

## MN prisons say many fed ‘arrests’ are routine transfers to ICE

State corrections department has been pushing back against U.S. Department of Homeland Security statements



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The Minnesota Department of Corrections said Monday they’ve identified 68 cases when they’ve transferred people from prison to federal custody and federal officials “falsely claim these same individuals were ‘arrested’ by waves of federal agents deployed into Minnesota communities.”

The U.S. Department of Homeland Security has a “Worst of the Worst” website where DOC said they identified people who were subject to routine custody transfers to Immigration and Customs Enforcement.

“DHS is justifying an unprecedented federal deployment into Minnesota communities based on the demonstrably false narrative that Minnesota refuses to honor ICE detainees,”

DOC said in its latest comments pushing back against DHS. "... What is troubling is DHS taking credit for 'arrests' which are, in reality, state-to-federal handoffs occurring at prison facilities after individuals complete their state terms of imprisonment, as has been the long-standing practice."

The Corrections Department gave examples, including a case from Thursday. DOC said they transferred Jose Eliborio Ocampo-Leon from the Moose Lake prison to ICE custody.

The next day, DHS highlighted him in a press release with Assistant Secretary Tricia McLaughlin stating, "DHS law enforcement continues to remove violent criminal illegal aliens from the streets of Minnesota. Just yesterday they arrested pedophiles, sexual predators, and drug traffickers in Minnesota."

DHS said last Monday they arrested 3,000 "criminal illegal aliens" in the last six weeks.

State and local law enforcement agencies cannot hold someone based on an immigration detainer if the person would otherwise be released from custody, according to a legal opinion last year from Minnesota Attorney General Keith Ellison.

Like the state prisons, Dakota County Sheriff Joe Leko said he and other sheriffs communicate with ICE to plan for transfers from county jails. The difference with prisons is "they know their release date six months out, so they can plan for that transfer to be accommodated," Leko said.

ICE might not be available for a transfer from a county jail because "it could occur within three hours" when a court sets a person's bail or determines they can be released with conditions, Leko said.

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