

ICE's ERO Boston captures Brazilian non-citizen charged with raping Massachusetts child

“LOWELL, Mass. – Enforcement and Removal Operations (ERO) Boston arrested a Brazilian national charged with raping a Massachusetts minor. Deportation officers from ERO Boston apprehended the 20-year-old Brazilian noncitizen March 28 near his residence in Lowell.

“This Brazilian non-citizen is accused of sexually abusing a Massachusetts minor,” said ERO Boston Field Office Director Todd M. Lyons. “Every second he spends roaming free in our communities, he represents a potential threat to the children of our communities. The men and women of ERO Boston will always prioritize public safety by protecting the residents of New England from egregious noncitizen offenders.”

U.S. Border Patrol officials arrested the Brazilian national along with his mother and father July 28, 2021, after they unlawfully entered the United States near San Luis, Arizona. Authorities served the Brazilian noncitizen with a notice to appear before a Department of Justice (DOJ) immigration judge. The noncitizen and his family were then released from custody on an order of recognizance.

The Billerica Police Department in Massachusetts arrested the Brazilian national Aug. 2, 2023, for the offenses of unlicensed operation of a motor vehicle and no inspection sticker. Those charges were later dismissed.



U.S. Immigration and Customs Enforcement (ICE) photo.

On Dec. 20, 2023, the Milford Police Department issued a warrant for his arrest for the charges of rape of child and enticement of a child under 16.

The Portland, Maine, Police Department arrested the Brazilian noncitizen Jan. 10, 2024, for the offense of fugitive from justice, stemming from a warrant issued by the Milford Police Department, for the child rape and enticement charges. Maine's Cumberland County Jail transported him to the custody of the Worcester County Sheriff's Office in Massachusetts.

ERO Boston lodged an immigration detainer against the Brazilian noncitizen with the Cumberland County Jail. The

immigration detainer was provided to the Worcester County Sheriff's Office upon transfer of the Brazilian national.

The Worcester County Sheriff's Office transported the noncitizen to the Milford District Court in Massachusetts Jan. 18, 2024. The Milford District Court arraigned him on the charges and the criminal court judge set a \$5,000 bail with GPS monitoring requirements.

On Jan. 25, the Milford District Court failed to honor ERO Boston's immigration detainer and released the noncitizen from custody after he paid \$5,000 in bail.

Deportation officers from ERO Boston apprehended the 20-year-old Brazilian noncitizen March 28 near his residence in Lowell, Massachusetts.

As part of its mission to identify and arrest removable noncitizens, U.S. Immigration and Customs Enforcement (ICE) ERO lodges immigration detainers against noncitizens who have been arrested for criminal activity and taken into custody by state or local law enforcement. An immigration detainer is a request from ICE to state or local law enforcement agencies to notify ICE as early as possible before a removable noncitizen is released from their custody. Detainers request that state or local law enforcement agencies maintain custody of the noncitizen for a period not to exceed 48 hours beyond the time the individual would otherwise be released, allowing ERO to assume custody for removal purposes in accordance with federal law.

Detainers are critical public safety tools because they focus enforcement resources on removable noncitizens who have been arrested for criminal activity. Detainers increase the safety of all parties involved – ERO personnel, law enforcement officials, removable noncitizens and the public – by allowing an arrest to be made in a secure and controlled custodial setting as opposed to at-large within the community. Because

detainers result in the direct transfer of a noncitizen from state or local custody to ERO custody, they also minimize the potential that an individual will reoffend. Additionally, detainers conserve scarce government resources by allowing ERO to take criminal noncitizens into custody directly rather than expending resources locating these individuals at-large.

ERO conducts removals of individuals without a lawful basis to remain in the United States, including at the order of immigration judges with DOJ's Executive Office for Immigration Review (EOIR). EOIR is a separate entity from the Department of Homeland Security and ICE. Immigration judges in these courts make decisions based on the merits of each individual case, determining if a noncitizen is subject to a final order of removal or eligible for certain forms of relief from removal.

As one of U.S. Immigration and Customs Enforcement's (ICE) three operational directorates, Enforcement and Removal Operations (ERO) is the principal federal law enforcement authority in charge of domestic immigration enforcement. ERO's mission is to protect the homeland through the arrest and removal of those who undermine the safety of U.S. communities and the integrity of U.S. immigration laws, and its primary areas of focus are interior enforcement operations, management of the agency's detained and non-detained populations, and repatriation of noncitizens who have received final orders of removal. ERO's workforce consists of more than 7,700 law enforcement and non-law enforcement support personnel across 25 domestic field offices and 208 locations nationwide, 30 overseas postings, and multiple temporary duty travel assignments along the border.

Members of the public with information regarding child sex offenders are encouraged to report crimes or suspicious activity by dialing the ICE Tip Line at 866-DHS-2-ICE (866-347-2423) or completing the online tip form."-U.S. Immigration and Customs Enforcement (ICE).