

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

UNITED STATES OF AMERICA,	)	
	)	
Complainant,	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	
	)	OCAHO Case No. 2024A00052
SECURITAS SECURITY SERVICES	)	
USA, INC.,	)	
	)	
Respondent.	)	
	)	

Appearances: Hazel L. Gauthier, Esq., for Complainant
Sean M. McCrory, Esq., for Respondent

ORDER EXTENDING REFERRAL TO THE OCAHO SETTLEMENT
OFFICER PROGRAM

I. PROCEDURAL HISTORY

On February 21, 2024, Complainant, the United States Department of Homeland Security, Immigration and Customs Enforcement, filed a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO) against Respondent, Securitas Security Services USA, Inc. The complaint alleges Respondent violated the employer sanctions provisions of the Immigration and Nationality Act, as amended by the Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324a. Respondent then filed Respondent's Answer and Affirmative Defenses.

On May 6, 2025, the Court held an initial prehearing conference in this matter with both parties, pursuant to 28 C.F.R. § 68.13.¹ *See United States v. Securitas Sec.*

¹ OCAHO's Rules of Practice and Procedure for Administrative Hearings, being the provisions contained in 28 C.F.R. part 68 (2025), generally govern these proceedings and are available on the United States Department of Justice's website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-regulations>.

Servs. USA, Inc., 21 OCAHO no. 1653a (2025).² During the prehearing conference, the Court discussed the OCAHO Settlement Officer Program and counsel for both parties affirmed that they understood the program’s policies and procedures. *Id.* at 3. The Court said that the case appeared to be appropriate for a referral to the program and encouraged the parties to discuss this option further. *Id.* If the parties wished to participate in the program, the Court explained that they should “file a jointly signed motion consenting to participate in the Settlement Officer Program, to abide by the program’s policies and procedures, and to engage in mediation in good faith.” *Id.*

On August 6, 2025, the parties filed a Joint Motion for Referral to the OCAHO Settlement Program. Through the motion, which was signed by counsel for both parties, the parties represented that they “have engaged in some discovery and . . . in initial settlement discussions,” but that they “believe the OCAHO settlement program would be beneficial to resolving this matter.” Joint Mot. Refer 1. As a result, the parties requested “a stay of all upcoming deadlines and hearings and a referral to the Settlement Program.” *Id.*

On August 13, 2025, the Court issued an Order Granting Joint Motion for Referral to the OCAHO Settlement Program, Referring Case to the Settlement Officer Program, Designating Settlement Officer, and Staying Case Deadlines. *See United States v. Securitas Sec. Servs. USA, Inc.*, 21 OCAHO no. 1653b (2025). Through that Order, the Court found that the parties’ joint motion satisfied the Executive Office for Immigration Review (EOIR) Policy Memorandum (PM) 20-16’s requirement that no referral be made without “receipt of written confirmation of consent” from both parties and noted that, during the initial prehearing conference, counsel for both parties had affirmed their understanding of the program’s governing policies and procedures. *Id.* at 3. The Court then found that the case met the eligibility requirements for the OCAHO Settlement Officer Program, as set out in Section I.C.1–2 of PM 20-16 and Chapter 4.7(a)(3)(A)–(B) of the OCAHO Practice Manual, and was appropriate for a referral. *Id.* The Court granted the parties’

² Citations to OCAHO precedents reprinted in bound Volumes 1 through 8 reflect the volume number and the case number of the particular decision, followed by the specific page in that volume where the decision begins; the pinpoint citations which follow are thus to the pages, seriatim, of the specific entire volume. Pinpoint citations to OCAHO precedents after Volume 8, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1 and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIM-OCAHO,” the LexisNexis database “OCAHO,” or on OCAHO’s homepage on the United States Department of Justice’s website at <https://www.justice.gov/eoir/office-of-the-chief-administrative-hearing-officer-decisions>.

motion, including their request to stay all case deadlines for the duration of the referral period. *Id.* at 4–5. The Court appointed an OCAHO Administrative Law Judge (ALJ) as the Settlement Officer and ordered that the case be referred to the OCAHO Settlement Officer Program for sixty days beginning on August 18, 2025, and continuing through October 17, 2025. *Id.* The parties did not resolve the case during the referral period.

On February 4, 2026, the assigned Settlement Officer, OCAHO ALJ Andrea Carroll-Tipton, requested a thirty-day extension of the case’s initial referral to the OCAHO Settlement Officer Program. The Settlement Officer explained that she was seeking this additional time at the parties’ request to enable them to pursue a resolution of this case through mediation.

II. DISCUSSION

The assigned Settlement Officer, in her discretion, has requested a thirty-day extension of the referral period of this case to the OCAHO Settlement Officer Program. The Settlement Officer has explained that the parties are seeking additional time to attempt to resolve this matter through mediation. The Court finds that the requested thirty-day extension of the Settlement Officer Program referral is reasonable and appropriate given the Settlement Officer’s representations that additional time is needed and the parties’ consent to a thirty-day extension for purposes of engaging in settlement discussions. *See* PM 20-16, Section II.D.2; *see also Vega v. BFS Asset Holdings LLC*, 19 OCAHO no. 1534, 2 (2024) (finding an extension of the Settlement Officer Program referral period “reasonable and appropriate”); *United States v. DNT Constr., LLC*, 19 OCAHO no. 1529a, 3 (2024) (accord). The Court accordingly grants the requested extension and refers this case to the Settlement Officer Program for thirty days from February 9, 2026, through March 11, 2026. All case deadlines are stayed during the extended referral period. If desired, the parties may engage in informal discovery to further their settlement efforts.

As the Court explained during the initial prehearing conference and in its August 13, 2025, Order, should the parties reach a settlement agreement through the OCAHO Settlement Officer Program, they may request that the Court dismiss this matter through one of the methods provided in 28 C.F.R. § 68.14. *See Securitas Sec. Servs. USA, Inc.*, 21 OCAHO no. 1653b, at 4. The parties may file a joint notice of settlement with an agreed motion to dismiss the matter pursuant to 28 C.F.R. § 68.14(a)(2), and the Court may require that the parties submit a copy of their settlement agreement for consideration. *See id.* The parties should specify in any such filing whether they are requesting dismissal with or without prejudice. *See id.*

If the parties do not reach a settlement agreement through the OCAHO Settlement Officer Program, the assigned Settlement Officer will refer this matter back to the undersigned for further proceedings. At that time, the Court may request that the parties file status reports and may schedule a prehearing conference to set additional deadlines in this case, including dates for the close of discovery, the filing of dispositive motions and responses, and a contested hearing.

III. ORDERS

IT IS SO ORDERED that, pursuant to 28 C.F.R. § 68.28(a) and EOIR Policy Memorandum 20-16, Sections II.C and II.D.2, the Settlement Officer's request for an extension of time is GRANTED, and this case is referred to the OCAHO Settlement Officer Program for settlement negotiations for thirty days from February 9, 2026, through March 11, 2026;

IT IS FURTHER ORDERED that, during the referral period, all case deadlines are STAYED; and

IT IS FURTHER ORDERED that, should the parties reach a settlement agreement, they shall proceed in accordance with 28 C.F.R. § 68.14.

SO ORDERED.

Dated February 4, 2026.

Honorable Carol A. Bell
Acting Chief Administrative Law Judge