



**Jesse Arreguín**  
Councilmember, District 4

CONSENT CALENDAR  
November 15, 2011

To: Honorable Mayor and Members of the City Council

From: Councilmember Jesse Arreguín

Subject: Urging the County of Alameda to Amend its Participation in Secure Communities

RECOMMENDATION:

Adopt a Resolution urging the County of Alameda to adopt a policy similar to Santa Clara County, limiting its participation in Secure Communities.

BACKGROUND:

Alameda County was the fourth Bay Area county to participate in the federal Secure Communities (SCOMM) program, a program administered by the federal Immigration and Customs Enforcement agency (ICE), but not created by statute, which requires that those participating state and local government law enforcement agencies automatically forward the fingerprints of all people arrested, whether or not they are in the country legally to ICE. Upon learning that an inmate is in violation of federal immigration law, ICE may request local law enforcement to hold an inmate for an additional 48 hours after the inmate would have otherwise been released, allowing ICE to take custody of the inmate.

The program, which was locally introduced on April 20, 2010 and is slowly expanding across the country, has been criticized by civil rights advocates who say its implementation could lead to racial profiling and the deportation of immigrants who do not pose a public safety threat. Statistics released about SCOMM show that a vast majority of individuals deported through the program have had no criminal charges or were picked up for low level offenses. In an unfortunate case, SCOMM was responsible for initiating deportation proceedings against a woman reporting domestic violence, who expected the police to protect her, not report her (see attached articles from Deport Nation and the Washington Post).

In Alameda County, anyone who is arrested and has any type of hold is transferred to Santa Rita jail, run by Alameda County. For cities, the Alameda County jail acts as the holding facility until the agency that requested the hold

## Urging the County of Alameda to Amend its Participation in Secure Communities

takes custody of the inmate. According to a December 2010 report from Berkeley Chief of Police Michael Meehan, Berkeley's jail intakes 300 arrestees a month. Berkeley Police Department jail staff has estimated that they are notified of approximately two ICE holds each month. Berkeley Police transfer inmates subject to ICE holds to county jail along with other inmates.

A report produced by the Center for Constitutional Rights in August 2010 found that 79 percent of the people deported due to Secure Communities have had no criminal charges or were picked up for low-level offenses, such as traffic offenses or petty juvenile mischief. ICE's own data concurs that more than a quarter (28 percent) of the people transferred to ICE custody through Secure Communities have had no criminal charges.

These troubling statistics coincide with record numbers of deportations for the 3<sup>rd</sup> straight year under the Obama Administration –nearly 393,000 people within the last year alone (see attached article from the Huffington Post) – despite claims that it is focusing on the most dangerous criminals. Additionally, the steady increase in enforcement efforts comes at a time when the rate of immigrants coming into the U.S. illegally has decreased, in part due to the sluggish U.S. economy, and contrasts campaign promises to immediately seek comprehensive immigration reform.

Meanwhile, SCOMM has eroded trust between the immigrant community and law enforcement, creates a sense of fear in the immigrant community and has negatively impacted law enforcement activities. Additionally, releasing inmates not convicted of a serious felony into ICE custody separates parents from their children and families. In many of those cases, the County must intervene and children spend an extended period of time in the dependency system, resulting in increased costs to the County. Other costs include additional inmate housing resulting from detainer requests, which lengthen the period of time of detention and reduce the availability of prison beds despite recent realignment legislation signed by Governor Jerry Brown that will result in the need for additional capacity in County jails to accommodate the many prisoners that county jails will have to house.

Responding to the fiscal and social costs of SCOMM, the Santa Clara County Board of Supervisors recently adopted Policy 3.54 "Civil Immigration Detainer Requests", which limits the circumstances in which the County will respond to immigration detainer requests to only those inmates who are convicted of a serious or violent felony offense or has been convicted of a serious or violent felony within 10 years of the request. Additionally, ICE agents are not given access to individuals or use of county facilities for investigative interviews. Also, County personnel cannot expend County time or resources responding to ICE inquiries or communicating with ICE regarding an individuals' incarceration status or release time.

## Urging the County of Alameda to Amend its Participation in Secure Communities

Given that neither State or Federal law requires a County to honor civil detainer requests, the recent Santa Clara County policy provides a good framework for complying with the non-voluntary Secure Communities program, by limiting participation in ICE detainer holds to those inmates who are convicted of serious or violent crimes.

On December 14, 2010, the Berkeley City Council voted unanimously to send a letter to the Governor and State Attorney General requesting that the State “*stop sharing arrestee fingerprint data with federal law enforcement agencies for the purpose of deporting illegal immigrants arrested for minor crimes*” and that the “*State of California should also opt out of the Secure Communities program altogether*”.

On May 22, 2008, the Berkeley City Council reaffirmed its status of a “City of Refuge” through its passage of Resolution No. 63,711, which requires that “*no department, agency, commission, officer or employee of the City of Berkeley shall use any City funds or resources to assist in the enforcement of Federal immigration law or to gather or disseminate information status of individuals in the City of Berkeley.*” The resolution further states that “*the spirit and intent of Berkeley’s refuge Resolutions would be violated if City funds, facilities or staff were utilized to assist the Federal government’s inhumane immigration policies and practices.*”

Adoption of this resolution urging the County of Alameda to limit its participation in Secure Communities would be consistent with the Berkeley City Council’s position on immigration and previous statements on the federal program.

### FINANCIAL IMPLICATIONS:

None.

### CONTACT PERSONS:

Jesse Arreguín, Councilmember, District 4

981-7140

### ATTACHMENT:

1. Resolution
2. Santa Clara County’s Civil Immigration Detainer Request Policy
3. The Washington Post, “Reversals By Immigration Officials Are Sowing Mistrust”
4. Deport Nation, “Domestic Violence Survivor Confronts Secure Communities Director”
5. The Huffington Post, “Deportations of Immigrants Hits Record Number Under Obama Administration”

RESOLUTION NO.

URGING THE COUNTY OF ALAMEDA TO ADOPT A POLICY LIMITING THE CIRCUMSTANCES AND TIME PERIOD IN WHICH INMATES WILL BE HELD PURSUANT TO A CIVIL IMMIGRATION DETAINER REQUEST AND LIMITING THE USE OF COUNTY RESOURCES IN RESPONDING TO CIVIL IMMIGRATION DETAINER REQUESTS

WHEREAS, upon learning that an inmate is in violation of federal immigration law, U.S. Immigration and Customs Enforcement (ICE) may request local law enforcement to hold an inmate for an additional 48 hours after the inmate would have otherwise been released, allowing ICE to take custody of the inmate; and

WHEREAS, neither State or Federal law requires a County to honor civil detainer requests; and

WHEREAS, inmates who are not convicted of a serious or violent felony could be held pursuant to an ICE detainer request and may be subject to administrative removal proceedings; and

WHEREAS, detainer requests lengthen the period of time of detention, reduce the availability of prison beds and impose additional inmate housing costs on the County; and

WHEREAS, recent realignment legislation signed by Governor Jerry Brown will result in the need for additional capacity in County jails to accommodate the many prisoners that county jails will have to house; and

WHEREAS, Releasing inmates into ICE custody so that ICE can investigate civil immigration violations separates parents from their children and families for extended periods. When parents are separated from their children the County must intervene and children spend an extended period of time in the dependency system resulting in increased costs to the County; and

WHEREAS, Alameda County was the fourth Bay Area county to participate in the federal Secure Communities program, which is administered by federal Immigration and Customs Enforcement, an agency of the U.S. Department of Homeland Security. Secure Communities creates an automated information-sharing technology through which fingerprints collected by local law enforcement at the time of booking are submitted by the California Department of Justice to the FBI, who in turn shares those fingerprints with ICE; and

WHEREAS, ICE compares the fingerprints from the California Department of Justice database with its civil immigration database to identify and apprehend individuals who are not in compliance with federal immigration law. Once ICE identifies someone suspected of violating federal immigration law, it uses a civil immigration detainer

request to ask a County to hold the individual so that ICE can take custody of the inmate; and

WHEREAS, in Alameda County anyone who is arrested who has any type of hold is transferred to Santa Rita jail run by Alameda County. For cities, the Alameda County jail acts as the holding facility until the agency that requested the hold takes custody of the inmate. According to a December 2010 report from Berkeley Chief of Police Michael Meehan, Berkeley's jail intakes 300 arrestees a month. Berkeley Police Department jail staff has estimated that they are notified of approximately two ICE holds each month. Berkeley Police transfer inmates subject to ICE holds to county jail along with other inmates; and

WHEREAS, According to a recent White House report titled "Building a 21<sup>st</sup> Century Immigration System", in large part due to the implementation of Secure Communities, the deportation of undocumented persons with criminal records increased by more than 70% as compared to 2008 when ICE began implementing the program. While the stated purpose of the program is to apprehend undocumented persons who have been convicted of serious crimes, in reality a large percentage of those apprehended and deported have either no criminal record or are low-level offenders; and

WHEREAS, According to ICE figures, in the nine Bay Area counties, serious criminal offenders account for less than 30% of detainees and since May 2009 when Secure Communities began in California to January 31, 2011, more than 79% of individuals indentified and taken into ICE custody as a result of Secure Communities have never been convicted of serious or violent offenses; and

WHEREAS, in Alameda County, this program has led to the deportation of over 550 people since its inception; and

WHEREAS, Secure Communities has eroded trust between the immigrant community and law enforcement, creates a sense of fear in the immigrant community and has negatively impacted law enforcement activities; and

WHEREAS, recently ICE has determined that all Memorandum of Agreements with state governments are rescinded and that all state and local governments must comply with Secure Communities; and

WHEREAS, the fiscal impact of detaining inmates, in response to ICE civil immigration detainer requests and the impact of children of parents who are subject to deportation proceedings who end up in the dependency system is substantial, and negatively impacts the county budget; and

WHEREAS, recently the Santa Clara County Board of Supervisors adopted Policy 3.54 "Civil Immigration Detainer Requests", which limits the circumstances in which the County will respond to immigration detainer requests to only those inmates who are convicted of a serious or violent felony offense or has been convicted of a serious or

violent felony within 10 years of the request. Additionally, ICE agents are not given access to individuals or use of county facilities for investigative interviews. Also, County personnel cannot expend County time or resources responding to ICE inquiries or communicating with ICE regarding an individuals' incarceration status or release time; and

WHEREAS, the recent Santa Clara County policy provides a good framework for complying with the non-voluntary Secure Communities program, by limiting participation in ICE detainer holds to those inmates who are convicted of serious or violent crimes; and

WHEREAS, the Santa Clara County policy also helps address the fiscal impacts of complying with civil immigration detainer requests by reducing the number of inmates who are subject to holds and subsequent removal proceedings to those convicted of serious or violent crimes, reducing inmate housing costs and providing additional capacity for inmates to address new mandates under realignment legislation; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby urges the County of Alameda to adopt a policy, similar to the one recently adopted by the Santa Clara County Board of Supervisors, to limit the circumstances and time period in which inmates will be held pursuant to a civil immigration detainer request and limit the use of County resources in responding to civil immigration detainer requests; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Alameda County Board of Supervisors and County Administrator Susan Muranishi.

POLICY RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY  
OF SANTA CLARA ADDING BOARD POLICY 3.54 RELATING TO  
CIVIL IMMIGRATION DETAINER REQUESTS**

**WHEREAS**, the Board of Supervisors wishes to give direction and set policy for such matters for which the responsibility of decisions is placed on it by virtue of State codes, County Charter or specific ordinances and resolutions or relates to its broad policy-making authority to matters regarding Santa Clara County; and

**WHEREAS**, the Board of Supervisors wishes to clearly state and compile policies and to provide for distribution of these policies to affected decision-makers; and

**WHEREAS**, the Policy Manual is not set by ordinance, is not legally binding, and can be changed by adoption of a resolution approved by a majority of the Board of Supervisors and is intended to give guidance to staff and future members of the Board of Supervisors;

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**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Santa Clara, State of California, that the Board of Supervisors' Policy Manual is hereby amended by adoption of this resolution to add Section 3.54, Civil Immigration Detainer Requests, attached hereto as Exhibit "A" and incorporated herein, and the Clerk of the Board is directed to incorporate the policy into the manual so that it is available to all County staff.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California, on \_\_\_\_\_, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
DAVE CORTESE, President  
Board of Supervisors

ATTEST:

\_\_\_\_\_  
MARIA MARINOS  
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
JUNIPER DOWNS  
Lead Deputy County Counsel

Exhibit to this Resolution:

A – Board Policy 3.54 for Civil Immigration Detainer Requests

446351

**Exhibit A –  
(Proposed Amendment to Detainer Task Force Recommendation)**

**3.54 Civil Immigration Detainer Requests**

It is the policy of Santa Clara County (County) to honor civil detainer requests from the United States Immigration and Customs Enforcement (ICE) by holding adult inmates for an additional 24-hour period after they would otherwise be released in accordance with the following policy, so long as there is a prior written agreement with the federal government by which all costs incurred by the County in complying with the ICE detainer shall be reimbursed:

1. Upon written request by an Immigration Customs and Enforcement (ICE) agent to detain a County inmate for suspected violations of federal civil immigration law, the County will exercise its discretion to honor the request if one or more of the following apply:
  - a. The individual is convicted of a serious or violent felony offense for which he or she is currently in custody.
    - i. For purposes of the policy, a serious felony is any felony listed in subdivision (c) of Section 1192.7 of the Penal Code and a violent felony is any felony listed in subdivision (c) of Section 667.5 of the Penal Code.
  - b. The individual has been convicted of a serious or violent felony within 10 years of the request, or was released after having served a sentence for a serious or violent felony within 5 years of the request, whichever is later.
    - i. If the individual has been convicted of a homicide crime, an immigration detainer request will be honored regardless of when the conviction occurred.
    - ii. This subsection also applies if the Santa Clara County Department of Corrections has been informed by a law enforcement agency, either directly or through a criminal justice database, that the individual has been convicted of a serious or violent offense which, if committed in this state, would have been punishable as a serious or violent felony.
2. In the case of individuals younger than 18 years of age, the County shall not apply a detainer hold.

3. Except as otherwise required by this policy or unless ICE agents have a criminal warrant, or County officials have a legitimate law enforcement purpose that is not related to the enforcement of immigration laws, ICE agents shall not be given access to individuals or be allowed to use County facilities for investigative interviews or other purposes, and County personnel shall not expend County time or resources responding to ICE inquiries or communicating with ICE regarding individuals' incarceration status or release dates.

# The Washington Post

## Reversals by immigration officials are sowing mistrust

By Shankar Vedantam  
Washington Post Staff Writer  
Monday, November 22, 2010; A04

Months after Homeland Security Secretary Janet Napolitano assured House Democrats that jurisdictions could opt out of a controversial immigration enforcement program, officials reversed themselves and said opting out was not possible.

Weeks after quelling a growing furor on the right by announcing an investigation into why an illegal immigrant who was driving drunk when he killed a nun in Prince William County had not been deported after two previous convictions, officials said they would not make the investigation's results public.

And hours after a senior official, who was publicly challenged last week by a Maryland woman facing deportation, assured the woman that she had not been picked up under a controversial immigration program, officials said the woman had indeed been identified via the program, known as Secure Communities.

Advocates on both the right and the left say these and other incidents have created a climate of mistrust in which immigration officials initially tell people what they want to hear, only to antagonize them later when reality kicks in.

Defenders of the administration say the problem is that officials have been placed in the impossible position of enforcing laws that they themselves believe are unfair and outdated.

"We have made a very high priority of transparency and candor," said Beth Gibson, assistant deputy director of Immigration and Customs Enforcement (ICE). "We have posted all our policies online . . . we are operating openly and forthrightly."

But months after assuring Congress that local jurisdictions could opt out of Secure Communities - which runs fingerprints obtained by local police through a national database to see whether they belong to illegal immigrants - officials backtracked.

The letter Napolitano sent to Congress said,

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## The Washington Post

### Reversals by immigration officials are sowing mistrust

"a local law enforcement agency that does not wish to participate in the Secure Communities deployment plan must formally notify the Assistant Director for the Secure Communities program."

But what they meant, officials said, was only that communities could temporarily postpone when they signed up for the program.

"If I were writing the sentence now, it would say, 'Jurisdictions cannot opt out of Secure Communities, but we will work with you to mitigate your concerns,'" Gibson said.

Walter Tejada, an Arlington County Board member who spearheaded a resolution for the county to opt out of the program only to learn that it was impossible, said: "If that had been the case why didn't they tell us in May? Why did we have to go through all this hoopla?"

Similarly, after a public outcry in August over why officials had not deported drunk driver Carlos Martinelly-Montano, officials at the Department of Homeland Security promised an investigation.

Once the report was completed, officials said, they were not going to make the results public. Spokesman Matthew Chandler said the findings would be shared with Congress and local law enforcement. A senior official,

speaking on the condition of anonymity, previously said the report would not be publicly released because of "law enforcement sensitivities."

"They say one thing and do another," Corey Stewart, chairman of the Prince William Board of County Supervisors, complained recently about the federal agency. "They say they are going to do something and then backtrack."

Last Thursday, when ICE Assistant Director David Venturella was confronted at a Wilson Center event by a Hyattsville woman in deportation proceedings about the Secure Communities program he heads, Venturella told Maria Bolanos that she had not been targeted via the program. "You were not a Secure Communities referral or a hit."

Hours later, agency spokesman Brian Hale e-

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## The Washington Post

### Reversals by immigration officials are sowing mistrust

mailed to say: "To clarify this situation, Ms. Bolanos was in fact encountered through Secure Communities."

Bolanos was detained by immigration officials after she received an arrest warrant for selling phone cards without a license. That charge stemmed from an earlier call for help she made to police during a domestic dispute. An officer who responded saw phone cards on her table and, believing she was selling them illegally, issued a summons. The charge was soon dropped, but by then Bolanos's fingerprints had gone to ICE via the Secure Communities program, and she was detained and put into deportation proceedings.

Gibson said Venturella was only "trying to make a clear distinction that the domestic violence call was not a direct cause of her coming into ICE custody."

"To me it is not news that someone from ICE is misrepresenting stuff," said Gustavo Andrade, organizing director of CASA de Maryland, an immigration rights group that is helping Bolanos.

Doris Meissner, a former immigration chief during the Clinton administration and now a senior fellow at the Migration Policy Institute, said the problem was that Obama officials had found themselves in an impossible situation.

"On the one hand, they are embracing the idea that the laws need to be changed and current laws are not up to the task," she said, referring to administration pleas for an overhaul of the immigration system. "At the same time, it is their responsibility as executive branch officials, as the responsible heads of agencies, to implement the laws currently on the books."

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## Updated: Domestic Violence Survivor Confronts Secure Communities Director

Posted by [Deport Nation](#) on Thursday, November 18, 2010 · 

There were several tense moments today when David Venturella, the assistant director of Secure Communities, addressed a room full of immigration advocates at the [Woodrow Wilson Center](#).

“This is a tough topic,” Venturella said during his opening remarks. “I understand it elicits a lot of emotion.”

At one point, [Maria Bolanos](#), a domestic violence victim who’s call for help led to deportation proceedings, confronted David Venturella.

“I called the police after a fight with my partner. I thought they would help me,” said Bolanos, through Ashwini Jaisingh, a translator and organizer with [Casa De Maryland](#). “But through this the police turned me over to ICE, and now I have a deportation order.”

Bolanos has a 21-month old daughter and asked Venturella to dismiss her case immediately.

Venterella said he did not want to discuss the case publicly, but told Bolanos her case “was not a Secure Communities referral.”

Several attorneys in the room offered other examples of cases where their clients had been turned over to ICE after they were taken into police custody after domestic violence disputes.

*Update:* Casa de Maryland and National Day Laborer Organizing Network released a statement Friday that calls made to the agency did confirm that Maria Bolanos’ case was a Secure Communities apprehension.

“The fact that the national director of this broken program would lie about its victims and accuse the press of manipulation illustrates that the plain truth is too ugly,” said Gustavo Andrade, CASA de Maryland’s Enforcement Watch Director. “Secure Communities is separating families and damaging the public’s trust in their local police.”

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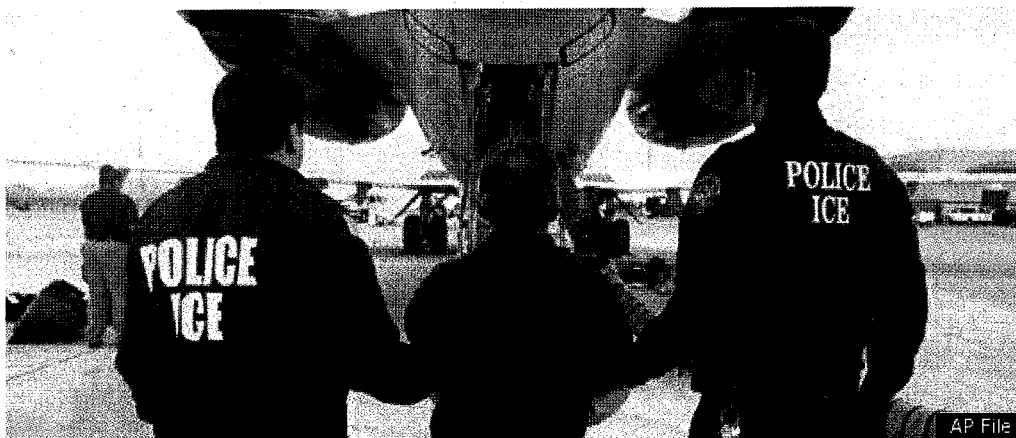
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# Deportations Of Immigrants Hits Record Number Under Obama Administration



## Deportations Of Immigrants Hits Record Number Under Obama Administration

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WASHINGTON (AP) -- Huge increases in deportations of people after they were arrested for breaking traffic or immigration laws or driving drunk helped the Obama administration set a record last year for the number of criminal immigrants forced to leave the country, documents show.

The U.S. deported nearly 393,000 people in the fiscal year that ended Sept. 30, half of whom were considered criminals. Of those, 27,635 had been arrested for drunken driving, more than double the 10,851 deported after drunken driving arrests in 2008, the last full year of the

Bush administration, according to Immigration and Customs Enforcement data provided to The Associated Press.

An additional 13,028 were deported last year after being arrested on less serious traffic law violations, nearly three times the 4,527 traffic offenders deported two years earlier, according to the data.

The spike in the numbers of people deported for traffic offenses as well as a 78 percent increase in people deported for immigration-related offenses renewed skepticism about the administration's claims that it is focusing on the most dangerous criminals.

President Barack Obama regularly says his administration is enforcing immigration laws more wisely than his predecessor by focusing on arresting the "worst of the worst." He promised in his 2008 presidential campaign to focus immigration enforcement on dangerous criminals. As recently as May 10, Obama said in a speech in El Paso, Texas, that his administration was focused on violent offenders and not families or "folks who are looking to scrape together an income."

Most of the immigrants deported last year had committed drug-related crimes. They totaled 45,003, compared with 36,053 in 2008. Drug-related crime – described as the manufacture, distribution, possession or sale of drugs – has been the No. 1 crime among immigration for years. Drunken driving was third in the number of offenses last year.

An undocumented immigrant from Bolivia, Carlos Montano, is awaiting trial in Virginia on charges of involuntary manslaughter in a drunken driving incident that killed Benedictine nun Denise Mosier and injured two other nuns. The case fueled national debate over deportations of criminal immigrants because Montano had two previous drunken driving arrests, in 2007 and 2008. He was not held by ICE or deported after the arrests. An ICE report concluded that new federal immigration policies would have prevented Montano's release.

But the rise in traffic offenders in the deportation statistics and in some other categories worries immigration advocates, particularly because traffic stops are largely made by police, sheriff's deputies and state highway

## Deportations Of Immigrants Hits Record Number Under Obama Administration

patrol officers. Local law enforcement has become more involved in immigration enforcement because of new programs that encourage it.

Officers "are using their new authority to remove as many unauthorized people from their jurisdictions as they can, and that frequently means going after traffic violators instead of serious criminals," said Muzaffar Chishti, director of the Migration Policy Institute's office at New York University Law School. The institute is a Washington-based think tank on migration.

Homeland Security Secretary Janet Napolitano noted that most people in the United States are arrested for misdemeanor offenses. But she told the AP that the percentage of felons deported will change over time.

"The more serious offenders are still in prison," she said in an interview Thursday. "We're not going to see them reflected in the numbers until we can begin to remove them."

The issue is one Obama is trying to carefully navigate in his bid for a second term as he relies on the record deportations numbers to bolster his tough-on-enforcement stance while trying to convince immigrant and Latino voters he deserves more time to get a comprehensive immigration bill through Congress.

Marshall Fitz, immigration policy director at the liberal Center for American Progress think tank, said some of the people being counted as criminals have committed traffic violations that would usually draw a traffic ticket. But when the driver can't produce a valid license, the officer pursues questions about immigration status.

Undocumented immigrants caught in traffic stops often are pressured into signing an agreement to leave the United States and to pay a fine or somehow acknowledge responsibility for the traffic offense and thereby end up in the statistics as criminals even though they never went to court, Fitz said.

Kumar Kibble, Immigration and Customs Enforcement deputy of immigration, said in some cases people picked up on traffic offenses are found to have committed other crimes. But ICE attempts to categorize each deported immigrant in its statistics based on the worst crime in the person's record. ICE says the statistics involve only people who have been convicted of a crime.

Darrel Stephens, executive director of Major Cities Chiefs Association, an organization of sheriffs and police chiefs, said the data show ICE is deporting criminals. He noted that even though traffic offenses have more than doubled, they are just 7 percent of the total criminal deportations. Meanwhile, dangerous drugs and drunken driving deportations comprised 23 percent and 14 percent of the criminal deportations, respectively.

The drunken driving deportations are particularly important, he said. Fatal drunken driving accidents involving undocumented immigrants often cause outrage in communities where they occur.

"That's a crime that people look at in a very serious way right now," Stephens said.

There are an estimated 11 million people in the country illegally, 7 million to 8 million of whom are believed to be adults.

Kibble said the numbers show his agency's system of giving priority for deportation to people who pose a public threat is working. Last year, 36,178 criminals were deported as a result of the Secure Communities program, now in place in more than 1,400 jurisdictions, up from 14 in 2008. It's expected to be in more than 3,000 jurisdictions nationally by 2013.

Secure Communities is the Homeland Security Department's system of identifying immigrants for deportation through fingerprints taken by local officers when booking people on criminal charges. The local law enforcement agencies routinely send the prints to the FBI for criminal background checks. The FBI shares the fingerprints with Homeland Security to look for potentially deportable immigrants, who can be in the country illegally or legally.

"The numbers are going in the right direction," Kibble said.

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