



## **DEKALB COUNTY SHERIFF'S OFFICE**

**Jeffrey L. Mann, Sheriff**

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### **For Immediate Release**

## **DEKALB SHERIFF WILL NOT HOLD RELEASED INMATES FOR IMMIGRATIONS AND CUSTOMS WITHOUT WARRANTS**

**DECATUR, GA. December 4, 2014** – The DeKalb County Sheriff's Office will no longer honor requests by the U. S. Immigration and Customs Enforcement (ICE) agency to further detain released DeKalb County Jail inmates without a warrant or other sufficient probable cause, Sheriff Jeffrey L. Mann announced today.

ICE hold requests specifically seek further detention for up to 48 hours for individuals otherwise authorized to be released from custody so that ICE officials can check for federal immigration law violations. Some federal court decisions have ruled that detainer-based detention by state and local law enforcement agencies constitute violation of the Fourth Amendment.

"I requested and received a legal review of this practice," says Sheriff Mann. "The law does not allow us to hold anyone without probable cause. If our judicial system determines that an individual should no longer be held in custody, it is not in my authority to countermand that decision. We all benefit from a nation of laws that regulate the ways people can be detained, and we should be grateful that is the case."

The DeKalb Sheriff's revised policy is also consistent with a Department of Homeland Security decision to discontinue the Secure Communities program – specifically, to replace requests for detention in most circumstances with requests for notification of a pending release.

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