

I. PURPOSE:

- A. To establish the procedures for Department of Homeland Security (D.H.S.) Immigration and Customs Enforcement (ICE) notification.

II. POLICY:

- A. Effective June 18, 2014, ICE Detainers will no longer be honored on advice from legal counsel, unless supported by a federal probable cause hearing.

III. PROCEDURE

1. All arrestees, including all Foreign Nationals, shall be fingerprinted through Live Scan to ensure verification of identity. All fingerprints shall be submitted to CA. Department of Justice (DOJ), excluding arrestees charged with CA Penal Code section 647(f)/849(b)(2), who have been booked in Shasta County on a prior occasion. The response from the submissions shall be maintained in the booking file. When an ICE notification returns, the Classification Officer or designee shall call DHS-ICE and provide the ICE agent with information requested.
2. If the ICE agent request an ICE Hold/Detainer be placed on the arrestee, staff shall advise the agent that ICE Detainers are not honored in Shasta County. ***Detainers and warrants are entirely separate and should not be confused with one another. Duly-issued warrants signed by a magistrate will be honored.***
3. The Classification Officer shall write on the Router form, the date and time of the call to the agent, the agent's name, and that the Detainer was "rejected." The Classification Officer shall include their initials and badge number when documenting the phone call on the router.
4. If an inmate is arrested solely for an ICE hold, they will not be accepted for entry into the Shasta County jail and left to the arresting agency for disposition.