

ICE Captures Honduran Fugitive Alien Released In North Carolina Despite Child Rape And Sex Crimes



By NWV Senior Political News Writer, Jim Kouri

(MISSION STATEMENT: To protect the citizens of Mecklenburg County [North Carolina] by operating professional and secure rehabilitative detention facilities, enforcing civil and criminal laws, providing outstanding public service with integrity and upholding the constitutionality of the Sheriff's Office.) – Mecklenburg County Sheriff's Office

U.S. Immigration and Customs Enforcement (ICE) arrested fugitive Oscar Pacheco, 33, a Honduran national, and repeat immigration violator during a targeted enforcement operation in Mecklenburg County August 9.

The arrest came nearly two months after the Mecklenburg County Sheriff's Office refused to honor an ICE detainer, or even notify ICE of the release, and instead released Pacheco from local criminal custody following his arrest on first-degree rape and indecent liberties with a minor charges, according to a report submitted to the National Association of Chiefs of Police.



By releasing a previously deported alien facing serious criminal charges, Mecklenburg County chose to release a serious public

safety threat onto the streets of Charlotte where he was free to potentially harm others for nearly two months until his capture by ICE.

Pacheco was previously removed from the U.S. to Honduras in July 2006, and he subsequently illegally reentered the U.S. after deportation, which is a felony act under federal law. After the resolution of any potential federal criminal charges, he is subject to removal again to Honduras

Pacheco was arrested by the Charlotte-Mecklenburg Police Department for First Degree Rape and two counts of Indecent Liberties with a Child on June 14. ICE issued a detainer June 15, but the detainer was not honored, and Pacheco was instead released from Mecklenburg County custody June 16.

ICE's Charlotte Fugitive Operations Team (FUGOPS) located and arrested the man without incident August 9 and he remains in ICE custody.

U.S. Department of Homeland Security
 Immigration and Customs Enforcement
 Continuation Page for Form I-205B

Alien Name: BAILEY, Mamba
 File Number: A177 503 400
 Date: October 25, 2017

Alien's Signature: *[Handwritten Signature]*
 Alien's Address:
 3 Tiers Court
 Hurricane, WV 25516
 717-814-6982
 1610 CHARLESTON HWY
 405 CAPITAL STREET
 SUITE 803
 CHARLESTON, WV 25304

Alien's Telephone Number (if any):
 PIT 412 432 2100
 BRO 812 2500

PERSONAL REPORT RECORD

DATE	OFFICER	COMMENT/CHANGES
10/23/17	DM	Reported/Lead to I/ICE
11/29/17	BN	2017-10-27-10/27/17 CHARLESTON, WV
10/29/17	JL	Alien report date 10/17/17 - Hurricane, WV 201-792-2570 D.G. Kowalski

“This is yet another example of a clear public safety threat being released onto the streets of Mecklenburg County rather than into ICE custody due to the current sheriff’s policy on ICE non-cooperation,” said ICE Enforcement and Removal Operations Atlanta Field Office Director Sean Gallagher.

“The Mecklenburg County sheriff’s decision to restrict cooperation with ICE serves as an open invitation to aliens who commit criminal offenses that Mecklenburg County is a safe haven for persons seeking to evade federal authorities, and residents of Mecklenburg County are less safe today than last year due these policies,” he said.

According to an ICE report, officials have had numerous problems with Mecklenburg not adhering to the ICE detainer system that was instituted by the Homeland Security Department to protect U.S. citizens and residents who are legally residing in the country.

- A 31-year-old citizen of Honduras who was previously removed by ICE in June 2009, was arrested by the Mecklenburg County Sheriff’s Office in February 2019 for sex offenses and booked into the Mecklenburg County Jail in Charlotte, NC. In February 2019, ICE ERO issued a

detainer, but the detainer was not honored, and he was released in February 2019. In March 2019, he was arrested at-large in Charlotte, NC, and is currently detained in ICE custody pending removal from the United States.

- *A 30-year-old citizen of Mexico was arrested by the Charlotte Mecklenburg Police Department in March 2019, for breaking and entering a motor vehicle, larceny, simple assault, among other charges, and booked into the Mecklenburg County Jail in Charlotte, NC. In March 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019, and remains at-large.*
- *A 30-year-old citizen of Honduras was arrested by the Charlotte Mecklenburg Police Department in August 2018 for assault with a deadly weapon with intent to kill and booked into the Mecklenburg County Jail in Charlotte, NC. In August 2018, ICE ERO issued a detainer, but the detainer was not honored and he was released in March 2019 and remains at-large. He was convicted of a lesser charge in March 2019.*
- *A 40-year-old citizen of Guatemala was arrested in October 2018 by the Charlotte Mecklenburg Police Department for multiple counts of indecent liberties with a child, rape, among other sex offenses, and booked into the Mecklenburg County Jail in Charlotte, NC. In October 2018, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019. In March 2019, he was arrested at-large by ICE officers in Charlotte, NC, and is currently detained in ICE custody pending a hearing before an immigration judge.*
- *A 42-year-old citizen of Honduras, who was ordered removed by an immigration judge in August 2013, was arrested in March 2019 by the Charlotte Mecklenburg Police Department for gun and drug charges and booked into the Mecklenburg County Jail in Charlotte, NC. In*

March 2019, ICE ERO issued a detainer, but the detainer was not honored, and she was released in March 2019, and remains at-large.

- A 33-year-old citizen of Sri Lanka, who was ordered removed by an immigration judge in September 2009, was arrested in February 2019 by the Charlotte Mecklenburg Police Department multiple counts of felony and misdemeanor larceny and booked into the Mecklenburg County Jail in Charlotte, NC. In February 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019, and remains at-large.
- A 47-year-old citizen of Honduras, who was removed from the United States in February 2014, was arrested in February 2019 by the Charlotte Mecklenburg Police Department for assault by strangulation, among other charges, and booked into the Mecklenburg County Jail in Charlotte, NC. In February 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019, and remains at-large.
- A 22-year-old citizen of Honduras, who was ordered removed by an immigration judge in April 2015, was arrested in March 2019 by the Charlotte Mecklenburg Police Department for assault by strangulation, assault on a female, and communicating threats, and booked into the Mecklenburg County Jail in Charlotte, NC. In March 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019, and remains at-large.
- A 30-year-old citizen of Liberia was arrested in March 2019, by the Mecklenburg County Sheriff's Office for multiple counts of assault with a deadly weapon and booked into the Mecklenburg County Jail in Charlotte, NC. In March 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019, and remains at-large.
- A 30-year-old citizen of Mexico, who was previously removed from the United States in January 2007 and April

2016, was arrested in March 2019 by the Charlotte Mecklenburg Police Department as a fugitive and for gun charges and booked into the Mecklenburg County Jail in Charlotte, NC. In March 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019, and remains at-large.

- A 27-year-old citizen of Afghanistan was arrested in March 2019, by the Mecklenburg County Sheriff's Office for stalking and booked into the Mecklenburg County Jail in Charlotte, NC. In March 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in March 2019. In April 2019, he was arrested at-large by ICE officers in Charlotte, NC, and is currently detained in ICE custody pending a hearing before an immigration judge.
- A 30-year-old citizen of Mexico was arrested by the Charlotte Mecklenburg Police Department in December 2018 for sex offenses involving a child and booked into the Mecklenburg County Jail in Charlotte, NC. In December 2018, ICE ERO issued a detainer, but the detainer was not honored, and he was released in January 2019. In April 2019, he was arrested at-large by ICE officers in Charlotte, NC, and is currently detained in ICE custody pending a hearing before an immigration judge.
- A 27-year-old citizen of El Salvador was arrested in April 2019 by the Mecklenburg County Sheriff's Office for assault by strangulation and assault on a female and booked into the Mecklenburg County Jail in Charlotte, NC. In April 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in April 2019, and remains at-large.
- A 38-year-old citizen of Guatemala, previously removed from the United States in June 2009, was arrested in February 2019, by the Mecklenburg County Sheriff's Office for multiple charges, including kidnapping and assault with a deadly weapon with intent to kill or inflict serious injury and booked into the Mecklenburg

County Jail in Charlotte, NC. In March 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in April 2019, and remains at-large.

- A 19-year-old citizen of Honduras, who was ordered removed by an immigration judge in April 2017, was arrested in April 2019 by the Charlotte Mecklenburg Police Department for assault an injury to real property and booked into the Mecklenburg County Jail in Charlotte, NC. In April 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in April 2019 and remains at-large. He was previously encountered in August 2018 when he was detained at the Mecklenburg County Jail for the charges of robbery and breaking and entering a motor vehicle, and felony conspiracy. The Mecklenburg County Jail declined to honor that ICE detainer, and he was released in December 2018.
- A 30-year-old citizen of India was arrested in April 2019 by the Charlotte Mecklenburg Police Department for multiple assault charges and first degree burglary and booked into the Mecklenburg County Jail in Charlotte, NC. In April 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in April 2019 and remains at-large.
- A 37-year-old citizen of Honduras, who was removed from the United States in December 2006, was arrested March 2019 by the Charlotte Mecklenburg Police Department for multiple charges including assault on a female, felony larceny, simple assault, among other charges, and booked into the Mecklenburg County Jail in Charlotte, NC. In May 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in May 2019, and remains at-large.
- A 21-year-old citizen of Honduras, who was ordered removed by an immigration judge in August 2018, was

arrested in December 2018 by the Charlotte Mecklenburg Police Department for breaking and entering a motor vehicle and larceny and booked into the Mecklenburg County Jail in Charlotte, NC. In December 2018, the Pacific Enforcement Response Center issued a detainer, but the detainer was not honored, and he was released in December 2018. He was arrested again in January 2019 by the Charlotte Mecklenburg Police Department for Robbery with Dangerous Weapon and Assault with a Deadly Weapon and was booked into the Mecklenburg County Jail. In January 2019, ICE ERO issued a detainer, but the detainer was not honored for the second time, and he was released in May 2019, and remains at-large.

- A 23-year-old citizen of Honduras, who was ordered removed by an immigration judge in May 2018, was arrested in May 2019 by the Charlotte Mecklenburg Police Department for multiple charges including assault and larceny and booked into the Mecklenburg County Jail in Charlotte, NC. In May 2019, ICE ERO issued a detainer, but the detainer was not honored, and she was released in May 2019, and remains at-large.
- A 25-year-old citizen of Mexico was arrested in May 2019 by the Mint Hill Police Department for DWI and drug charges and into the Mecklenburg County Jail in Charlotte, NC. In May 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in May 2019, and remains at-large.
- A 19-year-old citizen of Honduras was arrested in May 2019, by the Charlotte Mecklenburg Police Department for Indecent Liberties with Child and was booked into the Mecklenburg County Jail in Charlotte, NC. In May 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in May 2019, and remains at-large.
- A 28-year-old citizen of Mexico was arrested in May 2019 by the Charlotte Mecklenburg Police Department for assault by strangulation, assault on a female and

communicating threats and booked into the Mecklenburg County Jail in Charlotte, NC. He also has pending narcotics and gun charges stemming from an arrest made by Wilson County in August 2018. In May 2019, ICE ERO issued a detainer, but the detainer was not honored, and he was released in May 2019, and remains at-large.

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