

# Washington County Sheriff's Office

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**Date:** June 26<sup>th</sup> 2014

**To:** All Personnel

**From:** Sheriff Larry Kuntz

**Subject:** Ice Detainers/ Ice 200 Administrative Warrants

Due to recent case law in the Federal Courts both in Oregon and Pennsylvania, the Washington County Sheriff's Office reviewed the subject of ICE (Immigration and Customs Enforcement) Detainers and Administrative Warrants. As part of this review process, we read the documentation provided by the American Civil Liberties Union (ACLU), met with representatives of the Colorado Immigrations Rights Coalition (CIRC), consulted and met with Sheriff's across the State, as well as out County Attorney.

Based on this, ICE Administrative Warrants are not subject to judicial review which conflicts with Colorado State Law: specifically, CRS 16-3-102 and CRS 16-1-104 (18). We will therefore not be honoring such requests from ICE unless they are accompanied by a statement of probable cause and signed by a magistrate judge.

**Directive:**

Therefore effective immediately, the following directive applies to all personnel at the Washington County Sheriff's Office:

1. WCSO (will not) hold or detain any person in the Washington County Jail solely on an ICE Detainer or an ICE Administrative Warrant.
2. WCSO personnel will continue to notify ICE that suspected illegal immigrants are in custody in the Washington County Justice Center via the IAQ process.
3. Once a person has completed their custody time, or posted bond, the inmate is free to leave. ICE will be notified, as soon as practicable, of the expected release date of any inmate that has an ICE Detainer or an ICE Administrative Warrant.
4. WCSO (Will) detain any person if we are presented with any Federal warrant that has met the legal standard of judicial review. Simply put this means a warrant that is signed by a federal magistrate or judge. US Marshall or other Federal Warrants

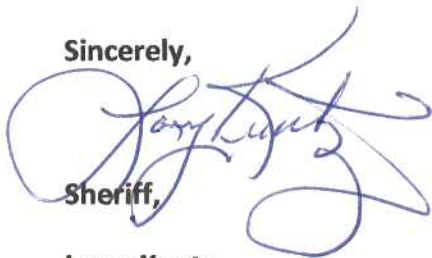
received through NCIC must be located and confirmed prior to execution of the warrant.

5. In the event ICE agents request to interview an inmate, they will be given to opportunity to refuse or consent to the interview.
6. WCSO (Will) continue to cooperate with all Federal Law Enforcement Agencies as long as those agencies requests are conforming to Colorado State Law.

**Conclusion:**

These changes will be made in our SOP and Policy Manuals. All WCSO will be made aware of these changes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry Kuntz", written in a cursive style. The signature is positioned to the right of the typed name and title.

Sheriff,

**Larry Kuntz**