

**U.S. Immigration  
and Customs  
Enforcement****RECEIVED**

JUN - 1 2011

**Rapid City Growth  
Management Department**

June 1, 2011

Vicki Fisher  
City of Rapid City, Planning Department  
300 Sixth Street  
Rapid City, SD 57701-2724

Re: Response to Rapid City, S.D. Planning Commission

Dear Ms. Fisher:

In response to clarification inquiries made by the Rapid City, S.D., Planning Commission, U.S. Immigration and Customs Enforcement (ICE) submits the following to illustrate the agency's intended use of the property located at 2350 Sophia Court, Rapid City, SD, and to reassure the citizens and government of Rapid City that ICE is committed to their safety and well-being.

ICE, and its predecessor agencies, has served this community as an integral part of the law enforcement community since 1997. Many people may not have been aware of our local presence, although our daily law enforcement operations are vital to public safety.

Currently, ICE operates out of a modest, storefront office in an industrial area on the northwest outskirts of town. That office, while ideal in its time, hasn't been able to adapt to the evolving needs of an agency created a mere eight years ago.

Our proposed replacement office will be a state-of-the-art office building that will include enhanced security features, with careful consideration both for the safety of the public and for detainees. These new features make it a safer place for all concerned; the public, the detainee and ICE staff. Since the new office is only five blocks away from our current office, the community and the immediate neighborhood will not notice any change to our daily operations.

Serious but unfounded concerns were raised by the public in the May 26 Planning Commission meeting, and in a recent Rapid City Journal editorial. Judging from these comments, there appears to be some misunderstanding regarding our operations. The following facts should allay those concerns:

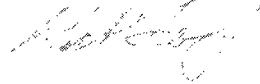
- The types of individuals brought to this ICE office are individuals who have violated federal laws governing border control, customs, trade, and immigration.

Vicki Fisher, Rapid City Planning Manager  
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- The ICE office is a law enforcement office containing hold rooms, as is typical of most other law enforcement agencies in the area. It is not a jail or detention center. By written ICE policy, detainees are never kept longer than 12 hours; most are routinely held for only a few hours.
- Oftentimes, detainees brought to this office were already in custody by other law enforcement agencies for other offenses. Any felons processed at the ICE office were already present in the area, so ICE's operations actually make the streets of Rapid City safer. Additionally, all detainees, regardless of prior circumstance, will be brought in via secure entry/exit points and should not even be visible from outside the building.
- The terms "process or processing" simply describe what all law enforcement agencies do when they encounter a person they believe has violated the law. These people are physically identified, fingerprinted, interviewed and served with charging documents. If it's determined they are going to be detained longer by ICE they would be transferred to a contracted jail.
- The label "Community Corrections Facility" is the name of the category in the Rapid City Zoning Ordinance that includes all law enforcement activity. Although the term is perfectly applicable in that this office is intended for law enforcement use, the broader implied meaning of "corrections facility" inaccurately describes the actual purpose of this ICE office.
- In order for the project to be approved for a Conditional Use Permit, the City specifically prohibits ICE or the owner from changing the function of the building in any way, or transferring occupancy without the City's prior approval, which would require additional public hearings.
- The federal government doesn't own, or intend to purchase, the building; it will lease the building from a private owner. The lease agreement strictly prohibits ICE from making any physical changes to the building.

The central theme to the Rapid City Journal's editorial was summed up by this passage: "It's one thing to process illegal aliens at the ICE center in an unobtrusive way. Housing them overnight would be another thing entirely". Clearly, ICE performs a critically important public safety function, and we do so in a most unobtrusive way. We respectfully ask for your support and approval.

Sincerely,



Michael Feinberg  
Special Agent in Charge  
Homeland Security Investigations  
Bloomington, MN