

8.800. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE):

800.05. ICE OVERVIEW: The department may allow ICE personnel to conduct investigations only if doing so would not violate any federal, state, or local laws.

In 2003, the U.S. Immigration and Customs Enforcement (ICE) was created to enforce federal laws governing border control, customs, trade and immigration to promote homeland security and public safety. ICE merged the former U.S. Customs Service and the Immigration and Naturalization Service. There are two operational enforcement branches – Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO).

ICE's priority is enforcing illegal immigration by identifying in-custody inmates using biometric fingerprints during the booking process.

ICE has the sole responsibility to identify and arrest undocumented individuals who pose a threat to public safety.

(New.12/2017)

800.10. DEPARTMENT RESPONSIBILITY: The department is prohibited from:

- Enforcing federal immigration laws and participating in immigration enforcement programs.
- Asking an inmates immigration status for the purpose of immigration enforcement.
- Book an inmate on an ICE immigration hold, unless there is signed immigration warrant.
- Providing ICE with confidential inmate information, unless it's available to the public.
- Transferring inmates to ICE, unless there is an arrest warrant signed by a judge.
- Using ICE as interpreters for department-related duties.
- Giving ICE personnel a dedicated workspace and unlimited access to the jail facilities.

(New.12/2017)

800.15. ICE HOLDS, DETAINERS, WARRANTS, AND INTERVIEW: ICE holds, detainers, notifications, shall not be booked. The department shall notify the inmate that the hold will not be accepted. The department shall provide copies of any hold, notice, or transfer request from ICE to the inmate and shall be notified in writing using (ASU form 161228).

Federal immigration warrants shall only be booked if they are authorized by a judicial warrant or a judicial probable cause determination signed by a federal judge or magistrate. Department personnel shall book the ICE warrant, and the inmate shall be notified. The department shall notify the inmate in writing using (ASU form 170109).

8.800. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE):

ICE may enter the facility to conduct investigations and interview inmates. Inmates shall be informed by the department the purpose of the interview, it is voluntary, it can be declined, and they have the right to have an attorney present. Inmates shall be notified of these rights by department personnel in writing (ASU form #161226).

All completed forms shall be placed in the inmate's booking jacket.
(New.12/2017)

800.20. NOTIFICATIONS AND INMATE TRANSFERS TO ICE: ICE personnel may submit a Request for Notification form (I-247N). The form seeks our assistance by notifying ICE prior to the release of any inmate in our custody. The department may provide release date notification if it is information available to the public. Notifications shall be documented on the inmate's jacket. The documentation shall include who made the notification, date and time.

An Immigration and Customs Enforcement (ICE) Request form (ASU#161227) shall be completed when ICE submits a Request for Notification (I-247N) form. The completed form shall be placed in the inmate's booking jacket.

ICE personnel may also submit an Immigration Detainer form (I 247D). This form requests the department to hold an inmate up to 48 hours past his regularly scheduled release date. At no time shall the department keep an inmate in-custody past their regularly scheduled release date. The department shall not honor this request.

ICE shall not have a designated area to arrest inmates scheduled for release. ICE personnel are solely responsible for making immigration-related arrests at the facility upon an inmates' release. The department shall not delay or transfer an inmate to ICE personnel unless there is an arrest warrant signed by a judge.
(New.12/2017)