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## ICE updates guidance for use of INTERPOL Red Notices during law enforcement actions

WASHINGTON – U.S. Immigration and Customs Enforcement (ICE) today announced new agency-wide guidance about the use of Red Notices and Wanted Person Diffusions, as part of its commitment to comply with the requirements of INTERPOL’s Constitution and Rules on the Processing of Data. ICE Directive 15006.1 codifies and strengthens the agency’s best practices and supports the U.S. Department of Homeland Security’s (DHS) broader efforts to combat transnational repression by helping ensure Red Notices and Wanted Person Diffusions are issued for legitimate law enforcement purposes and comply with governing rules.



“It is critical that our use of Red Notices and Wanted Person Diffusions be consistent with applicable law, carefully documented, and reflective of sound law enforcement decision-making,” said ICE Deputy Director and Senior Official Performing the Duties of the Director Patrick Lechleitner. “Enhanced training, deeper scrutiny, and consistent adherence to this updated directive will further mitigate any potential abuse of these types of notices and diffusions, particularly in instances where a criminal record might be based on unsubstantiated or fabricated evidence.”

Red Notices are issued for fugitives wanted either for prosecution or to serve a sentence. A Red Notice is a request to law enforcement worldwide to locate and provisionally arrest a person pending extradition, surrender, or similar legal action. Wanted Person Diffusions serve a similar purpose but are circulated directly by an INTERPOL member country to one, some, or all other INTERPOL member countries.

Generally, ICE Directive 15006.1 prohibits ICE personnel from relying exclusively on a Red Notice or Wanted Person Diffusion to justify law enforcement actions or during immigration proceedings. If ICE personnel intend to rely on a Red Notice or Wanted Person Diffusion to help inform whether an enforcement action should be taken or during immigration proceedings, they should do so sparingly and only after certain threshold criteria have been met, as outlined in the directive.

ICE Directive 15006.1 instructs personnel to:

- Complete mandatory training annually.
- Verify the validity of a Red Notice or Wanted Person Diffusion to ensure it has not been suspended, withdrawn, or expired.
- Conduct a preliminary review of available information for any indications of potential abuse or non-compliance with INTERPOL’s rules.
- Obtain supervisory approval to act upon a Red Notice or Wanted Person Diffusion.
- Request the associated underlying documentation via INTERPOL Washington.
- Request use authorization via INTERPOL Washington if ICE intends to use a Red Notice or Wanted Person Diffusion in immigration proceedings.
- Provide the wanted person with underlying documentation associated with the Red Notice or Wanted Person Diffusion, as applicable, and provide them with a meaningful opportunity to contest it or its contents.
- Not represent or imply that a Red Notice or Wanted Person Diffusion is an arrest warrant, nor that it conveys independent legal authority or represents an independent judgment by INTERPOL concerning probable cause or the validity of the underlying criminal

proceedings.

ICE officers make case-by-case determinations under federal immigration law to determine if individuals are removable noncitizens. In some instances, the interest of another law enforcement agency – either here in the United States or abroad – may inform the analysis of whether an individual is a noncitizen, is removable under the immigration laws, or qualifies for immigration relief or release from custody.

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