



January 23, 2019

Field Director Rebecca Adducci  
U.S. Immigration and Customs Enforcement  
Detroit Field Office  
333 Mt. Elliott St  
Detroit, MI, 48207

**RE: Demand for Investigation Regarding ICE's Attempt to Deport U.S. Citizen and Marine Veteran, Jilmar Ramos-Gomez**

Dear Director Adducci,

We write to demand an immediate investigation into what led U.S. Immigration and Customs Enforcement (ICE) to arrest and seek to deport Jilmar Ramos-Gomez, a United States citizen and decorated Marine veteran. We also demand public disclosure of data about the number of other U.S. citizens and lawful permanent residents that ICE has detained or deported in the last four years.

Mr. Ramos-Gomez was born in Grand Rapids, grew up here, and bravely served our country in Afghanistan. Like many veterans who have been engaged in combat, he experiences post-traumatic stress disorder. On November 21, 2018 he was arrested by Grand Rapids Police Department officers after entering the helipad at a local hospital.

As the police report from that incident makes clear, Mr. Ramos-Gomez was carrying his U.S. passport with him when he was arrested. He also had numerous other forms of identification. He had a REAL ID compliant Michigan driver's license—a form of identification one cannot get unless one is lawfully present in the United States. That license also clearly identifies him as veteran. He had his military ID card. He was wearing his military tags. He even had his childhood library card.

Yet, despite the overwhelming evidence that Mr. Ramos-Gomez is a United States citizen, ICE put an immigration detainer on him. On Friday, December 14, 2018, when Mr. Ramos-Gomez should have been released after pleading guilty to a trespassing charge, ICE officers took him into custody. Not until Monday, December 17, 2018—

after Mr. Ramos-Gomez had spent three days in immigration detention center—was his family able to secure his release through his attorney.

Instead of being transparent with the public, ICE has failed to provide even the most basic information to explain why it was seeking to deport Mr. Ramos-Gomez. Even worse, instead of accepting responsibility for this terrible situation and apologizing, ICE has sought to deflect responsibility to the victim. Mr. Ramos-Gomez fought for our country on the battlefield. He should be honored for his service, not blamed for ICE's attempt to deport a decorated veteran.

ICE's evasive statement about Mr. Ramos-Gomez, issued by an unnamed official, raises more questions than it answers. ICE states that immigration officers interviewed Mr. Ramos-Gomez, but ICE fails to say why he was being interviewed in the first place. What made ICE think he was in the country illegally, given that he had extensive documentation proving his U.S. citizenship? Did ICE interview him because he is Latino and has a name that is recognizable as such? How many Caucasians with Anglo names has ICE suspected of illegal presence and interviewed at the Kent County Jail in the last year?

ICE also claims that Mr. Ramos-Gomez said he was a foreign national illegally present in the U.S. Where is the proof of that? ICE has provided no recordings or contemporaneous officer reports documenting any such statements. But even if Mr. Ramos-Gomez made stray or confused comments about his citizenship, why would ICE arrest him on that basis? ICE officers surely do not simply accept an interviewee's word about their citizenship, whether they claim to be U.S. citizen or a foreigner. Rather, ICE officers are supposed to investigate, a process which most obviously begins by looking at the individual's identification documents. Did the ICE officers here even bother to look at Mr. Ramos-Gomez's documents? His passport? His driver's license? His military ID? His U.S. Marine Corps identification tags? If not, why not?

Sadly, what ICE did to Mr. Ramos-Gomez is not an isolated incident. To the contrary, ICE has a history of wrongly targeting U.S. citizens for detention and deportation. While publicly available data is neither recent nor comprehensive, National Public Radio reported that between 2007 and 2015, there were 693 U.S. citizens held in local jails on federal detainers at ICE's request, and 818 more Americans held in immigration detention centers.<sup>1</sup> The Cato Institute has estimated that due to "database errors, inadequate investigations, and other mistakes," between 2005 and 2017, ICE likely wrongfully targeted almost 20,000 U.S. citizens nationwide with detainers that were

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<sup>1</sup> Eyder Peralta, You Say You're An American, But What If You Had To Prove It Or Be Deported?, NPR, December 22, 2016, <https://www.npr.org/sections/thetwo-way/2016/12/22/504031635/you-say-you-re-an-american-but-what-if-you-had-to-prove-it-or-be-deported>.

subsequently canceled.<sup>2</sup> ICE's record is even worse with regard to immigrants lawfully present in the United States: between 2008 and 2012, ICE issued detainers against over 28,000 lawful permanent residents.<sup>3</sup>

We call on ICE to release data for the last four years showing the number of U.S. citizens and lawful permanent residents who have been wrongly held on ICE detainers by local law enforcement, have been wrongly detained in immigration detention centers, and have been wrongly deported. ICE should also explain what steps it is taken to ensure that U.S. citizens and immigrants lawfully in this country are not targeted for detention and deportation.

Finally, we demand that ICE publicly explain what policies and procedures it has to address the unique needs of individuals with mental health issues or disabilities whom ICE officers encounter during investigations. What steps did the ICE officer take here to account for and accommodate Mr. Ramos-Gomez's post-traumatic stress disorder, which should have been immediately apparent to them? What changes will ICE make to policies and training procedures to protect people with disabilities—both citizens and non-citizens—in their interactions with ICE officers?

ICE must take responsibility for what it did to Mr. Ramos-Gomez. It must be transparent and accountable about how it treats U.S. citizens, lawfully present immigrants, and people with disabilities. And it must reform its policies and procedures to ensure that what happened to Mr. Ramos-Gomez never happens again.

We look forward to your sharing answers to these questions with us, and with the public. We also ask that you promptly send the documents we requested on January 14, 2019, under the Freedom of Information Act, a request to which we have received no response.

Sincerely,

Miriam Aukerman  
Senior Staff Attorney

Hillary Scholten  
Michigan Immigrant Rights Center

cc: Ronald Vitiello, Acting Director, U.S. Immigration and Customs Enforcement

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<sup>2</sup> David J. Bier, *US Citizens Targeted By ICE*, Cato Institute (August 29, 2018) at 3, <https://object.cato.org/sites/cato.org/files/pubs/pdf/irpb-8.pdf>.

<sup>3</sup> TRAC, ICE Detainers Placed on U.S. Citizens and Legal Permanent Residents at <https://trac.syr.edu/immigration/reports/311/>.