



Supporting Sanctuary Efforts:
Trends in Apprehension Data

TASK FORCE

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Supporting Sanctuary Efforts: Trends in Apprehension Data

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Abbreviations

Abbreviation	Meaning
ACRIMe	Alien Criminal Response Information Management System
CAP	Criminal Alien Program
DEA	Drug Enforcement Agency
DHS	Department of Homeland Security
DOC	Department of Corrections
ERO	Enforcement and Removal Operations
FBI	Federal Bureau of Investigation
FOIA	Freedom of Information Act
GEO	The GEO Group
ICE	Immigration and Customs Enforcement
MCSO SIU	Multnomah County Sheriffs' Office Special Investigations Unit
PU	Pueblo Unido PDX
ROP	Rural Organizing Project of Oregon
SIU	Special Investigations Unit
SPA	Sanctuary Promise Act
USMS	United States Marshals Service
UWCHR	University of Washington Center for Human Rights
VINE	Victim Information Notification Everyday

Introduction/Executive Summary

This research project is a collaboration with two migrant justice organizations from Oregon, Pueblo Unido PDX (PU) and the Rural Organizing Project (ROP), who requested the assistance of UW researchers in analyzing data related to federal immigration enforcement in their state. In particular, these organizations were interested in knowing the answers to three major questions: Who is being targeted? What tactics are being used? And how does this vary over time and space?

This research is particularly relevant given Oregon's recent enactment of the Sanctuary Promise Act (SPA) on July 19, 2021. In 1987, Oregon became the first state in the nation to pass a sanctuary state law prohibiting local law enforcement and other state agencies from using public resources to aid federal authorities with immigration enforcement.¹ In spite of the law, however, local agencies were still assisting in detaining individuals for immigration purposes. As a result, the SPA was passed in 2021 to increase safety, transparency, and accountability regarding government interactions with federal immigration authorities.² Today, Oregon's law is touted as providing the strongest such protections for migrants, making it one of the two most protective states in the country.³ As migrant justice organizations work to ensure its effective implementation, gathering and analyzing data about on-the-ground enforcement patterns is more important than ever. The analysis in this paper aims to identify specific trends in the data with respect to the three key questions outlined above.

¹ "Sanctuary Promise," Oregon Department of Justice, Accessed February 22, 2023, <https://www.doj.state.or.us/oregon-department-of-justice/civil-rights/sanctuary-promise/#:~:text=a%20Sanctuary%20State-,As%20a%20sanctuary%20state%20since%201987%2C%20Oregon%20stands%20for%20the,with%20immigration%20enforcement%20>.

² "Sanctuary Promise."

³ "State Map on Immigration Enforcement," ILRC, Immigration Legal Resource Center, Accessed February 24, 2023, <https://www.ilrc.org/state-map-immigration-enforcement>.

Data and Methodology

This report uses data provided by the University of Washington Center for Human Rights (UWCHR), Pueblo Unido PDX (PU), and the Rural Organizing Project of Oregon (ROP) to examine federal immigration enforcement in Oregon.

The UWCHR's data consists of ICE agency records that were obtained through Freedom of Information Act (FOIA) litigation brought against ICE. These records contain two types of data. First, ICE provided the UWCHR with copies of every individual I-213 form completed by ICE agents for encounters with individuals the agency considered “deportable” from January 1, 2019, through March 31, 2020 in the Seattle Area of Responsibility, which includes Oregon. Second, the agency provided a spreadsheet summarizing all I-213 forms completed by ICE personnel in the Seattle Area of Responsibility from January 1, 2012, through March 31, 2020. This data is comprehensive, covering every encounter during the specified periods, and was systematically compiled using ICE’s standardized format, thus allowing quantitative analysis and comparison across categories. On the other hand, because the data was created by ICE itself, it likely downplays or omits mention of questionable behaviors by agency personnel, and describes immigrants through the lens of criminalization, which is prevalent in ICE communications.

The PU/ROP data, gathered by the aforementioned organizations, consists of first-person accounts collected from members of the immigrant community between 2018 and 2022, provided to the organizations during the intake process. This serves as a useful counterpoint to the ICE data because it relates events as experienced by migrants themselves, including accounts of abuse by ICE and other agencies. However, because this data was not compiled systematically using predetermined categories of interest, very little information was comparable across individual accounts, therefore limiting the usefulness of this data set for deciphering patterns or trends.

To analyze this data, the I-213 forms provided by the UWCHR were first filtered to only include data from Oregon with the intention of ensuring the analysis was tailored to the aims of this research. The UWCHR’s scraping tool had already been used to create a searchable spreadsheet containing data from these forms, but student researchers took this analysis a step further, reading each individual form to look for additional relevant information that was not

gathered through automated efforts. Researchers noted additional information including previous criminal histories, jail and courthouse apprehensions, involved agencies, and previous deportations. It is critical to clarify that simply because a researcher identified an individual as having a criminal history, it does not necessarily mean that they were convicted of a crime. This variable was instead used to record each time a person had an interaction with the criminal justice system. Following that, conclusions were derived about patterns in the data in relation to the targeted demographics, the apprehension techniques, and how these vary over time and space.

In regard to the type of individuals that were targeted by ICE, this data was used to identify demographic trends in apprehended individuals such as age, gender, country of origin, previous deportations, and previous deportations in relation to location. This data was also used in deducing ICE apprehension techniques; variables such as jail apprehensions, surveillance, local task forces, databases, were analyzed. Finally, factors such as ICE apprehensions by location, criminal histories by location, jail apprehensions by location and counties that limit collaboration with ICE were examined in connection to the ways in which identified trends have varied over space. The third section of the research, which examined how trends have changed over time and space, made special use of summary data from all I-213 forms submitted by ICE personnel in the Seattle Area of Responsibility between January 1, 2019, and March 31, 2020 to identify differences over time.

PU/ROP data was used in conjunction with the UWCHR data to give a more comprehensive review of specific cases that were notable, or suggest trends discovered in the broader data. Collateral arrests, surveillance tactics, local task forces, referrals from federal agencies, roadblocks, and counties with limited collaboration with ICE are all topics covered within these case study discussions.

This research reveals who is being targeted and apprehension tactics utilized by ICE, however the analysis's findings are somewhat constrained since this analysis is largely based on I-213 forms collected between January 1, 2019, and March 31, 2020, as well as summaries of I-213 forms filled out by ICE agents in the Seattle Area of Responsibility between January 1, 2012, and March 31, 2020. Data on ICE's apprehension methods beyond 2020, including after the adoption of Oregon's SPA on July 19, 2021, is not yet publicly available. As a result, there

are clear limitations in this research's understanding of the changes that have occurred since 2020 and the enactment of Oregon's SPA. A deeper understanding of the developments that have taken place since 2020 would be beneficial for future research into ICE's targets and apprehension techniques.

Part I: Who is Being Targeted?

In order to understand who is being targeted by federal immigration enforcement, the quantitative data obtained from I-213 documents was categorized by 6 applicable variables: age, gender, country of origin, previous deportation history, location of arrests, and previous criminal history. These forms provided useful quantitative data as well as qualitative data, as they contained demographic information along with narratives of each encounter. Data obtained from the I-213 documents is relied upon to answer this question as the data obtained from PU/ROP forms was systematically inconsistent in compiling such information, proving to be ineffectual for this purpose. As a result, this section draws upon data from the I-213 documents and provides their analysis.

Age

After reviewing the I-213 data, it was identified that of the 966 observed cases in Oregon, 936 of them included age information. As seen in Figure 1.1, of those 936 cases, the simple majority of people detained by ICE in Oregon were between the ages of 25 and 35 (39.3%). Figure 1.1 further breaks down this data.

Gender⁴

781 of the 966 I-213 documents included the gender of the apprehended individual. As seen in Figure 1.2, of those 781 cases, the vast majority of apprehended individuals were male.

Country of Origin

As shown in Figure 1.3, the vast majority of individuals apprehended by ICE were from Mexico, by a significant margin (71.4% of individuals).

⁴ ICE refers to this variable as “Sex” and treats it as a binary

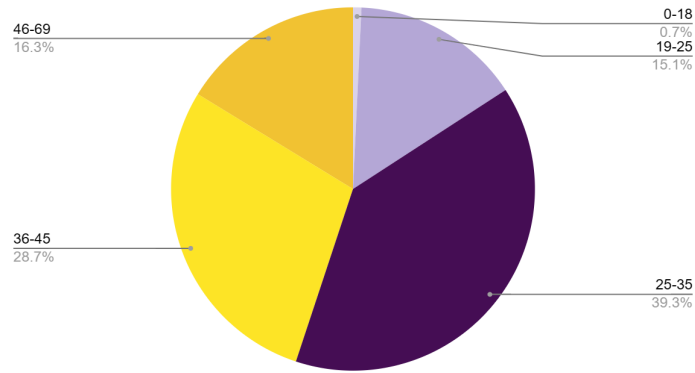


Figure 1.1: Age

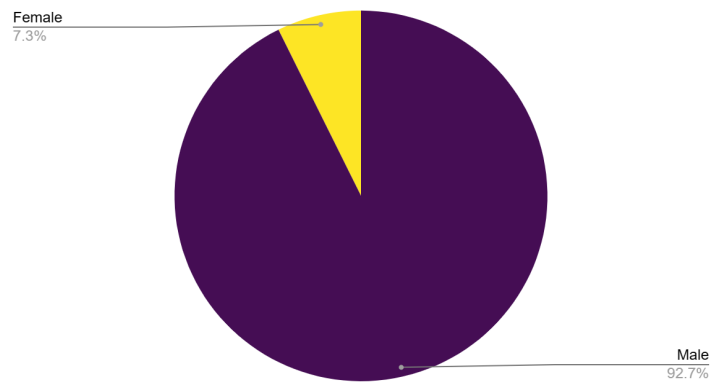


Figure 1.2: Gender of Individual Apprehended

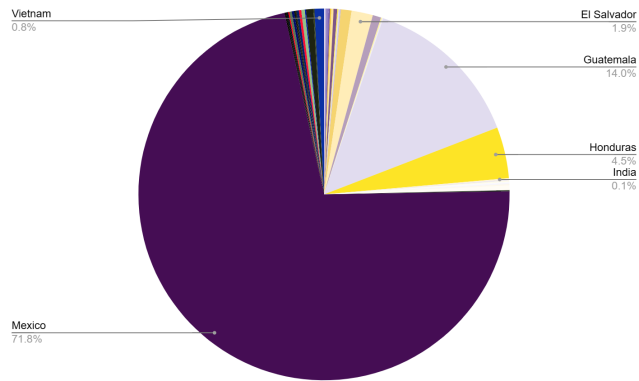


Figure 1.3: Country of Origin

Previous Deportations

I-213 data shows that the majority of those who were apprehended were never previously deported. However, this was not by a significant margin; as shown in Figure 1.4, 445 people (46%) had previously been deported while 521 people (54%) had not.

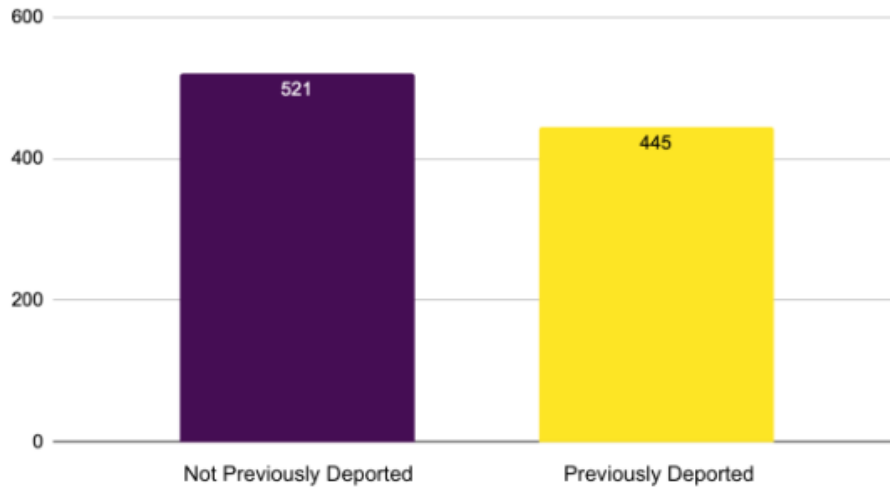
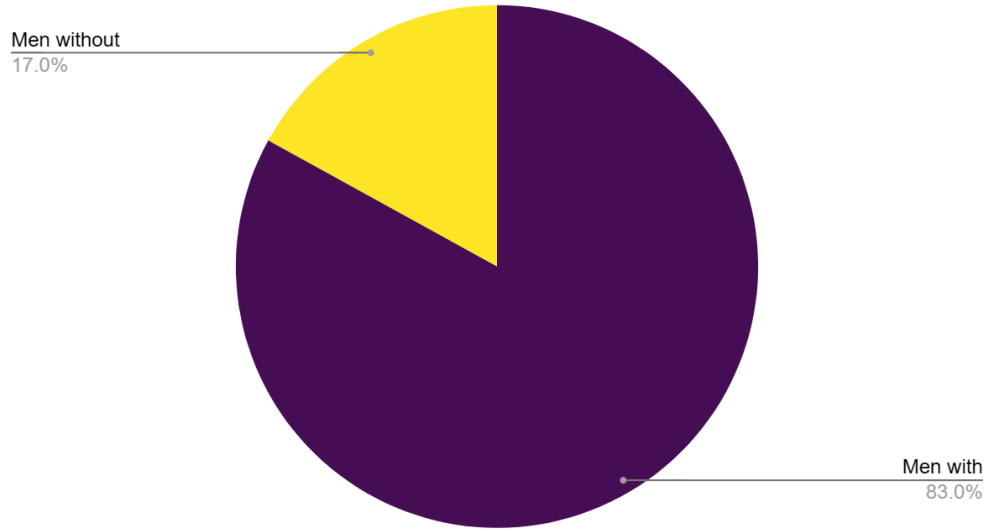


Figure 1.4: Previous Deportation History

Location of Arrests and Previous Criminal History

80% of all I-213 documents analyzed included individuals with a previous criminal history, including criminal convictions, charges, and/or arrests. This percentage varies dramatically by gender: 26 of 57 women and 601 of 724 men apprehended had criminal histories. This breakdown can be seen in Figure 1.5. (Note that not all I-213 documents included gender information and that the individuals whose gender was not identified are still included in the overall total.) In terms of location, the highest occurrence of arrests made by ICE of individuals with a criminal history were in Multnomah County (82%), Marion County (93%), Lane County (60%), Yamhill County (95%), and Clackamas County (84%).

Criminal History of Men Arrested by ICE



Criminal History of Women Arrested by ICE

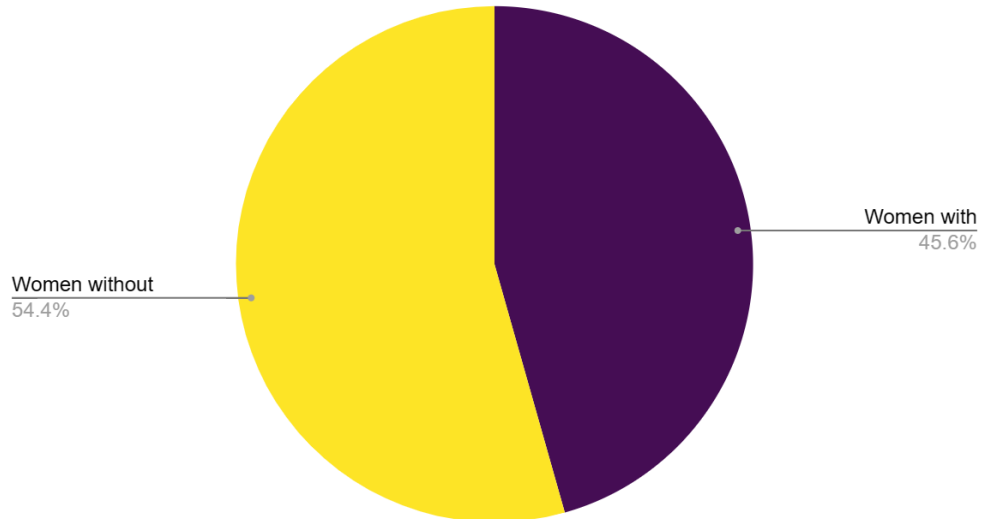


Figure 1.5: Previous Criminal History by Gender

Collateral Arrests

A collateral arrest occurs when ICE officers apprehend separate or multiple individuals in addition to whom they were originally pursuing. After arriving at a location of interest in pursuit of one individual and conducting supplementary investigation and questioning, agents further apprehend individuals whom ICE believes to be undocumented— regardless of whether the additional individuals were originally known or of interest to the agency. The ages for individuals apprehended via collateral arrest range from 34 to 36.

The majority of I-213 documents indicating that collateral arrests were made showed that those apprehended had familial ties (father and child or mother and child relationship) to the individual being sought out. Generally, the ages of individuals apprehended via collateral arrest with familial ties range from 16 to 18 years old, as they were the teenage children of the individual being sought out. In one particular case⁵, a father and daughter were apprehended by the Border Patrol, let out on Order of Supervision, and then both deported once the daughter turned 18. Unlike other collateral arrests that include a parent and child, ICE waited to deport them until the daughter turned 18.

Other cases involved multiple apprehensions of people who happened to be at the site when ICE arrived in search of a different individual. These individuals are not always connected to the original individual of interest but are most often apprehended due to their situational proximity to the original ICE investigation.

Conclusion

Evidently, the arrests made by ICE are overwhelmingly males, those of Mexican origin, those with criminal histories, and those aged 25 to 35. While it is clear that not every arrest involves someone in the aforementioned categories, most individuals indeed fit one or more. This quantitative data allows for the assumption that ICE targets people that fit these categories.

⁵ [I-213 Section1 Case2 2020](#)

Part II: What Tactics are Being Used?

In this section, data from both the ICE and PU/ROP documents are analyzed to determine what tactics are being used to apprehend migrants. To answer this question, the data was categorized based on the use of jail apprehension methods, surveillance, local task forces, databases, and more. Particular cases that stood out because of meticulous collaboration tactics between ICE and local/federal institutions (i.e. local jails, USMS, and DHS) will be examined as well. An example of this is the use of roadblocks detailed in one PU/ROP report, which is elaborated on below. This section will outline who the collaborating agencies are, as seen by the I-213 and PU/ROP data, and the trends that can be seen in the 6 variables mentioned above.

Collaboration between ICE and Other Law Enforcement Agencies

Collaboration, both direct and indirect, between ICE and local/federal law enforcement is extensively documented in both ICE and PU/ROP data. 728 out of 966 cases documented by ICE, or approximately 75%, report the involvement of another agency in the apprehension of an individual. This distribution of this collaboration is depicted in Figure 2.1. (Note that only 622 cases are displayed in the graph, as the remaining 106 cases referenced various other agencies, each of which only occurred once and did not establish a significant pattern.) The Oregon Department of Corrections (DOC) acts as a collaborator in 165 of the cases. However, collaboration between ICE and local jails was also a frequent method of apprehension, seen in more than 1/3 of all cases.

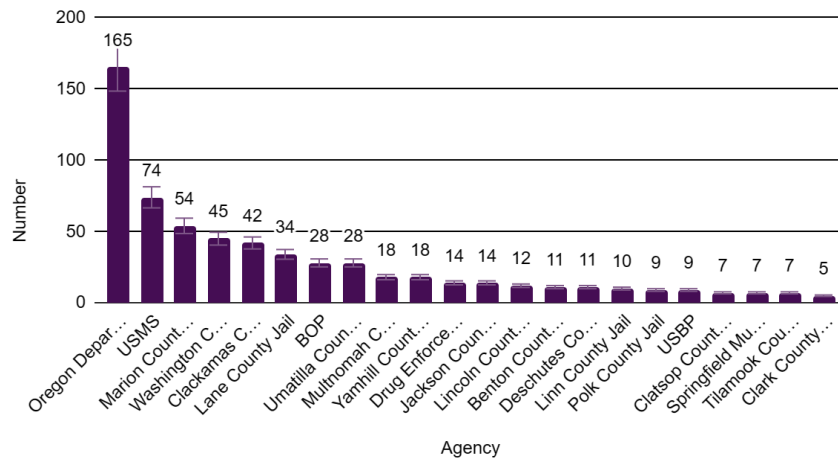


Figure 2.1: Number of Cases vs. Agency Involved

In terms of arrest location, the I-213 data shows that in 550 cases out of 966 (56.9%), the individual was arrested at a jail by ICE officials (see Figure 2.2). The significance of this data will be explored further in the section below, titled *Jail Apprehensions*.

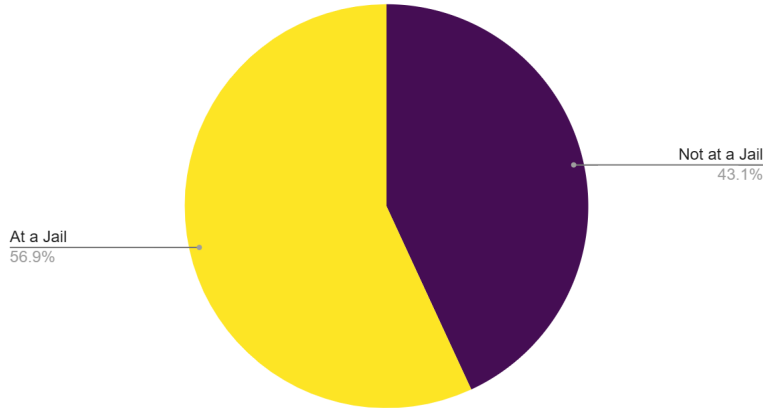


Figure 2.2: Location of Arrest

The data provided by PU/ROP reveals similar trends, as depicted in Figure 2.3. Note that although there are only 24 PU/ROP cases, there are instances in which multiple agencies, aside from ICE, were involved in a single apprehension. As can be seen in Figure 2.3, local law enforcement and state department of corrections (DOC) each participated in apprehension efforts in 5 out of 24 cases, or 26.3%. Involvement of jail officials was mentioned in 4 out of 24 cases and the GEO Group participated in 3 cases. In 2 cases, the collaborating agency remained unspecified.

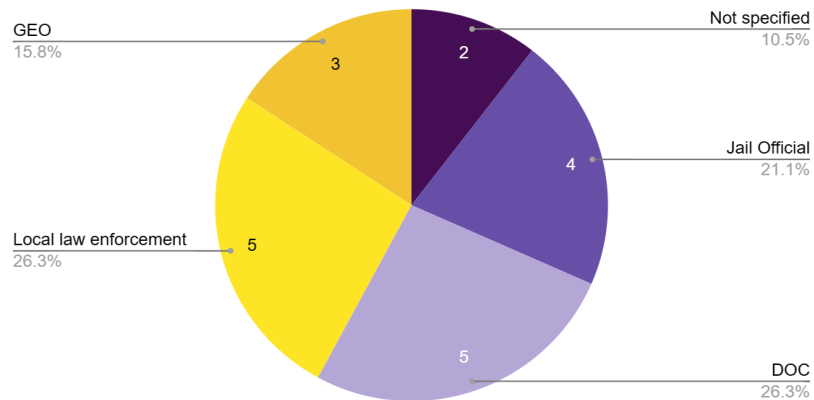


Figure 2.3: Other Entities Involved (Including all 24 case reports)

The PU/ROP data shows that the most frequent encounter location is jail, accounting for 10 out of 24 cases, or 41.7% (see Figure 2.4). These jail encounters include direct pick-ups outside of the jail by ICE or GEO, as well as one instance in which the arrest was made inside of the jail.⁶ Other encounter locations mentioned include ICE check-ins, in which the individual must report to an ICE office at a scheduled time, as well as at sensitive locations, such as at schools, courthouses, and churches. The encounter location listed as “criminal arrest” refers to a case in which the individual was apprehended at an unspecified location. The documentation of this particular case only informs that the individual was arrested due to criminal reasons.

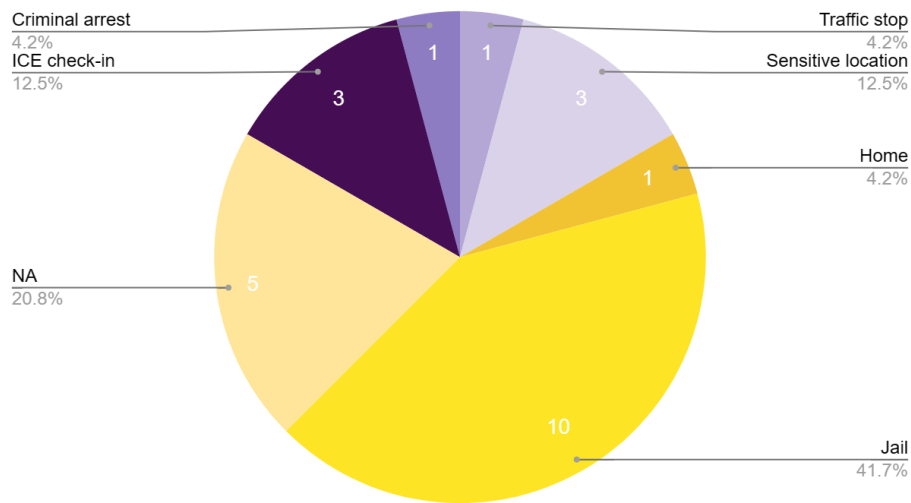


Figure 2.4: Encounter Location (Including all 24 case reports)

Jail Apprehensions

Analysis of the data from both ICE and PU/ROP documents show that jail apprehensions are a significant tactic employed by ICE. 550, or 56.9%, of I-213 documents and 10 accounts, or 41.7%, from PU/ROP involve the apprehension of an individual at a jail. Over half of the individuals are being encountered and picked up at jail, indicating possible cooperation between ICE and local jail facilities. There is sufficient evidence to indicate jail collaboration is both primary and secondary, meaning that the jail not only provides information to immigration officials, such as the individuals’ status or release date, but also functions as a facilitator in ICE’s

⁶ [PU/ROP Section2 Case10 2021](#)

apprehension efforts. This includes instances in which a jail might delay an individual's release time in order to wait for ICE arrival.

There are frequent descriptions of immigration officials waiting for an individual upon their release, suggesting a presence of informational collaboration between local agencies and ICE. For example, in one report,⁷ the Cottage Grove Municipal Jail voluntarily notified ICE agents of an undocumented individual with fraudulent identifiable information in possession. Following additional investigation, ICE agents inquired about the individual's release and the jail freely provided the information. Such informational collaboration allowed ICE to apprehend the migrant outside of the jail upon the individual's release.

Additionally, there are records of local jails allowing immigration enforcement agencies to make arrests within their facilities, indicating a level of physical collaboration between the two parties. For example, in one report,⁸ an unspecified jail in Salem, OR, denied the release of an individual due to the placement of an ICE detainer on the migrant. Following this refusal of discharge, GEO personnel arrived at the jail facility and were allowed entrance into the building. With these acts of physical collaboration, GEO officers were able to arrest and apprehend the individual within the jail facility. It is important to note that GEO functions as a private contractor to ICE, not a law enforcement agency; under federal law, private contractors do not have the legal authority to make immigration arrests.⁹

Another case study of jail apprehensions shows that some agencies will collaborate informationally *and* physically with ICE in order to enable apprehension efforts. In one report,¹⁰ an individual was discharged from an unspecified jail at least 24 hours later than the original release date documented by the facility. Upon the individual's release, ICE officers apprehended the migrant outside the jail. This indicates that the jail not only provided information regarding the individual's release to ICE, but physically detained the migrant past his release date so as to wait for the arrival of immigration enforcement agents. Although this took place prior to the passage of the SPA, the jails' practice of holding migrants past their scheduled release date in

⁷ [I-213 Section2 Case13 2019](#)

⁸ Ibid, [PU/ROP Section2 Case10 2021](#)

⁹ "8 CFR 236.1 - Apprehension, custody, and detention," *Code of Federal Regulations*, title 8, § 236.1(b)(1) (2012). <https://www.govinfo.gov/app/details/CFR-2012-title8-vol1/CFR-2012-title8-vol1-sec236-1>.

See also *Arizona v. United States*, 132 S. Ct. 2492, 2506 (2012)

¹⁰ [PU/ROP Section2 Case1 2020](#)

order to facilitate their transfer to ICE has been found to be unconstitutional in multiple federal court cases, including a 2014 ruling in Clackamas County, Oregon.¹¹

Surveillance

Data from both I-213 and PU/ROP reports were utilized to find patterns related to encounter locations. In the PU/ROP data, several locations of encounters and arrests included sensitive areas, such as at churches or schools. The I-213 data showed 3 instances of workplace surveillance and arrests. Workplace arrests more often than not occurred due to an anonymous tip line referral or through ICE investigations being conducted on the individual's employer. Overall, the cases show a trend of ICE officers conducting surveillance at locations where individuals of interest carry out their daily routine. In one instance,¹² an individual was surveilled from the parking lot of his children's school, a sensitive location. It may be assumed that this migrant most likely frequented the school on a regular basis due to familial responsibilities, allowing ICE to increase the chance of encounter by actively surveilling the area. The individual was eventually approached by ICE in the school parking lot, where officers then made the arrest.

In another report,¹³ an individual was discovered, investigated, and apprehended due to his proximity to an ongoing case of surveillance on his employer (the original migrant of interest). ICE's surveillance and investigation tactics (e.g., social media and personal identifiable information checks) allowed the agency to confirm the individual's undocumented status and ultimately make the arrest.

Local Task Forces

In several I-213 documents, there were references to local law enforcement task forces that work in collaboration with ICE to assist in the apprehension of individuals. The Multnomah County Sheriffs' Office Special Investigations Unit (MCSO SIU) program summary states that the task force is "...charged with enforcing state narcotics laws, prostitution activities, and assisting with advanced surveillance of major criminal cases."¹⁴ These local task forces are not

¹¹ Maxine, Bernstein, "Oregon Sheriff Violated Federal Law by Holding Woman in Jail Solely on Immigration Detainer, Suit Alleges," The Oregonian, Advance Local Media LLC, June 11, 2019, <https://www.oregonlive.com/crime/2019/06/douglas-county-sheriff-violated-federal-law-by-holding-woman-in-jail-solely-on-immigration-detainer-suit-alleges.html>.

¹² [I-213_Section2_Case16_2019](#)

¹³ [I-213_Section2_Case14_2019](#); See Appendix E for further examples

¹⁴ Multnomah County, Oregon, "Fiscal Year 2015 Adopted Budget," Accessed February 28, 2023, https://multco-web7-psh-files-usw2.s3-us-west-2.amazonaws.com/s3fs-public/budget/FY2015/adopted/60067-15_adopted.pdf.

directly focused on immigration enforcement, but the documentation shows that Special Investigations Units (SIU) oftentimes contact ICE about individuals they suspect to be undocumented while conducting other investigations. For instance, in one case,¹⁵ the deportation officer received a call from the MCSO SIU informing them about a possible subject during a drug investigation that MCSO initially could not identify. The initial encounter of this individual was by an SIU, however, further identification and classification of the subject as an alien resulted in the transfer of custody to ICE. In a different case,¹⁶ the Beaverton SIU Task Force encountered the subject during an investigation. Upon fingerprint and history checks, SIU concluded that the subject had taken on various names with different birth dates as well as was subjected to three prior removals.

In another report,¹⁷ an ICE deportation officer apprehended an individual during a narcotics investigation that was being conducted by the MCSO SIU. The officer was able to positively identify the migrant as an individual who had previously been deported. The MCSO SIU then referred the case to the US Attorney's office for prosecution, and the individual was transferred to the custody of the United States Marshals Service (USMS). Upon the individual's release from USMS custody, the individual was transferred to the administrative custody of ICE.

Database

ICE documents mention the use of several databases for the purpose of tracking individuals and confirming their identities. Most often, the documents do not specify the name of the database being searched, only mentioning "DHS Databases," but occasionally the documents specify the use of ACRIME, Secure Communities, and VINE System databases.

The Department of Homeland Security (DHS) relies on multiple databases to identify possible targets, determine their likely locations, and confirm the details of their immigration and criminal histories.¹⁸ Among the I-213s reviewed by our team, there were at least 11 cases that mention these DHS databases without specifying the details of their use.¹⁹

¹⁵ [I-213_Section2_Case17_2019](#)

¹⁶ [I-213_Section2_Case18_2019](#)

¹⁷ [I-213_Section2_Case19_2020](#)

¹⁸ National Immigration Law Center, "Untangling Immigration Enforcement: A Guide for Local Leaders," September 2017, Accessed February 28, 2023, <https://www.nilc.org/wp-content/uploads/2017/09/Untangling-Immigration-Enforcement-Web-2017-09.pdf>.

¹⁹ One example: [I-213_Section2_Case20_2019](#) ; See Appendix C for further examples

ICE headquarters and officers also use Alien Criminal Response Information Management System (ACRIME) “...to receive and respond to immigration status inquiries made by other agencies about individuals arrested, subject to background checks, or otherwise encountered by those agencies.”²⁰ In several cases, the individual is first arrested and put into jail, then the police department sends a hit through ACRIME. The individual is then brought to ICE’s attention and results in an arrest if they are in the US without authorization. ACRIME also has biometric data which is used to confirm the identity of the individuals. At least 10 I-213 documents mentioned the use of the ACRIME database.²¹

Secure Communities is an information system shared between ICE and the Federal Bureau of Investigation (FBI). This system helps identify undocumented people who have been booked or arrested for a crime. When someone is convicted of a crime, their biometric data, which is stored with the FBI, is sent to DHS, where they will confirm if the individual is lawfully residing in the US or not. If the individual is found to be present without authorization, then ICE agents are notified, and a removal is initiated.²² There are at least six notable cases that mention the use of Secure Communities in the I-213s.²³

Lastly, the Victim Information Notification Everyday (VINE) system is a public notification database system that provides updates to criminal custody statuses.²⁴ ICE agents will use this tool to track when and where an individual is being released from jail. In many of these cases, the ICE agent will use this tool and wait outside prison facilities to bring them into their custody. There are at least three notable cases that mention the use of the VINE system.²⁵

Roadblocks

In one instance, the use of a roadblock was reported to PU. While it is only a single case, the gravity and implications of this tactic merit analysis. In this particular report,²⁶ an individual

²⁰ “DHS/ICE/PIA-020 Alien Criminal Response Information Management System (ACRIME),” U.S. Department of Homeland Security, Accessed February 27, 2023, <https://www.dhs.gov/publication/dhsicepia-020-alien-criminal-response-information-management-system-acrime#:~:text=The%20Alien%20Criminal%20Response%20Information,subject%20to%20background%20checks%2C%20or>.

²¹ One example: [I-213 Section2 Case29 2020](#)

²² “Secure Communities,” U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security, Accessed February 27, 2023, <https://www.ice.gov/secure-communities>.

²³ One example: [I-213 Section2 Case39 2019](#) ; See Appendix D for further examples

²⁴ “VINE (Victim Notification About Offenders),” Oregon Department of Justice: Crime Victim and Survivor Services, Oregon Department of Justice, August 26, 2019, <https://www.doj.state.or.us/crime-victims/victims-resources/other-resources/vine-victim-notification-about-offenders/>.

²⁵ One example: [I-213 Section2 Case43 2020](#)

²⁶ [PU/RO Section2 Case3 2022](#)

had attended his scheduled court hearing at Tillamook County Courthouse with his adult son. Following the two individuals' departure from the hearing, both the father and son were detained approximately two blocks away from the courthouse. Roadblocks had been set up and multiple ICE agents were present and waiting, ultimately leading to the apprehension of both individuals. The usage of the roadblock, as well as apprehension outside the courthouse, are two potential violations of the SPA, which was in force at the time this occurred. The SPA states that an individual "cannot be arrested from a court facility, or while... traveling to or from court, with any immigration warrant *except* a judicial warrant or order signed by a judge..."²⁷ Additionally the act requires that "[s]tate or local law enforcement or public agencies must refuse and reject collaboration with federal authorities for immigration enforcement purposes, including setting up traffic stops or traffic perimeters to enforce federal immigration laws/orders."²⁸

Conclusion

The process of analyzing data from I-213 forms and PU/ROP files has provided insight into the tactics used to apprehend undocumented immigrants. The clearest pattern revealed was the collaboration between ICE and local jails, and ICE and the Oregon DOC. It is evident that this collaboration is a tactic used by ICE to apprehend individuals, as most were arrested at a jail by ICE officers. This trend is reflected in both data sets. From the I-213 data set, it can be seen that local law enforcement and DOC have been involved in apprehensions in collaboration with ICE the most. This exemplifies the importance of the SPA. Moreover, surveillance and local task forces are significant tactics employed by ICE to apprehend individuals. Surveillance is conducted in many ways, such as tracking targets through databases, routine vetting of jail rosters, and following targets to their residence, work, church, and even school. In certain cases, local task forces collaborated with ICE to provide information about certain individuals and refer these individuals to ICE, who then apprehended them. Furthermore, the I-213 data shows that several federal agencies cooperated with ICE in apprehending and deporting individuals who were in violation of immigration laws. In regard to databases, ICE uses several, such as ACRIME, DHS Database, Secure Communities, and VINE System to track individuals and plan and carry out apprehensions.

²⁷ "Sanctuary Promise."

²⁸ "Sanctuary Promise."

Part III: How Does This Vary Over Time and Space?

To determine how the data varied over time and space, I-213 and PU/ROP data were analyzed for location information and change over time. After looking at data from the I-213s compiled by the University of Washington Center for Human Rights (UWCHR), trends in ICE arrests and specific arrest methods in Oregon (from 2012 to 2019) were highlighted. This revealed information like the percentages of total arrests by country of origin. Additionally, analyzing ICE apprehensions by location revealed information such as how many arrests were made in each city. Lastly, analyzing which counties limit collaboration with ICE revealed that there is an impact on arrest trends made by limiting this collaboration. With the aforementioned variables, this data can reveal the effect of time and space on who is being apprehended and what tactics are being used to do so.

UW Center for Human Rights ICE Data

ICE arrests trends for the state of Oregon were compiled by the University of Washington Center for Human Rights (UWCHR), and these data trends will be the focus for this specific section. The first figure shows arrests by state. Figure 1 reveals that over time, from 2012 to 2019 specifically, there was an overall decline in ICE arrests in Oregon. Absolute arrests totals were higher in Washington. Figure 3.1 shows a notable aspect where the state of Washington observed an increase in arrests from 2016 to 2017, which is not mirrored in the state of Oregon.

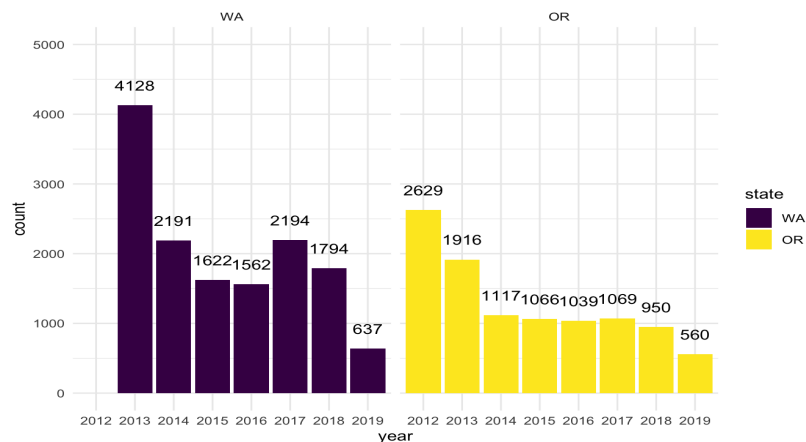


Figure 3.1²⁹: Arrest counts by State

²⁹ Courtesy of the UWCHR

Additionally, Figure 3.2 shows that most arrests were made during the weekdays and rarely were arrests made on the weekends. From 2012 to 2019, the data remained relatively consistent with the trend of arrests being made most frequently on weekdays.

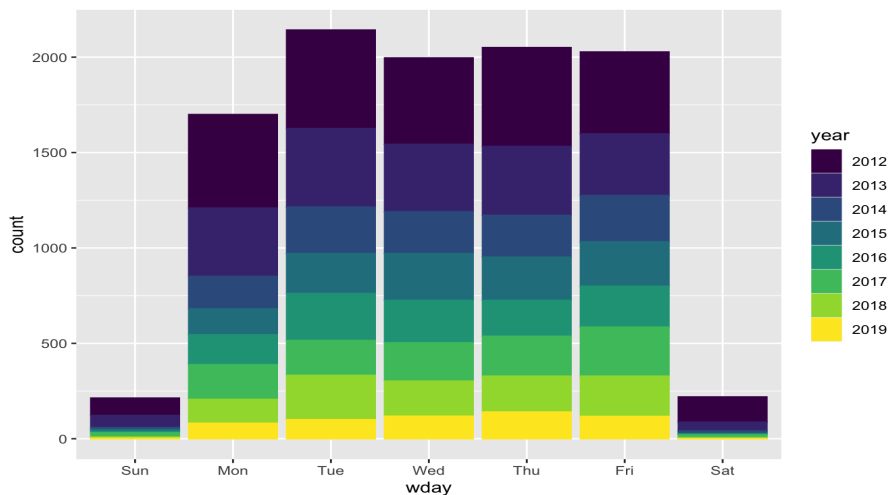


Figure 3.2³⁰: Oregon Arrests by Day of Week

Furthermore, ICE’s I-213s include agency codes specifying the “Method of Location/Apprehension,” for each encounter. As Figure 3.3 shows, in both Oregon and Washington the total number of arrests have declined substantially since the peak numbers of the Obama years; in Washington, the inauguration of Trump in 2017 coincided with a short-lived increase in enforcement numbers that was not seen in Oregon, where numbers remained relatively steady.

In Oregon alone, however, ICE’s reported methods of apprehension shifted dramatically after 2014. As Figure 3.4 illustrates, the percentage of arrests coded as “CAP Local Incarceration” (ICE’s reference to its Criminal Alien Program, through which it apprehends people from city and county jails) plummeted, while the percentage of arrests coded as “Non-Custodial” (meaning they were carried out in the community) shot up. This likely reflects shifting practices in the wake of the 2014 federal court decision in *Miranda-Olivares v. Clackamas County*,³¹ which established that under the U.S. Constitution, local jails lacked the authority to hold immigrants on ICE detainees. After that decision, many counties in Oregon

³⁰ Courtesy of the UWCHR

³¹ *Miranda-Olivares v. Clackamas Cnty.*, Case No. 3:12-cv-02317-ST (D. Or. Apr. 11, 2014).

reportedly began refusing to honor ICE detainees³²; this would explain the sudden decline in arrests coded as “CAP Local Incarceration.” However, the simultaneous increase in other types of arrests shows that ICE agents apparently compensated for declining collaboration from jails by boosting other forms of enforcement.

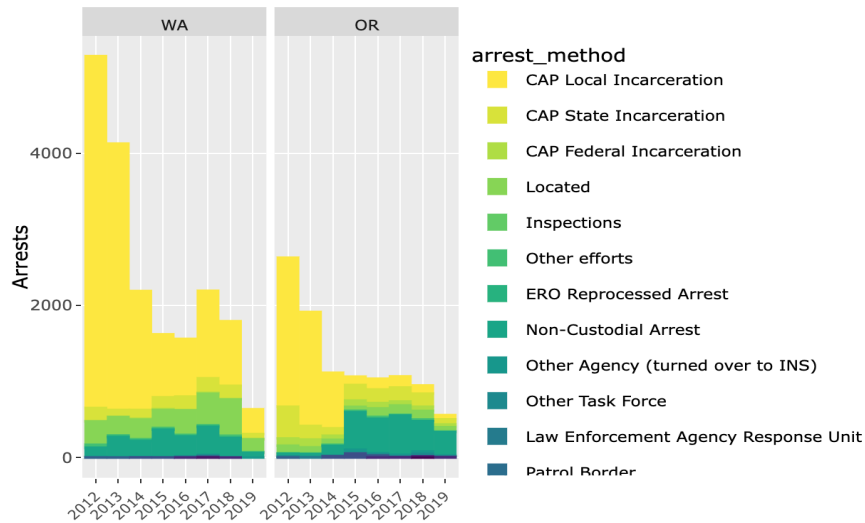


Figure 3.3³³: Arrest Methods by State

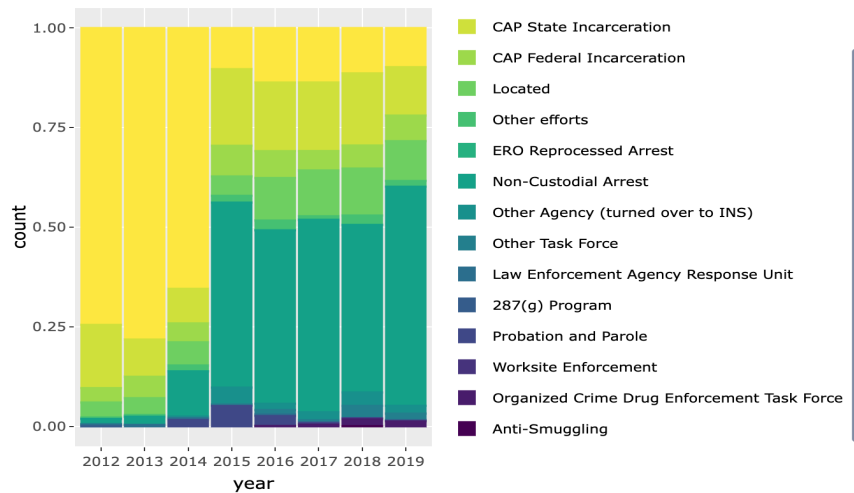


Figure 3.4³⁴: Arrest Methods in Oregon as Percent of Total

³² Joe, Watson, “Local Jails Increasingly Refuse to Comply with ICE Detainers,” Prison Legal News. Prison Legal News, November 8, 2016, <https://www.prisonlegalnews.org/news/2016/nov/8/local-jails-increasingly-refuse-comply-ice-detainers/>.

³³ Courtesy of the UWCHR

³⁴ Courtesy of the UWCHR

Finally, the data for the country of origin will be analyzed. Figure 3.5 reveals that the vast majority of those apprehended in Oregon are from Mexico, Guatemala, and Honduras. Notably, from the data it can be seen that every year from 2012 to 2019, the majority of individuals are citizens of Mexico, although from the years 2012 to 2019, there has been an increase in the number of individuals whose country of origin is Guatemala or Honduras.

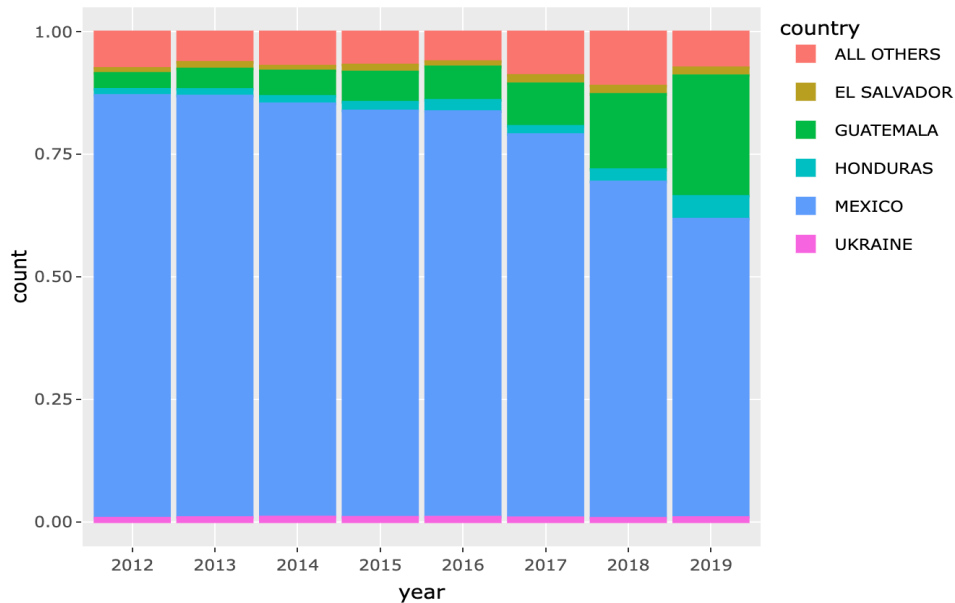


Figure 3.5³⁵: Country of Origin in Oregon by Percentage

ICE Apprehensions by Location

To analyze how ICE apprehensions have changed over space in the state of Oregon, the I-213 forms obtained by UWCHR can be visualized in Figures 3.6 and 3.7. Figure 3.6 shows the total number of ICE apprehensions in the state of Oregon from January 1, 2019, to March 31, 2020, which is 966. It is important to note that around 54% of all apprehensions are made in the Portland Metropolitan Area. While at first glance, most cities have numbers of apprehensions seemingly corresponding with their population, a handful of cities stick out as having a disproportionate number of apprehensions – for example Astoria, Pendleton, or Woodburn. Outside of those, apprehensions were either made in Eugene, Salem, or other cities in smaller numbers. Another observation in Figure 3.7 is that over $\frac{3}{4}$ of all apprehensions are made along

³⁵ Courtesy of the UWCHR

the I-5 corridor, with the exception of only a few cases in Clatsop, Deschutes, Klamath, Lincoln, Tillamook, and Umatilla counties.

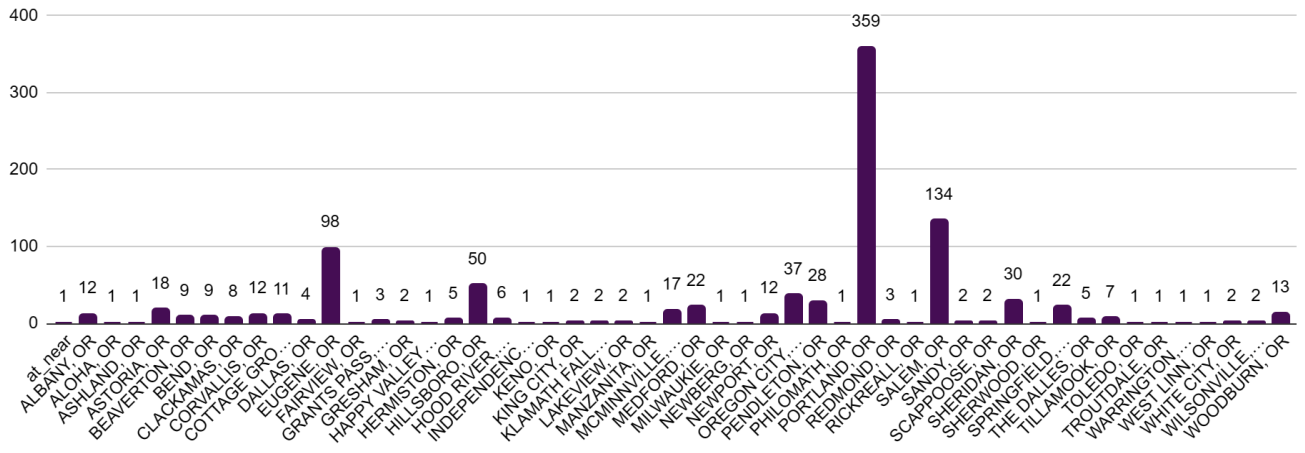


Figure 3.6: I-213s by Location

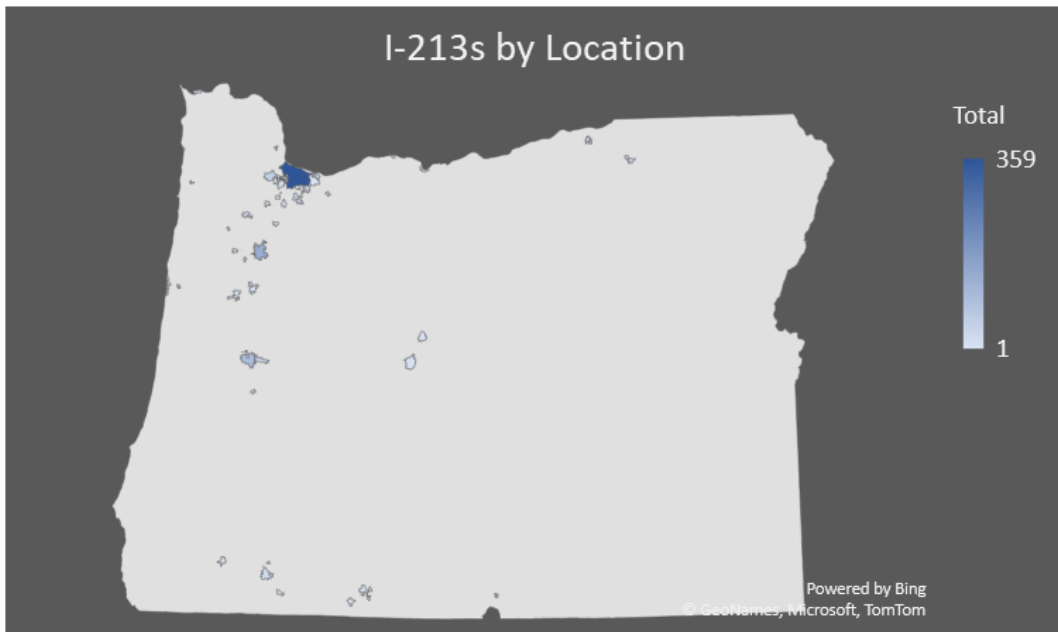


Figure 3.7: I-213s by Location

Criminal History by Location

Another way to analyze how apprehensions have changed over space is by looking at data related to criminal history. To do so, each apprehension was categorized by whether or not the person being apprehended by ICE had a previous criminal history, and whether this varied by location (see Appendix A). For example, the city of Portland had a total 359 apprehensions. 82.7% of those had a criminal history, while 17.3% had no criminal history. A pattern that can be seen in this analysis is that in cities with a higher number of apprehensions, the majority of subjects had criminal histories. Three cases that stand out and do not fit this pattern include Eugene (47%), Astoria (44%), and Medford (41%), where larger percentages of apprehensions were of individuals with no criminal history (see Appendix B).

Jail Apprehensions by Location

Many of the cities that have larger populations/more apprehensions have a greater percentage of jail apprehensions than the cities with smaller populations. The city with the most total apprehensions is Portland, and about 54% of total apprehensions there happened at a jail location. While this is a significant percentage, there are other cities that have a higher percentage of individuals apprehended at jails. For example, in Pendleton, 89% of apprehensions took place at a jail (see Appendix A).

Counties that Limit Collaboration with ICE

Of the I-213 reports available for analysis, several entries included explicit statements referencing a local county's effort to limit collaboration with ICE by declining ICE detainees. This was mentioned in reference to the following counties: Lane County Jail, Springfield Municipal Jail, Marion County Jail, Curry County Jail, Polk County Jail, Jackson County Jail, Benton County Jail, and Linn County Jail. For example, many I-213s reporting arrests in Lane County noted that "Lane County Jail does not honor ICE detainees, but will notify ICE prior to [the individual's] release."³⁶

³⁶ [I-213 Section2 Case46 2018](#)

Other county jails are noted as both refusing ICE detainers *and* releasing the individual *without* notifying ICE. For example, in one report³⁷, an individual was first detained by Lane County Jail; the jail did not honor the ICE detainer, though it did notify ICE of the man's release. In this case, he was not released but transferred to Springfield Municipal Jail; the I-213 notes that Springfield neither honors ICE detainers, nor notifies ICE of an individual's release. However, the ICE agent attended court to observe the judge's ruling in his case, noted that he was granted bond, and used the VINE public notification system to find out when his release on bond would occur; when he was released, the ICE agent was waiting to apprehend him immediately.

Sometimes information sharing between county jails and ICE varies over time, even within the span of a single individual's experiences. For example, in one report³⁸, the individual was held at Polk County Jail multiple times throughout the same calendar year. In the first instance of apprehension, the jail released the individual despite the ICE detainer and did not notify ICE of the individual's release date. However, in the second instance of apprehension, Polk County Jail refused to honor the ICE detainer again, but provided information regarding the individual's release after an ICE officer called the jail specifically seeking such information.

Some jails will limit physical access by ICE officers as well as information-sharing. For example, it is noted in the narrative section of one report³⁹ that the Marion County Jail "stated they will not allow ICE to take custody of the individual inside of the facility." The jail also released the individual without notifying ICE.

Conclusion

In showing changes over time and between jurisdictions, this data reveals ICE's shifting targets and tactics. As discussed above, overall arrests have declined since 2012. The national origin of those arrested has also shifted: today, Guatemalans and Hondurans make up a larger percentage of total arrests, although Mexicans remain by far the majority of those arrested by ICE in the state of Oregon.

In regard to location, it is evident that the majority of arrests are made in Oregon's more populated cities – Portland and its metro area, Eugene, and Salem. As previously noted, certain

³⁷ [I-213_Section2_Case47_2019](#)

³⁸ [I-213_Section2_Case48_2019](#)

³⁹ [I-213_Section2_Case49_2019](#)

exceptions exist in places like Pendleton and Woodburn, which have notable smaller populations yet a significant number of arrests. It is also noteworthy that many individuals were arrested at a jail, just as or shortly after they were released. This is evident in cities like Portland. However, in cities such as Astoria, Hood River, and Woodburn, the majority of arrests were made outside of the jail. This trend has become more prominent in the last few years. In certain cases, jails refused to honor ICE detainers or aid ICE in their apprehension efforts. The patterns of whether the individual is apprehended in a jail, along with whether the jail decided to assist ICE or not, reflects the tactics used by local law enforcement and ICE to apprehend migrants.

Conclusion

In this paper, ICE arrest data provided by the UW Center for Human Rights and intake data provided by Pueblo Unido PDX (PU) and the Rural Organizing Project (ROP) were used to analyze the trends and tactics that ICE used to apprehend migrants in Oregon. This analysis was divided into three major categories: targeted populations, apprehension tactics, and how these change over time and space. In each individual section, broad patterns in the data and relevant case studies were discussed to highlight particular trends and situations that may be helpful in understanding ICE tactics of apprehension.

In the first section, the types of individuals that were being targeted by ICE found in the data were highlighted. It was discovered that the majority of ICE arrests in Oregon occurred among people aged 25 to 35. Moreover, approximately 92.7% of apprehensions were male, and 71.4% of apprehensions were Mexican citizens. Approximately half of those apprehended had previously been deported (46%) and well over half (81%) had a previous criminal history.

In the second section, findings regarding the tactics frequently employed by ICE for arrests in Oregon were outlined. Jail apprehensions were the most commonly used tactic, with over half of the analyzed apprehended individuals being targeted or picked up at a jail. Furthermore, ICE made substantial use of local task forces and surveillance. Targets were tracked using multiple databases, jail rosters were routinely checked, and some were even followed to their homes, places of employment, places of worship, and schools. On the other hand, local task forces not specifically charged with enforcing immigration law were also involved in the apprehension of individuals by ICE in multiple cases, as were federal agencies including the U.S. Marshal's Service, Drug Enforcement Agency, and Federal Bureau of Investigation.

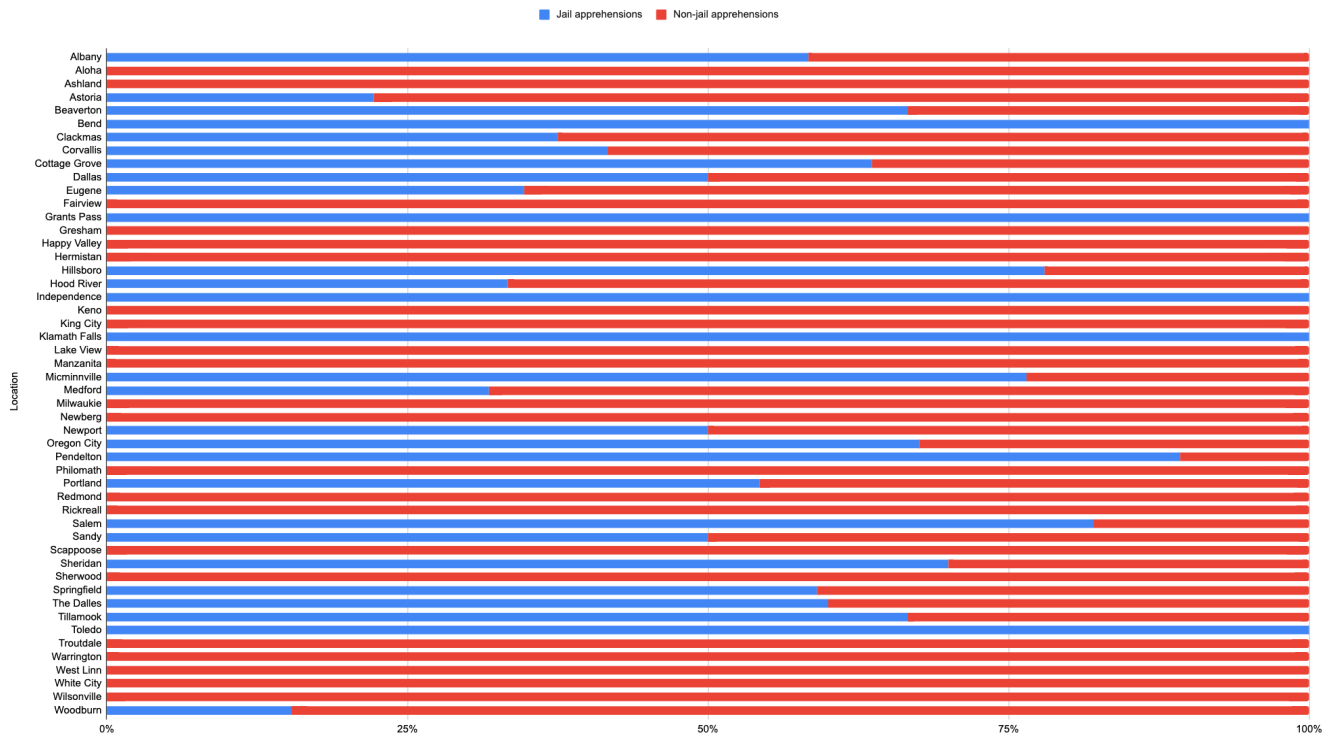
Aggregate data released by ICE to UWCHR in litigation also permitted examination into the specifics of how trends varied over time and space. Since 2012, patterns have emerged in Oregon that point to a decrease in arrests. Also, it was discovered that the nation of origin of apprehended individuals had changed over time; while Mexican nationals remained a clear majority of those apprehended in Oregon, in recent years Guatemalans and Hondurans have made up a larger proportion of arrests than in the past. In regard to location data, it is

unsurprising that most arrests occur in Oregon's largest cities, such as Salem, Eugene, and Portland and its metro area. There are, however, a few exceptions in places like Pendleton and Woodburn, which have notably smaller populations but show noticeable arrest rates. In regard to tactics being used, the data revealed that numerous people were detained at jails shortly after being released; cities like Portland are good examples of this. Yet, many arrests took place outside of the jail in places like Astoria, Hood River, and Woodburn. In recent years, this pattern has become more common. In certain instances, however, ICE noted that jails declined to comply with ICE detainers or support ICE's efforts to apprehend suspects.

Although this research gives insight into ICE's targets and methods of apprehension, the results of this analysis are limited. A large part of this data is based on I-213s collected between January 1, 2019, and March 31, 2020 and summary information of I-213 forms completed by ICE personnel in the Seattle Area of Responsibility from January 1, 2012 to March 31, 2020, which were released to the University of Washington Center for Human Rights through FOIA litigation in federal district court. Unfortunately, this research lacks access to comparable amounts of information on ICE's methods of apprehension since 2020, which includes the enactment of Oregon's Sanctuary Promise Act (SPA) on July 19, 2021. Future research into ICE's targets and methods of apprehension would benefit from a deeper understanding of changes that have occurred since 2020.

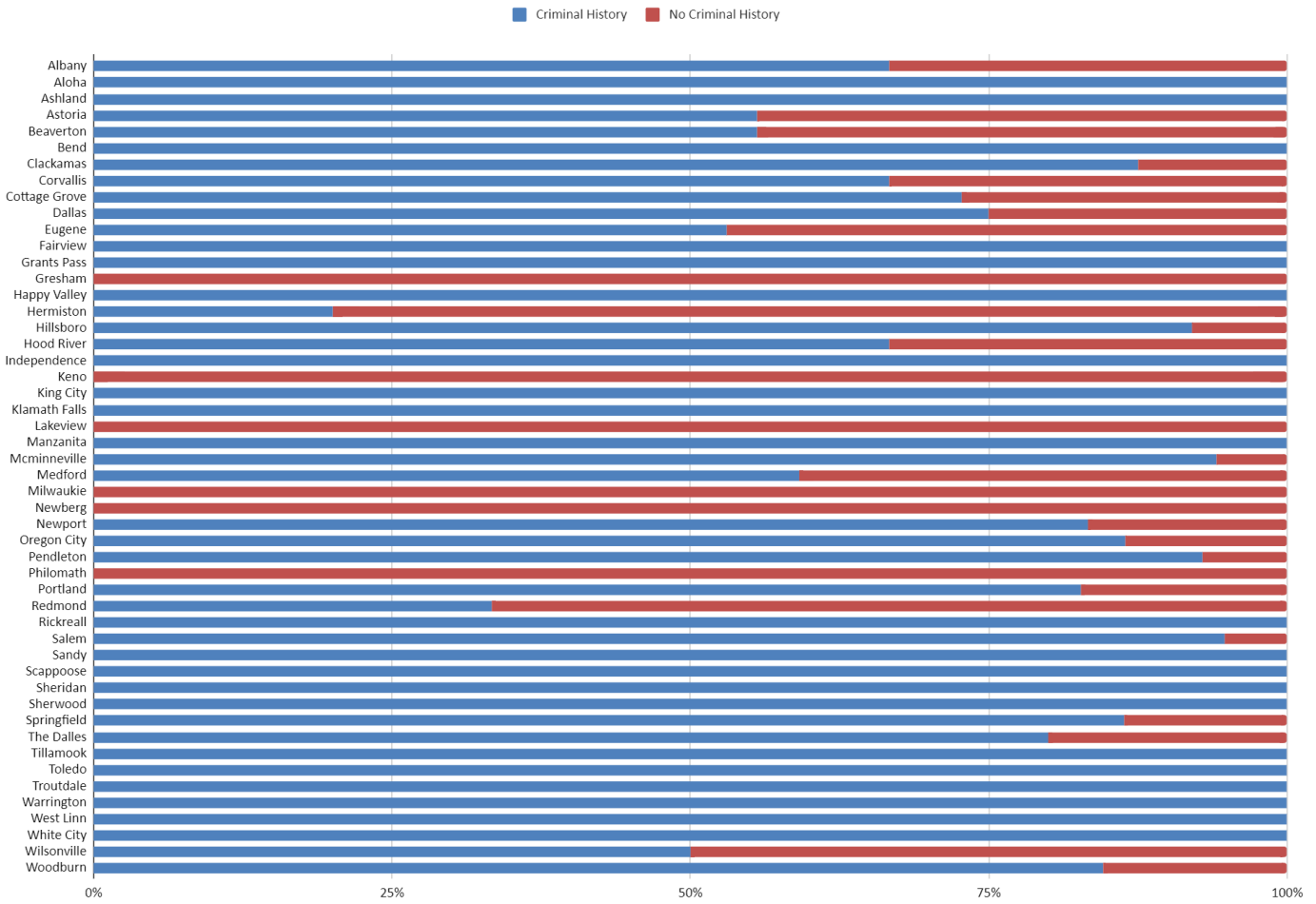
Appendix A⁴⁰

Number of Jail Apprehensions by Location



⁴⁰ Note that in the chart many of the cities that have a completely red or blue bar are locations that have a very minimal (typically one) apprehension total.

Appendix B



Appendix C

[I-213_Section2_Case20_2019](#)
[I-213_Section2_Case21_2019](#)
[I-213_Section2_Case22_2019](#)
[I-213_Section2_Case23_2019](#)
[I-213_Section2_Case24_2019](#)
[I-213_Section2_Case25_2019](#)
[I-213_Section2_Case26_2020](#)
[I-213_Section2_Case27_2020](#)
[I-213_Section2_Case28_2020](#)
[I-213_Section2_Case29_2020](#)
[I-213_Section2_Case30_2019](#)
[I-213_Section2_Case31_2019](#)
[I-213_Section2_Case32_2019](#)
[I-213_Section2_Case33_2019](#)
[I-213_Section2_Case34_2019](#)
[I-213_Section2_Case35_2020](#)
[I-213_Section2_Case36_2020](#)
[I-213_Section2_Case37_2019](#)
[I-213_Section2_Case38_2019](#)
[I-213_Section2_Case43_2020](#)
[I-213_Section2_Case44_2020](#)
[I-213_Section2_Case45_2020](#)

Appendix D

[I-213_Section2_Case22_2019](#)
[I-213_Section2_Case27_2020](#)
[I-213_Section2_Case39_2019](#)
[I-213_Section2_Case40_2019](#)
[I-213_Section2_Case41_2020](#)
[I-213_Section2_Case42_2019](#)

Appendix E

[I-213_Section2_Case14_2019](#)
[I-213_Section2_Case15_2019](#)
[I-213_Section2_Case16_2019](#)