



Fulton County Board of Commissioners

Agenda Item Summary: Item #14-0683

MEETING DATE:

9-3-14

Requesting Agency

COMMISSIONERS (Garner/Edwards)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

REQUEST APPROVAL OF A RESOLUTION URGING THE FULTON COUNTY SHERIFF OR THE SHERIFF'S DESIGNEE TO IMPLEMENT A POLICY TO DECLINE DETAINER REQUESTS FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY IMMIGRATION AND CUSTOMS ENFORCEMENT; TO PROCEED WITH CAUTION WHEN PRESENTED WITH SUCH DETAINER REQUESTS; AND FOR OTHER PURPOSES (Garner/Edwards)

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes No

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

14-0683

REQUEST APPROVAL OF A RESOLUTION URGING THE FULTON COUNTY SHERIFF OR THE SHERIFF'S DESIGNEE TO IMPLEMENT A POLICY TO DECLINE DETAINER REQUESTS FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY IMMIGRATION AND CUSTOMS ENFORCEMENT; TO PROCEED WITH CAUTION WHEN PRESENTED WITH SUCH DETAINER REQUESTS; AND FOR OTHER PURPOSES (Garner/Edwards)

Fiscal Impact / Funding Source

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Source of Additional Information

(Type Name, Title, Agency and Phone)

1 **A RESOLUTION URGING THE FULTON COUNTY SHERIFF OR THE SHERIFF'S**
2 **DESIGNEE TO IMPLEMENT A POLICY TO DECLINE DETAINER REQUESTS FROM**
3 **THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY IMMIGRATION**
4 **AND CUSTOMS ENFORCEMENT; TO PROCEED WITH CAUTION WHEN**
5 **PRESENTED WITH SUCH DETAINER REQUESTS; AND FOR OTHER PURPOSES**
6

7 **WHEREAS**, there are troubling inconsistencies in the United States Department
8 of Homeland Security Immigration and Customs Enforcement ("ICE") policies across the
9 country; and

10 **WHEREAS**, ICE issues immigration detention requests, known as detainers, to
11 local criminal justice agencies, including the Fulton County Sheriff's Office; and

12 **WHEREAS**, from time to time, ICE detainers are issued to the Fulton County
13 Sheriff's Office requesting that the County hold inmates until ICE can assume custody
14 of the inmates, up to forty-eight (48) hours after the inmates' local charges have
15 resolved; and

16 **WHEREAS**, the Fulton County Sheriff has previously honored such ICE
17 detainers regardless of the charges or reasons for the detainer requests; and

18 **WHEREAS**, the costs of holding inmates on ICE detainers is not reimbursed by
19 the federal government and is expensed to the taxpayers of Fulton County; and

20 **WHEREAS**, the enforcement of immigration laws is a responsibility of the federal
21 government; and

22 **WHEREAS**, according to the Immigration Law Resource Center, many
23 municipalities and counties around the country, including New York City, Miami-Dade
24 County, the City of Chicago, and Washington, D.C., have implemented policies which
25 limit the compliance of local law enforcement with ICE holds to some degree; and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

William "Bill" Edwards, Commissioner
District 7

ATTEST:

APPROVED AS TO FORM:

Mark Massey, Clerk to the Commission R. David Ware, County Attorney

P:\Calegislation\BOC\Resolutions\2014 Resolutions\Resolution For Responding To ICE Detainers.Doc