not be U.S. citizens, initiating a pending immigration letter to ICE, and entering the PI on the Department's database.

The Central Records Section (CRS) is responsible for verifying correct nationality of prisoner and ensuring information entered on the Department's database is correct and updated when notification is received from ICE. CRS is also responsible for all follow-up requests when no notification is received from ICE and ensuring that no duplicate pending immigration letters are sent to ICE.

PROCEDURE:

WHO	DOES WHAT
IMMIGRATION DETAINERS RECEIVED AT FACILITY FROM ICE	
Record Office Supervisor	1. Receives ICE detainer with prisoner upon commitment.
	2. Enters detainer information on Department's database.
	3. Prepares Notification/Revocation of Detainer (CAJ-293), attaches copy of detainer, distributes per distribution listed on CAJ-293, and sends additional copy of both documents to CRS.

CRS	4.	Reviews detainer information entered on Department's database by Record Office Supervisor for accuracy and corrects if warranted.

UPON REVIEW OF FILE DATA FROM LEIN OR PRISONER INTERVIEW

Record Office Supervisor	5.	Identifies a prisoner who may not be a U.S. citizen.
	6.	Completes pending immigration letter.
	7.	Enters information on Department's database as a PI.
	8.	Forwards pending immigration letter to CRS.
CRS	9.	Receives pending immigration letter from facility and reviews CRS file to ensure no immigration detainer already exists or pending immigration letter was previously sent.
	10.	Returns pending immigration letter to facility Record Office if previously issued along with copy of any existing immigration detainer, deportation order, or documentation from ICE indicating they have no interest in prisoner.
	11.	Ensures information regarding PI was entered on the Department's database correctly and corrects if warranted.
	12.	Maintains copy of pending immigration letter in tickler file and forwards original to ICE.
	13.	Sends follow-up letters if no response is received from ICE in accordance with PD 03.01.120 "Detainers, Pending Charges and Felony Suspect Information".

IMMIGRATION DETAINERS RECEIVED AT CRS FROM ICE

CRS	14.	Receives from ICE notification of detainer, deportation order, or correspondence indicating they have no interest in prisoner.
	15.	Updates the Department's database to an OD if ICE issues a notification detainer or deportation order or revokes PI if ICE indicates it has no interest in the prisoner.
	16.	Completes Notification/Revocation of Detainer (CAJ-293), attaches copy of documentation received from ICE, and forwards to Central Office Records Maintenance for placement in the Central Office file and to facility Record Office.
Record Office Supervisor	17.	Forwards copy of documentation received to counselor and prisoner and places copy in the Record Office file.

APPROVED: PLC/CRS/CFA 11/21/08

Prepared by: CRS, CFA