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MEDIA ALERT FOR IMMEDIATE RELEASE

February 19, 2025

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MCSO Clarifies Process of Querying ICE, Sheriff McFadden Continues to Request Collaboration with Immigration and Customs Enforcement.

Charlotte, N.C. – The Mecklenburg County Sheriff's Office is committed to transparency and lawful procedures regarding the handling of individuals in custody, including those with immigration concerns. Recent discussions and media inquiries surrounding the case of Honduras national Napoleon Serrano highlight the need for clarity in how information is shared between local law enforcement and Immigration and Customs Enforcement (ICE).

When a person is arrested, staff at Arrest Processing Center ask every and any person several questions with three of them dealing with citizenship. As it pertains to an undocumented person, that information is entered into a database on DCI/NCIC through a PIN message to ICE. Essentially, MCSO uses this system to query ICE when we cannot determine citizenship. It includes dates, time stamps and other pertinent details. ICE is then notified through Immigration Alien Queries (IAQs). This process has remained the same through previous administrations and sheriffs, despite the removal of the 287g program.

However, this system does not provide MCSO with details about a person's past arrests, encounters, or level of danger. Only ICE has that information. That said, when ICE saw Napoleon Serrano's name, they should have immediately recognized that they had encountered him twice before and previously deported him twice. MCSO is unaware of any state or federal charges attached to Serrano's past two deportations.

As MCSO has stood clear in its processes, the agency expects the same level of transparency in return. Once a detainer is issued, ICE should clearly understand that they have 48 hours to make

the pickup. During that time, MCSO is asking ICE to inform our agency of their intentions, whether they plan to pick up a person or allow the person to remain on state charges.

“Communication with ICE stops once they issue a detainer. Collaboration is a two-way street. Transparency is a two-way street, Sheriff McFadden said. “I am still waiting for productive discussions with local ICE officials on the process we follow in regard to undocumented persons and how our agency can work more effectively with ICE.”

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