



**U.S. Department of Justice**  
Civil Division, Federal Programs Branch

*Via U.S. Mail:*  
P.O. Box 883  
Washington, DC 20044

*Via Courier:*  
20 Massachusetts Ave. NW  
Washington, DC 20001

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Eric B. Beckenhauer  
Trial Attorney

Tel: (202) 514-3338  
Fax: (202) 616-8470

eric.beckenhauer@usdoj.gov

February 20, 2015

VIA E-MAIL

Daniel Joseph Pochoda  
James Duff Lyall  
ACLU Foundation of Arizona  
P.O. Box 17148  
Phoenix, AZ 85011  
dpochoda@acluaz.org  
jlyall@acluaz.org

Derek E. Bambauer  
Jane Yakowitz Bambauer  
479 E. Historic Street  
Tucson, AZ 85701  
derekbambauer@email.arizona.edu  
janebambauer@email.arizona.edu

Re: ACLU Found. of Ariz. v. DHS, No. 14-2052 (D. Ariz.)

Counsel:

Enclosed please find additional records that U.S. Customs and Border Protection has determined to release in response to the FOIA requests submitted on January 23, 2014, by Plaintiffs in the above-referenced case.

If you have any questions about the enclosed materials, please contact me at (202) 514-3338.

Sincerely,

Eric B. Beckenhauer

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JAN 15 2008

U.S. Department of Homeland Security  
Washington, DC 20229



U.S. Customs and  
Border Protection

MEMORANDUM FOR: All Chief Patrol Agents  
All Division Chief

FROM:

b6,b7C

Chief  
U.S. Border Patrol

b6,b7C

SUBJECT: Policy Regarding the Use of License Plate Readers at Border Patrol  
Checkpoints

Attached is the policy regarding the use of license plate readers at Border Patrol checkpoints. This policy, for immediate implementation, outlines the specific guidelines and procedures for those Border Patrol Agents who operate these units.

Please direct any questions regarding the technology or use of the license plate reader to Assistant Chief b6,b7C of the Enforcement Systems Branch, at b6,b7C.

Please direct any questions about this policy to Supervisory Border Patrol Agent b6,b7C of the Policy Branch, at b6,b7C

Attachment

**DATE:** January 3, 2008

**REFERENCE:** 07-11036

**SUBJECT:** Use of License Plate Readers at Border Patrol Traffic Checkpoints

**1. PURPOSE**

To establish guidelines for the utilization of automated License Plate Readers (LPR) and integrated Treasury Enforcement Communications System (TECS) queries at Border Patrol traffic checkpoints.<sup>1</sup>

**2. AUTHORITIES/REFERENCES**

- 2.1 Title 8 U.S.C. Section 1357 and implementing regulations at 8 CFR Part 287
- 2.2 Border Patrol Handbook, Chapter 13
- 2.3 Border Patrol Checkpoint Operations and Guidelines Policy
- 2.4 Treasury Enforcement Communications System Data Directive, 4320-003
- 2.5 Non-Intrusive Inspection (NII) Technology Directive, 3340-036
- 2.6 Commissioner's Situation Room Reporting Directive, 3340-025C, as amended or superseded
- 2.7 M-69 The Law of Arrest, Search, and Seizure
- 2.8 Chief's Memorandum (dated 9/28/05) "Notification of Positive 72-hour Lane Checks on Seizures"
- 2.9 Responding to Potential Terrorists Seeking Entry into the United States, 3340-021B, as amended or superseded
- 2.10 Treasury Enforcement Communication System (TECS) User Guide
- 2.11 Inspector's Field Manual (*reference*)
- 2.12 License Plate Reader and Vehicle Counter System Policy, 3340-034A (*reference*)
- 2.13 Land Border Secondary Examination Process User Guide (*reference*)
- 2.14 License Plate Reader Operators Manual

**3. DEFINITIONS**

Throughout this document the following terms shall apply:

- 3.1 Border Patrol Checkpoint/Immigration Checkpoint refers to a non-port of entry location, whether permanent or temporary, at which vehicular immigration inspections occur. The purpose of an immigration checkpoint is to interdict aliens furthering unlawful entry into or unlawfully present in the United States and to restrict the routes of egress from the border area thereby deterring illegal entries.

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Criminal Activity is defined as conduct that is criminally punishable under federal law or under a state or local law that a Border Patrol Agent in that jurisdiction is authorized to enforce.

3.3 Informational/Investigative Hit b7E

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3.4 Interagency Border Inspection System (IBIS) is a multi-agency database of lookout information. The database resides within TECS and contains information on suspect individuals, businesses, vehicles, aircraft and vessels. IBIS data is law enforcement sensitive and for official use only.

3.5 License Plate Reader (LPR) is an automated system that is able to locate, read, process, and query vehicle license plate information through TECS or other databases.

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3.7 Primary Inspection Area is defined as the location of the initial point of contact where a Border Patrol Agent inspects a vehicle or conveyance and its occupants.

3.8 Safety-Related Lookouts are used for violations that would pose a threat to an officer or public safety. b7E

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3.9 Secondary Inspection Area is defined as an isolated and/or controlled area out of the lane of traffic where, following a primary inspection, further inspections of vehicles or conveyances and their occupants may occur.

IBIS/TECS - Interagency Border Inspection System/Treasury Enforcement Communication System. The online database of IBIS/TECS is comprised of enforcement, inspection and intelligence records relevant to the border enforcement mission of CBP and other federal agencies that it supports. b7E

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#### 4. **RESPONSIBILITIES**

The Commissioner of CBP retains policy oversight of the Border Patrol, including its use of license plate readers.

The Chief, U.S. Border Patrol, is responsible for the formulation and implementation of OBP LPR policy. The Chief shall ensure that this directive is disseminated to and adhered to by all sectors and agents.

- 4.3 Sector Chief Patrol Agents (CPAs) are responsible for the local implementation and adherence to established guidelines. The sector chiefs shall also ensure that the agents operating LPRs have received training in the use of both the LPR and TECS.

Patrol Agents in Charge (PAICs) are responsible for ensuring that the agents under their control adhere to the LPR policies and that the LPR systems are properly maintained and operational. They are also responsible for ensuring that the agents under their supervision have met the training requirements listed in section 6.2.

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Each sector or station should have enough SCOs to ensure coverage for each shift.

- 4.8 Border Patrol Agents (BPAs) are responsible for operating the equipment in accordance with established policies and procedures. b7E

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Agents must also ensure that their IBIS/TECS profiles, passwords, training and certifications are current and up-to-date.

#### 5. **POLICY**

- 5.1 The singular purpose of a Border Patrol checkpoint is to enforce immigration law. Accordingly, the occupants of each vehicle encountered by a Border Patrol Agent at a traffic checkpoint must first be subjected to an immigration inspection. License plate readers can provide information from TECS or other databases that assist an Agent's

enforcement of immigration law and can also provide information that is critical to ensuring officer safety.

- 5.2 In the course of enforcing immigration law at checkpoints, reasonable suspicion may arise regarding other criminal laws that Border Patrol agents are authorized to enforce. Accordingly, referrals to secondary may be appropriate not only to resolve an immigration-related inquiry, but also to resolve an articulable concern for officer safety regarding a given vehicle or its occupants, to inquire into the applicability of an outstanding federal warrant that appears to relate to a vehicle or its occupants, or to further investigate a reasonable suspicion of a violation of criminal law that the Border Patrol Agent is authorized to enforce. TECS information from license plate readers can help inform agents during the checkpoint inspection. b7E

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- 5.3 Interagency Border Inspection System (IBIS)/Treasury Enforcement Communications System is an on-line database comprised of enforcement, inspection, and intelligence records primarily relevant to the border enforcement mission of CBP and the other federal agencies that it supports. IBIS/TECS data may be informative, but in most instances is unlikely by itself to constitute probable cause to justify a search or seizure away from the border, even if that same information might result in a search or detention of that same vehicle or its occupants when encountered at the border.
- 5.4 Any action in enforcement of state law at a checkpoint, including an arrest or seizure for violation of state law, must be consistent with the agent's authority under applicable state law, must conform to any applicable agency guidance on responding to state crimes, and should be coordinated with applicable state law enforcement authorities. State law will be enforced at checkpoints only if there is clear authority to do so.

## 6. PROCEDURES

- 6.1 Points of Contact (POCs) – Each station using LPRs will designate a Station POC. The POC will assume primary responsibility for monitoring LPR usage, reporting issues, and other duties as needed in order to ensure the continuity and successful operation of the program. In accordance with section 6.7.1, POCs may conduct basic cleaning of the lenses of the LPR system. b7E

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Station POCs will monitor usage to ensure that the LPR system is operating within the parameters outlined in the performance and maintenance contract. Station LPR POCs are authorized, as necessary, to do basic exterior cleaning of the LPR equipment. This cleaning consists of wiping all exterior lenses and coverings with nonabrasive cloth and glass cleaning solution. b7E

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6.2 Training - Agents must receive proper training before they are authorized to either log into or use an IBIS/TECS primary or secondary terminal whether or not a license plate reader is installed or operational. Training shall consist of:

An IBIS/TECS basic training course. Stations having a need for IBIS/TECS training should coordinate through their local sector training office. Class schedules, points of contact, and additional TECS materials, guides, and reference manuals may be found on the CBP training site at b7E

and

Training in Border Patrol LPR and TECS usage procedures to include clearing lookouts and alerts and basic familiarization with their use and function.

Data Entry/Usage – At no time should the query of a plate take priority over or compromise the safe operation of the traffic checkpoint. b7E

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The primary agent or agents assigned to the primary inspection area must log in to the system using his or her own unique ID and password. Agents are not permitted to share logins.

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**7. CANCELLATION/DISTRIBUTION**

- 7.1 This policy will remain in effect until cancelled, revoked or superseded.
- 7.2 The policy will be distributed to all agents, supervisors, station management, and sector staff who work at or are responsible for Border Patrol traffic checkpoints using License Plate Readers or making manual entries into TECS primary.

**8. NO PRIVATE RIGHT CREATED**

This document is an internal policy and statement of U.S. Customs and Border Protection and does not create or confer any rights, privileges, or benefits for any person or party.

**9. DISCLOSURE**

This document contains information that may be exempt from disclosure to the public under federal law. No part of this document shall be disclosed to the public without express authority from U.S. Customs and Border Protection Headquarters.

**b6, b7C**

Chief  
U.S. Border Patrol





U.S. Customs and  
Border Protection

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JAN 27 2009

MEMORANDUM FOR: All Chief Patrol Agents

FROM:

b6,b7C

David V. Aguilar  
Chief

U. S. Border Patrol

b6,b7C

SUBJECT: Radiation Isotope Identification Device Deployment

The Office of Border Patrol (OBP) strives to meet the challenge of providing all operationally required equipment for Border Patrol field operations. In order to accomplish this task, additional technology will be acquired to greatly enhance our capability to detect and identify all types of radiation. b7E

b7E The Radiation Isotope Identification Devices (RIID) will allow agents to quickly and efficiently detect, identify, and classify radioactive materials.

In keeping with the efforts of securing our Nation's borders and preventing hazardous materials from entering or furthering their entry into the United States, these RIID units will be deployed in an organized manner. The following priority schedule will be in effect until the end state is reached:

Priority 1: b7E

Priority 2: b7E

Priority 3: b7E

In order to ensure maximum operational capabilities at all times, the RIID units will be purchased and deployed based on this priority schedule. All Priority 1 assignments must be fulfilled before beginning Priority 2 assignments. All Priority 2 assignments must be completed before beginning any Priority 3 assignments. Any deviation from this schedule must be approved in advance through the Office of Border Patrol.

Questions pertaining to this issue may be directed to Assistant Chief b6,b7C  
Radiation and Nuclear Detection/Non-Intrusive Inspection Coordinator, at b6,b7C

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NOV 08 2012



**U.S. Customs and  
Border Protection**

MEMORANDUM FOR:

All Chief  
All Division

b6, b7C

FROM:

Michael  
Chief  
U.S. Border Patrol

SUBJECT:

Guidance on Noncompliant Motorists Encountered  
at U.S. Border Patrol Checkpoints

U.S. Border Patrol agents, while carrying out the mission of securing our Nation's borders, come into contact with millions of motorists each year at immigration checkpoints. The majority of motorists traverse these checkpoints on a daily basis without incident. Noncompliant motorists are an exception and can pose unique challenges. It is imperative that agents performing and supervising checkpoint operations know, understand, and are able to articulate their authorities and options when encountering noncompliant motorists.

Noncompliant motorists at checkpoints do not deprive U.S. Border Patrol agents of their authority or responsibility to conduct searches and immigration inspections. At immigration checkpoints, agents may question drivers and passengers about their citizenship and right to be in the United States. They may also request a traveler's immigration documents, permit canine sniffs, tap exterior compartments, and make plain-view observations.

When a motorist stops and refuses to roll down windows or to answer questions, a range of enforcement options remain available. If the agent has concerns about whether the motorist or his passengers are legally present in the United States, the agent should advise the driver that he will not be permitted to proceed until he answers the agent's questions. If the driver continues to be non-cooperative, agents may direct the driver to secondary inspection.

If the motorist complies with the directive to move to secondary inspection, he or she may be detained for a reasonable period of time to determine the vehicle occupants' legal U.S. presence. Generally, courts have deemed that three- to five-minute secondary inspections are reasonable. Detentions exceeding this general time frame may be viewed as reasonable when a motorist's uncooperative actions are the reason for extending the detention.

If an individual is referred for secondary inspection solely for a non-immigration purpose, such as a possible narcotics offense, the referral must be based on reasonable suspicion of criminal wrongdoing. Once an agent establishes a motorist's lawful U.S. presence and no reasonable suspicion of criminal wrongdoing exists, secondary detention is unwarranted and immediate release is appropriate.



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Agents may use the force necessary to move an individual and his motor vehicle into secondary inspection to prevent safety hazards. All force should not exceed what could be considered reasonable and prudent to the situation. Force should be used as a last resort, after other reasonable steps to gain the driver's cooperation have failed. Agents also may place authorized obstructions on the roadway to prevent drivers from departing the checkpoint before they have established their citizenship and right to be in the United States. Checkpoints should be equipped appropriately to conduct such actions.

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An agent who is unsure of how to proceed in a situation should immediately consult his or her immediate supervisor. All incidents involving uncooperative motorists should be documented via Significant Incident Report.

Attached is pertinent reference material with which all Border Patrol agents should be familiar. I recommend all agents – especially those working at checkpoints – carry copies of the attached reference material: *Authority of Border Patrol Agents at Immigration Checkpoints*. It will help reinforce their knowledge of the authorities granted to them while discharging their duties.

I expect all U.S. Border Patrol agents to be professional and courteous while carrying out their duties. It is extremely important to be aware of how their actions may be perceived, especially in an increasingly digital age when instant messaging and streaming video is common practice. I would highly encourage agents to perform as if each of their actions were being captured on video and subjected to scrutiny. b7E

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Regardless of which options are exercised in these matters, it is vital that we conduct our duties in a consistent, objective, and professional manner.

Attachment

## **Authority of Border Patrol Agents at Immigration Checkpoints**

1. Section 287 of the INA gives Border Patrol Agents (BPAs) the authority to, within a reasonable distance of the border, board and search for aliens in any vehicle. Reasonable distance defined as 100 air miles from the border.
2. Section 287 also authorizes BPAs to interrogate any alien or person believed to be an alien as to their right to be or remain in the U.S.
3. INA § 287(b) allows BPAs, subject to constitutional limits, to “take and consider evidence concerning the privilege of any person to enter, reenter, pass through or reside in the United States, or concerning any matter which is material and relevant to the enforcement of [the Immigration and Nationality Act] and the administration of [the agency].”
4. The Supreme Court in Martinez-Fuerte held that immigration checkpoints are Constitutional even in the absence of reasonable or individualized suspicion
  - Thus, BPAs may ask individuals about their citizenship and request documents proving their right to be in the U.S.
  - BPAs cannot conduct a search of the vehicle and its occupants at an immigration checkpoint without probable cause, consent, or unless a Fourth Amendment exception applies.
5. b7E [REDACTED] a BPA may refer an uncooperative individual to secondary in order to establish the individuals alienage
  - BPAs may use the reasonable force necessary to move uncooperative individuals into secondary if they refuse to do so
  - Investigative detention must end once the BPA has determined that the individual has a right to be in the U.S. unless there is reasonable suspicion of other criminality
6. b7E [REDACTED]  
b7E [REDACTED]  
b7E [REDACTED]
7. b7E [REDACTED]
  - 18 U.S.C. § 758 allows for criminal penalty and a fine for fleeing or evading a checkpoint in excess of the legal speed limit.
  - 18 U.S.C. § 111 provides criminal prosecution for assault upon a federal officer while engaged in performance of official duties.
8. 19 U.S.C. § 1581 provides for an administrative penalty from \$1,000 to \$5,000 for failure to stop at command.

## Checkpoint Authority

**U.S. v. Martinez-Fuerte - 428 U.S. 543 (1976) :**

**Holding:** Border Patrol agents may stop and question motorist at reasonably located checkpoints, even in the absence of individualized or reasonable suspicion.

**What section of the INA did the Supreme Court use to justify their opinion?** INA 287 (a)(3)

- Within a reasonable distance from any external boundary of the United States, to board and search for aliens in any vessel within territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle.

**What section of the INA gives us the authority to question motorists?** INA 287 (a)(1)

- Court surmised that there was only a minimal intrusion to motorists when stopped at immigration checkpoints.



## Laredo Sector



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**U.S. Customs and  
Border Protection**

JAN 06 2010

MEMORANDUM FOR: All Chief Patrol Agents

FROM:

b6, b7C

Acting Chief  
U.S. Border Patrol

SUBJECT: Checkpoint Data Integrity

The U.S. Government Accountability Office (GAO) recently completed its second audit of Border Patrol checkpoints. The GAO lauded the checkpoints as important and necessary components of our defense-in-depth strategy but identified that our reporting of checkpoint operations and efforts were not to an acceptable standard. GAO recognized several deficiencies; amongst those deficiencies were unsatisfactory data integrity and insufficient performance reporting.

One of many key components utilized to facilitate the essential task of data collection for checkpoint activities is the Checkpoint Activity Report (CAR). The CAR stores specific, operational checkpoint data, which provides a metric for operational effectiveness and may further assist in identifying possible vulnerabilities. In order to ensure the most accurate data collection possible, the Border Patrol must strengthen its efforts when ensuring that data entry into the CAR is strictly maintained and validated.

Bolstering our checkpoint operations is a critical piece in our efforts to strengthen our enforcement capabilities. Our ability to both accurately and precisely report our checkpoint capabilities and performance directly affects our capability to identify and respond to new threats. This is essential in gaining Congress' willingness to fund additional checkpoint infrastructure and technology and increasing the public's trust and faith in our ability to deter and apprehend criminal elements.

As a starting point for improving data integrity, definitions and performance measures were reviewed and edited to ensure national understanding and remedy imprecise CAR data entry. Five of the most misunderstood and misreported terms are listed below. Please disseminate these definitions to the field and have each checkpoint review their current CAR profiles and CAR reporting procedures again.

**Immigration Checkpoint:** Any location away from the border at which immigration inspection of vehicle occupants occurs. The primary purpose of a checkpoint is to restrict the routes of egress from the border area and thereby create deterrence to illegal entries and other federal



crimes. Checkpoints [b7E] should be equipped with primary and secondary areas of inspection, lights for night visibility and signage placed on the roadway to warn motorists of the slowing of traffic caused by the checkpoint.

**At the checkpoint:** The area including the checkpoint itself and the roadway prior to the checkpoint marked with cones and/or warning signs relating to checkpoint operations.

**Circumvention:** Any deviation from a normally used route of egress in order to avoid detection by a checkpoint.

**Tactical Checkpoint:** A checkpoint [b7E] where there are no permanent buildings or facilities. Most or all equipment is mobile and can be removed from the site when the checkpoint is non-operational.

**Permanent Checkpoint:** A checkpoint where the location includes permanently constructed buildings, traffic control, and associated facilities without regard to hours of operation.

Patrol Agents in Charge at all checkpoint stations shall coordinate an internal assessment regarding the following:

- CAR profile
  - The CAR profile should be reviewed for accuracy [b7E]
- Data input protocol
  - Data input protocol should be reviewed for their efficiency, accuracy, and standardization across shifts
- Definitions
  - The definitions provided should be disseminated to all personnel and emphasized within station management responsible for CAR input
- Data integrity
  - Data integrity in the CAR is directly associated with the proper understanding and preparation of data, as well as oversight and communication

The CAR is currently undergoing a programming update that shall enhance data collection processes and reporting capabilities. However, until the new capabilities emerge, it is incumbent upon all station management to ensure that the data is properly reported.

Chief Patrol Agents will ensure that these internal CAR assessments are completed for checkpoints within their purview. Upon completion of these assessments, sectors should submit a written summary of items reviewed, problems found and corrections made, to Strategic Planning, Policy and Analysis Division, Analysis Branch, through their respective operational division. Staff may direct questions to Operations Officer [b6,b7C], at [b6,b7C].

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U.S. Customs and  
Border Protection

MAR 21 2011

MEMORANDUM FOR: All Chief [REDACTED]  
All Division [REDACTED] b6,b7C

FROM: [REDACTED] b6,b7C Michael J. [REDACTED]  
Chief  
U.S. Border Patrol

SUBJECT: Encountering Persons or Effects with Radioactive Contamination  
Originating from Japan

As a consequence of the tsunami that struck Japan on March 11, 2011, several nuclear reactors have been damaged, resulting in release of radioactive material to the atmosphere. U.S. Customs and Border Protection (CBP) and interagency experts assess the risk of Border Patrol agents encountering contaminated persons or effects as very low. It is possible that radiation from this incident will manifest itself through possible contamination of people and cargo exposed to the released material.

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To date no radiation has been detected on travelers from the region. b7E

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A CBP Laboratories and Scientific Services Teleforensic Center duty science officer is available 24-hours-a-day, 365-days-a-year to provide technical assistance regarding chemical, biological, radiological, nuclear, or explosives materials b7E

As Commissioner Alan D. Bersin mentioned in his March 17, 2011 message, *Safety Considerations Concerning Travelers, Goods from Japan*, I encourage frontline personnel who have any concerns relating to the presence of radioactive materials or contamination to notify their supervisor and contact the b7E at b6,b7C

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**Radiation Detection Reference Material**

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Memorandum from Chief David V. Aguilar, *Guidance for Use of Personal Radiation Detectors and VACIS Technology at Border Patrol Checkpoints*, dated December 4, 2006

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**Pertinent Sections:**

1) **PRDs** - Agents shall obtain consent or develop probable cause before searching vehicles or occupants for the source of an alert. b7E

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b7E Agents should attempt to develop probable cause through other means. b7E

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b7E Further information on PRD alert response procedures may be found in the Radiation Detection Program Directive (5290-015) b7E

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2) **VACIS** – Agents must obtain consent or develop probable cause before performing a VACIS search on a vehicle, vessel, truck, commercial vehicle, or other conveyance encountered at an interior checkpoint.

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U.S. Customs and  
Border Protection

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DEC 04 2006

MEMORANDUM FOR: ALL CHIEF PATROL AGENTS

FROM: David V. Aguilar  
Chief  
U.S. Border Patrol

b6, b7C

SUBJECT: Guidance for Use of Personal Radiation Detectors and  
VACIS Technology at Border Patrol Checkpoints

The transition of the Border Patrol to U.S. Customs and Border Protection and the recent initiation of Title 19 cross-training have significantly expanded the scope of our statutory authorities. It is important that these new responsibilities and authorities conform to and remain consistent with constitutional and other legal limitations.

In consultation with the Office of Chief Counsel, the Office of Border Patrol has refined its operational guidance for the use of personal radiation detectors (PRD) and Vehicle and Cargo Inspection Systems (VACIS) at Border Patrol checkpoints. Effective immediately, operational practices at interior checkpoints must comply with the following guidance:

- 1) PRDs – Agents shall obtain consent or develop probable cause before searching vehicles or occupants for the source of an alert. b7E

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Agents should attempt to develop probable cause through other means. b7E

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Further information on PRD alert response procedures may be found in the Radiation Detection Program Directive (5290-015) b7E

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- 2) VACIS – Agents must obtain consent or develop probable cause before performing a VACIS search on a vehicle, vessel, truck, commercial vehicle, or other conveyance encountered at an interior checkpoint.

Agents with legal questions should immediately contact their local Associate or Assistant Chief Counsel.

Staff may direct questions to Assistant Chief

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at

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U.S. Customs and  
Border Protection

JUL 08 2013

MEMORANDUM FOR: All Chief Patrol Agents  
All Divisions

FROM: Michael J. [REDACTED]  
Chief  
U.S. Border Patrol

b6, b7C

SUBJECT: Implementation of Checkpoint Program Management Office

In August 2009, the Government Accountability Office (GAO) issued a report, *Border Patrol Checkpoints Contribute to Border Patrol's Mission but More Consistent Data Collection and Performance Measurement Could Improve Effectiveness* (GAO-09-824). The report made recommendations to improve checkpoint governance. To effectively manage and account for checkpoint performance measures, U.S. Border Patrol Headquarters created a Checkpoint Program Management Office (CPMO) and assigned [REDACTED] employees. The duties of the CPMO will encompass but are not limited to:

- Reviewing of Checkpoint Activity Report (CAR) and performance measures for accuracy;
- Reviewing staffing and checkpoint resources (e.g., personnel, canine teams, and technology);
- Working policy and legal issues with divisions and departments at Headquarters;
- Coordinating external reviews (e.g., GAO, Internal Affairs and Public Affairs);
- Coordinating with Enforcement Systems Branch for changes to the CAR, etc.;
- Coordinating with facilities maintenance and engineering on facility updates; and
- Conducting liaison with sectors on checkpoint issues.

Sectors with checkpoints must provide a point of contact (POC) to the CPMO for coordination. POCs should be familiar with checkpoint operations in their respective areas of responsibility and be able to address issues as they arise. Sectors will send the names of their POCs and their contact information to Assistant Chief [REDACTED] no later than the close of business July 26, 2013.

Questions may be directed to Assistant Chief [REDACTED] at [REDACTED] in the Operations Division's CPMO at U.S. Border Patrol Headquarters.





U.S. Customs and  
Border Protection

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SEP 28 2005

MEMORANDUM FOR: ALL SECTOR CHIEF PATROL AGENTS

FROM:

b6,b7C

David V. Aguilar  
Chief  
U.S. Border Patrol

b6,b7C

SUBJECT: Notification of b7E Seizures

Effective immediately, as part of the continuing partnership within U.S. Customs and Border Protection (CBP), Border Patrol sectors will provide timely notification to the local Office of Field Operations (OFO) within their areas of operations. This applies to any seizures that are associated with any vehicle b7E

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Therefore, as part of normal procedures for seizures from vehicles, sectors will conduct

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This information must be

included in all reports and in the Significant Incident Report (SIR), if applicable.

Additionally, if sectors have sufficient cause to generate SIRs, they will provide the same POE command centers with copies, either electronically or via facsimile. If the lane checks are negative, sectors must show this in any reports generated and in the SIRs, if applicable.

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these reports should be the standard for all sectors. Working with the Headquarters OFO and with Laredo Sector, the Headquarters Office of Border Patrol has refined this process to provide a best practice for the mutual benefit of all parties involved. This will ensure that all field offices within OFO throughout the United States are receiving this important information in a timely matter. This information sharing will provide useful information to the local OFO field offices within sectors' areas of operation.

This reporting requirement will enable the POEs to make timely decisions for action on their part to combat these types of incidents. They will be using this information to enhance training, officer awareness, and officer oversight at the POEs. The attached memorandum to the Commissioner provides historical information regarding the need for these reporting requirements

Staff may direct questions to Assistant Chief

b6,b7C

at

b6,b7C

Attachment



U.S. Customs and  
Border Protection

MEMORANDUM FOR: COMMISSIONER

FROM: Assistant Commissioner  
Office of Field Operations

Chief  
Office of Border Patrol

SUBJECT: Port of **b7E** Enforcement Initiatives

On July 20-22, 2005, an Operational Review Team (ORT) consisting of Headquarters managers from the Office of Field Operations (OFO) and the Office of Border Patrol (OBP) and a Supervisory CBP Officer from Arizona reviewed the enforcement operation at the **b7E** Port of Entry (POE). The ORT reviewed all aspects of the POE's enforcement operation **b7E**

**b7E** As a result of the review, actions have been instituted at the POE and with Border Patrol sectors that have improved the overall U.S. Customs and Border Protection (CBP) enforcement posture.

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During the review, the ORT observed the Border Patrol canines working at the checkpoint and learned that the checkpoint is staffed with b7E.

Because of this review, an agreement was reached between the Laredo Sector and the POE b7E

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For the POE, the added canine

presence is an enforcement layer in front of the primary officers, which has had a positive and direct impact on the smuggling activity at the POE and reduced the number of seizures at the checkpoint with a nexus to the POE.

The POE has increased the multilayered enforcement operations to address the current smuggling threat. b7E

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The POE has actually surpassed its fiscal year (FY) 2004 seizure totals. It does have a good enforcement presence. In fact, the POE's FY05 seizure totals have surpassed, or are on a pace to surpass, its FY04 seizure totals. In FY05, the POE has made b7E seizures of cocaine b7E, while during FY04, the POE made b7E cocaine seizures for b7E. For the same FY05 period, the Border Patrol checkpoint has made b7E cocaine seizures b7E.

If you have any questions or wish to discuss this review, please let us know.

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b6,b7C



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APR 09 2010



**U.S. Customs and  
Border Protection**

MEMORANDUM FOR:

All Chief Patrol Agents  
All Divisions

FROM:

Michael J. [REDACTED]  
Acting Chief  
U.S. Border Patrol /

b6, b7C

SUBJECT:

Proper Procedures to Follow When Encountering  
Humans (Stowaways) during Non-intrusive Inspection Operations

Non-intrusive inspection (NII) equipment has proven to be an effective addition to the Border Patrol's operational tool kit. Retaining this new tool in our inventory depends largely on this organization's record for using NII equipment responsibly.

NII equipment comes with its own set of manufacturer safety guidance and operating instructions. In addition, the Nuclear Regulatory Commission (NRC) licenses equipment and equipment operators, and monitors compliance with NRC rules and regulations. Because the use of this technology is new to many agents, it is important that all managers and operators understand the protocols governing its use. Border Patrol employees who work around the equipment must also have a good understanding of those protocols.

It is particularly important that supervisors and managers monitoring the use of NII equipment ensure that Border Patrol operators of the Vehicle and Cargo Inspection System (VACIS) and Z-Backscatter Ford systems immediately suspend scanning operations when a human being is discovered in the scan or in the scanning area. As described in operator training, VACIS and Z-Backscatter systems use a small amount of radiation, and operators must be alert to the possibility that humans will be encountered. Therefore, personnel must be prepared to take immediate and appropriate actions. Strict adherence to the rule is required and expected, and is a non-negotiable condition of the licensing that the NRC grants to operate the equipment.

The U.S. Customs and Border Protection NII Program Management Office is prepared to assist Border Patrol sectors in understanding and complying with the protocols governing the use of NII.

Staff may direct questions to Acting Associate Chief [REDACTED] CBP  
NII Program Management Office, at [REDACTED]

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U.S. Customs and  
Border Protection

OCT 13 2009

MEMORANDUM FOR: All Chief Patrol Agents  
All Division Chiefs

FROM: b6,b7C David  
Chief  
U.S. Border Patrol

b6,b7C

SUBJECT: Tracking Checkpoint Activity within e3 Processing

In an effort to improve the level of accuracy for reporting on checkpoint-related enforcement events, the Office of Border Patrol Enforcement & Information Technology Division made several enhancements to the e3 Processing application. These enhancements provide standardized methods for defining checkpoints within e3 Processing and for capturing apprehensions and seizures which occur at those checkpoints. Furthermore, these additions will reduce the amount of administrative work required at the checkpoint by minimizing the amount of manually-entered data into the Border Patrol Enforcement Tracking System (BPETS) Checkpoint Activity Report (CAR) module.

Beginning on October 1, 2009, each sector will ensure that checkpoints within their area of responsibility are identified within the site landmark administration screen in e3 Processing. Likewise, when new checkpoints are added, sector data security administrators will be responsible for ensuring that a corresponding landmark is added to e3 Processing and that the landmark is designated as a checkpoint. Enforcement-related activities which occur at the checkpoint will be tracked in e3 Processing by selecting the checkpoint as the arrest landmark for the event. Furthermore, apprehensions that attempted to circumvent the checkpoint are indicated by selecting the b7E in e3 Processing.

Beginning November 1, 2009, checkpoint-related data that is captured in e3 Processing is not required for input into the BPETS CAR. However, the following information should continue to be inputted until further notice:

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  - b7E
  - b7E
- b7E
  - b7E
  - b7E
  - b7E

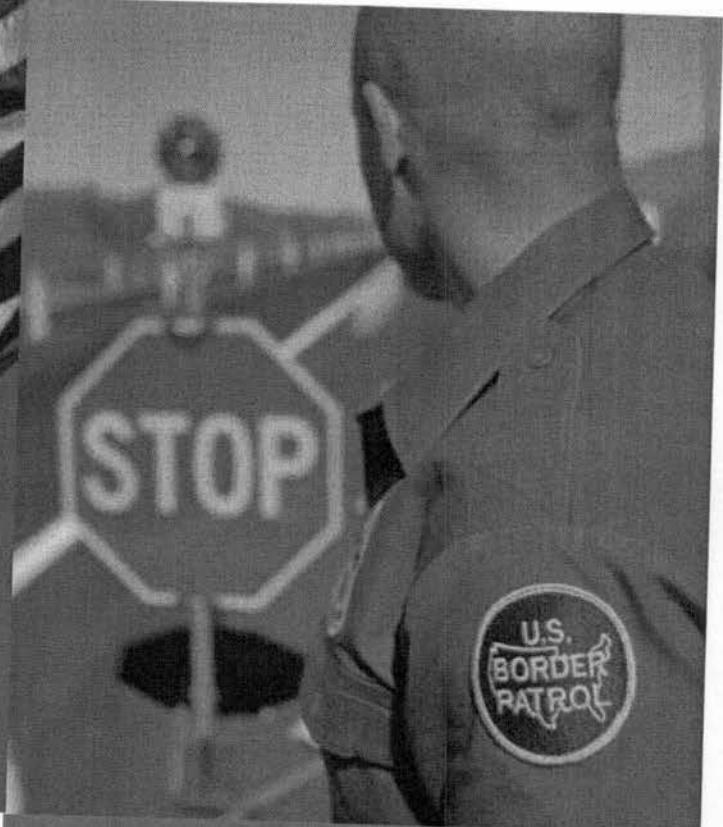
Staff may direct questions to Assistant Chief b6,b7C at b6,b7C



**Want to Join  
The Team  
That Protects  
America's  
Borders?**



Contact us at  
[www.BorderPatrol.gov](http://www.BorderPatrol.gov)



## Border Patrol Checkpoints



**U.S. Customs and  
Border Protection**

1300 Pennsylvania Avenue, NW  
Washington, DC 20229

[www.cbp.gov](http://www.cbp.gov)

Report Suspicious Activity

1-800-BE-ALERT

CBP Publication No. 0000-0710



**U.S. Customs and  
Border Protection**



## CHECKPOINTS

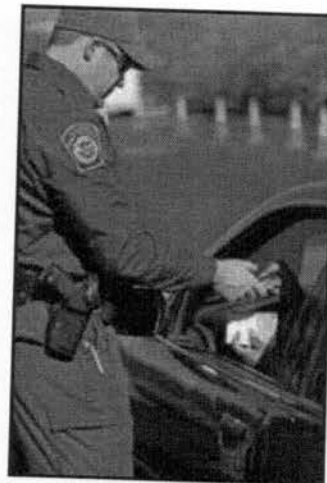
The Border Patrol is a division of U. S. Customs and Border Protection (CBP), a border agency within the Department of Homeland Security.

Border Patrol checkpoints are a critical enforcement tool for securing the Nation's borders against all threats to our homeland.

Checkpoints restrict the ability of criminal organizations to exploit roadways and routes of egress away from the border. Checkpoints provide an additional layer in our Defense in Depth strategy. Our enforcement presence along these strategic routes reduces the ability of criminals and potential terrorists to easily travel away from the border.

All Border Patrol checkpoints operate in accordance with the Constitution of the United States and governing judicial rulings.

Border Patrol is committed to operating checkpoints in a safe, efficient, and cost-effective manner and will continue to ensure that new technologies, as they become available, are deployed at checkpoints to improve inspections and facilitate legitimate traffic and commerce.

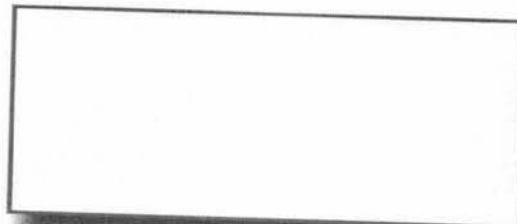


## ADDITIONAL INFORMATION

Border Patrol checkpoints are a critical tool in a multi-faceted national border protection strategy that when combined create a strong deterrence to illegal entry at the international border. The agents you see at this checkpoint are only a few assigned to patrol this area. There are many more agents assigned to patrol in close proximity to the international border as well as possible routes leading away from the border that may bypass this checkpoint.

Thank you for your consideration when traveling through our traffic checkpoint. We appreciate your cooperation in allowing us to continue to safeguard our Nation's borders.

If you have further questions or concerns please do not hesitate to contact the local CBP Border Patrol Office in your area.





U.S. Customs and  
Border Protection

**b2,b7E**

JAN 14 2008

MEMORANDUM FOR: All Sector Chief Patrol Agents

FROM:

**b6**

Chief  
Office of Border Patrol

**b6**

SUBJECT:

Use of Administratively Uncontrollable Overtime (AUO) at  
Checkpoints

**b2**

**U.S. CUSTOMS AND BORDER PROTECTION**  
**Department of Homeland Security**

*Memorandum*

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DEC 30 2003

MEMORANDUM FOR: ALL SECTOR CHIEF PATROL AGENTS

FROM:

Gus De La Viña  
Chief  
U.S. Border Patrol

b6,b7C

SUBJECT: Border Patrol Traffic Checkpoint Policy

The attached U.S. Customs and Border Protection Directive applies to all Border Patrol checkpoints and sets minimum standards for their operation. With the enhanced vigilance for terrorists and weapons of terrorism, including weapons of mass destruction, the unique capability of Border Patrol Agents and the exercise of their authority at checkpoints are imperative to homeland security. National policies governing checkpoint operations will ensure consistency in enforcement along our borders.

The directive supersedes all previous policies. This directive should be implemented within 30 days of the date of the memorandum.

Staff may direct questions concerning this policy to Assistant Chief [b6,b7C] at [b6,b7C]

Attachment

**U.S. CUSTOMS AND BORDER PROTECTION**  
**Department of Homeland Security**

*Memorandum*

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NOV - 3 2003

MEMORANDUM FOR: COMMISSIONER

FROM:

Gus De La Viña  
Chief  
Office of Border Patrol

b6,b7C

SUBJECT:


Border Patrol Checkpoint Directive

Attached is a proposed U.S. Customs and Border Protection (CBP) directive governing Border Patrol checkpoint operations for your review and approval.

The Office of Border Patrol established a working group to review current Border Patrol checkpoint operations and to forward recommendations for improvements. This review process determined that national policies governing checkpoints needed to be updated to reflect our priority mission of antiterrorism within CBP as well as technology advancements.

The attached directive addresses the critical need of checkpoint operations as they maximize the Border Patrol's mission in securing the Nation's borders against terrorists, smugglers of weapons of terror, other contraband, and illegal aliens. The directive will ensure consistency in checkpoint operations and enforcement nationwide. It fosters communication and intelligence sharing throughout CBP. This directive provides standards for existing checkpoints as well as guidelines for establishing additional checkpoints in the future.

My staff and I are available to provide additional information or answer questions if requested.

Approved: 

b6,b7C

Disapproved: \_\_\_\_\_

Let's Discuss: \_\_\_\_\_

Attachment

# U.S. CUSTOMS AND BORDER PROTECTION

CBP DIRECTIVE NO.

DATE:

ORIGINATING OFFICE:

SUPERSEDES:

REVIEW DATE:

## SUBJECT: BORDER PATROL CHECKPOINT OPERATIONS AND GUIDELINES

**1 PURPOSE.** The purpose of this directive is to standardize and improve Border Patrol checkpoint operations.

### **2 POLICY.**

2.1 It is the policy of U.S. Customs and Border Protection (CBP) to use Border Patrol checkpoints to restrict the routes of egress from the border area where appropriate and thereby create deterrence to the initial illegal entry. Checkpoints greatly enhance the Border Patrol's ability to carry out the mission of securing the Nation's borders against terrorists, smugglers of weapons of terrorism, other contraband, and illegal aliens. Checkpoints are an integral part of the border enforcement strategy and provide a level of authority that is not replicated in any other enforcement tool outside the ports of entry.

2.2 This directive supplements the requirements as outlined in chapter 13 of the *Border Patrol Handbook* relating to operation of traffic checkpoints CBP's Office of Border Patrol. It is understood that the individual needs of each checkpoint will vary

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2.3 Each Border Patrol sector shall be responsible for ensuring that the procedures and guidelines in this directive are followed.

2.4 Because of the nature of checkpoint enforcement operations and related national security issues, when a fixed/tactical checkpoint is being established to respond to a specific trend or threat, State and/or local operating permits need not be sought. *Sectors and stations are expected to maintain a liaison with local regulating agencies without compromising the security of the mission. (Refer to 18 U.S.C. 111, "Impeding a Federal Officer.")*

2.5 Border Patrol Agents must be very familiar with, and strictly adhere to, the court decisions that apply to their area of operations. In addition, they must differentiate the parts of those decisions that apply to the stopping of vehicles to examine occupants from the parts that apply to the searching of those vehicles.

2.6 No person or vehicle is exempt from inspection procedures at Border Patrol checkpoints. b7E

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2.7 Agents shall exclude themselves from the inspection process if a vehicle contains relatives or close friends.

CBP Form 232C (04/03)

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CBP00001163

2.8 Agents will conduct themselves in a professional and courteous manner at all times.

2.9 All immigration checkpoints are now judicially regarded as interior enforcement operations. Therefore, the law regarding "border searches" or "extended border searches" does not apply to Border Patrol checkpoints. In addition, there is no longer any meaningful legal distinction between "permanent" and "temporary" immigration checkpoints.

2.10 Sector and station management may add requirements as needed for their specific operation but must comply with, at a minimum, the requirements as outlined in the *Border Patrol Handbook* and this directive.

### **3 DEFINITIONS.**

3.1 The term "immigration checkpoint" includes any interior location at which vehicular immigration inspection occurs. The primary purpose of a checkpoint is to restrict the routes of egress from the border area and thereby create deterrence to the initial illegal entry. Although currently the authority to inspect vehicular traffic for illegal aliens is the Border Patrol's primary objective, agents often encounter violators of other Federal and State laws.

3.2 For the purpose of this directive, the term "permanent checkpoint" refers to a checkpoint location that includes permanently constructed buildings, traffic control, and associated facilities without regard to hours of operation.

3.3 For the purpose of this directive, the term "Fixed/Tactical Checkpoint" refers to a checkpoint where the location is preselected and remains constant but where there are no permanent buildings or facilities. Most or all equipment is mobile and can be removed from the site when the checkpoint is nonoperational.

**4 AUTHORITY/REFERENCES.** Immigration and Nationality Act Section 287 (a) (8 U.S.C. Section 1357); *Border Patrol Handbook*; and chapter 13, *Manual of Uniformed Traffic Control Devices (MUTCD)*.

### **5 RESPONSIBILITIES.**

5.1 The Commissioner of CBP shall have policy oversight regarding CBP-level policies and procedures.

5.2 Within CBP, the Chief, Office of Border Patrol, shall ensure that this directive is provided to and adhered to by all sectors.

5.3 Within the Border Patrol, Sector Chief Patrol Agents are responsible for the implementation of this directive.



5.4 The Border Patrol Academy and the Chief Patrol Agents are responsible for fully training Border Patrol Agents in proper traffic check and safety procedures. Agents shall be provided proper vehicle inspection and public interaction training during basic training in the Border Patrol Academy. When agents transfer to different stations that operate checkpoints, their previous checkpoint experience should be ascertained and additional training provided if necessary.

## 6 PROCEDURES.

**6.1 General Location Selection.** Selection of a traffic checkpoint location is considered by the courts in determining the legality of that checkpoint; judicial guidelines must be followed. In the selection of any site for a checkpoint, the following factors must be considered:

6.1.1 The site should be far enough from the border to avoid interfering with traffic in populated areas near the border. When appropriate, it should also be beyond the 25-mile zone in which border crossers are authorized to travel.

6.1.2 The site should be close to the confluence of two or more significant roads leading away from the border.

6.1.3 The surrounding terrain should restrict vehicle passage around the checkpoint.

6.1.4 The site should be located on a stretch of highway compatible with safe operation.

6.1.5 Judicial rulings require that a checkpoint location be fixed at a particular site selected in advance by supervisors. A checkpoint must be operated at the same location every time and should not be moved up and down a particular stretch of road. When a checkpoint's location varies among several sites along a stretch of roadway, it may be found to be more like roving patrol, which requires "reasonable suspicion" to justify a vehicle stop. A checkpoint's location is as important as the manner of its operation.

6.1.6 New locations that include construction or land purchase not only should consider current needs but also should plan for future growth. b7E

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6.1.7 Locations for new construction of permanent checkpoints should be selected and the checkpoints designed by sector staff in consultation with appropriate engineers, including State highway engineers.

6.1.8 b7E

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**6.2 Minimum Required Facilities.** Facilities required to operate a checkpoint vary with conditions and the volume of traffic. The minimum facilities required to operate any checkpoint are listed below.

6.2.1 A safe, environmentally controlled processing area (building, mobile trailer, specialty vehicle, or similar facility).

6.2.2 Secure, environmentally controlled detention area (building, mobile trailer, specialty vehicle, or similar facility).

6.2.3 Facilities with access to water and electricity (portable or permanent).

**6.3 Required Vehicles.** Adequate vehicles should be provided to include, b7E

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6.3.1 b7E equipped with a siren and emergency lights of the color specified by State regulations.

6.3.2 b7E and any other vehicles as deemed necessary by local management.

**6.4 Traffic Control.** Traffic control shall be established using the most recent version of the MUTCD published by the Federal Highway Administration of the U.S. Department of Transportation. Under these guidelines, traffic control devices, such as signs, barricades, and lights, and the placement distances of such equipment will vary greatly depending on normal posted speed limits and traffic flow. (MUTCD ordering information is available at [www.atssa.com](http://www.atssa.com) or 540-368-1701.) Rumble strips (strips of hard rubber placed across lanes to alert drivers to slow down) are authorized if allowed by State and local regulations.

**6.5 Illumination.** Lighting sufficient to safely illuminate the primary and secondary inspection areas is required. **Note:** Extreme caution must be exercised to ensure that drivers traveling in either direction are not blinded or their vision significantly impaired by the placement of these lights.

**6.6 Communication Equipment.** Communication equipment, b7E

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shall be made available.

**6.7 Recommended Inspection Equipment.** The following inspection equipment is recommended (depending on local needs):

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**6.8 Required Equipment.** The following miscellaneous equipment is required at all locations.

- 6.8.1 First aid equipment.
- 6.8.2 Fire extinguisher.
- 6.8.3 Emergency flares.
- 6.8.4 Batteries (sufficient quantity for battery-powered lights).
- 6.8.5 Extra cones and lights for traffic control.

**6.9 Physical Arrangements.** Following are requirements for the physical arrangements of checkpoints:

6.9.1 All checkpoints must comply with traffic control guidelines as established using the latest version of the MUTCD as stated under "Traffic Control." The physical arrangement of any checkpoint must minimize the risk of an accident or an injury to any agent or member of the public. Non-traffic-control equipment should be kept a safe distance from any right-of-way or throughway.

6.9.2 The checkpoint site selected shall provide ample parking space for buses, trucks, and other vehicles pulled off for further questioning of occupants. This parking space should be to the right side of the highway. *Exception: On highways with traffic moving in both directions separated by a median, the median may be used if it is safe and wide enough. In such cases, vehicles may be pulled off to the left and later funneled into the traffic stream from that side.*

**6.10 Personnel.** Personnel and staffing levels required for optimal operation of a checkpoint should be reviewed each year. Staffing needs will vary dramatically from



location to location, and it is nearly impossible to adopt a "one size fits all" approach. Issues affecting personnel include, but are not limited to:

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6.11 Minimum Recommended Number of Agents b7E

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6.12 Additional Agents Needed b7E

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**6.13 Safety Procedures.** The safe operation of traffic checkpoints is of the utmost importance. Neither agents nor the traveling public should be subjected to hazards beyond those that are inherent in any Border Patrol operation or in any other activity involving moving vehicles. Agents should adhere to the following safety procedures:

6.13.1 To the extent possible, protection from the natural elements shall be furnished for agents, canines, and detainees.

6.13.2 Whether agents are using a stoplight or hand signals, motorists must be clearly aware that they will be required to stop. If red and green lights are used at the stopping point, they should be highly visible.

6.13.3 When an agent is working in the primary inspection area, b7E  
b7E equipment should not be placed in an  
area that would interfere with the free movement of the inspecting agent. b7E

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6.13.8 Operations should be suspended if conditions become such that either the Border Patrol Agents or the traveling public are in danger of being injured through an accident. A conscientious appraisal must be made as to whether operations should be discontinued. Error should be on the side of caution. It is better to suspend traffic check operations than to continue under conditions that could result in an accident or an injury. The decision as to whether traffic check operations should be terminated rests with the Chief Patrol Agents but may be delegated to Patrol Agents in Charge of the station or the supervisory Patrol Agents in charge of the shift. If these agents cannot be contacted, the senior agent in charge of the checkpoint operations shall make the decision. Examples of such conditions include:

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6.14 Intelligence Sharing.

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**6.15 Canine Program.** All canine operations shall be in accordance with service canine policy. To the extent practical, checkpoints with canine operations should make extra effort to ensure that adequate shade is provided in areas where the canine will be working. b7E

**6.16 Assistance at Accidents.** Procedures for providing assistance at accidents are as follows:

6.16.1 The Border Patrol recognizes a moral obligation to render assistance at motor vehicle accidents if other emergency services are not present. In all cases, the appropriate law enforcement agency must be summoned immediately. The extent of any action is governed by the exigencies of the situation. Generally, appropriate steps include the following:

6.16.1.1 First aid to any injured parties.

6.16.1.2 Traffic control.

6.16.1.3 Other assistance that can be rendered to other agencies.

6.16.2 All pertinent information should be furnished to the other agencies upon notification. This should include, at a minimum, the seriousness of injuries, possible deaths, number of victims, and any obstruction of traffic lanes.

6.16.3 Agents should not move corpses without being directed by the coroner or another competent authority having jurisdiction unless it is absolutely necessary.



**6.17 Statistical Data Recording.** Each sector (or, at the discretion of the Sector Chief Patrol Agent, each checkpoint station) shall maintain records and statistics, including, at a minimum, the following:

- 6.17.1 Location if fixed/tactical.
- 6.17.2 Dates and hours of operation (in detail, not just totals).
- 6.17.3 Arrests of illegal aliens at primary or secondary inspection at the checkpoint.
- 6.17.4 Arrests of subjects attempting to circumvent checkpoint.
- 6.17.5 Narcotics seizures.
- 6.17.6 Arrests for any outstanding warrant.
- 6.17.7 Significant interviews or encounters with aliens from special interest countries.
- 6.17.8 Vehicle accidents that occur within the traffic control area of the checkpoint.
- 6.17.9 Failure to yield for checkpoint and flight from checkpoint.
- 6.17.10 Formal complaints.
- 6.17.11 Specific manpower requirements to operate efficiently, including a position description, if appropriate.

**6.18 Complaints.** Complaints from the public should be addressed immediately, in person and by a supervisor whenever possible. Official complaints shall be handled in accordance with current service policy.

**6.19 Non-CBP Law Enforcement Agencies at Checkpoints.** Other law enforcement agencies may perform their duties while at Border Patrol checkpoints in accordance with the following guidelines:

6.19.1 Border Patrol Agents must continually remain the controlling law enforcement officers at Border Patrol checkpoints.

6.19.2 b7E

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6.19.3 Any non-CBP law enforcement agency conducting ongoing law enforcement duties at a Border Patrol checkpoint must have stand-alone authority to conduct checkpoint operations for the specific purpose for which enforcement is being conducted.

6.19.4 Other non-CBP law enforcement agencies may perform their duties at Border Patrol checkpoints when specifically requested by Border Patrol Agents upon discovering a violation of law over which the non-CBP agencies have primary jurisdiction.

## **7 New Construction of Permanent Checkpoints.**

**7.1 Facilities.** New or planned construction of permanent checkpoints should include the following minimum facilities:

7.1.1 Safe and adequate detention and processing area to include records check capabilities **b7E**

7.1.2 Canopy coverage for preprimary, primary, and secondary inspection areas, including adequate lighting, environmental controls (heat and cooling) and wind and weather protection.

7.1.3 Safe storage space **b7E**

7.1.4 Sally port.

7.1.5 **b7E**

**b7E**

7.1.6 Loading docks, including adequate safe holding area for removed cargo.

7.1.7 **b7E**

7.1.8 Separate bathrooms for public, agents, and detainees.

7.2 The process for designing all temporary and permanent buildings and or equipment should consider all normal office and personnel issues associated with any station or office.

7.3 Design must ensure expansion possibilities **b7E**

**b7E**

**7.4 Approach and Inspection Area.** The approach and inspection area of all new or planned construction of permanent checkpoints should include, at a minimum, the following:

7.4.1 **b7E** primary inspection lanes to facilitate separation of commercial vehicles and passenger vehicles.

7.4.2 Separate secondary inspection areas for commercial vehicles and passenger vehicles.

7.4.3 Concrete approach, apron, and inspection areas:

7.4.4 b7E

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7.4.6 Kennels for canines.

7.4.7 Storage area b7E

7.4.8 Adequate parking space for employees, Detention and Removal Program buses, service vehicles, seized vehicles, etc.

7.4.9 Secure HAZMAT quarantine area to store vehicles until proper authorities can respond.

7.4.10 Storage area for miscellaneous equipment and tools.

8 Optimal Equipment b7E

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**9 NO PRIVATE RIGHTS CREATED.** This document is an internal CBP policy statement and does not create or confer any rights, privileges, or benefits on any person or party.

**b6,b7C**

Commissioner  
U.S. Customs and Border Protection