MEMORANDUM FOR:   All Special Agents in Charge  
                      All ICE Attachés  
                      All Field Office Directors

FROM:               Marcy M. Forman
                    Director, Office of Investigations  
                    John P. Torres
                    Acting Director, Detention and Removal Operations

SUBJECT: Use of Ruses in ICE Enforcement Operations

This memorandum serves as joint guidance on the use of ruses in criminal investigations and 
law enforcement operations. The use of ruses in law enforcement operations is an effective 
law enforcement tool that enhances officer safety. One main objective of a ruse is to prevent 
violators from fleeing and placing themselves, officers and innocent bystanders in a potentially 
dangerous situation.

However, the use of ruses utilizing the names of agencies and companies involved in the 
admission of health and safety programs can impede the functions of those organizations 
by creating a perception that these organizations are acting as an enforcement tool of ICE. The 
use of ruses involving health and safety programs undermines the efforts to increase safety in 
the workplace and undercuts workers' willingness to report workplace safety violations based 
on a fear of law enforcement action being initiated against the reporting worker.

Pursuant to memorandums dated March 6, 2006, subject Use of Ruses in Enforcement 
Operations, the Offices of Investigations and Detention and Removal Operations discontinued 
the use of ruses involving health and safety programs administered by a private entity or a 
federal, state, or local government agency, such as the Occupational Safety and Health 
Administration (OSHA), for the purpose of immigration worksite enforcement. The cited 
memorandums require Assistant Secretary pre-approval of all other investigative enforcement 
actions requiring the use of a health or safety-based ruse, as well as appropriate coordination 
with the respective government agency or private entity.

This jointly issued memorandum reinforces the prohibitions and approval requirements 
outlined in the March 6, 2006, memorandums.

Questions on this matter from OI offices should be directed to Acting Deputy Assistant 
Director (b)(6),(b)(7)(C) at (202) 305 (b)(6) and from DRO offices to Deputy Assistant Director
(b)(6),(b)(7),(C) at (202) 616 (b)(6).