

EL DORADO COUNTY SHERIFF'S OFFICE CUSTODY DIVISION PROCEDURAL ORDER	SECTION: BK 2.04	PAGES 1 Of 2
	RELATED STANDARDS: EDSO Manual section 428 Miranda-Olivares v. Clackamas County	
	ISSUE DATE: 06-97	REVISION DATE: 08-14-14
CHAPTER: BOOKING AND RELEASE	SUBJECT: ILLEGAL ALIENS	

I. PURPOSE:

To establish the policy for Custody Division as it relates to cooperation with, contacting, placing or releasing a hold for the Department of Homeland Security, Immigration and Customs Enforcement Agency (ICE).

II. POLICY:

A person may not be held in custody solely on the basis of an immigration detainer if he or she is otherwise eligible for release from criminal custody unless a judicially approved warrant is issued.

III. PROCEDURE:

- A. Notification to ICE concerning individuals who may not be citizens of the United States shall be the responsibility of the Operations Division pursuant to Department Manual section 428.3.7, or the arresting agency.
- B. Pursuant to Department Manual section 428.4, members are not restricted from exchanging legitimate law enforcement information with any federal, state or local entity.
- C. Information concerning the release dates of sentenced inmates may be provided to Immigration and Customs Enforcement upon their request.
- D. Inmates shall not be held past their release date on the basis of an Immigration Detainer-Notice of Action DHS Form I-247.
- E. Inmates may be held for five business days following the completion of local charges pursuant to a judicially approved ICE warrant.
 - “Judicially approved” means a warrant signed by a Judge or Magistrate.
 - Inmates released pursuant to a judicially approved warrant may be released to ICE through normal procedures.

- Arrests by ICE pursuant to detainers may only be made once the inmate has been released from the Jail following normal procedures.

Division Commander _____

Date _____