



Privacy Impact Assessment
for the

Fugitive Case Management System (FCMS)

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Abstract

The Fugitive Case Management System (FCMS) is a case management database owned by U.S. Immigration and Customs Enforcement (ICE) that processes, tracks, and stores information about aliens who fail to leave the United States after receiving a final order of removal, deportation or exclusion, or who failed to report to ICE after receiving notice to do so (i.e., fugitive aliens). FCMS supports the ICE National Fugitive Operations Program, which is intended to locate, arrest, and remove fugitive aliens from the United States. ICE has prepared this Privacy Impact Assessment (PIA) because the system collects personally identifiable information (PII).

Overview

FCMS is owned and maintained by ICE's Office of Detention and Removal Operations (DRO), Fugitive Operations Support Center (FOSC), whose mission is to promote public safety and national security by ensuring the departure from the United States of all removable aliens through the fair and effective enforcement of the nation's immigration laws. FCMS tracks and stores information that assists in the location and arrest of fugitive aliens. FCMS was first launched in June 2006 and is undergoing a conceptual and architectural upgrade. The new version of FCMS will be deployed in August 2009. The information stored in the current version of FCMS will transfer to the new version of FCMS. This PIA describes the functionality of and data maintained in the new version of FCMS.

Background

Generally, fugitive aliens are aliens who fail to leave the United States after receiving a final order of removal, deportation or exclusion, or who fail to report to ICE after receiving notice to do so. ICE established the National Fugitive Operations Program in 2003 pursuant to a Congressional mandate to significantly reduce the fugitive alien backlog. In addition to locating, arresting, and removing fugitive aliens, the program also seeks to identify aliens who are no longer fugitives because they have left the country voluntarily, successfully adjusted their immigration status, or are currently incarcerated somewhere in the United States. Under this program, ICE established Fugitive Operations Teams consisting of DRO Officers specifically assigned to investigate fugitive alien matters. The Fugitive Operations Team members work with other law enforcement agencies using law enforcement analytical and investigative information to locate and arrest fugitive aliens. Based on an established priority scoring system, the Fugitive Operations Teams prioritize enforcement efforts on fugitive aliens who pose a threat to national security and community safety such as members of transnational street gangs, child sex offenders, and aliens with prior convictions for violent crimes.

DRO Officers use FCMS to track fugitive aliens actively being sought for arrest and removal from the United States. FCMS is also used to identify, track, and manage "leads" (i.e., tips or other information) that may help locate fugitive aliens. These leads may consist of new information (such as new addresses) gathered from public or government records, or information from Federal and state correctional facilities that may locate a fugitive alien now in jail or prison. The leads are either entered into FCMS manually on a record-by-record basis by DRO Officers in the field or uploaded from extracts of other government and commercial data systems by DRO Headquarters staff. The new leads are either assigned manually by



members of the National Fugitive Operations Program, or sent by FCMS based on zip code of the address provided by the alien to the Fugitive Operations Teams with official jurisdiction to investigate and, where possible, arrest fugitive aliens. The DRO Officers on the Fugitive Operations Teams update FCMS with information about what actions they are taking to follow up on fugitive alien leads. Once a fugitive is arrested, DRO Officers document the arrest information and update the fugitive alien's status in FCMS to reflect that the fugitive is in custody. In the course of arresting fugitive aliens, DRO Officers may also encounter and arrest other illegal aliens. The identity and immigration status of the non-fugitive aliens are verified through information in federal databases, interviews, and fingerprint checks prior to entering the encounter as an arrest of an illegal alien in FCMS. FCMS information about non-fugitive arrests is used solely for the purpose of reporting arrest statistics for the National Fugitive Operations Program.

FCMS maintains biographical, immigration case history, criminal history and/or arrest information related to the fugitive alien population. FCMS also receives information from other DHS systems such as ICE's Enforcement Integrated Database which may be used to update fugitive alien information in FCMS. The information from such systems includes immigration case history, criminal history and biographical information on fugitive aliens. The information on fugitive aliens is used to secure their arrest and removal from the United States. FCMS also maintains a limited amount of information about DRO users, such as names, position titles, geographical work location and office telephone numbers.

FCMS is comprised of three major user interfaces: Leads, Activities, and User Menus. The Leads Menu is used by Fugitive Operations Teams and the FOOSC to forward information from DRO-HQ to a DRO field office about possible addresses or other leads that may help locate a fugitive alien. The Activities Menu is used to process information that shows what actions have been taken by the Fugitive Operations Team to follow up on a particular lead, including the biographical information of the fugitive alien. The User Menu tracks the users and subsystem access permissions within FCMS. User access to FCMS is limited to DRO employees on Fugitive Operations Teams and those assigned to work for or oversee the National Fugitive Operations Program.

Typical Transaction

In a typical FCMS transaction, new leads on fugitive aliens are identified by ICE, such as new address information gathered from public or government records; information from Federal and state correctional facilities that may locate a fugitive alien in jail or prison; or the recent location of a fugitive alien from parole or probation data. These leads are entered manually into FCMS on a record-by-record basis by DRO Headquarters and Field Officers or uploaded from extracts of other DHS, government and commercial systems by DRO Headquarters Officers.

Once the lead information is manually or electronically populated into the FCMS database, these new leads are assigned to the appropriate Fugitive Operations Team that has the corresponding geographical jurisdiction. The receiving team investigates the lead information, and pursues the arrest of the fugitive. As part of the investigative process, the DRO Officers on the Fugitive Operations Team will evaluate the various lead and address information, manually compare sources of information such as leads from commercial sources against federal government databases, validate information for accuracy, and document and update FCMS as the investigation progresses. If the fugitive is arrested, the DRO Field Officer updates the fugitive alien's status in FCMS to reflect he/she is now in ICE custody.



Section 1.0 Characterization of the Information

The following questions are intended to define the scope of the information requested and/or collected as well as reasons for its collection as part of the program, system, rule, or technology being developed.

1.1 What information is collected, used, disseminated, or maintained in the system?

FCMS consists of biographical, lead, and arrest data which facilitates the identification and removal of fugitive aliens from the United States. The information that is collected, used, disseminated and maintained in FCMS consists of the following:

- Fugitive alien information, to include:
 - Biographical: Name, aliases, place and date of birth, Social Security number (SSN), Alien Number (A-Number), sex, gang affiliations (if any) and possible U.S. addresses.
 - Immigration Case History: Date of last known U.S. entry, place of last U.S. entry, removal charges, entry class, prior DHS apprehension date(s), removal case category, docket case office, Treasury Enforcement Communications System (TECS) Number (if any), and ICE custody date.
 - Criminal History: FBI number, Fingerprint Identification Number (FIN), mug shots, State Identification (SID) number, summary of conviction(s), and conviction date(s).
- Non-fugitive alien information, concerning non-fugitive illegal aliens arrested during Fugitive Operation Team activities. This information is limited to the A-Number and date and location of the arrest. The information is only collected as a statistical record of the arrest of an illegal alien who is a non-fugitive at the time of arrest and not to track the immigration history of the alien. The non-fugitive alien information is not updated to reflect a change in immigration status, i.e., change from non-fugitive alien to fugitive alien or from non-fugitive alien to a U.S. citizen. Any change of immigration status is reflected in other immigration-related systems.
- Activity (Officer) information, to include type of action (e.g., arrest, surveillance, etc.); name, title, and field office of the officer; action location; operation name (if any); address of location where and date when a fugitive or illegal alien is arrested; any notes that the officer inputs regarding the case (e.g., checks run, addresses checked, etc.) .
- Lead information, to include lead number; information about the source of the lead (agency, officer name, etc.); DRO Field Office point of contact and other information on referral of the lead to the field; and lead notes, which vary but generally contain information concerning possible addresses for the fugitive alien and systems checks performed by DRO Officers.

FCMS also consists of a reporting tool that compiles statistical information to generate various reports for investigative and program analysis. Leads Reports provide the number of total leads, the number of leads closed, and the percentage of leads closed for every field office during a designated period of time. Total Fugitive and Non-Fugitive Enforcement Activity Reports provide the number of fugitive



(criminal and non-criminal) and non-fugitive (criminal and non-criminal) arrests and the number of fugitive and non-fugitive removals for each Field Office during a designated time period. These reports do not contain PII and are used for statistical purposes only.

1.2 What are the sources of the information in the system?

ICE obtains fugitive alien information from ICE systems; public or government records; Federal and State correctional facilities that may locate a fugitive alien in jail or prison; other DHS and government systems that contain information about the alien as the result of immigration enforcement or other law enforcement encounters with the alien; records of the alien's admission into the U.S; and commercial data aggregators. Additionally, information can also be collected directly from the alien at the time of arrest and/or placement into ICE custody, and from the DRO Officers during the arrest activities. The specific sources of the information collected, used, disseminated and maintained in FCMS are as follows:

Fugitive alien information may be obtained from the alien at the time of arrest and/or placement into ICE custody, as well as from ICE's Enforcement Integrated Database (EID), Removable Alien Records System (RARS) System of Records, (DHS/ICE-011, May 5, 2009, 74 FR 20719), other Federal systems of records, and other sources.

Non-fugitive alien information is obtained from the alien at the time of arrest and/or placement into ICE custody, and EID.

Activity information is obtained from DRO Field Officers manually inputting information obtained from directly performing the activity related to tracking leads, or locating and arresting a fugitive.

Lead information is obtained from the following sources:

- DRO Field Officers manually inputting information based on their evaluation of the various lead and address information; comparison sources of information; validation of information for accuracy; and documenting and updating FCMS with all of the collected data.
- Manual and batch checks against U.S. Postal Service commercially available data sets that update city and state information by zip code. These data sets do not contain PII.
- Commercial databases

FCMS itself is the source of information for the various FCMS reports the system generates (described in Question 1.1 above). These reports do not contain any PII and are solely statistical in nature.

1.3 Why is the information being collected, used, disseminated, or maintained?

The mission of DRO is to ensure the departure of all removable aliens from the United States. FCMS supports this mission by enabling DRO Officers to track and process biographical, biometric, lead, and arrest information for the purpose of locating, arresting, and removing fugitive aliens from the United States.



Fugitive alien information, to include biographical and/or biometric data, is used to facilitate the correct identification of the fugitive alien. An alien's FBI number is necessary for determining criminal history information and the A-Number is needed for determining immigration status. Additionally, any Social Security number associated with an alien is used to help confirm the correct identification of the fugitive alien.

Non-fugitive alien information is only collected in the event that a DRO Field Officer encounters an illegal alien during the process of tracking a fugitive lead and/or arresting a fugitive alien as part of enforcing the overall ICE mission. Aliens are identified as illegal non-fugitives when they are illegally present in the United States but have not been placed in immigration removal proceedings by DHS. DRO Officers verify the identity and immigration status of the non-fugitive aliens by reviewing information in Federal databases, conducting interviews, and running fingerprint checks prior to entering the encounter as an arrest of an illegal alien in FCMS. The arrest information (e.g., A-Number, arrest date and arrest location) pertaining to the alien is recorded in FCMS and serves as a statistical record of the arrest. The illegal alien is noted in FCMS as a non-fugitive alien and the information is used only for statistical reporting on the performance of the National Fugitive Operations Program. The non-fugitive alien information is not updated to reflect a change in immigration status, i.e. change from non-fugitive alien to fugitive alien or from non-fugitive alien to a U.S. citizen. Any change in the alien's immigration status is reflected in other immigration-related systems.

DHS immigration enforcement data, immigration removal case information and custody status from EID (when available), and biographical and arrest booking data from EID is used to provide any existing ICE case information that is available on the fugitive alien. Immigration case history information is used to determine the likelihood of whether the fugitive alien remains in the country or has already left the country. Criminal history information is one factor that may be used to prioritize the allocation of time and resources of the Fugitive Operations Teams to those fugitive aliens with a criminal history and assess risk.

Custody information is used to determine if any aliens with outstanding removal orders are already incarcerated. Immigration benefit data is used to help remove cases from the fugitive backlog where the alien received an immigration benefit (e.g., lawful permanent resident status) after receiving a final order for removal.

Address data from the U.S. Postal Service is used to update city, county and state information by zip code on a monthly basis. This information is used to ensure that address data tables within FCMS are routinely updated to accurately report city place names by zip code. In addition, address data and validation as indicated by batch and manual checks of commercial databases are used to increase the probability in identifying valid and credible address matches to determine where fugitive aliens could be residing.

Activity information, inputted by DRO Field Officers, is used to document and manage DRO fugitive case and arrest information. Lead information is used to assist Fugitive Operations Teams to locate fugitive aliens.



1.4 How is the information collected?

Information can be collected directly from the fugitive or illegal alien at the time of arrest and/or placement into ICE custody, as well as from the DRO Officers during the arrest activities. This information is manually entered in the system. Other information is collected from internal and external systems through data extracts that are manually reviewed and edited to reduce inaccurate or corrupted data, which may include personal information, and resulting outputs are uploaded into FCMS. ICE primarily collects information from the data sources referenced in Question 1.2, which generate new fugitive alien cases and update existing case information in FCMS.

Much of the information pertaining to a particular fugitive alien that is contained within FCMS is derived from the original arrest processing of the alien in the EID system. This information is collected through a daily extract from EID. DRO Officers manually update the case data as they gather information through the arrest process and ICE custody events; the results of batch processing of addresses information from commercial sources; and the various sources of information documented in Question 1.2 to locate fugitive aliens and document arrests.

1.5 How will the information be checked for accuracy?

DRO Officers manually verify and validate the lead and arrest information against information in other DHS systems when they are investigating each case in FCMS. Specifically, DRO Officers de-conflict and/or validate information contained in FCMS manually when they receive lead information and begin to investigate a fugitive alien's location. For example, when a DRO Officer receives a possible new address for a fugitive alien, he or she may run checks of EID, to verify that the individual is a fugitive before performing surveillance at the location. Any new information resulting from the manual checks and verification is entered in FCMS to provide comprehensive notes and information of the fugitive investigative process.

Internal quality control features also exist in FCMS to minimize data entry error by DRO Officers. For example, field-level validation is used to ensure appropriate data is entered into specialized fields (e.g., Social Security number fields must contain nine numerical digits, and a date field must be formatted as a date and fall within a certain date range). System defaults ensure when actions are taken, key values are automatically generated and saved. User input is limited in many cases to drop down input lists of valid responses. Before any data is saved in FCMS, if the data needs to be verified, code executes to iterate through the text boxes verifying the data. If an error exists, the user is prompted to correct it.

In addition, electronic batch audits of FCMS information occur when data extracts from other DHS systems are imported into FCMS. There are several validation and verification processes that cross check the various address and lead information obtained from external systems. These checks are a set of business rules and system logic that assist in identifying conflicting data, ranking the validity of addresses and leads, and checking for anomalies. These checks are performed regularly to ensure FCMS's data integrity by assessing the integrity and the reliability of the internal and external information stored.



1.6 What specific legal authorities, arrangements, and/or agreements defined the collection of information?

DHS has been authorized to collect information for this program pursuant to the following authorities; 8 U.S.C. § 1103; 8 U.S.C. § 1225; 8 U.S.C. § 1226; 8 U.S.C. § 1324; 8 U.S.C. § 1360(b); 8 U.S.C. §§ 1365a and 1365b.

1.7 Privacy Impact Analysis: Given the amount and type of data collected, discuss the privacy risks identified and how they were mitigated.

Privacy Risk: FCMS could present a risk of the over-collection of PII.

Mitigation: ICE collects only a limited amount of information necessary to locate, arrest, and remove fugitive aliens in the most efficient manner. All PII collected is necessary to perform immigration law enforcement activities. For example, an alien's FBI number is necessary for determining criminal history information and the A-Number is needed for determining immigration status. For information collected pertaining to non-fugitive aliens, ICE only collects the minimum amount of arrest information (i.e., A-Number, and date and location of the arrest) to support statistical reporting on the performance of the Fugitive Operations Teams. The limited scope of information collected ensures that the risk of over-collection is mitigated.

Privacy Risk: FCMS's use of commercial data could present a risk of data inaccuracy.

Mitigation: ICE takes several steps to promote data accuracy and integrity when using commercial data sources. First, multiple commercial sources deemed credible and effective are used to increase the probability in identifying valid and credible address matches. Second, the commercial data providers provide results to ICE with a relevance score to help identify the most useful matches. Third, ICE assesses these results against other available information to identify workable leads, which will be investigated by DRO Officers prior to taking action affecting the individual. For example, when a DRO Officer receives a possible new address for a fugitive alien, he or she may run checks of EID to verify that the individual is a fugitive before performing surveillance at the location.

Section 2.0 Uses of the Information

The following questions are intended to delineate clearly the use of information and the accuracy of the data being used.

2.1 Describe all the uses of information.

FCMS fugitive alien information is used primarily in two ways. First, it is used to manage and document ICE investigations to locate and arrest fugitive aliens, including the generation of leads on where fugitive aliens may be currently located; the creation of Operations Plans, which describe scope of fugitive alien arrest efforts and points of contact for the Fugitive Operations Teams, local police, and emergency services personnel; and documenting Reports of Investigation, which summarize in writing the officer



activity including leads, field research and outcome (e.g., arrest). Second, FCMS information is used to generate statistical reports for management, budgeting, reporting and planning purposes within ICE. FCMS statistics are also used for reporting to Congress for program budget evaluation purposes, and for responding to requests from external parties like Congress, auditors, and the media for information about the National Fugitive Operations Program.

Information stored in FCMS about arrests of non-fugitive aliens is used only for statistical reporting purposes.

2.2 What types of tools are used to analyze data and what type of data may be produced?

FCMS provides DRO Officer and alien information via screens and statistical reports. FCMS has tools that permit users to perform ad hoc queries to search for cases based on biographical information of the alien or by DRO Field Office or sub-office. FCMS also permits users to generate statistical reports as described in Question 1.1 above.

2.3 If the system uses commercial or publicly available data, please explain why and how it is used.

ICE purchases from the U.S. Postal Service a publicly available data set called City State Product. This data set contains comprehensive information about zip codes and their corresponding city and county names. This information is used to ensure that address data tables within FCMS are routinely updated to accurately report city place names by zip code. The data set is updated monthly and does not contain PII.

ICE also holds contracts with commercial public records aggregators. ICE uses more than one aggregator service to increase the probability of identifying valid and credible address matches for fugitive aliens. Commercial aggregator records call upon a wide range of address sources, thereby optimizing ICE efforts to identify a current or recent address for fugitive aliens.

ICE sends fugitive alien information to the commercial aggregators in batch extracts via email and/or initiates ad hoc searches over a secure Internet connection. The commercial aggregators receive the personal information and then electronically search their databases in an effort to find current address information. The aggregators return the addresses from the search results. ICE assesses these results against other available ICE information to determine which address information is most likely to be an accurate lead. The possible addresses obtained from commercial sources are fed into FCMS as leads for DRO Field Officers to investigate. FCMS also specifically identifies the source of the address leads for reference purposes.

2.4 Privacy Impact Analysis: Describe any types of controls that may be in place to ensure that information is handled in accordance with the above-described uses.

Contracts with the commercial aggregators prohibit their sale or use of FCMS data for purposes other than providing results of commercial data queries to ICE. In addition, all FCMS users complete mandatory ICE annual privacy and security training, which stresses the importance of appropriate and

