

# When Help Is Nowhere to Be Found:

**What Government Documents Reveal  
About MS-13 Operations in Long Island,  
New York City, and the Lower Hudson Valley**

May, 2020



The New York Immigration Coalition (NYIC) is an umbrella policy & advocacy organization that represents over 200 immigrant and refugee rights groups throughout New York.

The NYIC serves one of the largest and most diverse newcomer populations in the United States. The multi-racial and multi-sector NYIC membership base includes grassroots and nonprofit community organizations, religious and academic institutions, labor unions, as well as legal and socioeconomic justice organizations. The NYIC not only establishes a forum for immigrant groups to voice their concerns, but also provides a platform for collective action to drive positive social change.

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# Top Line Findings

## 1

**Operation Matador, originally conceived of as a 90 day operation, is now a permanent task force co-led by Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and the Drug Enforcement Agency (DEA).** It primarily focuses on gang enforcement on Long Island, in New York City, and in the Hudson Valley.

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## 2

**From the start, Operation Matador was conceived to carry out immigration enforcement, even as it purported to be a gang enforcement operation.** The Concept of Operations clearly states its intention to help enforce the then-recently released enforcement priorities of the Trump Administration. It also refers to the need to address fraud in the “unaccompanied minor program” as an additional justification for the operation, even though no such program exists. Half of arrests made under Operation Matador were for administrative violations of immigration law, meaning that they were either arrests of individuals who were in the wrong place at the wrong time, or that law enforcement did not have enough evidence to show probable cause of criminal activity to obtain a judicial warrant.

## 3

**Certain federal agencies, including the Attorney General for the Eastern District of New York and the Federal Bureau of Investigation, expressed concern over a duplicative task force,** with many of the same partners already participating in existing gang-enforcement task forces on Long Island, and noted that it could fracture efforts to address the growing presence of MS-13. At the same time, local officials, including Nassau County Police Commissioner Patrick Ryder and then-Suffolk County Police Commissioner Tim Sini, sought to hide or downplay their departments’ involvement in Matador publicly while providing critical manpower and other support to the Task Force.

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## 4

**Though the New York City Police Department responded to the Freedom Of Information Law request by stating that they had no responsive documents, the documents produced by ICE included emails with detectives from a Queens precinct as well as the Queens District Attorney’s office on at least one specific case.** Emails exchanged with the Department of Corrections also showed cooperation with federal agencies, though ICE was made to produce a warrant or subpoena before information was exchanged.



## 5

**The formal relationships between Long Island and federal agencies far pre-date Matador.** An agreement signed by the Nassau County Police Department deputizing certain of their staff as federal agents dates back to 2005. A similar agreement was signed with Suffolk County in 2016.

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## 7

**Though the Nassau County Police Department told federal partners they were weary of being publicly associated with initiatives such as the Operation Matador Task Force, they continued to meet with ICE, to provide manpower and other support to Matador operations, and eventually sent officers to be trained to join Matador.**

## 6

**The Suffolk County Police Department was made aware of the civil immigration enforcement that took place during Matador operations, but continued to participate.** In addition, guidance issued by department leadership regarding information to be included in the county's gang database also provided a direct contact to ICE-HSI. The purpose was to verify the immigration status of anyone entered in the database and so that ICE can carry out appropriate enforcement actions.



Photo Credit: Keith J. Gardner.

# Introduction

In May 2017, the Trump administration, in their continued quest to use the street gang MS-13 as a vehicle to justify its anti-immigrant policies, launched Operation Matador (Matador). Although originally billed as a temporary, 90 day operation run by the Department of Homeland Security's Immigration Enforcement Agency (ICE), Matador has become a permanent operation that continues to this day and has ensnared local law enforcement, community members, and nonprofits in its grip.

Six months after Operation Matador was launched, the NYIC filed requests under the Freedom of Information Act (FOIA) to Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), and Customs and Border Patrol (CBP) to attempt to learn more about the secretive program. At the same time, we also filed requests under New York's Freedom of Information Law (FOIL) to the Nassau County Police Department (NCPD), Suffolk County Police Department (SCPD), and New York Police Department (NYPD)<sup>1</sup>.

The documents obtained through these efforts, though heavily redacted, provide insight into the clear political motivations driving the creation of Matador and, worse still, show frequent sharing of information between federal and local agencies and officials under the umbrella of the program. Understandably, this has led to a decimation of trust between community members, local law enforcement, and federal agents.

The documents also provide poignant reminders of the devastating impact the gang has on its own local communities. In some emails, investigators discuss the recovery of victims' remains once the location has been confessed by the alleged killer. In another the head of the Nassau County Police Department encourages his rank and file after they've been the target of threats by the gang.

And yet, the Trump Administration's politicizing of the fight against MS-13, particularly on Long Island, New York City, and the Hudson Valley, causes considerable concern among community members and advocates. In two previous reports with partners, the New York Immigration Coalition (NYIC) detailed the detrimental effect of using the fear provoked by MS-13 to justify thinly-veiled anti-immigrant policies. In *Swept up in the Sweep*, the NYIC, along with the City University of New York School of Law's Immigrant and Non-Citizen Rights Clinic, interviewed dozens of local advocates and community organizers to assess the impact of federal anti-gang enforcement on immigrant New Yorkers, highlighting how the actions led to racial profiling and stigmatization against young, latinx immigrants. In *Stuck with Suspicion*, the NYIC and the New York Civil Liberties Union reviewed nearly 1,000 pages of documents issued by the US Department of Homeland Security making allegations of gang affiliations without giving immigrants the ability to properly defend themselves or disprove the accusations.

The terror and sheer spectacularity of MS-13's violent presence in the New York City metropolitan area, particularly in the Hudson Valley, on Long Island, and in the outer boroughs of Queens and Brooklyn, is hard to minimize. As one reporter, who followed the gang's progress on Long Island for a year, put it, "Its members attack in groups, in the woods, at night, luring teens to their deaths with the promise of girls or weed. One Long Island boy told me he doesn't go to parties anymore because he worries any invitation could be a trap. A victim's father showed me a death certificate that said his son's head had been bashed in, then lowered his voice and added that the boy's bones had been marked by machete slashes, but he didn't want the mother to know that. A teenager who has left the gang told me he considers himself dead already, and is just trying to make sure MS-13 doesn't kill his family."

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<sup>1</sup>All asked for documents within the respective agencies' possessions, regarding Operation Matador. Insufficient responses to all of the requests led to lawsuits filed against ICE and CBP in the Southern District of New York (for FOIA) and Nassau and Suffolk County Courts against NCPD and SCPD respectively (for FOIL). This report details the findings from the documents produced pursuant to those litigations.

**“Its members attack in groups, in the woods, at night, luring teens to their deaths with the promise of girls or weed. One Long Island boy told me he doesn’t go to parties anymore because he worries any invitation could be a trap. A victim’s father showed me a death certificate that said his son’s head had been bashed in, then lowered his voice and added that the boy’s bones had been marked by machete slashes, but he didn’t want the mother to know that. A teenager who has left the gang told me he considers himself dead already, and is just trying to make sure MS-13 doesn’t kill his family.”**

[“I’ve Been Reporting on MS-13 for a Year. Here Are the 5 Things Trump Gets Most Wrong.”](#) Propublica, 8/25/2018

# Scope of Operations

Operation Matador was begun in May of 2017 and initially proposed as a 90-day operation that would run on Long Island, in New York City, and in the Hudson Valley. According to ICE’s Concept of Operations, Matador was meant to unify streams of information and coordinate efforts so as to address a “burgeoning” threat posed by MS-13 and prevent MS-13 from gaining a foothold in the United States. Matador was further meant to rectify the impunity with which MS-13 had been allowed to grow in recent years. In sum, the “DHS OPMAT coalition [would] leverage its vast resources, capabilities, and relationships to protect New York neighborhoods from the scourges of this criminal enterprise.” The Concept of Operations also specifically noted that Matador agents would investigate “sponsors of MS-13 gang members who entered the United States under the Unaccompanied Child Program<sup>2</sup> “to see if there are individuals who sponsored multiple MS-13 gang members for potential fraud charges.”

According to the Concept of Operations, Operation Matador was also meant to include a community outreach component which would focus on “at-risk youths in vulnerable immigrant populations being exploited by transnational gangs.” The goal was to “raise community awareness through education and public service announcements” through a “broad campaign to engage community and religious and Non-Government Organizations (NGOs) on victim and immigration benefits that may be available through [the Victim Of Immigrant Crime Engagement] VOICE and the Victim Assistance Programs.” However, perhaps unsurprisingly, this intent is not referenced or realized in any of the other documents provided through the Freedom of Information requests.

Beyond noting that Operation Matador will fall under the umbrella of the long-standing Operation Community Shield, which is ICE’s primary anti-gang enforcement operation, the Concept of Operations does not address the relationship between Operation Matador and other gang enforcement activities in which ICE participates. Notably, it does not refer to the Long Island Gang Task Force which, according to one email from an Assistant U.S. Attorney (AUSA) in the Eastern District of New York, operates with the same players and for the same purpose.

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<sup>2</sup>The term “Unaccompanied Children” comes from a legal classification, found in the Immigration and Naturalization Act (“INA”), to individuals who arrive or are in the United States under 18 years of age and with no parent or guardian. Although multiple programs and accommodations have been established over the years to support Unaccompanied Children, there is no official program to which migrant youth can apply or participate in simply by virtue of being an Unaccompanied Child, nor does the designation, in and of itself, confer immigration status in the United States.

Despite original plans, Operation Matador continues to this day and is now a permanent task force co-located within ICE and the Drug Enforcement Agency (DEA). In proposals sent broadly to state and local law enforcement agencies in June, 2018, ICE Homeland Security Investigations, the ICE sub-agency that is charged with investigating cross-border crimes, noted its intent to transform Matador into “an enduring co-located OPMAT Task Force with the Organized Crime Drug Enforcement Task Force (OCDETF),” a part of the DEA. At the time of writing, Matador is touted on ICE’s gang enforcement webpage as one of its greatest anti-gang successes and is one of the only two gang operations highlighted there. The fact that most outreach to local partners does not appear to have been conducted until June, 2018, calls into question whether the alleged 90 day limit proposed in the original Concept of Operations was ever an actual end date, or simply a cover to lay the groundwork for a more long standing initiative.

Geographically, Operation Matador appears limited to Long Island, New York City, and the Hudson Valley, with staff assigned to either Long Island or Hudson Valley and specific sweeps being coordinated in those two regions. Operations in New York City appear to have been more limited to information sharing with the New York Police Department (NYPD). Although the NYPD responded to a FOIL request for information regarding their involvement with Matador by stating they had found no relevant documents, the documents show a number of email exchanges between NYPD detectives and ICE agents. It is unclear if the NYPD knowingly or mistakenly evaded the FOIL request.

Beyond the actual activity in the New York City metro area, Operation Matador had far reaching implications and interest. Domestically, Matador agents were responsible for arresting a clique leader wanted in Baltimore, Maryland, with other communications from HSI offices in Buffalo and Philadelphia. In addition, the U.S. Ambassador in El Salvador was briefed on Matador, an El Salvador police officer participated in it, and HSI sought funding for international law enforcement work in connection with it.

Finally, while the original concept for Operation Matador meant it to focus on MS-13, its expansion to an “enduring” task force co-located within ICE-HSI and the DEA also extended its mission to Trans-Criminal Organizations and gangs, including the 18th Street Gang, the G Shine Bloods, and the Trinitarios.

## Collaboration with Local and Federal Law Enforcement

**Operation Matador has sought broad support and partnerships with local law enforcement agencies to carry out its work.** In June of 2018, a proposal to join Operation Matador was widely circulated to local law enforcement agencies. In addition to noting Matador’s transformation into an “enduring” task force, the proposal also explained the decision making structure of Matador, which ICE claims would be led by an Executive Committee comprised of the Special Agent in Charge, or agency equivalents, of each participating agency and chaired by the U.S. Attorneys’ offices for the Southern District of New York and the Eastern District of New York. The salary and benefits of personnel at participating agencies remain the responsibility of each agency but the Task Force agreed to

pay for any overtime pursuant to the availability of OCDETF funds. What funding would actually be made available seems to have been unclear, even to the agencies sought out by ICE for participation.

It is not clear from the redacted documents received which agencies ultimately agreed to participate in Operation Matador. An irate email by an AUSA to Patrick Ryder, Police Commissioner for Nassau County, highlights how ICE-HSI appears to have misrepresented the involvement by federal agencies<sup>3</sup>, calling into question what the actual decision making and command structure of Matador is to this day.

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<sup>3</sup> For more details on concerns raised by federal agencies, see the Section on “Concerns” later in this report

However, the list of agencies that were the recipients of ICE's outreach is below (and their response when known):

### **1. State-wide**

- a. New York State Police
- b. New York National Guard Counterdrug Taskforce

### **2. Long Island**

- a. Nassau County District Attorney (Department was interested but did not have the capacity at the time.)
- b. Nassau County Police Department
- c. Nassau County Sheriff (Department was interested but unable to participate at this time.)
- d. Suffolk County District Attorney
- e. Suffolk County Police Department (Proposal accepted and participation confirmed.)
- f. Suffolk County Sheriff
- g. East Hampton Police Department
- h. Hempstead Police Department
- i. Quogue Police
- j. Riverhead Town Police Department
- k. Sag Harbor Police Department
- l. Shelter Island Town Police Department
- m. Southampton Police (Participation confirmed.)
- n. Southold Town Police (Proposal declined due to capacity.)
- o. Westhampton Police

### **3. New York City**

- a. New York City Police
- b. NYC Department of Corrections (Participation appears to have been confirmed through paperwork sent by ICE to the DOC to be submitted by the individual designated to participate in Matador.)
- c. NYC Department of Investigations and NYCHA Inspector General
- d. NYC Department of Probation
- e. NYC Office of the Special Narcotics Prosecutor(Declined to participate.)
- f. Bronx County District Attorney's Office
- g. King County (Brooklyn) District Attorney's Office
- h. New York County (Manhattan) District Attorney's Office
- i. Queens County District Attorney's Office(Participation appears confirmed.)
- j. Richmond County (Staten Island) District Attorney's Office

### **4. Hudson Valley**

- a. Newburgh Police Department
- b. Orange County Police
- c. Rockland County Police
- d. Westchester County Police
- e. Yonkers Police



# Collaboration With New York State Agencies

The only State agency that appears to have confirmed participation in Operation Matador is the New York National Guard Counter Drug Task Force, which assigned at least two personnel to Matador.

# Collaboration With New York City Agencies

Although the documents provide less clarity on New York City agency's involvement with Operation Matador, and the NYPD asserted they had no responsive documents to the NYC's FOIL request, the documents provided by ICE did show conversations between at least one NYPD detective in a Queens precinct, the Queens County District Attorney, and Operation Matador personnel at ICE-HSI. Communications revolved over the exchanging of case notes and other information after the Queens District Attorney requested HSI assistance on a specific case. In addition, HSI did reach out to the New York City Department of Corrections (DOC) in regards to a case, though HSI was required to provide Grand Jury subpoenas before the DOC would release information.

# Collaboration With Long Island Agencies

The exact scope of cooperation between Nassau County authorities, Suffolk County authorities, and ICE remains opaque. Although both counties initially failed to disclose any relevant materials, court proceedings in both counties forced them to turn over documents in their possession related to Matador. In addition, both counties have signed agreements with ICE-HSI allowing for the deputization of certain of their police officers as HSI agents. These agreements pre-date operation Matador and show a history of entanglement between the local police departments and federal immigration enforcement, ostensibly giving local police officers the same powers as federal immigration enforcement agencies despite their lack of training and knowledge of immigration law. The Nassau County agreement is dated December 16, 2005 and the Suffolk County agreement is dated April 11, 2016. Both are re-printed at the end of this report.

## Nassau County

**One provider on Long Island spoke of a client arrested during a raid on a bar which was an alleged gang-member hangout. Because he was there on the night of the raid, the client was labelled a gang member and deportation charges were brought against him by ICE. The client alleges he was only in the bar because it was a popular hang-out for his community, and close to where he lived and worked. ICE's evidence alleging gang affiliation was challenged in court as being unreliable, misleading, and for violating the client's right to due process.**

In a May 24th, 2018 email to John Durham at the U.S. Attorney's Office for the Eastern District of New York (EDNY), Nassau County Police Commissioner Patrick Ryder noted that he prefers to stay away from "items" such as Matador because of the negative impact on his community relations. However, after a meeting with ICE a week later, and based on emails provided through the FOIA requests to ICE, it appears that the Nassau County Police Department reversed course and agreed to participate in Matador, changing their minds again in July due to alleged staffing capacity issues, and reversing course once more to ultimately send officers in the fall of 2018 to be trained by HSI so as to participate in individual operations.

Prior to the decision to formally join Matador, even in an ad-hoc manner, in the fall of 2018, Nassau County had been working closely with HSI on MS-13 efforts, presumably through the already-existing Long Island Gang Task Force. In late April, 2018 Commissioner Ryder sent an email to his force noting the threats made on law enforcement by local MS-13 cliques and commending them on large-scale, coordinated sweeps in collaboration with HSI that resulted in 50 arrests of alleged MS-13 members. The email did not note any possible immigration-related arrests that may have come from the sweeps.

**Kelly D (15 years old) was arrested by ICE in Nassau County after the school administration contacted authorities alleging gang involvement. Her family hired an attorney who was able to prevent her deportation and Kelly has moved on to a healthy life in the United States.**

**Jenny L (16 years old) was arrested by ICE in the parking lot of the Nassau County Department of Social Services, where she had gone to pick up documents in support of her immigration case. Jenny spent 9 months in the custody of the Office for Refugee Resettlement before being released.**

Beyond such large scale joint enforcement actions, the documents revealed multiple emails between Nassau Police Officers and Operation Matador Task Force staff going as far back as November, 2017. In those communications, officers/agents from both NCPD and ICE-HSI discussed individual cases, including the lodging of detainers and holding individuals so that the other agency could come in for questioning.

## Suffolk County

**Cesar V (15 years old) was threatened by MS-13 after he tried to disassociate himself from classmates he knew to be affiliated with the gang. Eventually, his family became afraid and filed a complaint with a local police precinct. When the police officers arrived to take the complaint, Cesar was separated from his family and accused by the School Resource Officer of having caused these problems by associating with known gang-members. Cesar and his family decided to move away because they felt they would not receive protection or assistance from law enforcement.**

Although Suffolk County seems to have had similar concerns about publicly acknowledging their role in Operation Matador, their involvement is undeniable. In December, 2018, the Suffolk County Police Department told the newspaper Newsday that the Department had stopped providing manpower to Matador once they realized the information was being used for civil immigration purposes. However, an internal email dated October 11, 2017 and addressed to then-SCPD Police Commissioner (and today's Suffolk County District Attorney) Timothy Sini stated that "the Operation Matador has netted approximately 26 other arrests [including] "collaterals" - non gang members with an illegal immigration status and arrested for state charges." More importantly, emails between the SCPD and the HSI Operation Matador team confirm that NCPD officers participated in Matador actions throughout 2017 and as late as September of 2018, less than a year after the email proving the department's awareness of Matador's civil immigration enforcement function.

In addition to providing in-person support of Operation Matador, the SCPD issued guidance to its personnel in June, 2017 regarding the use of the department's ORION database, the database used to enter information about criminal incidents and



arrests in Suffolk County. Specifically, the memorandum instructs officers to enter all gang-related information into the ORION database as soon as possible, paying close attention to, and including when possible, social media postings and phone call area codes, particularly if the area code is 503 (El Salvador). The memorandum also provides officers with a direct email address for ICE HSI because “they have the ability to instantly check a suspected MS-13 member’s immigration status and then take appropriate enforcement action.” The memorandum does warn officers that they are only to use the email address provided for MS-13 related cases, and no other individuals.

## Collaboration with Hudson Valley Agencies

Despite designating the Hudson Valley as part of the geographic target for Operation Matador, and confirming enforcement activity in those counties, there are no documents in the FOIA responses that show cooperation or collaboration between local agencies and Operation Matador personnel.

## Collaboration With Federal Agencies

As with the State and local collaborations, it is unclear from the documents received which agencies formally accepted to participate. For example, the Office of the US Attorney for the Eastern District of New York was listed as a participating federal agency in the proposal sent to the state and local partners. However, an email between that agency and Patrick Ryder, Commissioner of Police for Nassau County, clearly disputes this impression noting that the office declined to participate in Matador. Nonetheless, the following agencies were highlighted by ICE as participating agencies in the proposals sent by HSI:

- 1. Bureau of Alcohol, Tobacco, Firearms, and Explosives**
- 2. Drug Enforcement Agency(Matador is now a permanent task force co-located in ICE-HSI and the DEA.)**
- 3. Federal Bureau of Investigations(Participation called into doubt in emails by the US Attorney for the Eastern District of New York.)**
- 4. US Attorney’s Office - Southern District of New York**
- 5. US Attorney’s Office - Eastern District of New York(Declined participation.)**
- 6. US Bureau of Prisons - Metropolitan Detention Center (Warden declined participation but a Lieutenant agreed to share information with ICE.)**
- 7. US Customs and Border Protection - Office of Field Operations (Participation Confirmed.)**
- 8. US Immigration and Customs Enforcement - Enforcement and Removal Operations (Participation confirmed.)**
- 9. US Citizenship and Immigration Services (Participation confirmed.)**

# Immigration Enforcement

## **Operation Matador has as a stated objective the enforcement of civil immigration laws pursuant to the broader goals of the Trump administration.**

The Concept of Operations specifically states that “[b]ased on the new immigration enforcement posture espoused by both the White House, and subsequently by ICE leadership through the memorandum titled “Enforcement of the Immigration Laws to Serve the National Interest,” joint HSI and ERO teams will work aggressively to locate, arrest, and deport aliens associated with the MS-13 enterprise.”

This language, which is distinct and far broader than targeting MS-13 members or members and affiliates, is born out in the statistics and qualitative information found throughout the Freedom of Information requests:

- According to the latest numbers available through the FOIA request, as of June, 2018 Operation Matador has netted 567 arrests, nearly equally divided between arrests based on criminal charges, which require a warrant signed by an impartial adjudicator (298), and administrative arrests pursuant to the Immigration and Naturalization Act (INA), which require no oversight by an independent agency (267). (Note - these are the same numbers reported on ICE’s website as of the time of writing of this report.)
- According to the Concept of Operations, the Office of the Principal Legal Advisor, the legal arm of ICE, is specifically included in the operation “to review deportation charging documents for legal sufficiency and to address legal issues or challenges at an early stage.”
- At least one enforcement action, in the Hudson Valley, was designed specifically to enforce the INA, and ICE-ERO was frequently asked to supplement HSI staff because they expected a certain number of administrative arrests (the only kind ICE-ERO has jurisdiction to make).
- An internal email chain within ICE-HSI’s Operation Matador staff revealed agents looking up individuals in New York State’s criminal entries database, eJustice, and cross-checking the information there with immigration records, separating them between (1) those with no status; (2) “overstays, etc;” and (3) Lawful Permanent Residents, which were to be set aside in a separate category “for now.”



# Concerns

## Exploitation of MS-13 For Anti-Immigrant Purposes

**Careful review of the documents revealed through this FOIA request show the clear political motivations behind Matador,** starting with the Concept of Operations paper which reiterates the then-new Administration's changing policies towards immigration enforcement and uses mis-leading language, such as accusations that the non-existent "Unaccompanied Minors Program" frequently leads to fraud. To this day, the White House is extremely invested in, and closely follows, the work of Matador. An apparent email between CBP agents notes that "it is a high profile operation. The progress and results are being monitored by the President's administration. Today POTUS is meeting with the participating personnel." In addition, and particularly relevant to a media-obsessed administration such as this one, agencies often argue about media credit, or the lack thereof, for their respective efforts. The Memorandums Of Understanding signed by each agency also include a clause requiring all media outreach or conversations pertinent to Operation Matador be run through the executive committee and ICE's public information office.

Tellingly, in an email exchange with Nassau County Police Commissioner Pat Ryder, John Durham, a career prosecutor with extensive experience investigating and prosecuting MS-13 cases, was irate at the creation of Operation Matador. In the email chain, Durham noted the EDNY US Attorney's "serious concerns about this secondary task force" and further noted that "in our conversations and meetings, HSI has been unable to articulate any valid law enforcement reason for attempting to create a separate task force, which leads to the inevitable conclusion that they have no reason other than the politics between them and FBI... Our request would be that, if you have the resources to staff additional detectives to a federal task force, you add them to the [Long Island Gang Task Force], rather than joining a separate, competing task force that will fracture our response to the MS-13 and other

criminal organizations, and create additional layers of deconfliction issues and headaches." In a separate email chain to the FBI, Durham noted both EDNY and FBI leaderships' disapproval of ICE's decision to send out messages to local agencies with no prior warning and that included misleading language regarding EDNY and FBI's participation in Matador.



Photo credit: Chuck Miller.

# Impact on Community Relations

**Though the Concept of Operations claims that Operation Matador has a community relations focus as well, it is clear that it has had an opposite effect, decimating trust between local communities and federal and local law enforcement.** This impact is more clearly illustrated in our report “Swept up in the Sweep”, referenced above. However, the list of local agencies that have publicly associated themselves with Operation Matador raises significant concerns regarding those agencies’ ability to repair damaged perceptions with immigrant communities. Multiple documents show the participation by Patrick Ryder, Tim Sini, the Queens District Attorneys, and others in HSI-organized events promoting the work against MS-13, irrevocably aligning those offices with ICE.

In addition, several documents show the troubling links between schools and ICE. In one email chain, the Office for Refugee Resettlement (ORR) provides a glimpse into the circumstances of their arrest. According to the narrative by ORR, the minor was “observed by [REDACTED] High School administration on or about 3/15/17 along with two other confirmed MS-13 gang members outside the entrance of a [REDACTED] High School performing a gang related handshake used between junior members of MS-13. Minor was wearing typical articles of clothing currently being used by actively engaging MS-13 gang members at [REDACTED] High School.”

opposed to their criminal jurisdiction which comes with more onerous requirements, call into question the legitimacy of the accusations levied against those arrested under the auspices of Operation Matador, often young latinx migrants. The report “Stuck with Suspicion”, also referenced above, highlights how allegations of gang affiliation are often made in a manner that deprives the individual of an opportunity to defend themselves. Operation Matador shows how those communities are targeted from the start.

# Civil Rights and Due Process Concerns

**Operation Matador raises numerous civil rights and due process concerns.**

Documents obtained through this FOIA show frequent information sharing between federal and local agencies, which leads to prolonged detention of individuals while they wait to be interrogated by the various partners of Operation Matador.

In addition, the liberal use of ICE’s administrative powers to make arrests, as



# Conclusion

The documents obtained through respective FOIAs and FOILs show the breadth and reach of Operation Matador, which has become a permanent part of ICE's activities in downstate New York and has complicated the relationships between local law enforcement agencies and the communities they are sworn to protect. They also reveal the dual goals of gang enforcement and immigration enforcement, with half of the arrests made pursuant to the operation being on immigration charges only. Finally, they reveal the intense political motivations that created and have sustained the task force, elevating it to a flagship program for a White House Administration intent on distorting the narrative surrounding immigrant communities at all costs.



# Appendix

## Select Documents from FOIA Production

# Customs and Border Patrol Email Explaining White House Interest in Operation MATADOR

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\*VSQ (b)(6) & (b)(7)(C)  
7IRX Friday, July 28, 2017 10:53 AM  
8S (b)(6) & (b)(7)(C)  
7YFNIGX FW (b)(7)(E)&(b)(7)(F)

FYI

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\*VSQ (b)(6) & (b)(7)(C)  
7IRX Friday, July 28, 2017 10:53 AM  
8S (b)(6) & (b)(7)(C)  
'G (b)(6) & (b)(7)(C)  
7YFNIGX RE (b)(7)(E)&(b)(7)(F)

(b)(6) & (b)(7)(C),

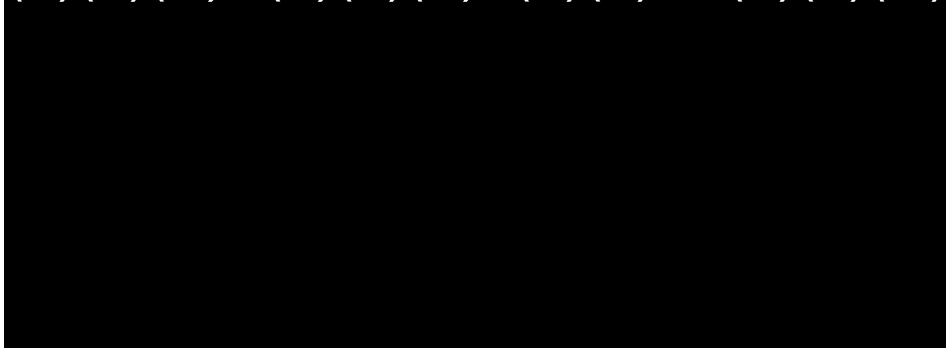
Apologies for this late response. Th (b)(7)(E), (b)(7)(F) had been busy with C1 in town.

Currently NYFO SRT participates i (b)(7)(E)&(b)(7)(F) operation "Matador". It is a high profile operation. The progress and results are being monitored by the President's Administration. Today POTUS is meeting with the participating personnel. NYFO SRT i s represented b (b)(6) & (b)(7)(C).

Also, the tea (b)(6), (b)(7)(C), (b)(7)(E), (b)(7)(F) has committed the whole month of September to the United Nations General Assembly (UNGA) which is recognized by the Secretary of DHS a (b)(7)(E)&(b)(7)(F).

Please see below:

(b)(7)(E)&(b)(7)(F), (b)(6) & (b)(7)(C)



Thank you,

(b)(6) & (b)(7)(C)  
Special Response Team  
Customs and Border Protection



New York Field Office

Cell (b)(6) & (b)(7)(C)

\*VSQ (b)(6) & (b)(7)(C)  
7IRX Wednesday, July 26, 2017 2:18 PM

8S (b)(6) & (b)(7)(C)

'G (b)(6) & (b)(7)(C)

7YFNIGX (b)(7)(E)&(b)(7)(F)/Response Needed (b)(7)(E)&(b)(7)(F)

-QTSVXERGI High

(b)(6) & (b)(7)(C)

As I mentioned yesterday, mid-August through September is proving to be a very busy time. (b)(7)(E),

(b)(7)(E), (b)(7)(F)

(b)(7)(F)

Vires et Honor,

(b)(6) & (b)(7)(C)

Commander, SRT

CBP Office of Field Operations

(b)(6) & (b)(7)(C) Office

Mobile

# Operation MATADOR Task Force Draft Proposal

## Proposal for Operation MATADOR Task Force with Attendant DRAFT Memorandum of Understanding

---

### *INTRODUCTION*

In response to the recent spate of extreme violence in communities throughout the United States at the hands of the La Mara Salvatrucha 13 (MS-13) transnational street gang, Homeland Security Investigations (HSI) New York initiated Operation Matador (OPMAT) on May 9, 2017 to serve as a Department of Homeland Security (DHS) interagency endeavor designed to combat the proliferation of MS-13 and its criminal activity in the New York City metropolitan area.

OPMAT has employed the DHS "Unity of Effort" model to help stem the rise in MS-13 recruitment, membership, and activity resulting in over 500 arrests of transnational gang members and affiliates. The arrests have produced both immediate reductions in violence as well as impactful developments in long term criminal investigations. While these impressive results have validated OPMAT's short-term goals of disruption and suppression, law enforcement partners recognize that an infusion of resources and support will increase the likelihood of achieving the long-term goal of dismantling MS-13 and other Transnational Criminal Organizations (TCOs). Therefore, HSI New York is seeking expansion of OPMAT by forming an enduring co-located OPMAT Task Force with the Organized Crime Drug Enforcement Task Force (OCDETF).

### *MISSION*

The mission of the OPMAT Task Force will be to identify, investigate, disrupt, prosecute and dismantle MS-13 and other TCOs and their members, affiliates, and facilitators. This mission will be accomplished through a collaborative effort combining federal, state and local law enforcement along with prosecutors whose common objective is to provide targeted intelligence, enforcement, investigation and prosecution of street gang members engaged in criminal activity.

Pursuant to OCDETF program guidelines, the OPMAT Task Force will pursue OCDETF designations for federal prosecution as a matter of course. However, certain cases may be presented for non-OCDETF prosecution with the consultation of the relevant District's OCDETF Lead Task Force Attorney (LTFA) and participating agency leadership.

### *STRUCTURE*

#### *Participation*

The OPMAT Task Force will consist of investigators and officers from the following Federal agencies:

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United States Attorney's Office for the Southern District of New York;  
United States Attorney's Office for the Eastern District of New York;  
U.S. Immigration and Customs Enforcement, Homeland Security Investigations;  
U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations;  
Bureau of Alcohol, Tobacco, Firearms, and Explosives;  
Drug Enforcement Administration;  
Federal Bureau of Investigation;  
U.S. Citizenship and Immigration Services; and,  
U.S. Customs and Border Protection, Office of Field Operations;

In addition, the OPMAT Task Force will consist of investigators and officers from the following State and Local agencies:

Nassau County Police Department;  
Nassau County Sheriff's Department;  
Nassau County District Attorney's Office;  
Bronx County District Attorney's Office;  
Kings County District Attorney's Office;  
New York County District Attorney's Office;  
Richmond County District Attorney's Office;  
Queens County District Attorney's Office;  
Newburgh Police Department;  
Hempstead Police Department;  
New York State Police Department;  
New York City Police Department;  
Orange County Police Department;  
Yonkers Police Department;  
Rockland County Police Department;  
Suffolk County Police Department;  
Suffolk County Sheriff's Department; and,  
Suffolk County District Attorney's Office;  
Westchester County Police Department;  
New York National Guard Counterdrug Task Force; and  
Office of the Special Narcotics Prosecutor for the City of New York

Other federal, state and local law enforcement agencies may agree to assign personnel to the Task Force, either on a permanent basis or on a case specific basis. All agencies that participate in the Task Force agree to assign experienced officers and agents to the OCDEF Task Force, consistent with the Task Force's table of organization (*Structure*) for the period of time covered by this agreement. During the period of assignment, investigators will be under the direct control of their respective assigned Task Force supervisors from the participating agencies.

#### *Authorities*

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U.S. Immigration and Customs Enforcement,  
Homeland Security Investigations: Titles 8, 18, 19, 21, 31, United States Code  
Bureau of Alcohol, Tobacco, Firearms, and Explosives: Titles 18, 22, 26, United States Code  
Drug Enforcement Administration: Titles 18 and 21, United States Code  
Federal Bureau of Investigation: Titles 18, 21 and 28, United States Code  
United States Postal Inspection Service: Titles 18, 21 and 39, United States Code  
U.S. Customs and Border Protection, Office of Field Operations: Titles 8 and 19, United States Code

### *Organization*

OPMAT East- Long Island will serve as the base and hub for operations going forward in the HSI New York Area of Responsibility (AOR). Two (2) Violent Gang Groups already established in New York City and Long Island will each be led by a Group Supervisor and be comprised of the following comingled law enforcement personnel:

### *Leadership*

The United States Attorney for the Southern District of New York (SDNY), through the New York OCDETF Lead Task Force Attorney (LTFA), will serve as approval authority for the initiation and prosecution of all Task Force investigations and will oversee all requests for obligations against funding allocations. As needed, the SDNY OCDETF LTFA will act in consultation with the Eastern District of New York (EDNY) OCDETF Assistant United States Attorney (AUSA).

An AUSA will be assigned to the Task Force as the Lead Task Force Attorney. The Lead Task Force Attorney will be responsible for the coordination and facilitation of all Task Force investigations, including conducting meetings with participating Task Force investigators that will take place on a weekly basis, at a minimum. Additionally, the Lead Task Force Attorney will be responsible for providing case related legal advice to participating Task Force investigations for, or overseeing, the prosecution of all Task Force federal prosecutions.

Additionally, AUSAs may be assigned to investigations being handled by the Task Force as needed by the Chief of the Narcotics Section.

The OPMAT Task Force will be led by an HSI Assistant Special Agent in Charge (ASAC) who will work in consultation with a designated Task Force Attorney (TFA) for the Southern District of New York and a TFA for the Eastern District of New York. Each TFA will serve as their respective District's prosecutorial expert concerning MS-13 and TCOs.

The OPMAT Task Force will compose a leadership council of Group Supervisors (or equivalent) from participating agencies that will meet on a monthly basis to review Task Force activities and investigations. The OPMAT Task Force leadership council will select a deputy Task Force Leader from

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their ranks who will work with the HSI ASAC to administer Task Force funds and oversee procedural guidelines.

The OPMAT Task Force will form an Executive Committee that shall be composed of the Special Agent in Charge (or equivalent) of each of the participating agencies. The United States Attorneys for the Eastern District of New York and the Southern District of New York will serve as the Co-Chairs of the Executive Committee. The OPMAT Task Force Executive Committee shall meet on an as-needed basis, but shall also hold regular, quarterly meetings to discuss pending matters.

It shall be the function of the Committee to approve any change in the policies and procedures of the OPMAT Task Force. In addition, the Committee will resolve any jurisdictional conflicts that may arise between the OPMAT Task Force and any other law enforcement entity if the conflict cannot be resolved at the operational or management level of the OCDETF Task Force.

#### *OPERATIONAL and SUPPORT PROCEDURES*

##### *General Provisions*

OPMAT will be housed in at U.S. District Court office located at 545 Federal Plaza, Central Islip, NY.

Officers of state and local law enforcement agencies assigned to the OPMAT Task Force may be deputized and/or cross-designated pursuant to Federal law (Title 19, United States Code, Section 1401(i) and or 21, United States Code, Section 878), and if so deputized, shall adhere to all applicable policies and procedures to the extent required under the aforementioned Titles.

The use of undercover operations will be consistent and in accordance with the sponsoring agencies' guidelines and procedures.

The OPMAT Task Force will comply with the policies and procedures of the Federal OCDETF program, including program guidelines, as issued by the Executive Office for OCDETF and the New York/New Jersey Regional Coordination Group.

All members of the OPMAT Task Force shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, as Incorporated in the Civil Rights Act of 1991, and requirements imposed by, or pursuant to, the regulations of the United States Department of Justice implementing those laws, 28 CFR part 423 Subparts C, D, and F.

All reporting systems and investigative and administrative procedures will be consistent with those currently utilized by the participating agencies. Subject to applicable legal or policy restrictions,

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copies of all pertinent documents will be furnished to other agency participants. All drug and non-drug evidence, as well as forensic evidence acquired as a result of OPMAT Task Force investigations will be submitted for laboratory analysis and storage by the lead agency assigned to that investigation. The laboratory personnel shall be available to furnish expert testimony in prosecutions initiated as a result of OPMAT Task Force investigations.

All complaints, allegations, or information relative to misconduct or breaches of integrity involving Task Force personnel, regardless of their parent agency, while in the performance of Task Force duties, will be investigated in accordance with the rules and guidelines of the parent agency. Moreover, each allegation of misconduct or breaches of integrity involving Task Force personnel will be reported to those agencies' Offices of Professional Responsibility.

Each agency will evaluate the circumstances surrounding the specific allegations and independently decide if the agency will choose to participate in the inquiry. It is understood and expected that the investigation will be conducted by one or more participating agencies' respective internal investigating bodies, or its designees.

It is understood that this policy is flexible and that initial decisions with respect to who will investigate allegations are not binding and are subject to re-evaluation as dictated by circumstances that may be disclosed during the course of an inquiry.

In the event of a "founded" complaint, all determinations of financial liability and/or disciplinary action will be made by the parent agency of the member(s) concerned.

This MOA becomes effective upon the date of the last signature and will remain in effect until such time as the parties enter into a new MOA, revise this MOA in writing by mutual consent, or rescind the MOA with 90-day prior written notice to the parties. This agreement may be terminated by any party giving 30-days advance written notice to the other parties.

During the period of assignment to the OPMAT Task Force, the participating federal, state and local agencies will be responsible for establishing the salary and benefits, including overtime of their officers assigned to the Task Force and for making payments due to them. Subject to the availability of OCDETF funds, state and local agencies will be reimbursed for officer overtime payments. Parent agencies shall provide vehicles for officers and agents assigned to the Task Force as provided for pursuant to the policies and procedures of the OCDETF State and Local Overtime Program. Parent agencies are responsible for gasoline, routine maintenance, repairs, and other costs associated with these vehicles.

Parent agencies of participating agencies shall permit and have readily available for examination and auditing by participating agencies, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts, or expenditures relating to the Agreement. In addition, the state and local participating agencies shall maintain all such foregoing reports and records until all audits and

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examinations are completed and resolved, or for a period of three years after the termination of this Agreement, whichever is longer.

All equipment purchased by the OPMAT Task Force, rather than by its participating agencies, is the property of the OCDETF Program. In the event that the OPMAT Task Force disbands or alters its mission, all equipment will revert to the OCDETF Executive Office for reallocation as deemed appropriate by the OCDETF Director. The OCDETF Director or his/her designee will be notified in writing prior to any significant modification or reallocation of resources within the Task Force.

All documents describing projects or programs funded in whole or in part with federal money, state and local agencies shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with federal money and (2) the dollar amount of federal funds for the project or program.

No participating agency shall issue a press release regarding any Task Force matter without first consulting with the Press Officer of the United States Attorney's Office for the Eastern District of New York and/or the Southern District of New York and each of the Press Officers for the participating agencies.

#### *Equitable Sharing of Seized Assets*

Assets seized during the course of OPMAT Task Force investigations will be forfeited under federal law and will be shared equitably among the participating agencies in the Task Force in accordance with either the Attorney General's Guidelines on Seized and Forfeited Property (AGG) or the Secretary of the Treasury Guidelines on Seized and Forfeited Property (STG). The United States Attorney for the relevant District, through the Lead Asset Forfeiture Attorney, will determine whether the forfeitures are processed and shared through the AGG or the STG.

Under the terms of this Agreement, the OPMAT Task Force may access the STG processed seizures. All parties to this Agreement acknowledge that the disposition of assets forfeited under federal law is within either the discretionary authority of the Department of Justice in accordance with Attorney General Guidelines or the discretionary authority of the Department of the Treasury, as determined by United States Attorney for the relevant District through the Lead Asset Forfeiture Attorney.

#### *INFORMATION SHARING*

The parties agree that information shared under this agreement is subject to the following conditions:

1. Such information, as well as inquiries and request of information, received by a Party under this MOA, is to be accorded protection from disclosure to third parties to the greatest extent permissible under the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, and subject to disclosure restrictions contained in the Privacy Act (PA), 5 U.S.C Section 552a,

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2. Information received as a result of participation on the OPMAT Task Force shall be used only for purposes consistent with the mission of the Task Force, or as otherwise agreed to by the party that was the source of the information;
3. The Special Operation Division (SOD) will be used as an intelligence gathering platform to target the command and control communication devices employed by MS-13 and TCOs.
4. The OPMAT Task Force will share all drug related financial intelligence information with the OCDETF Fusion Center in order to conduct cross-agency and cross-jurisdictional integration, analysis of drug and related financial data as well as to create comprehensive intelligence pictures of MS-13 and TCOs.
5. Except as otherwise agreed to herein, the parties shall consult prior to disclosing information obtained as a result of OPMAT Task Force activities to third party requesters and shall protect such information from the disclosure to the greatest extent permissible under applicable laws;
6. The parties must obtain permission for the disclosure to third parties of information received pursuant to this Agreement prior to such disclosure, unless there is a compelling need that would justify a party's not making such a request, in which case the party seeking to disclose the information is to give notice of the disclosure to the party that was the source of the information as soon as practicable. A compelling need exists where there is a necessity to disclose the information in order to avoid imminent danger to life or property;
7. Access to information shared as a result of this Agreement is on need-to-know basis.

#### *SUMMARY*

The terms of this Agreement will become effective to each party upon signature by that party. This Agreement will remain in force as long as needed for the benefit of the OCDETF Program. Any party may terminate its activities under this Agreement upon 30 days written notice to the other parties.

Notwithstanding this Agreement, the OCDETF Task Force Executive Committee may amend from time to time by written Agreement by all parties the areas set forth herein when it is deemed in the best interest of the citizens of affected Districts, other areas affected by Task Force investigation, and the United States.

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SIGNED AND AGREES UPON:

DATE: \_\_\_\_\_

Executive Name/Title

DRAFT

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8

## Email: Request for DACA Population Total in Nassau County

**From:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Sent:** 21 Apr 2018 00:24:56 +0000  
**To:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Cc:**  
**Subject:** RE: Request from NCPD

The number of undocumented aliens is not something we could confirm. Unknown.

Those that applied for DACA should be in a system. We can inquire, not sure if we get an answer.

Be safe.

---

**From:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Sent:** Friday, April 20, 2018 8:14:19 PM  
**To:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Subject:** FW: Request from NCPD

See question below.

---

**From:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Sent:** Friday, April 20, 2018 7:22:16 PM  
**To:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Cc:**  
**Subject:** Fw: Request from NCPD

Can you give the numbers? Not the names? See below.

Thanks!

(b)(6)

---

**From:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Sent:** Friday, April 20, 2018 7:21:14 PM  
**To:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Subject:** Re:

I will ask

---

**From:** (b)(6),(b)(7)(C),(b)(7)(F)  
**Sent:** Friday, April 20, 2018 4:07:05 PM

**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:**

Is it possible to know how many DACA and undocumented are in Nassau Country. I didn't think that was possible but Commissioner is asking....Thanks. (b)(6);(F)  
Sent from my iPhone

2018-ICLI-00036 1340

## Email: Correspondence Between EDNY and Nassau Police Commissioner

[REDACTED]

---

**From:** Durham, John (USANYE) <[REDACTED]>  
**Sent:** Tuesday, June 5, 2018 4:51 PM  
**To:** Ryder, Patrick; Boeckmann, Nicole (USANYE)  
**Cc:** Lebrun, Richard  
**Subject:** RE: RE:

Thanks. Our press guy Marzulli should be reaching out tomorrow a.m.

-----Original Message-----

**From:** Ryder, Patrick <[REDACTED]>  
**Sent:** Tuesday, June 05, 2018 4:48 PM  
**To:** Durham, John (USANYE) <[REDACTED]>; Boeckmann, Nicole (USANYE) <[REDACTED]>  
**Cc:** Lebrun, Richard <[REDACTED]>  
**Subject:** RE: RE:

Nice Job ! as always! Rich see me on this for a quote!

Patrick J. Ryder  
Commissioner of Police  
Nassau County Police Department  
516-573-7100  
pryder@pcdn.org

-----Original Message-----

**From:** Durham, John (USANYE) [mailto:[REDACTED]]  
**Sent:** Tuesday, June 05, 2018 4:27 PM  
**To:** Ryder, Patrick; Boeckmann, Nicole (USANYE)  
**Subject:** RE: RE:

On a not entirely unrelated note, the grand jury returned a superseding indictment in an MS-13 case, which remains under seal right now, but we plan on unsealing and issuing a press release on Thursday. Most of the crimes occurred in Suffolk, but the indictment includes RICO charges relating to the Javier Castillo murder (the body we recovered from Cow Meadow Park in Freeport last October). Please let us know if you would like to be included as an announcer and, if so, please send a quote for the press release. Thanks

John

-----Original Message-----

**From:** Ryder, Patrick <[REDACTED]>  
**Sent:** Friday, June 01, 2018 5:38 PM  
**To:** Boeckmann, Nicole (USANYE) <[REDACTED]>  
**Cc:** Durham, John (USANYE) <[REDACTED]>  
**Subject:** Re: RE:

Ty. Enjoy. Will do

Sent from my iPhone

> On Jun 1, 2018, at 5:33 PM, Boeckmann, Nicole (USANYE) <[REDACTED]> wrote:

>

> Thanks Pat.

>

> If the funding or staffing appears I would like an opportunity to discuss this with you further before you commit any resources for the reasons John stated below. In short, I think it is a bad idea and will cause more problems than it will solve.

>

> Have a great weekend. I hope all is well.

>

> Nicole

>

> -----Original Message-----

> From: Ryder, Patrick <[REDACTED]>

> Sent: Friday, June 01, 2018 4:32 PM

> To: Durham, John (USANYE) <[REDACTED]>

> Cc: Boeckmann, Nicole (USANYE) <[REDACTED]>

> Subject: RE:

>

> I am good now, I just don't have staffing, but I did inquire about funding and they were evasive, we will see

>

> Patrick J. Ryder

> Commissioner of Police

> Nassau County Police Department

> 516-573-7100

> [REDACTED]

>

>

>

> -----Original Message-----

> From: Durham, John (USANYE) [mailto:[REDACTED]]

> Sent: Friday, June 01, 2018 4:05 PM

> To: Ryder, Patrick

> Cc: Boeckmann, Nicole (USANYE)

> Subject: RE:

>

> Thank you for the update. To the extent it has any impact on your decision, I do not expect that the EDNY will be involved with this secondary task force and we will continue to work gang cases with the LIGTF, as we have for almost 20 years. The LIGTF already includes all the relevant law enforcement agencies, most importantly, NCPD and SCPD (as well as, ironically, HSI). EDNY, LIGTF and its members have had tremendous success doing these cases and we will continue to do so. In our conversations and meetings, HSI has been unable to articulate any valid law enforcement reason for attempting to create a separate task force, which leads to the inevitable conclusion that they have no reason other than the politics between them and FBI, for which I have no patience. I understand the position you are in and, obviously, you have to do what's best for the NCPD. However, our request would be that, if you have the resources to staff additional detectives to a federal task force, you add them to the LIGTF, rather than joining a separate, competing task force that will fracture our response to the MS-13 and other criminal organizations, and create additional layers of deconfliction issues and headaches.

>

> Thanks and, as always, we are happy to discuss further.

>

> John  
>  
> -----Original Message-----  
> From: Ryder, Patrick [REDACTED]  
> Sent: Friday, June 01, 2018 2:32 PM  
> To: Durham, John (USANYE) [REDACTED]  
> Cc: Boeckmann, Nicole (USANYE) <[REDACTED]>  
> Subject: RE:  
>  
> No big lift here, they wanted to know if I would put two or one detective in their task force, I said I will review due to staffing levels. TY Have a good weekend  
>  
> Patrick J. Ryder  
> Commissioner of Police  
> Nassau County Police Department  
> 516-573-7100  
> [REDACTED]  
>  
>  
>  
> -----Original Message-----  
> From: Durham, John (USANYE) [mailto:[REDACTED]]  
> Sent: Thursday, May 24, 2018 10:19 PM  
> To: Ryder, Patrick  
> Cc: Boeckmann, Nicole (USANYE)  
> Subject: Re:  
>  
> Thanks and sorry to have to even bother you with something like this, we just found it so bizarre that they sent this out, without speaking to us first, and creating the impression that they did.  
>  
> I don't blame you for being cautious re Operation Matador given all the civil lawsuits and other allegations that have been and will continue to be made. We're also sensitive to these issues given some of the problems they've caused with pending murder cases.  
>  
> Have a great Memorial Day weekend and we will look forward to talking to you next week.  
>  
> John  
>  
> Sent from my iPhone  
>  
>> On May 24, 2018, at 9:31 PM, Ryder, Patrick <[REDACTED]> wrote:  
>>  
>> I Did get a call today from one of my guys regarding. Very little details but I set up a meeting next week to find out their interest. For political reason and so I don't ruin my community relations, I steer away from publicly supporting items like matador. I will fill you in after the meeting next week if ok? Paddy  
>>  
>> Sent from my iPhone  
>>  
>> On May 24, 2018, at 8:43 PM, Durham, John (USANYE) [REDACTED] >> wrote:  
>>



>> Pat-I'm assuming that either you or someone under your command received an email from HSI today regarding proposed Operation Matador task force (see attached), which proposal creates the misimpression that the USA is a participant. Please be aware that no one from the USAO-EDNY was consulted about this proposal before it was sent to the NCPD and many of our other law enforcement partners. The U.S. Attorney asked us to reach out to you and others to make sure you understand that we were not consulted about this proposal in advance, we have serious concerns about this secondary task force, and, most likely, will not be joining it.

>>

>> Please give me a call if you would like to discuss our position further. Thanks.

>>

>> John

>>

>>

>> <OPMAT Task Force (MatNo addition) - 05222018 - DS DRAFT.DOCX>

>>

>

>

## Email: Explanation of SRO Arrest and Referral to ICE

**From:** (b)(6);(b)(7)(C)  
**Sent:** 20 Jul 2017 20:43:33 -0400  
**To:** ACF Orrducs\_Intakes (ACF)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: UAC Initial Placement Referral (b)(6);(b)(7)(C)

Reason for his arrest? Operation Matador target enforcement against gang operations on Long Island.

Is the minor currently involved in an open investigation? No.

List of prior criminal history with dates? None.

Note if any charges led to adjudication and what was his sentence? N/A.

List any known behavioral issues? No.

His current location (juvenile detention center?) Central Islip Long Island Processing

Is he a gang member? Self-admitted or identified by law enforcement? MS-13 law enforcement

Regards,

(b)(6);(b)(7)(C)

Intelligence Research Specialist

ICE-Homeland Security Investigations – New York

O: (646)230 (b)(6);(b)(7)(C)

C: (646)276 (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)



---

**From:** ACF Orrducs\_Intakes (ACF) [mailto:Orrducs\_Intakes@acf.hhs.gov]

**Sent:** Thursday, July 20, 2017 8:41 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** Re: UAC Initial Placement Referral (b)(6);(b)(7)(C)

Good evening,

Please provide ORR with the following information so that we may find the proper placement for minor:

2018-ICLI-00036 2502

Reason for his arrest?  
Is the minor currently involved in an open investigation?  
List of prior criminal history with dates?  
Note if any charges led to adjudication and what was his sentence?  
List any known behavioral issues?  
His current location (juvenile detention center?)  
Is he a gang member? Self-admitted or identified by law enforcement?

Thank you,  
Maria  
ORR/DUCO Intakes  
202-401-5709

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, July 20, 2017 8:26 PM  
**To:** ACF Orrducs\_Intakes (ACF)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** UAC Initial Placement Referral (b)(6);(b)(7)(C)

Good evening,

Operation Matador on Long Island has administratively arrested a UAC, (b)(6);(b)(7)(C)  
Attached is the form for a bed space request. Please let me know if you have any questions.

Regards,  
(b)(6);(b)(7)(C)  
Intelligence Research Specialist  
ICE-Homeland Security Investigations – New York  
O: (646)230-(b)(6);  
C: (646)276-(b)(7)(C)  
Email: (b)(6);(b)(7)(C)



2018-ICLI-00036 2503

**From:** (b)(6);(b)(7)(C)  
**Sent:** 20 Jul 2017 19:37:12 -0400  
**To:** ACF Orrducs\_Intakes (ACF)

(b)(6);(b)(7)(C)

**Subject:** RE: UAC Initial Placement Referral (b)(6);(b)(7)(C)

Reason for his arrest? Operation Matador target enforcement against gang operations on Long Island.

Where there any weapons involved in the assault? If so, what kind? Unknown, not specified in his arrest report.

Was anyone injured in the assault? Unknown, not specified in his arrest report.

Is the minor currently involved in an open investigation? No

List of prior criminal history with dates? 11/04/2016 Assault 3<sup>rd</sup> Degree

Note if any charges led to adjudication and what was his sentence? Unknown, juvenile not disclosed.

List any known behavioral issues? None.

His current location (juvenile detention center?) Central Islip Long Island Processing

Is he a gang member? Self-admitted or identified by law enforcement? Yes 18<sup>th</sup> street (keep separate from MS-13 due to rivalry), identified by law enforcement.

Regards,

(b)(6);(b)(7)(C)  
Intelligence Research Specialist  
ICE-Homeland Security Investigations – New York  
O: (646)230-(b)(6);  
C: (646)276-(b)(7)(C)  
Email: (b)(6);(b)(7)(C)



---

**From:** ACF Orrducs\_Intakes (ACF) [mailto:Orrducs\_Intakes@acf.hhs.gov]  
**Sent:** Thursday, July 20, 2017 7:27 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)

2018-ICLI-00036 2504

(b)(6);(b)(7)(C) ACF)

**Subject:** Re: UAC Initial Placement Referral (b)(6);(b)(7)(C)

Good evening,

Please provide ORR with the following information so that we may find the proper placement for minor:

Reason for his arrest?

Where there any weapons involved in the assault? If so, what kind?

Was anyone injured in the assault?

Is the minor currently involved in an open investigation?

List of prior criminal history with dates?

Note if any charges led to adjudication and what was his sentence?

List any known behavioral issues?

His current location (juvenile detention center?)

Is he a gang member? Self-admitted or identified by law enforcement?

Thank you,

Maria

ORR/DUCO Intakes

202-401-5709

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Thursday, July 20, 2017 7:05 PM

**To:** ACF Orrducs\_Intakes (ACF)

**Cc:** (b)(6);(b)(7)(C)

**Subject:** UAC Initial Placement Referral (b)(6);

Good evening,

Operation Matador on Long Island has administratively arrested a UAC, (b)(6);(b)(7)(C). Attached is the form for a bed space request. Please let me know if you have any questions.

Regards,

(b)(6);(b)(7)(C)

Intelligence Research Specialist

ICE-Homeland Security Investigations – New York

O: (646)230-(b)(6);

C: (646)276-(b)(7)(C)

Email: (b)(6);(b)(7)(C)

2018-ICLI-00036 2505

**From:** (b)(6);(b)(7)(C)  
**Sent:** 25 Jul 2017 13:26:08 +0000

(b)(6);(b)(7)(C)

**Subject:** Re: Placement Confirmation for 1

(b)(6);(b)(7)(C) ORR will review with ERO to review how to improve such placements and avoid future incidents. Morrison staff thank you for your patience and bringing this to our attention.

(b)(6);(b)(7)(C)

**On:** 25 July 2017 08:00, (b)(6);(b)(7)(C) wrote:  
(b)(6);(b)(7)(C)

Sorry you and your staff were inconvenienced as a result of the " failure of communication." I assure you that HSI Long Island agents followed the established protocol regarding juvenile aliens and I refer you to the below email confirming placement. After receiving Placement Notification from ORR, HSI Long Island agents were directed to deliver the subject juvenile to ERO at JFK Airport because ERO had secured travel arrangements which we did. HSI doesn't get involved in placing juvenile aliens and isn't responsible for notifying the placement facility. If you have any question regarding this matter please call me directly.

(b)(6);(b)(7)(C)  
Supervisory Special Agent  
HSI Long Island  
347-992-(b)(6);(b)(7)(C)

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 25, 2017, 3:04 AM  
**To:** ACF Orrducs\_Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov>, (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

2018-ICLI-00036 2507



(b)(6);(b)(7)(C)

**Subject:** Re: Placement Confirmation for 1

Hello Everyone,

We just received a call from ICE transporting officer stating that they were at the airport on their way to the facility. We had no notification of travel arrangements and we had to have staff stay later to accommodate. This is unacceptable and we don't know where the failure in communication occurred.

(b)(6);(b)(7)(C)



(b)(6);(b)(7)(C) LCSW | Division Director  
11035 NE Sandy Blvd. | Portland, 97220  
|(503) 729-(b)(6)(c)



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---

**From:** ACF Orrducs\_Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov>

**Sent:** Monday, July 24, 2017 1:11 PM

(b)(6);(b)(7)(C)

**Subject:** Placement Confirmation for 1

Good Afternoon,

Placement has been approved for the minor below at **Morrison Paso Staff Secure**.

**POC: On call staff (503) 278 9853**

(b)(6); (b)(7)(C)

Thank you,  
Constanza Acuna  
Intakes Specialist  
ORR/DUCO

2018-ICLI-00036 2508

**From:** (b)(6);(b)(7)(C)  
**Sent:** 25 Jul 2017 07:57:52 -0400  
**To:** (b)(6); (b)(7)(C); ACF Orrducs\_Intakes (ACF); (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)  
**Subject:** RE: Placement Confirmation for 1

(b)(6);(b)(7)(C)

Sorry you and your staff were inconvenienced as a result of the " failure of communication." I assure you that HSI Long Island agents followed the established protocol regarding juvenile aliens and I refer you to the below email confirming placement. After receiving Placement Notification from ORR, HSI Long Island agents were directed to deliver the subject juvenile to ERO at JFK Airport because ERO had secured travel arrangements which we did. HSI doesn't get involved in placing juvenile aliens and isn't responsible for notifying the placement facility. If you have any question regarding this matter please call me directly.

(b)(6);(b)(7)(C)  
Supervisory Special Agent  
HSI Long Island  
347-992-(b)(6);(b)(7)(C)

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 25, 2017, 3:04 AM  
**To:** ACF Orrducs\_Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov>; (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)  
**Subject:** Re: Placement Confirmation for 1

Hello Everyone,

We just received a call from ICE transporting officer stating that they were at the airport on their way to the facility. We had no notification of travel arrangements and we had to have staff stay later to accommodate. This is unacceptable and we don't know where the failure in communication occurred.

(b)(6);(b)(7)(C)

2018-ICLI-00036 2510



(b)(6)(b)(7)(C), LCSW | Division Director

11035 NE Sandy Blvd. | Portland, 97220



|(503) 729-(b)(6)(b)



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**From:** ACF Orrducs\_Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov>

**Sent:** Monday, July 24, 2017 1:11 PM

(b)(6)(b)(7)(C)

**Subject:** Placement Confirmation for 1

Good Afternoon,

Placement has been approved for the minor below at **Morrison Paso Staff Secure.**

**POC: On call staff (503) 278 9853**

(b)(6)(b)(7)(C)

Thank you,  
Constanza Acuna  
Intakes Specialist  
ORR/DUCO  
(202) 401-5709

2018-ICLI-00036 2511

**From:** De LA Cruz, James (ACF)  
**Sent:** 25 Jul 2017 15:24:55 +0000  
**To:** (b)(6); (b)(7)(C)  
**Cc:** (b)(6); (b)(7)(C); ACF Orrducs\_Intakes (ACF); (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)  
**Subject:** RE: Placement Confirmation for 1

Hi (b)(6); (b)(7)(C)

ORR and DHS will take it from here. If HSI has any questions or concerns (b)(6); will coordinate on behalf of DHS. If you have any further questions please reach out directly to (b)(6); (b)(7)(C) She is our main ORR POC for intake related issues that concern ORR and DHS.

Once again thank you.

James S. De La Cruz  
DHHS/ACF/ORR/DCS  
Senior Federal Field Specialist Supervisor  
Office of Refugee Resettlement  
Division of Children's Services  
Mary E. Switzer Building, 5th Floor (Room: 5223)  
330 C Street SW  
Washington, DC 20201  
Office: 202-690-8477  
Cell: (b)(6); (b)(7)(C)  
Fax: 202-401-1022  
<http://www.acf.hhs.gov/programs/orr/programs/ucs>

---

**From:** (b)(6); (b)(7)(C)  
**Sent:** Tuesday, July 25, 2017 10:38 AM  
**To:** (b)(6); (b)(7)(C)  
**Cc:** De LA Cruz, James (ACF); (b)(6); (b)(7)(C); ACF Orrducs\_Intakes (ACF); (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)  
**Subject:** Re: Placement Confirmation for 1

Historically, we have always received notification of date and flight information for initial ICE placements so the program can prepare, especially for any arrivals that arrive this late as staffing ratios for staff secure and shelter residential programs differ from daytime to overnight. (b)(6); did share that he was called early yesterday afternoon and his understanding, as has happened in the past, was that call on their way meant a call with date and time of arrival. If this process has changed please let us know.

2018-ICLI-00036 2512

Thank you,

Sent from my iPhone

On Jul 25, 2017, at 6:39 AM, [REDACTED] wrote:

Good morning,

I spoke to [REDACTED] and advised him that I was making transport arrangements to the facility, he was very nice. He gave me the address to the facility and his number. He informed me that his facility does not pick up at the airport, but the officers should call the facility @ (503) 278 [REDACTED] when they are on their way. That was done.

Please let us know if there is another POC that we should have contacted.

Thanks,

[REDACTED]

---

**From:** De LA Cruz, James (ACF) [REDACTED]

**Sent:** Tuesday, July 25, 2017 9:26 AM

**To:** [REDACTED] ACF Orrducs\_Intakes (ACF); [REDACTED]

[REDACTED]

**Subject:** Re: Placement Confirmation for 1

[REDACTED] ORR will review with ERO to review how to improve such placements and avoid future incidents. Morrison staff thank you for your patience and bringing this to our attention.

[REDACTED]  
[REDACTED]

On: 25 July 2017 08:00, [REDACTED]  
wrote:

[REDACTED]

Sorry you and your staff were inconvenienced as a result of the " failure of communication." I assure you that HSI Long Island agents followed the established protocol regarding juvenile aliens and I refer you to the below email confirming

2018-ICLI-00036 2513

placement. After receiving Placement Notification from ORR, HSI Long Island agents were directed to deliver the subject juvenile to ERO at JFK Airport because ERO had secured travel arrangements which we did. HSI doesn't get involved in placing juvenile aliens and isn't responsible for notifying the placement facility. If you have any question regarding this matter please call me directly.

(b)(6);(b)(7)(C)  
Supervisory Special Agent  
HSI Long Island  
347-992-(b)(6);(C)

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 25, 2017, 3:04 AM  
**To:** ACF Orrducs Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov> (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

**Subject:** Re: Placement Confirmation for 1

Hello Everyone,

We just received a call from ICE transporting officer stating that they were at the airport on their way to the facility. We had no notification of travel arrangements and we had to have staff stay later to accommodate. This is unacceptable and we don't know where the failure in communication occurred.

(b)(6);(b)(7)(C)



(b)(6);(b)(7)(C) LCSW | Division Director  
11035 NE Sandy Blvd. | Portland, 97220  
(503) 729-(b)(6);(c)

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2018-ICLI-00036 2514



**From:** ACF Orrducs\_Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov>

**Sent:** Monday, July 24, 2017 1:11 PM

(b)(6);(b)(7)(C)

**Cc:** (b)(6); (b)(7)(C); De LA Cruz, James (ACF)

**Subject:** Placement Confirmation for 1

Good Afternoon,

Placement has been approved for the minor below at **Morrison Paso Staff Secure**.

**POC: On call staff (503) 278 9853**

(b)(6); (b)(7)(C)

Thank you,  
Constanza Acuna  
Intakes Specialist  
ORR/DUCO  
(202) 401-5709

2018-ICLI-00036 2515

**From:** (b)(6);(b)(7)(C)  
**Sent:** 21 Jul 2017 18:57:12 -0400  
**To:** ACF Orrducs\_Intakes (ACF)

(b)(6);(b)(7)(C)

**Subject:** RE: Staff Secure Placement at SWK Mesa Staff Secure

Good Evening (b)(6);(b)(7)(C)

Thank you and have a great weekend!

Regards!

(b)(6)

(b)(6);(b)(7)(C)  
Supervisory Special Agent  
U.S. DHS TOCSF  
USAO Liaison  
HSI SAC New York  
Mobile: (646) 483-3 (b)(6);(b)(7)(C)

Sent with BlackBerry Work (www.blackberry.com)

**From:** ACF Orrducs\_Intakes (ACF) <Orrducs\_Intakes@acf.hhs.gov>  
**Date:** Friday, Jul 21, 2017, 6:56 PM

(b)(6);(b)(7)(C)

**Subject:** Staff Secure Placement at SWK Mesa Staff Secure

Good evening,

Placement has been approved for the following minor at SWK Mesa Staff Secure.

POC- (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

**Staff Secure Placement at SWK Mesa Staff Secure**

**Minor:** (b)(6); (b)(7)(C)

2018-ICLI-00036 2516

**Criminal Charges:** N/A

**Adjudicated:** N/A

**Detention Center:** N/A

**Gang Affiliation:** Observed by SCPD to be an MS-13 gang member.

**Previous ORR Care:** BCFS Harlingen 10/31/2015-12/11/2015, minor was reunified with sponsor brother (Minor had no reported SIRs while in this facility).

**Additional Information:** Minor was observed by (b)(6); (b)(7)(C) High School administration on or about 3/15/2017 along with two other confirmed MS-13 gang members outside the entrance of a (b)(6); (b)(7)(C) High School performing a gang related hand shake used between junior members of MS-13. Minor was wearing typical articles of clothing currently being used by actively engaging MS-13 gang members at (b)(6); (b)(7)(C) High School. Minor was taken into ICE custody during an ongoing HSI investigation to target gang members.

**Referring Officer:** (b)(6); (b)(7)(C)

Thank you,

Maria

ORR/DUCO Intakes

202-401-5709

2018-ICLI-00036 2517

**From:** ACF Orrducs\_Intakes (ACF)  
**Sent:** 21 Jul 2017 22:02:11 +0000  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** Re: UAC Initial Placement Referral (b)(6);(b)(7)(C) STATUS UPDATE

Good evening,

ORR is still working on securing placement for minor. Thank you for your patience.

Thank you,  
Maria  
ORR/DUCO Intakes  
202-401-5709

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, July 21, 2017 5:27 PM  
**To:** ACF Orrducs\_Intakes (ACF)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: UAC Initial Placement Referral (b)(6);(b)(7)(C) STATUS UPDATE

ORR,

Can you please update us with a status on UAC, (b)(6);(b)(7)(C)

Regards,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
Supervisory Special Agent  
U.S. DHS Transnational Organized Crime Strike Force  
USAO Liaison  
HSI SAC New York  
Mobile: (646) 483-(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, July 21, 2017 4:51 PM  
**To:** orrducs\_intakes@acf.hhs.gov  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: UAC Initial Placement Referral (b)(6);(b)(7)(C)

2018-ICLI-00036 2518

Can you please provide an update?

(b)(6),(b)(7)(C)

Supervisory Special Agent  
U.S. DHS Transnational Organized Crime Strike Force  
USAO Liaison  
HSI SAC New York  
Mobile: (646) 483-(b)(6),(b)(7)(C)

---

**From:** (b)(6),(b)(7)(C)

**Sent:** Friday, July 21, 2017 12:21 PM

**To:** orrducs\_intakes@acf.hhs.gov

**Cc:** (b)(6),(b)(7)(C)

**Subject:** UAC Initial Placement Referral (b)(6),(b)(7)(C)

Good day,

Operation Matador on Long Island has administratively arrested a UAC, (b)(6),(b)(7)(C)  
Attached is the form for a bed space request. Please let me know if you have any questions.

Regards,

(b)(6),(b)(7)(C)

Intelligence Research Specialist  
ICE-Homeland Security Investigations – New York  
O: (646)230-(b)(6)  
C: (646)276-(b)(7)  
Email: (b)(6),(b)(7)(C)



2018-ICLI-00036 2519

## Email: Correspondence Between EDNY and FBI

[REDACTED]

---

**From:** Durham, John (USANYE) [REDACTED] >  
**Sent:** Thursday, May 24, 2018 8:38 PM  
**To:** Heslin, Edward J. (NY) (FBI); McMullen, Sean C. ([REDACTED]); Nigro, Michael  
**Attachments:** OPMAT Task Force (MatNo addition) - 05222018 - DS DRAFT.DOCX

I assumed this would have come to you through FBI channels already, but I just talked to Eddie and it had not. Long story short, my head is exploding because HSI and SDNY are trying to create yet another task force to run all things MS-13 (which apparently would be run by a USAO and agency who have no active MS-13 RICO or VICAR cases). To make matters worse, they sent out this proposal, which creates the impression that EDNY and FBI are on board (which we are most definitely NOT) to every law enforcement agency in the area without prior notice. Your management and mine are aware of the issue and are not happy and we're working on making sure everyone understands what is going on here. Absolute and total bullshit.

Sorry to be the bearer of more bad news and yet another headache, but I wanted to make sure you were aware of it.

## Email: Nassau County Police Commissioner on MS-13 Threats to Staff

**From:** Ryder, Patrick  
**Sent:** Monday, April 23, 2018 10:09 PM  
**To:** PDCN Members  
**Subject:** LE Threat

As you all are aware on Wednesday, April 18, 2018 there were several threats made by MS-13 against law-enforcement. The threats originated in the Village of Hempstead through its police department. The Department investigated the matter right away, determined the threat to be credible and created Intelligence Bulletin 18-30 which was sent out to all members and the surrounding villages and cities to make everyone aware of the threat. Furthermore, the Department sent a message out over the radio every half hour Wednesday night and during the day tour on Thursday in order to get the message out to the membership. The message was repeated twice per tour thereafter reminding offices to remain vigilant. The message was also sent out through the MDT. As the Department prepared the bulletin, we shifted resources to the surrounding areas in the village of HEMPSTEAD where these threats originate from.

Thursday night after discussions with the Crime-Stoppers Board a \$25,000 reward was issued for information leading to the arrest and conviction of the individuals who made the threat. The next day the PBA matched the award for another \$25,000 and Suffolk County Crime Stoppers added an additional 25,000 for a total reward of \$75,000. Thursday evening BSO, CIRRT, COPE, Narcotics, GIS and ESU were assigned into the area of concern to conduct an enforcement initiative in order to send a message to the gang members that the Department will not tolerate them threatening one of our own.

Friday and Saturday night with the assistance of the federal Homeland Security Investigations (HSI) several sweeps were conducted including local MS 13 hangouts and bars. During this time period, there were approximately 150 offices reassigned to address this threat. Members were called in on overtime or held over from their tour in order to assist our scheduled members in conducting enforcement efforts. The six cars that surround the HEMPSTEAD area were also doubled.

Due to the great work of our police offices in this county and with the assistance of HSI, 50 arrests were made, four guns were seized, and COPE with HSI arrested a major MS 13 member who was wanted in Maryland for attempted murder first-degree, robbery, possession of a weapon, Kidnapping and illegally entered the country twice after being deported.

In a large organization such as ours, many times information does not filter its way from the top of the organization to the people on the front lines. Unfortunately when there is a void of information, others will fill the void with their own perceptions. Due to the serious nature of this threat, I wanted to make sure you all had the facts with regard to the Department's response to this matter. After discussions today with PBA President McDermott, we will double the patrol vehicles until we believe the threat is no longer credible.

The Department stands behind you 100% as you continue to keep the people of Nassau County safe. We must remain unified in our fight against the violent gang that calls themselves MS-13. You are the finest police officers in the country



and you make the Department proud every day. The Department will continue to take whatever action is necessary to address threats against our police officers. Thank you, Godspeed and be safe.

Patrick J Ryder  
Commissioner of Police

Sent from my iPad

## Email: Correspondence Regarding Info Gathering from E Justice

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** 13 Aug 2018 14:12:15 +0000  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Status Checks

10-4

---

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** Monday, August 13, 2018 10:11 AM  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Status Checks

(b)(6)

I am aware of all the things you said...for now, tell me who you can determine from what we have in checks...1) who may not have any status at all 2) if they are overstays, etc 3) and if a LPR, you can put that in the separate category of needs to be reviewed

As of now, none of the above or below has been established—thank you.

(b)(6);(b)(7)(C);(b)(7)(F)

Supervisory Special Agent  
Matador Gang Strike Force

Homeland Security Investigations

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Date:** Monday, Aug 13, 2018, 10:08 AM  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Status Checks

Sir,

(b)(5);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(F)

2018-ICLI-00036 1414

---

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** Monday, August 13, 2018 10:01 AM  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Status Checks

Why would you need to print them out—just write down the DOB on a sheet; cross check against our databases; etc

All I want is the names of those who are on that sheet who are amenable, etc

(b)(6);(b)(7)(C);(b)(7)(F)  
Supervisory Special Agent  
Matador Gang Strike Force

Homeland Security Investigations

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Date:** Monday, Aug 13, 2018, 9:57 AM  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Status Checks

I saw them yes that's a lot of E justice I would need review and print out again . we would need a files for final review with (b)(6);(b)(7)(C);(b)(7)(F)

---

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** Monday, August 13, 2018 9:44 AM  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Status Checks

(b)(6);(b)(7)(C);(b)(7)(F)

You will need to run the NYSID's...I am sure you saw those

(b)(6);(b)(7)(C);(b)(7)(F)

(b)(6);(b)(7)(C);(b)(7)(F)  
Supervisory Special Agent  
Matador Gang Strike Force

Homeland Security Investigations

2018-ICLI-00036 1415

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Date:** Monday, Aug 13, 2018, 9:32 AM  
(b)(6);(b)(7)(C);(b)(7)(F)

**Subject:** RE: Status Checks

There are no birth dates or a numbers

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** Monday, August 13, 2018 9:15 AM  
(b)(6);(b)(7)(C);(b)(7)(F)

**Subject:** Status Checks

(b)(6);(b)(7)(C);(b)(7)(F)

Please look at the people on this sheet and identify who is out of status or amenable for removal.

Thanks!

(b)(6);(b)(7)(C);(b)(7)(F)  
Supervisory Special Agent  
Matador Gang Strike Force

Homeland Security Investigations

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

2018-ICLI-00036 1416

## Email: Correspondence Between Queens NYPD and DA Requesting HSI Assistance

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** 20 Jun 2018 01:55:43 +0000  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Queens DA Request for HSI Assistance \_ MS 13 Homicides \_ Meeting at 11 AM

Great, thanks....didn't want to assume that we were the lead in Queens since they called us in to assist their investigation. But it makes sense....

(b)(6);(b)(7)(C);(b)(7)(F)

Supervisory Special Agent  
Matador Gang Strike Force  
Homeland Security Investigations

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Date:** Tuesday, Jun 19, 2018, 9:41 PM  
(b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Queens DA Request for HSI Assistance \_ MS 13 Homicides \_ Meeting at 11 AM

I don't see any issue?

(b)(6);(b)(7)(C);(b)(7)(F)

Assistant Special Agent in Charge  
Homeland Security Investigations, New York  
Office: 646-230-(b)(6);(b)(7)(F) | Cell: 347-992-(b)(6);(b)(7)(F)

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Date:** Tuesday, Jun 19, 2018, 8:19 PM  
(b)(6);(b)(7)(C);(b)(7)(F)  
**Subject:** RE: Queens DA Request for HSI Assistance \_ MS 13 Homicides \_ Meeting at 11 AM

(b)(6);(b)(7)(C);(b)(7)(F)

I don't want to assume. I know that we we got the call directly. However, it is clearly

(b)(6);(b)(7)(C);(b)(7)(F)

(b)(6);(b)(7)(C);(b)(7)(F)

(b)(6);(b)(7)(C);(b)(7)(F)

Supervisory Special Agent

2018-ICLI-00036 1282

Matador Gang Strike Force  
Homeland Security Investigations

Sent with BlackBerry Work  
(www.blackberry.com)

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Date:** Tuesday, Jun 19, 2018, 4:53 PM  
**To:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Cc:**  
**Subject:** FW: Queens DA Request for HSI Assistance \_ MS 13 Homicides \_ Meeting at 11 AM

(b)(6)  
(b)(7)(F)

I noticed that the meeting referenced below is scheduled for **Thursday, June 20**, however Thursday is the **21<sup>st</sup>**. Can you clarify which day the meeting is taking place?

Thanks.

(b)(6);(b)(7)(C);(b)(7)(F)  
Assistant Special Agent in Charge  
Homeland Security Investigations, New York  
Office: 646-230-(b)(6) | Cell: 347-992-(b)(6)

---

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** Monday, June 18, 2018 6:09 PM

(b)(6);(b)(7)(C);(b)(7)(F)

**Subject:** RE: Queens DA Request for HSI Assistance \_ MS 13 Homicides \_ Meeting at 11 AM

Sorry one more thing to add, (b)(6);(b)(7)(C);(b)(7)(F);(b)(7)(E)  
(b)(6);(b)(7)(C);(b)(7)(F);(b)(7)(E) can add on the rest.

(b)(6)

---

**From:** (b)(6);(b)(7)(C);(b)(7)(F)  
**Sent:** Monday, June 18, 2018 6:01 PM

(b)(6);(b)(7)(C);(b)(7)(F)

**Subject:** Queens DA Request for HSI Assistance \_ MS 13 Homicides \_ Meeting at 11 AM

(b)(6);(b)(7)  
(b)(7)(C);(b)(7)(F)

2018-ICLI-00036 1283

Queens DAO requesting HSI assistance with a homicide case in Queens. (b)(7)(E)

(b)(6),(b)(7)(C),(b)(7)(F),(b)(7)(E)

This is a state prosecution and NYPD (b)(6),(b)(7)(C),(b)(7)(F) is assigned to the case. It's his case and is being prosecuted by the Queens DAO.

The meeting is Thursday, June 20<sup>th</sup> at 11 AM at the Queens DAO at 80-01 Queens Blvd, Gang Violence Bureau, and the POC is Dep Bureau Chief (b)(6),(b)(7)(C),(b)(7)(F). This is in follow up to our partnership meeting with (b)(6),(b)(7)(C),(b)(7)(F) and the Queens DAO. In addition, Queens DAO has accepted the Gang Task Force proposal as well.

Regards,

(b)(6)

(b)(6),(b)(7)(C),(b)(7)(F)

Supervisory Special Agent/U.S. DHS Transnational Organized Crime Strike Force

U.S. DHS/Homeland Security Investigations

SAC New York

601 West 26th Street, (b)(6),(b)(7)(F)

New York, New York 10001

Mobile: (646) 483-(b)(6)

(b)(6),(b)(7)(C),(b)(7)(F)

2018-ICLI-00036 1284



# Email: OpMat Collateral Arrests Sent to Suffolk Police Department

**Re: HSI Event NYC**

---

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Commissioner:

The picks up to date are as follows:

Total - 117 MS 13  
Number with Suffolk and HSI: 83

Not included are 3 re-arrests of MS who were bonded out and then arrested on new state charges. HSI put detainers on these subjects and they will be held pending immigration proceedings.

The Operation Matador has netted approximately 26 other arrests of gang members including Latin Kings and 18th Street to name a few. Additionally the 26 includes "collaterals" - non gang members with an illegal immigration status and arrested for state charges.

As an FYI the entire operation, which includes Nassau, has netted over 200 arrests.

RS,

John

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Sini, Timothy  
Sent: Wednesday, October 11, 2017 3:43 PM  
To: Giordano, Donna; Barry, John; Rowan, John; Scrima, William  
Cc: Burke, William  
Subject: RE: HSI Event NYC

[REDACTED]  
[REDACTED]

From: Giordano, Donna  
Sent: Wednesday, October 11, 2017 3:22 PM  
To: Sini, Timothy; Barry, John  
Cc: Burke, William  
Subject: HSI Event NYC

[REDACTED]  
[REDACTED]

---

COS 1022

██████████ and the phone extension at the office is ██████████.

Regards,

Donna

Donna Giordano

Detective Sergeant

Criminal Intelligence Section

631-852-6106

631-852-6011 (fax)

---

COS 1023  
Re\_ HSI Event NYC

# Memorandum Regarding ORION Database



POLICE DEPARTMENT COUNTY OF SUFFOLK  
ACCREDITED LAW ENFORCEMENT AGENCY  
DEPARTMENT DIRECTIVE  
PDCS-2008a

PAGE 1 OF 2 PAGES

ORDER NUMBER 17-139

TYPE DEPARTMENT MEMORANDUM	AUTHORITY STUART K. CAMERON CHIEF OF DEPARTMENT	SIGNATURE <i>Stuart K. Cameron</i>	
SUBJECT/TOPIC/TITLE MS-13 OPERATIONS			
DISTRIBUTION ALL COMMANDS	DATE ISSUED 6/15/17	DATE EFFECTIVE 6/15/17	DATE TO BE REVIEWED N/A

MS 13 is the most violent and prolific street gang in Suffolk County and has been labeled as a trans-national criminal organization by the Federal government. Currently, the Department is working with the Federal Bureau of Investigation and Homeland Security Investigations in criminal prosecutions and removal of MS 13 gang members. The following information is provided to coordinate and enhance operations regarding MS 13:

- The ORION System is the Department's database for gang information and affiliation. An individual cannot be considered a "confirmed" gang member if he is not in ORION.
- The current list of confirmed MS 13 members is available on the SCPD Portal under the Intelligence tab. It is updated weekly and also includes associates.
- Confirming a subject as a gang member should be completed at every opportunity. The ORION system uses a [REDACTED] timeline. It also enhances both criminal prosecutions and is a critical component of immigration removal proceedings.
- Preserving a gang member's social media postings can be a critical piece in confirming their status or identifying others involved in gang activity. Every effort should be made to capture this information when possible and then forwarding it to Criminal Intelligence via email for inclusion in the ORION System. Each Precinct should identify a member of their Gang or PCS unit as a social media person. Additionally, all FIO's should be social media literate and monitoring prevalent sites. Detective squads shall designate a social media coordinator.
- Individual names and phone numbers must be entered in the appropriate boxes on the Intelligence Debriefing Worksheet. This allows it to be captured and catalogued more efficiently in the ORION System. Cell phone numbers including numbers with 503 Area Code (El Salvador) are important and attempts to obtain and record them on the worksheet should be made.

COS 4

- Homeland Security Special Agents are currently working directly with Department personnel. They have the ability to instantly check a suspected MS 13 gang member's immigration status and then take appropriate enforcement action. An important note is that the Homeland Security personnel are strictly focused on MS 13 gang members and are not to be used to check the immigration status of other individuals. Member of the Service are directed to continue to follow the Rules and Procedures regarding the arrest and detention of non-US citizens and persons with dual citizenship outlined in Chapter 16 Section 4.
- Homeland Security has set up an email address which can be utilized 24 hours a day to check the immigration status of an MS 13 member under arrest or investigation. The email is as follows: [REDACTED]  
[REDACTED]

If an MS 13 member is arrested, and Homeland Security agents are not available, an email will be sent to check the immigration status of the arrestee in addition to the standard procedures outlined in Chapter 16 Section 4 of the Rules and Procedures.

END

COS 5

# MOU Between Nassau County and ICE-HSI

**MEMORANDUM OF UNDERSTANDING**  
**between**  
**the**  
**U.S. Immigration and Customs Enforcement (ICE)**  
**And**  
**Nassau County Police Department**

---

**I. Purpose**

*The above listed law enforcement agency and ICE agree that effective enforcement of the laws relating to ICE jurisdiction requires close cooperation and coordination between the two agencies, and have therefore entered into this agreement to govern the use of ICE designations by certain employees of your agency.*

**II. Agreement**

*There may be instances when it may be desirable on occasion for certain sworn law enforcement employees of your agency to be able to perform certain ICE duties. Pursuant to section 401(i), Tariff Act of 1930, as amended, (19 U.S.C. 1401(i)), the Secretary of Homeland Security or his/her designee is authorized to designate persons as Customs Officers (Excepted) who are designated to perform the duties of an ICE Officer. The designated Customs Officers will have the authority to enforce "Customs" laws. This agreement does not grant the designated Customs Officers the authority to enforce "immigration" laws.*

*The forms and authorities referenced herein may be renamed or replaced by ICE without prejudice to this agreement.*

*The two agencies have, therefore, entered into an agreement as follows:*

**A. The U.S. Immigration and Customs Enforcement agrees:**

1. *to designate certain employees of your agency as Customs Officers (Excepted), without additional compensation, to perform the duties shown on the attached "Designation, Customs Officer" from (which is hereby made part of the agreement);*
2. *to provide appropriate training in Customs laws, policies, and procedures to the designated employees;*
3. *to issue a "Designation, Customs Officer," as described in A1 above to each qualified employee;*
4. *to advise your officers regarding any court proceedings that question any seizures or arrests that are made in accordance with this agreement;*
5. *to process, under appropriate regulations, any injury claim submitted as a result of injuries occurring to local law officers acting pursuant to this agreement, for compensation under the Federal Employee Workers Compensation Act (5 U.S.C. 8101, et seq.)*

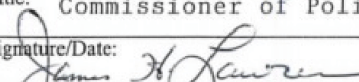
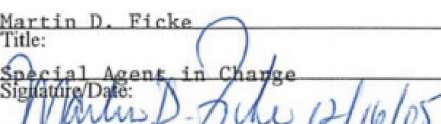
**B. The above listed law enforcement agency agrees:**

1. to advise ICE of each situation in which the agency proposes to use an ICE designation;
2. that ICE designations to employees of your agency will be used only in situations where there has been specific advance approval by the appropriate Special Agent in Charge or Resident Agent in Charge. Designations will be used only for the duration of the specified law enforcement activity for which the approval was extended, and to the extent of such approval.
3. that only personnel who are sworn law enforcement officers of your agency and who successfully complete the appropriate ICE cross-designation training and received a "Designation, Customs Officer", form will be granted Customs Officer status;
4. to report to ICE, in writing, the results of all activity undertaken by the designated Customs Officer as a consequence of the Customs cross designation authority;
5. to advise ICE of each court proceeding in which the validity of ICE search, seizures, or arrest authority has become an issue; and to permit ICE to provide legal memoranda or other assistance in such cases when desired by ICE.
6. to follow ICE directives and instructions that are applicable to ICE concerning ICE search, seizure, and arrest authority;
7. to return all ICE equipment and identification if issued, when a cross designated officer terminates employment for any reason.

**Both agencies agree to:**

1. recognize that any abuse of ICE cross designation authority may lead to the revocation of such cross designations by ICE;
2. agree to exchange implementing instructions prior to issuance; and
3. agree to schedule periodic meetings to review this agreement.

*This Memorandum of Understanding is an internal agreement between government agencies. It does not create or confer any rights, privileges, or benefits for any private person or party.*

<i>Approved By Law Enforcement Agency</i>	<i>Approved By ICE</i>
Name of Agency: Nassau County Police Department	ICE Agency: Special Agent in Charge, New York
Name: James H. Lawrence	Name: Martin D. Ficke
Title: Commissioner of Police	Title: Special Agent in Charge
Signature/Date: 	Signature/Date:  12/16/05

ICE Form 73-002 (03/05)

# MOU Between Suffolk County and ICE-HSI

## MEMORANDUM OF UNDERSTANDING

between

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT  
HOMELAND SECURITY INVESTIGATIONS

and

Suffolk County Police Department

regarding

THE DESIGNATION OF Suffolk County Police Department EMPLOYEES  
AS CUSTOMS OFFICERS (EXCEPTED)

1. **PARTIES.** The Parties to this Memorandum of Understanding (MOU) are U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and Suffolk County Police Department.
2. **AUTHORITY.** Title 19, United States Code (U.S.C.), Section 1401(l); 19 U.S.C. § 1589a. This MOU is also authorized under the provisions of enforcing state and local laws of New York.
3. **PURPOSE.** The Parties agree that effective enforcement of the laws relating to HSI jurisdiction requires close cooperation and coordination between the two Parties. The Parties have therefore entered into this MOU to govern the use of HSI designations by certain employees of Suffolk County Police Department.

Pursuant to section 401(l), Tariff Act of 1930, as amended (19 U.S.C. § 1401(l)), the Secretary of Homeland Security is authorized to designate persons as Customs Officers (Excepted) to perform the duties of a Customs Officer. Within ICE, this authority has been delegated to the HSI Special Agents in Charge. Pursuant to 19 U.S.C. § 1589a, customs officers are authorized to enforce the full range of federal offenses. However, in designating Customs Officers (Excepted), HSI is not conveying the authority to enforce administrative violations of immigration law.

There may be instances when HSI determines that it is desirable for certain sworn law enforcement employees of Suffolk County Police Department to perform certain HSI duties. This MOU sets forth the agreement and relationship between the Parties with respect to this determination.

#### 4. RESPONSIBILITIES.

The Parties agree as follows:

##### HSI agrees to:

- a. Designate certain employees of Suffolk County Police Department as Customs Officers (Excepted), without additional compensation, to perform the duties as noted on the "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001). This form is attached and is hereby made part of this MOU;
- b. Issue a "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001) to each qualified and designated employee;
- c. Provide appropriate training in laws, policies, and procedures to each designated employee;



- d. Advise the designated Customs Officers (Excepted) about court proceedings concerning seizures or arrests made by them in accordance with the authorities granted by HSI contemplated under this MOU; and
- e. Process, under appropriate regulations, any injury claim submitted as a result of injuries occurring to the designated Customs Officers (Excepted) while such individuals are acting pursuant to this MOU, for compensation under the Federal Employee Workers Compensation Act (5 U.S.C. § 8101, *et seq.*).

Suffolk County P.D. agrees:

- a. That only sworn law enforcement officers of Suffolk County Police Department who successfully complete the appropriate HSI Task Force Officer cross-designation Training Course and receive an approved "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001) will be designated as Customs Officers (Excepted);
- b. That each law enforcement officer will be bound by the Authorities Granted and the Endorsements and Restrictions as noted on the "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001);
- c. To advise HSI of each court proceeding in which the validity of a Customs Officer (Excepted)'s enforcement authority becomes an issue, and allow HSI to provide legal memoranda or other assistance as deemed necessary by HSI;
- d. That agency employees designated as Customs Officers (Excepted) will follow HSI directives and instructions when utilizing enforcement authority conveyed by HSI;
- e. To provide to HSI, before designation of each officer and on an ongoing basis, any derogatory information, or information that may call into question the officer's truthfulness or ability to testify in court; and
- f. To return all HSI-issued equipment and identification when a cross-designated officer terminates employment or when his or her cross-designation expires.

Both Parties agree:

- a. That any abuse of HSI cross-designation authority may lead to the revocation of such cross-designations by HSI; and
  - b. To schedule periodic meetings to review this MOU, as required.
5. **REPORTING AND DOCUMENTATION.** HSI SAC offices will maintain the original signed "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001). Copies of this form will be held by the Contraband Smuggling Unit at HSI Headquarters, the designated Customs Officer (Excepted), and Suffolk County Police Department.

If applicable, the HSI office will maintain documentation of designated Customs Officers (Excepted) approved to use HSI vehicles and certification that the designated Customs Officers (Excepted) have completed the ICE Fleet Card Training in Virtual University and any other fleet related training.

6. POINTS OF CONTACT.

HSI Office: Homeland Security Investigations

Name: Angel M. Melendez

Title: Special Agent in Charge

Address: 601 West 26th Street, 7th Floor

New York, NY 10001

Telephone Number: +1 (646) 230-(b)(6);(b)(7)(C)

Fax Number: +1 (646) 313-4366

E-mail Address:

Suffolk County P.D. \_\_\_\_\_:

Name: Timothy D. Sini

Title: Commissioner

Address: 30 Yaphank Avenue

Yaphank, NY 11980

Telephone Number: +1 (631) 852-6000

Fax Number:

E-mail Address: SCPDINFO@suffolkcountyny.gov

7. OTHER PROVISIONS. This MOU is an internal agreement between the Parties and does not confer any rights, privileges, or benefits to any other party or the public.

Nothing in this MOU is intended to conflict with current laws, regulations, or policies of either Party. If a term of this MOU is inconsistent with such authority, that term shall be invalid but the remaining terms and conditions of this MOU shall remain in full force and effect.

Nothing in this MOU is intended or shall be construed to require the obligation, appropriation, or expenditure of any money from the U.S. Treasury in violation of the Anti-Deficiency Act, 31 U.S.C. §§ 1341-1519.

The forms and authorities referenced herein may be renamed or replaced by HSI without prejudice to this MOU.

8. EFFECTIVE DATE. The terms of this MOU will become effective on the date the last Party signs the MOU. The Designation Form of each Customs Officer (Excepted) is effective per the date on that document.

9. MODIFICATION. This MOU may be amended by the written concurrence of both Parties.

10. TERMINATION. This MOU may be terminated by either Party upon a 30-day written notification to the other Party.

APPROVED BY:

Angel M. Melendez

Name of HSI Official

Special Agent in Charge

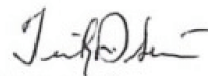
Title of HSI Official

Homeland Security Investigations

U.S. Immigration and Customs Enforcement

Date:

2/28/16



Timothy D. Sini

Name of Suffolk PD 's Official

Commissioner

Title of Suffolk PD 's Official

Name of Suffolk PD 's Agency

Date:

4/11/16

# Concept of Operations: Operation MATADOR



U.S. Immigration  
and Customs  
Enforcement

~~For Official Use Only~~

## Concept of Operations

### Operation Matador: The DHS Approach to Combatting MS-13

*May 11, 2017*

Office of the Special Agent in Charge, New York



Homeland  
Security

2018-ICLI-00036 6

## 1.0 Overview

In response to the recent spate of extreme violence in communities throughout the United States the hands of the *Mara Salvatrucha 13* (MS-13) transnational street gang, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) New York is initiating Operation Matador (OPMAT). OPMAT is a Department of Homeland Security (DHS) interagency endeavor is designed to combat the proliferation of MS-13 and its criminal activity in the New York City metropolitan area.

OPMAT will commence on May 15, 2017, and will continue for 90 days. It will employ the DHS “Unity of Effort” model to help stem the rise in MS-13 recruitment, membership, and activity. While the short-term goal of OPMAT is to disrupt MS-13 criminal activity, the long-term goal is to help stabilize areas plagued by gang dominance.

This Concept of Operations (CONOP) sets forth a comprehensive interagency framework that allows for the functional integration of various mission sets – from enforcement, to interdiction, to intelligence, and ultimately, to maintain the integrity of the immigration system and strengthen border security. OPMAT will be resourced by ICE’s HSI, Enforcement and Removal Operations (ERO), and Office of Principal Legal Advisor (OPLA); US Customs and Border Protection (CBP); US Citizenship and Immigration Services (CIS), and state and local law enforcement partners. DHS and ICE have evolved institutionally over the years, but the core mission has not – protect the homeland. OPMAT serves to do precisely that through an aggressive yet coordinated gang disruption campaign.

Interagency teams will work closely to identify targets through the collection and exploitation of intelligence. Once targets have been identified, enforcement teams will be deployed to locate, arrest, and either initiate removal proceedings or present the individual for criminal prosecution. Post-arrest interviews will be conducted to develop additional intelligence on MS-13 activities and membership.

## 2.0 Background

MS-13 is a transnational criminal street gang comprised primarily of immigrants or descendants from El Salvador. Although the gang’s domestic roots can be traced back to Los Angeles, California, over the past decade the group has migrated to cities all across the country, and today, has become one of the largest and most violent street gangs in the United States. There has been a recent uptick in





the level of violence committed by MS-13, with eleven murders attributed to the gang in the New York area alone since the beginning of 2017. The local aperture of this epidemic widened with the gruesome April 2017 murders of four Long Island teenagers at the hands of MS-13. The reaction from a typically divided community on general immigration policy was justifiably visceral.

A vital component of President Trump's strategy to protect the U.S. homeland is to prevent transnational gangs from establishing strategic safe havens within our borders. On April 28, 2017, during a speech to local police commissioners and sheriffs in Long Island, New York, Attorney General Jeff Sessions declared, "*MS-13 is one of the gravest threats to American public safety.*" ICE, through its long standing partnerships with state and local law enforcement entities pursuant to its Operation Community Shield (OCS) anti-gang platform, is uniquely positioned to help protect the American public from this burgeoning threat.

MS-13 has been operating with impunity in recent years, so this DHS OPMAT coalition will leverage its vast resources, capabilities, and relationships to help protect New York neighborhoods from the scourge of this criminal enterprise. In addition to local efforts, OPMAT will continue to exploit information gleaned from DHS's efforts in the (b)(7)(E)

(b)(7)(E)

### 3.0 Objectives



(b)(7)(E)

(b)(7)(E)

In 2005, ICE launched Operation Community Shield (OCS), a global law enforcement initiative that combines HSI's expansive statutory and civil enforcement authorities, to combat the growth and proliferation of transnational criminal street gangs. Since its inception, ICE and its OCS partners have arrested over 7,000 MS-13 gang members and associates. OPMAT will leverage the OCS platform to target communities with known concentrations of MS-13 members and their associates and work to aggressively exercise ICE's legal authority to investigate, prosecute, and remove these individuals from the United States.

### 4.0 Lines of Effort

Due to the critical nature of the MS-13 threat, it is imperative to establish a symbiotic platform that facilitates seamless collaboration across the respective DHS agencies. OPMAT will be led

by HSI New York and will be worked in conjunction with DHS Partners to include: ERO, CBP, the OPLA, and CIS. Although these entities cover a wide array of responsibilities, they have fundamentally interdependent missions. (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

#### 4.1 Intelligence Collection and Analysis

OPMAT requires open lines of communication throughout the continuum so that intelligence and information flow freely. (b)(7)(E)

(b)(7)(E)

HSI New York and Intel will continue to collaborate with the HSI National Gang Unit (NGU). The NGU has been instrumental in the fight against MS-13 by providing actionable (b)(7)(E)

(b)(7)(E)

(b)(7)(E) The NGU is also responsible for providing a global picture of MS-13 based on all of HSI's investigations. Intelligence recovered from every arrestee will be provided to the NGU and incorporated into (b)(7)(E) It is anticipated that (b)(7)(E) results will further expand as a result of this initiative.



Intel will create and maintain comprehensive gang related intelligence including, but not limited to (b)(7)(E)

(b)(7)(E)

Furthermore, this effort will exploit other law enforcement agencies that employ "gang units,"

who are often the best source of contemporary intelligence with respect to gangs, their membership, and activity.

This newly created collection model has already yielded positive results as over 700 confirmed MS-13 gang members and associates have been identified on Long Island alone.

#### 4.2 Lead Development

(b)(7)(E)

(b)(7)(E) CE will also collaborate with local law enforcement, who often have extensive knowledge of individuals engaged in criminal activity within their communities through local sources of information or from prior arrest data.

Agents are also investigating sponsors of MS-13 gang members who entered the United States under the Unaccompanied Child Program to see if there are individuals who sponsored multiple MS-13 gang members for potential fraud related charges.

The newly-formed HSI New York Extraterritorial Criminal Travel (ECT) Strike Force Group will work in close coordination with HSI Long Island and other OPMAT entities to identify human smuggling networks responsible for smuggling MS-13 gang members and/or associates into the US. HSI New York's ECT group will provide OPMAT enforcement teams with a list of questions to be asked during field interviews of MS-13 members in order to help identify potential smuggling networks. The HSI New York ECT group will also work closely with the DHS Human Smuggling Cell, HSI Attaché offices and other government partners to identify and investigate these networks operating in the US and abroad. Finally, HSI New York ECT will collaborate with the Department of Justice (DOJ) Human Rights and Special Prosecutions Unit to gather evidence and prosecute these networks wherever possible.

#### 4.3 Civil Enforcement

Both HSI and ERO sworn personnel possess the authority to detain, arrest, and initiate due process for persons who violate immigration law. Based on the new immigration enforcement posture espoused by both the White House, and subsequently by ICE leadership through the memorandum titled "*Enforcement of the Immigration Laws to serve the National Interest*," joint HSI and ERO teams will work aggressively to locate, arrest, and deport aliens associated with the MS-13 enterprise.

OPLA attorneys will be engaged to review deportation charging documents for legal sufficiency and to address legal issues or challenges at an early stage of due process. OPLA will also work



as the liaison, where appropriate, between ICE and the United States Attorney's Office to ensure effective criminal prosecutions.



CIS will leverage its Fraud Detection Unit (FDU) to help identify application fraud, and when applicable, deny or terminate immigration benefits and relief for individuals deemed ineligible. Furthermore, through their Fraud Detection and National Security (FDNS) Directorate, CIS also will play a pivotal role in rooting out individuals who attempt to exploit immigration laws through fraud or other means.

#### 4.4 Criminal Prosecutions

HSI New York has several ongoing criminal investigations targeting MS-13 members and will continue to work towards the indictment, arrest, and prosecution of MS-13 at both the individual and organizational levels. HSI New York has led a number of successful racketeering investigations targeting MS-13, including Operation Blue Storm and the Jamaica Locos Salvatrucha investigations. Operation Blue Storm involved the investigation of multiple MS-13 cliques in New York City and Long Island (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

Under the auspices of OPMAT, HSI New York will continue to pursue similar "tiered prosecution" actions against criminal targets to maximize the impact in dismantling MS-13.

#### 4.5 Community Outreach

In concert with OPMAT enforcement activities, HSI New York will work with public and private stakeholders to help to construct an anti-gang outreach platform based on early detection, intervention, collaboration, and proactive enforcement. The outreach efforts will focus specifically on at-risk youths in vulnerable immigrant populations being exploited by transnational gangs.

HSI New York will attempt to raise community awareness through education and public service announcements. This will include a broad campaign to engage community and religious leaders, and Non-Government Organizations (NGOs) on victim and immigration benefits that may be available through VOICE and the Victim Assistance programs.

#### 5.0 Operational Reporting



Initially, OPMAT will be executed over the course of 90 days, beginning May 15, 2017. All participating agencies must complete and submit a daily enforcement activity report to HSI New York for executive reporting. Throughout the operational period, HSI New York will provide weekly (or ad hoc, as needed) situational reports to ICE senior leadership.

## **6.0 Media Strategy**

The ICE Public Affairs Office (PAO), in conjunction with executive management, will work collaboratively to design and implement a media strategy specific to this operation. At its conclusion, the OPA will promote the overall results of OPMAT, to include the initiative's enforcement achievements and highlight any organizational impact results.

## **7.0 Metrics**

To capture data associated with this initiative, OPMAT will use a unique program code in the Investigative Case Management (ICM) system to easily collect, track, and report case and enforcement activity within HSI. OPMAT will employ real-time statistical measures to monitor and quantify the activities related to this effort. Intel analysts will prepare other statistical reports as necessary and produce intelligence reports (specific to information gleaned in these investigations) for dissemination to the Intelligence Community (IC). In addition, analysts will track the number of leads developed and their outcomes to help gauge the success of this project. Finally, qualitative assessments, in the form of feedback from law enforcement, state and local officials, members of the public, and others, will be used to measure the long-term effect of the effort on the communities plagued by gangs and their violence.

# Suffolk County PD Statement to Newsday

**FW: As per your request.**

---

**From:** Hart, Geraldine <Geraldine.Hart@suffolkcountyny.gov>  
**To:** Cameron, Stuart <Stuart.Cameron@SUFFOLKCOUNTYNY.GOV>, Gigante, Gerard <Gerard.Gigante@SUFFOLKCOUNTYNY.GOV>, Brown, Robert <Robert.Brown@SUFFOLKCOUNTYNY.GOV>  
**Sent:** December 29, 2018 10:15:59 PM EST  
**Received:** December 29, 2018 10:16:00 PM EST

[REDACTED]

[REDACTED]

Sent with BlackBerry Work (www.blackberry.com)

From: "PIO," <PIO@suffolkcountyny.gov>  
Sent: Dec 29, 2018 10:11 PM  
To: "Hart, Geraldine" <Geraldine.Hart@suffolkcountyny.gov>; "Cameron, Stuart" <Stuart.Cameron@SUFFOLKCOUNTYNY.GOV>; "Gigante, Gerard" <Gerard.Gigante@SUFFOLKCOUNTYNY.GOV>  
Cc: "Guaraldi, Peter" <Peter.Guaraldi@suffolkcountyny.gov>; "Schob, Dawn" <Dawn.Schob@suffolkcountyny.gov>  
Subject: FW: As per your request.

From: Olson, David [mailto:David.Olson@newsday.com]  
Sent: Saturday, December 29, 2018 10:07 PM  
To: PIO,  
Subject: RE: As per your request.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you.

David

From: PIO, <PIO@suffolkcountyny.gov>  
Sent: Saturday, December 29, 2018 9:44 PM  
To: Olson, David <David.Olson@newsday.com>  
Subject: RE: As per your request.

[REDACTED]

From: Olson, David [mailto:David.Olson@newsday.com]  
Sent: Saturday, December 29, 2018 9:19 PM  
To: PIO,

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COS 814  
FW\_ As per your request\_

Subject: RE: As per your request.

[REDACTED]

Thank you.

David

From: PIO, <PIO@suffolkcountyny.gov>  
Sent: Saturday, December 29, 2018 8:13 PM  
To: Olson, David <David.Olson@newsday.com>  
Subject: RE: As per your request.

Yes. Immigration proceedings are civil proceedings not criminal proceedings.

From: Olson, David [mailto:David.Olson@newsday.com]  
Sent: Saturday, December 29, 2018 7:50 PM  
To: PIO,  
Subject: RE: As per your request.

One clarification question: Does civil proceedings include immigration proceedings?

From: PIO, <PIO@suffolkcountyny.gov>  
Sent: Saturday, December 29, 2018 7:23 PM  
To: Olson, David <David.Olson@newsday.com>  
Subject: As per your request.

David,

As per you're request.

Ed

Statement from SCPD:

"The Suffolk County Police Department is reviewing the letter. To be clear, School Resource Officers are only provided to a school district upon their request and the Department is pleased with the positive feedback it has received from students, teachers, School Superintendents and the community. The Department will continue to utilize this program and other tools at its disposal to eradicate violent gangs such as MS-13 and ensure the safety of all students."

Information on Background/Sent to the NY Times Magazine:

SROs are full-time police officers who are carefully selected and then extensively trained according to New York State DCJS standards. SROs provide education and awareness programs to students, teachers, parents and community members on various topics including, internet safety, bullying/cyber bullying, diversity, vehicle survival, gang awareness and drug/alcohol/tobacco related topics.

Operation Matador was designed and implemented in Suffolk County by the United States Department of Homeland Security (HSI). The Department did liaison with HSI during the implementation of the operation. The Suffolk County

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COS 815  
FW\_ As per your request\_

Police Department did not supply manpower for the operation. The Department did supply documentation when requested on known MS-13 gang members in an effort to address the uptick in MS-13 violence, including 17 murders in 2016 and early 2017. SCPD has always cooperated with all its our law enforcement partners and shared un-redacted intelligence when requested. The HSI intelligence requests caused a policy change when we learned in late summer 2017 that information from this documentation was being used by HSI in civil proceedings. We immediately developed a system for all HSI intelligence requests:

- All requests for intelligence are to be made to a single portal in our Criminal Intelligence Section.
- The information retrieved from our records are to be reviewed and redacted so that only specific information is supplied.
- The vetted information is placed on SCPD letterhead and signed by the Commanding Officer.
- HSI was advised and agreed that this is the only manner to obtain usable information

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COS 816  
FW\_ As per your request\_



**New York Immigration Coalition**

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New York, NY 10001

212 627 2227

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