



**Homeland  
Security**

June 6, 2011

Katherine Lewis Parker  
ACLU of North Carolina  
P.O. Box 28004  
Raleigh, North Carolina 27611

Re: Complaint No. 10-07-ICE-0132

Dear Ms. Parker:

The Office for Civil Rights and Civil Liberties (CRCL) received information from you on April 9, 2010, alleging civil rights violations related to the operation of the 287(g) program in Wake County, North Carolina.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL reviews and assesses information concerning abuses of civil rights and civil liberties, and profiling on the basis of race, ethnicity or religion, by Department of Homeland Security employees and officials, or through Department programs and activities. We apologize for the delay in responding to your complaint; we have spent considerable time doing preliminary review in this matter. At this point, we are opening an investigation into the concerns that you have raised, specifically:

Whether individuals processed pursuant to the 287(g) program in Wake County, North Carolina, are:

- Not provided appropriate language services
- Not provided appropriate access to counsel and foreign consulates
- Pressured to forego proceedings before an immigration judge
- Not provided appropriate access to telephones
- Detained beyond the legally proscribed 48-hour detainer period
- Arrested based upon increased enforcement aimed at individuals who are or who appear to be Hispanic

The issues you raise are very important to us. The purpose of our review is to assess if the complaints implicate issues that should be addressed by Department of Homeland Security management. Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on behalf of the person who files a complaint or person on whose behalf the complaint is filed. Instead, we use complaints to find and address problems in Department policy and its implementation. If you believe rights have been violated, we recommend

consultation with an attorney because there may be time limitations that govern how quickly you need to act to protect legal interests.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

As we begin our review of these complaints, a CRCL representative may contact you for additional information. If you have any questions, please contact us by email at [crcl@dhs.gov](mailto:crcl@dhs.gov), by telephone at 866-644-8360 or 866-644-8361 (TTY), by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security  
Office for Civil Rights and Civil Liberties  
Compliance Branch  
245 Murray Lane, SW  
Building 410, Mail Stop 0190  
Washington, DC 20528

When you communicate with us, please include the complaint number. In addition, it is very important to notify us of any changes in your address or telephone number.

We thank you for forwarding the complaints; inquiries like yours help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties. We will contact you during the investigation, and you will also receive a letter from us informing you when we have concluded this matter.

Sincerely,



Margo Schlanger  
Officer for Civil Rights and Civil Liberties  
U.S. Department of Homeland Security

Copies to:

Ms. Joanne Lin  
ACLU  
Washington Legislative Office  
915 15<sup>th</sup> Street, NW  
Washington, D.C. 20005