

From: DRO Taskings

Sent: Wednesday, December 17, 2008 10:24 AM

Subject: ATD Case Management Policy

The following message is being forwarded on behalf of [REDACTED] Acting Assistant Director, Enforcement; and approved by [REDACTED] Assistant Director, Field Operations:

Field Office Directors and Deputy Field Office Directors:

HQ Alternatives to Detention Unit (ATD) continues to work with the Office of Chief Counsel (OCC), Office of the Principal Legal Advisor (OPLA), and the Executive Office for Immigration Review (EOIR) to obtain agreements that will assist in improving overall ATD compliance rates and Average Length in Program statistics for ATD contractor-supervised participants. For these agreements to be effective, it is vital that DRO officers continue to practice good case management.

As part of good case management, officers managing ATD cases must:

1. Ensure that all pre-order aliens have been served with a Notice to Appear (or other charging document, as appropriate) before enrolling them into an ATD program;
2. File the Notice to Appear (or other charging document, as appropriate) with the EOIR in accordance with locally established procedures within 72 hours;
3. Establish monthly call-ups (at a minimum) on all ATD cases reviewing immigration court status, cases pending with BIA or Circuit Courts and District Courts, and the participants' ATD compliance status;
4. Follow-up on final order and post order custody reviews ensuring that travel documents have been requested, Forms I-229(a) have been served upon the alien and any POCR requirements (including, but not limited to (b)(7)(E) checks) have been and continue to be met;
5. Take appropriate action upon receipt of a travel document (or lack thereof) inclusive of, but not limited to: re-arrest and termination from the program, and/or consideration of presentation of the case for prosecution under Title 8 USC § 1253; and
6. Continuously and completely update all necessary databases (such as (b)(7)(E) (b)(7)(E))

Should you have any questions or concerns regarding these requirements, please contact ATD Chief, (b)(6); (b)(7)(C) [REDACTED] dhs.gov, via email, or at (202) 732-

(b)(6);
[REDACTED]