

must be released to charitable organizations that facilitate their travel to locations throughout the U.S. In a nutshell, this is 'Catch and Release.' And this is where the utter nonsense begins.

CBP, with the support of DHS and ICE leadership, has determined that it will not release the thousands of immigration violators it is arresting every day on the southern border, even though all understand custody space does not exist and the detainees will be released by someone within DHS. CBP, with the support of DHS and ICE leadership, has tasked ICE Officers with releasing all immigration violators arrested by Border Patrol Agents and CBP Officers.

In short, CBP refuses to permit their arresting officers (Border Patrol Agents and CBP Officers) to: 1) serve immigration violators with release paperwork and 2) open doors on vehicles transporting immigration violators for release.

The Impact to Border Security, Public Safety and ICE Operations

This seemingly benign policy matter is in actuality the proverbial wolf in sheep's clothing as it applies to public safety, national security and the efficient management of extremely limited ICE resources on the southern border, and indeed nationwide.

Border Patrol Agents and CBP Officers have the authority and means to issue release documents to immigration violators they apprehend. In fact, for each arresting officer (Border Patrol Agent or CBP Officer), serving the release document takes only a few minutes if done at the same time as all other required documents are served on the arrestee by the arresting officer. Understanding, as all in DHS, CBP and ICE leadership do, that ICE does not have adequate custody space, and therefore the majority of those arrested by CBP will be released, common sense would dictate that the arresting agency serve the documents for release, but again CBP refuses to do so.

The process put in place by DHS, CBP and ICE leadership to accommodate CBP not serving the release document is extensive, and costly. Costly not just in the financial sense, but also costly in its massive waste of manpower, and in the way it enables so many criminals on the border to remain in U.S. communities. In short, it works like this:

- Since CBP directs Border Patrol Agents and CBP Officers not to serve the release document to the thousands of immigration violators they arrest every day on the southern border, which again would take only a few minutes if done by each arresting officer, Border Patrol and CBP resources are used to transport thousands of CBP detainees from within large geographic areas to a single location in that general area to be served the release document by ICE Officers.
- Because ICE Enforcement and Removal Operations (ERO) is so small, and has so few officers on the southern border and indeed nationwide, ICE has in effect been forced to shut down or significantly cripple many vital ICE ERO Criminal and Terrorism apprehension efforts covering large areas on the southern border simply so ICE Officers can serve the release paperwork for CBP, this because of the massive number of immigration detainees that CBP is refusing to serve. As an example, in just one ICE office on the border, between 500-700 immigration detainees are brought to the ICE