



# COUNTY OF LEHIGH

## Human Resources

M. Judith Johnston  
Human Resources Officer

November 7, 2018

Ms. Amy Chin-Arroyo  
Sheller Center for Social Justice  
Temple University Beasley School of Law  
1719 North Broad Street  
Philadelphia, Pa. 19122

Dear Ms. Arroyo:

I am responding to your Right To Know request of October 2, 2018, requesting "Any record, reports, policies, agreements, correspondence, forms, or documents from 2015 to present reflecting: 1. Questions asked of individuals entering or in Lehigh County Jail about their immigration status, national origin, or country of birth. 2. Sharing of information with ICE about individuals in Lehigh County Jail (e.g. names, date of birth, immigration status, national origin, country of birth). 3. Sharing of access with ICE to incident reports, booking records, or databases with information about the individuals in Lehigh county Jail. 4. Presence of ICE officials in Lehigh County Jail (including formal or informal agreements to interview individuals in the Jail's custody). 5. Number of times ICE officials visit Lehigh County Jail to talk to individuals in custody at the jail. Transferring individuals from the custody of Lehigh County Jail to ICE custody."

I have had your request reviewed with the County of Lehigh Department of Corrections and they have provided records for requests #1, #2, and #3, identified on the records. For request #4, #5, and #6, the Jail does not track and does not maintain the records you are requesting. An agency is not "required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain or organize the record" 65 P.S. Section 67.705.

You have a right to appeal this decision in writing to the Office of Open Records Commonwealth Building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, Pa. 17102. If you choose to file an appeal, you must do so within 15 business days of the mailing of this Agency's response, as outlined in Section 1101. An appeal has to be submitted in writing. You can use the appeal form from the Pennsylvania Office of Open Records Website or the appropriate form on the County of Lehigh website.

Please let this correspondence serve to close your request.

Sincerely,

A handwritten signature in cursive script that reads "M. Judith Johnston".

M. Judith Johnston

Lehigh County Government ( )  
17 South Seventh  
Allentown, PA 18101  
Phone: 610-782  
Fax: 610-820  
judithjohnston@lehighcour



MODIFY PERSONAL INFORMATION FOR LC ID#

#1

First Name:  
Middle Name:  
Last Name:

SID#:  
Drivers License:  
:

Birthdate:                      Age:  
Birthplace:  
Sex:  
Race:  
Soc. Sec.#:  
Height:                      in                      Wgt:  
Build:  
Complexion:  
Eyes:                      Hair:  
Tattoos:  
Marks:  
Citizen:  
Education:  
Religion:  
Occupation:

\_\_\_\_\_ NEXT OF KIN INFORMATION \_\_\_\_\_

Name:
Address:
:
:
City:
State:
Zip:
Phone#: (    )
Relationship: _____

Nationality:  
Marital Status:  
Status ('D' if deceased): A                      ACTIVE  
Save to Continue[Y]:

#2

In response to #2, the following information is electronically provided to ICE daily:

Defendant ID

Last Name

First Name

Middle Name

Incarceration Date

Release Date

Birth Date

Birth Place

Social Security Number

Race

Sex

Tattoo

Nationality

Height

Weight

Build

Eyes

Hair Color

Marks

Complexion

#3

Enforcement and Removal Operations  
U.S. Department of Homeland Security  
1600 Calowhill Street  
Philadelphia, PA 19130



U.S. Immigration  
and Customs  
Enforcement



November 4, 2015

Edward Sweeney  
Director of Corrections  
Lehigh County Department of Corrections  
38 North Fourth Street  
Allentown, PA 18102

Dear Mr. Sweeney:

I appreciated the time you took last month to meet with me and my staff at your office and to speak about the transfer of criminal subjects from the county's custody into ICE custody. We look forward to implementation of the collaborative efforts we spoke about during our meeting, which we expect will prove mutually beneficial to ICE, the county, and its citizens. To make clear, we understand the following to be consistent with our discussion, and would greatly welcome any notes of clarification that you may wish to add:

- Lehigh County Prison will continue to provide ICE with daily lists;
- If ICE identifies a subject of interest, ICE will file an I-247N, Request for Notification;
  - The facility will make every effort to notify ICE prior to release of the alien to afford ICE an opportunity to respond and assume custody of the subject; however, in doing so, the facility will not delay the release of the individual;
- If ICE identifies an individual who is subject to a judicial final order of removal (see sample attached to this letter), ICE will file an I-247D, Request to Detain, with a copy of the judicial order; and the facility will notify ICE prior to the release of the subject so that a transfer of custody may be arranged;
  - The facility will not hold an individual beyond 48 hours;
  - In all instances, the facility will contact ICE as soon as they know an individual is due to be released;
  - ICE will immediately notify the facility if a pick-up is feasible and, if so, provide an expected time of arrival

As referenced above, I have attached a sample judicial final order of removal for your reference. We are grateful for this opportunity to extend this partnership between Lehigh County and ICE for the benefit of public safety and national security.

Again, I truly appreciate your time and your willingness to collaborate on these important issues. Please let me know if the above information captures the topics discussed during our meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas R. Decker". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Thomas R. Decker  
Field Office Director  
DHS/Immigration & Customs Enforcement  
Enforcement & Removal Office  
Philadelphia, PA

Attachment:  
1 – Sample Judicial Final Order