



Report Crimes: [Email](#) or Call [1-866-DHS-2-ICE](#)

Declined Detainer Outcome Report

ERO

[Overview](#) [FAQs](#) [Fact Sheet](#)

U.S. Immigration and Customs Enforcement (ICE) issues detainers and requests for notification to law enforcement agencies (LEAs) to provide notice of its intent to assume custody of an individual detained in federal, state, or local custody. Detainers are placed on aliens arrested on criminal charges for whom ICE possesses probable cause to believe that they are removable from the United States.

A detainer requests that a LEA notify ICE as early as practicable – ideally at least 48 hours – before a removable alien is released from criminal custody and then briefly maintain custody of the alien for up to 48 hours to allow DHS to assume custody for removal purposes. A request for notification requests that a LEA notify ICE as early as practicable – ideally at least 48 hours – before a removable alien is released from criminal custody.

These requests are intended to allow a reasonable amount of time for ICE to respond and take custody of the alien. When LEAs fail to honor immigration detainers or requests for notification and release serious criminal offenders, it undermines ICE's ability to protect public safety and carry out its mission. The Declined Detainer Outcome Report (DDOR), which meets the requirement outlined in the president's Executive Order, *Enhancing Public Safety in the Interior of the United States*, is a weekly report that lists the LEAs that declined ICE detainers or requests for notification and includes criminal charges associated with those released aliens.

The DDOR may reflect instances in which the LEA may have technically provided notification to ICE in advance of an alien's release, but where the LEA did not provide sufficient advance notification for ICE to arrange the transfer of custody prior to release due to geographic limitations, response times, or other logistical reasons. In these instances, ICE records the detainer or request for notification as declined by the LEA.

This report only reflects the data related to the release of criminal aliens that is available to ICE. In uncooperative jurisdictions like Cook County, Illinois, and the City of Philadelphia, ICE is barred from interviewing arrestees in local custody. Therefore, in these communities a large number of criminals who have yet to be encountered by ICE are arrested by local authorities and released in these communities without any notification to ICE.

ICE continues to collaborate with all law enforcement agencies to help ensure that aliens who may pose a threat to our communities are not released onto the streets to potentially reoffend and harm individuals living within our communities. However, in some cases, state or local laws, ordinances or policies restrict or prohibit cooperation with ICE. In other cases, jurisdictions choose to willfully decline ICE detainers or requests for notification and release criminals back into the community.

When criminal aliens are released from local or state custody, they have the opportunity to reoffend. There are also many risks and uncertainties involved when apprehending dangerous criminal aliens at-large in the community. It takes careful planning and extensive resources to mitigate those risks and make a safe apprehension in a community setting. It is much safer for all involved – the community, law enforcement, and even the criminal alien – if ICE officers take custody in the controlled environment of another law enforcement agency.