U.S. Immigration and Customs Enforcement

# ENFORCEMENT AND REMOVAL OPERATIONS

Weekly Declined Detainer Outcome Report
For Recorded Declined Detainers Feb 4 – Feb 10, 2017

## Summary

Pursuant to section 9(b) of Executive Order 13768, Enhancing Public Safety in the Interior of the United States, and section H of the Secretary of Homeland Security's subsequent implementation memo, *Enforcement of the Immigration Laws to Serve the National Interest*, U.S. Immigration and Customs Enforcement (ICE) is making available for public release the non-Federal jurisdictions that release aliens from their custody, notwithstanding that such aliens are subject to a detainer or similar request for custody issued by ICE to that jurisdiction. For instances of such release, the report also includes the associated individual's citizenship, detainer issued and declined dates, and notable criminal activity. ICE compiled this report based on jurisdictions with detainers that were recorded as declined between February 4, 2017 and February 10, 2017, regardless of detainer issuance date.

It should be noted that law enforcement agencies (LEA) do not generally advise ICE of when a detainer is not honored, and therefore this report represents declined detainers that ICE personnel have become aware of during their enforcement activities.

This report is comprised of four sections:

- Section I: Highest Volume of Detainers Issued between February 4, 2017 and February 10, 2017 to Jurisdictions which Restrict Cooperation with ICE
- Section II: Jurisdictions with Recorded Declined Detainers between February 4, 2017 and February 10, 2017
- Section III: Table of Jurisdictions that have Enacted Policies which Limit Cooperation with ICE
- Section IV: Report Scope and Data Fidelity

## Section I: Highest Volume of Detainers Issued between February 4, 2017 and February 10, 2017 to Jurisdictions which Restrict Cooperation with ICE

**During the week of February 4, 2017 and February 10, 2017, ICE issued 2,825 detainers throughout the United States**. The following table reflects the jurisdictions that do not comply with detainers on a routine basis, which had the highest volume of detainers issued during the reporting period (540 to these ten jurisdictions during the reporting period). While these counties have a policy of non-cooperation or restrict cooperation, the outcome of these specific detainers is yet to be determined. Consistent with these counties' policies, ICE expects these detainers to reflect as declined in Section II of future weekly reports.

As further noted in Section IV, ICE field offices have been instructed to resume issuing detainers on all removable aliens in a LEA's custody regardless of prior non-cooperation. **As a result, the number of issued detainers will increase over the next several reporting periods**.

| County | State | Issued Detainers |
|---|---|---|
| Los Angeles | California | 162 |
| New York City | New York | 73 |
| Kern | California | 65 |
| Clark | Nevada | 54 |
| San Diego | California | 44 |
| Orange | California | 42 |
| San Bernardino | California | 32 |
| Santa Barbara | California | 24 |
| Travis | Texas | 23 |
| King | Washington | 21 |

## Section II: Jurisdictions[1] with Recorded Declined Detainers February 4, 2017 and February 10, 2017

The following table describes the individuals released by detention location that declined detainers during the period.[2]

**In sum, these jurisdictions declined 47 detainers issued by ICE[3].**

The table also provides the associated country of citizenship, detainer issue and decline dates, and a notable criminal activity (charge or conviction) associated with the individual released from custody. The entries below are sorted alphabetically by state.[4] Note that an alien may have been subject to detainers in multiple jurisdictions during the time period reported.

| Detention Location | County | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity |
|---|---|---|---|---|---|---|
| CONCORD JAIL | Contra Costa* | California* | Mexico | 2/8/2017 | 9/25/2016 | Domestic Violence (Conviction) |
| IMPERIAL COUNTY JAIL | Imperial* | California* | Mexico | 2/9/2017 | 2/6/2017 | Domestic Violence (Charged) |
| MERCED COUNTY JAIL | Merced* | California* | Mexico | 2/9/2017 | 4/29/2016 | Assault (Conviction) |
| ORANGE COUNTY JAIL | Orange* | California* | Mexico | 2/8/2017 | 2/2/2017 | Burglary (Conviction) |
| ORANGE COUNTY JAIL | Orange* | California* | Mexico | 2/10/2017 | 11/30/2016 | Cruelty Toward Child (Conviction) |

[1] Jurisdictions include counties, boroughs, and parishes.
[2] According to the reporting described in Section IV.
[3] When a detainer is declined, the alien is generally released back into the community. However, there may be some instances, where despite a detainer being declined, ICE does take custody of the alien. This could occur, for example, when the alien is transferred to another jurisdiction that honors detainers, or when ICE officers make special efforts to take custody of the alien when the LEA does not meet ICE's reasonable expectations to prevent the release of a criminal alien back into the public.
[4] An asterisk after the jurisdiction name or state indicates that a policy is in place that limits or prohibits cooperation with ICE; policy details can be found in Section III.

| Detention Location | County | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity |
|---|---|---|---|---|---|---|
| ORANGE COUNTY JAIL | Orange* | California* | Mexico | 2/10/2017 | 11/30/2016 | Domestic Violence (Charged) |
| TUSTIN POLICE DEPT. | Orange* | California* | Mexico | 2/4/2017 | 3/16/2015 | Drug Possession (Charged) |
| SONOMA CO MAIN ADULT DET | Sonoma* | California* | Mexico | 2/10/2017 | 2/7/2017 | Domestic Violence (Charged) |
| ADAMS COUNTY JAIL | Adams* | Colorado | Mexico | 2/8/2017 | 11/8/2016 | Narcotic Equip - Possession (Charged) |
| ARAPAHOE COUNTY JAIL | Arapahoe* | Colorado | Mexico | 2/10/2017 | 2/28/2015 | Failure To Appear (Charged) |
| DENVER JUSTICE CENTER | Denver* | Colorado | Mexico | 2/8/2017 | 2/8/2017 | Marijuana - Possession (Conviction) |
| JEFFERSON COUNTY JAIL | Jefferson* | Colorado | Mexico | 2/9/2017 | 2/8/2017 | Forgery Of (identify in comments) (Charged) |
| DC DEPT OF CORRECTIONS | Washington* | District of Columbia | El Salvador | 2/8/2017 | 5/29/2016 | Aggravated Assault - Non-family-Strongarm (Charged) |
| DC DEPT OF CORRECTIONS | Washington* | District of Columbia | Honduras | 2/7/2017 | 9/25/2016 | Assault (Charged) |
| DC DEPT OF CORRECTIONS | Washington* | District of Columbia | El Salvador | 2/8/2017 | 12/12/2015 | Robbery (Charged) |
| ST. LUCIE COUNTY JAIL | St. Lucie | Florida | Guatemala | 2/8/2017 | 2/8/2017 | Indecent Exposure (Conviction) |

| Detention Location | County | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity |
|---|---|---|---|---|---|---|
| NASHUA ST. JAIL | Suffolk | Massachusetts | El Salvador | 2/10/2017 | 1/26/2017 | Sex Assault (Charged) |
| STEARNS COUNTY SHERIFF/JAIL | Stearns | Minnesota | Guatemala | 2/10/2017 | 2/6/2017 | Public Order Crimes (Charged) |
| METROPOLITAN DETENTION CENTER | Bernalillo* | New Mexico | Mexico | 2/9/2017 | 10/5/2013 | Burglary (Charged) |
| HOBBS CITY JAIL | Lea* | New Mexico | Mexico | 2/9/2017 | 8/1/2016 | Conditional Release Violation (Charged) |
| HOBBS CITY JAIL | Lea* | New Mexico | Mexico | 2/9/2017 | 8/7/2016 | Domestic Violence (Charged) |
| SANTA FE COUNTY JAIL | Santa Fe* | New Mexico | Mexico | 2/9/2017 | 9/19/2012 | Concealing Identity (Charged) |
| BRONX CENTRAL BOOKING | New York City* | New York | Mexico | 2/6/2017 | 2/6/2017 | Assault (Conviction) |
| BRONX CENTRAL BOOKING | New York City* | New York | Dominican Republic | 2/8/2017 | 2/1/2017 | Assault (Charged) |
| BROOKLYN CENTRAL BOOKING | New York City* | New York | Tajikistan | 2/8/2017 | 2/8/2017 | Assault (Charged) |
| BROOKLYN CENTRAL BOOKING | New York City* | New York | France | 2/8/2017 | 2/7/2017 | Assault (Charged) |
| BROOKLYN CENTRAL BOOKING | New York City* | New York | Hungary | 2/6/2017 | 2/3/2017 | Assault (Charged) |

| Detention Location | County | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity |
|---|---|---|---|---|---|---|
| BROOKLYN CENTRAL BOOKING | New York City* | New York | St. Vincent-Grenadines | 2/8/2017 | 2/7/2017 | Assault (Charged) |
| MANHATTAN CENTRAL BOOKING | New York City* | New York | Georgia | 2/10/2017 | 2/10/2017 | Larceny (Charged) |
| MANHATTEN DET COMPLEX, NY | New York City* | New York | Nigeria | 2/10/2017 | 2/4/2017 | Assault (Charged) |
| NYC POLICE DEPARTMENT | New York City* | New York | Barbados | 2/9/2017 | 2/8/2017 | Sex Assault - Carnal Abuse (Charged) |
| QUEENS CENTRAL BOOKING | New York City* | New York | Ecuador | 2/8/2017 | 2/8/2017 | Assault (Conviction) |
| QUEENS CENTRAL BOOKING | New York City* | New York | Mexico | 2/8/2017 | 2/8/2017 | Assault (Charged) |
| RIKERS ISLAND, QUEENS, NY | New York City* | New York | Colombia | 2/6/2017 | 7/15/2016 | Burglary Tools - Possession (Conviction) |
| TRAVIS CTY JAIL | Travis* | Texas | Mexico | 2/5/2017 | 2/5/2017 | Assault (Charged) |
| TRAVIS CTY JAIL | Travis* | Texas | Mexico | 2/7/2017 | 2/7/2017 | Public Order Crimes (Charged) |
| MEHERRIN RIVER REGIONAL JAIL | Brunswick | Virginia | Mexico | 2/8/2017 | 12/27/2015 | Traffic Offense (Conviction) |
| CHESTERFIELD CO. JAIL | Chesterfield* | Virginia | Guatemala | 2/8/2017 | 12/26/2015 | Forgery (Conviction) |

| Detention Location | County | State | Citizenship | Detainer Decline Date | Detainer Issue Date | Notable Criminal Activity |
|---|---|---|---|---|---|---|
| CHESTERFIELD CO. JAIL | Chesterfield* | Virginia | Guatemala | 2/8/2017 | 3/14/2016 | Driving Under Influence Liquor (Conviction) |
| PAMUNKEY REG JAIL | Hanover | Virginia | El Salvador | 2/8/2017 | 5/5/2016 | Assault (Charged) |
| MONTGOMERY COUNTY JAIL | Montgomery | Virginia | Mexico | 2/8/2017 | 1/5/2017 | Assault (Conviction) |
| RICHMOND CITY JAIL | Richmond | Virginia | Honduras | 2/8/2017 | 6/5/2016 | Driving Under Influence Liquor (Charged) |
| CHELAN CO. REGIONAL JAIL | Chelan | Washington | Mexico | 2/9/2017 | 9/13/2016 | Assault (Conviction) |
| CHELAN CO. REGIONAL JAIL | Chelan | Washington | Mexico | 2/8/2017 | 2/8/2017 | Possession Of Weapon (Conviction) |
| COWLITZ COUNTY JAIL | Cowlitz* | Washington | Mexico | 2/7/2017 | 2/7/2017 | Cocaine - Possession (Conviction) |
| KENT CITY JAIL | King* | Washington | Mexico | 2/9/2017 | 2/7/2017 | Assault (Charged) |
| YAKIMA COUNTY | Yakima | Washington | Mexico | 2/7/2017 | 2/1/2017 | Domestic Violence (Conviction) |

## Section III: Table of Jurisdictions that have Enacted Policies which Limit Cooperation with ICE

All jurisdictions and their corresponding detainer ordinances listed in this document are based upon public announcements, news report statements, and publicly disclosed policies. As such, there may be other non-cooperative jurisdictions not contained in this table if publicly available information does not exist. The entries below are sorted by the date a policy was enacted in the stated jurisdiction with the most recent date first.

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Baltimore City, Maryland (Baltimore) | March 2017 | Baltimore Police Commissioner | • Public statement of noncooperation with Immigration and Customs Enforcement |
| Tulare, California (San Francisco) | February 2017 | Sheriff's Statement | • Will notify ICE five days prior to the inmates release but will not hold |
| Ithaca, New York (Buffalo) | February 2017 | Municipal Code Change | • Will only honor "warrantless detainer requests from the federal government under limited, specified circumstances" such as violent or serious crimes or terrorist activities |
| Travis County, Texas (San Antonio) | January 2017 | Travis County Sheriff's Office Policy on Cooperation with U.S. Immigration and Customs Enforcement | • Willing to accept requests accompanied by a court order<br>• Willing to accept requests when the subject of the detainer request is charged with or has been convicted of Capital Murder, First Degree Murder, Aggravated Sexual Assault, or Continuous Smuggling of Persons |
| Iowa City, Johnson County, Iowa (Saint Paul) | January 2017 | Resolution Reaffirming the Public Safety Function of Local Law Enforcement | • Willing to only accept some notifications on detainers |
| Boulder, Colorado (Denver) | January 2017 | Boulder Municipal Code Title 12, Chapter 12-5 | • Will not honor ICE detainers unless ICE has an arrest warrant for an individual |
| Montpelier, Vermont (Boston) | July 2016 | Fair and Impartial Policing | • Will not hold individuals based solely on an ICE detainer |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| San Francisco, California (San Francisco) | July 2016 | City Ordinance | • Detain an individual on the basis of a civil immigration detainer after that individual becomes eligible for release from custody. |
| New Orleans, Louisiana (New Orleans) | February 2016 | New Orleans Police Department Manual | • Will not honor detainer without a judicial order or criminal warrant |
| Philadelphia, Pennsylvania (Philadelphia) | January 2016 | Mayoral Executive Order (Reverts back to April 2014 policy) | • Willing to only honor ICE detainers where the alien has a prior conviction for a first or second degree felony offense involving violence and the detainer is accompanied by a judicial arrest warrant<br>• The order also prohibits notice to ICE of pending release of subjects of interest to ICE unless the above criteria is met |
| Alachua, Florida (Miami) | September 2015 | Sheriff's Decision | • Will not honor ICE detainer without a judicial order or criminal warrant |
| Amador County, California (San Francisco) | August 2015 | Sheriff Statement | • Requires an accompanying court order to honor detainer. |
| San Mateo, California (San Francisco) | July 2015 | Sheriff's Statement | • San Mateo County Sheriff's Office also does not honor Immigration and Customs Enforcement requests to detain those in the country illegally except in rare cases when the individual poses a significant threat to public safety |
| Humboldt, California (San Francisco) | May 2015 | County Correctional Facility Procedure | • Under no circumstance shall an individual subject to deportation, absent a federal arrest warrant, be held past their release date or prevented from posting bail. |
| Fresno, California (San Francisco) | February 2015 | Fresno County Sheriff's Administrative Order | • ICE Detainers will continue to be accepted and added. However, the detainer will not serve as a hold, or delay an inmate's release beyond the scheduled date of release. |
| San Benito County, California (San Francisco) | February 2015 | Sheriff's Statement | • Requires a judicial determination of probable cause or a warrant from a judicial officer. |
| Arlington County, Virginia (Washington) | January 2015 | County Sheriff's Office Decision | • Will not honor an ICE detainer unless ICE first presents the sheriff's office with a judicially issued warrant authorizing detention |
| San Miguel, New Mexico (El Paso) | December 2014 | San Miguel Detention Policies and Procedures | • Will only detain if reimbursed |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| DeKalb County, Georgia (Atlanta) | December 2014 | County Sheriff's Office Decision | • Will not honor an ICE detainer unless ICE first presents the sheriff's office with a warrant or "sufficient probable cause" |
| Clayton County, Georgia (Atlanta) | November 2014 | County Sheriff's Office Decision | • Will not honor an ICE detainer unless ICE first presents the sheriff's office with a judicially issued warrant authorizing detention. |
| Chesterfield County, Virginia (Washington) | November 2014 | County Jail Policy | • The county will notify ICE when a detainee is going to be released, however, they will not hold an individual for any additional time. |
| New York City, New York (New York City) | November 2014 | A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the police department | • Will not honor ICE detainer |
| Erie County, Pennsylvania (Philadelphia) | October 2014 | County Jails' Policy | • Will not hold individuals based on the standard I-247 ICE detainer form<br>• Will hold individuals if an I-203 Order to Detain and an I-200 Warrant of Arrest form is submitted<br>• Will send a list of currently held individuals upon request<br>• Will allow ICE to inspect jail at any time and to ride-along with local law enforcement |
| Lycoming County, Pennsylvania (Philadelphia) | October 2014 | County Prison's Policy | • Will not hold individuals solely on ICE detainers<br>• Will notify ICE two hours prior of an inmate's release if ICE had issued a detainer |
| Montour County, Pennsylvania (Philadelphia) | October 2014 | County Prison's Policy | • Will not honor ICE detainers |
| Perry County, Pennsylvania (Philadelphia) | October 2014 | County Prison's Policy | • Will not honor ICE detainers without a warrant or court order<br>• Will not arrest, detain, or transport anyone solely based on an immigration detainer or an administrative warrant |
| New Mexico County Jails, New Mexico (El Paso) | October 2014 | County Jails' Decisions | • All county jails in New Mexico will not honor ICE detainer |
| Montgomery County, Maryland (Baltimore) | October 2014 | County Executive's Decision | • Will not honor ICE detainers without adequate probable cause |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Prince George's County, Maryland (Baltimore) | October 2014 | County Executive's Decision | • Department of Corrections will not honor ICE detainers without a warrant signed by a judge that demonstrates probable cause |
| Butler County, Pennsylvania (Philadelphia) | September 2014 | County Prison's Policy | • Will not hold individuals solely on an ICE detainer<br>• Staff will not allow ICE officials to have access to inmates for investigative purposes without a court order or a "legitimate law enforcement purpose…that is unrelated to the enforcement of civil immigration law" |
| Westmoreland County, Pennsylvania (Philadelphia) | September 2014 | County Prison's Policy | • Will not honor ICE detainer without a judicially authorized warrant or court order |
| Colorado County Jails, Colorado (Denver) | September 2014 | County Jails' Decisions | • All county jails in Colorado will not honor ICE detainer without a Judicial Warrant |
| Sarpy County, Nebraska (St. Paul) | September 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without a warrant |
| Washoe County, Nevada (Salt Lake City) | September 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer unless provided with a warrant which could be issued without review by a judge |
| Burlington County, New Jersey (Newark) | August 2014 | Sheriff's Statement | • Will not honor ICE request to hold. |
| Delaware, Pennsylvania (Philadelphia) | August 2014 | Correctional Facility's Policy | • Will not hold individuals solely based on an ICE detainer<br>• Arrangements may be made for "in person" review of the policy |
| Northampton, Massachusetts (Boston) | August 2014 | Mayoral Executive Order | • Will not honor ICE detainer that is non-criminal and not subject to a judicially issued warrant |
| Boston, Massachusetts (Boston) | August 2014 | Boston Trust Act | • Will not honor ICE detainer without a criminal warrant |
| Del-Norte County, California (San Francisco) | August 2014 | Del Norte Sheriff's Office | • All inmates being detained at the Del Norte County Jail on an immigration detainer issued by United States Immigration and Customs Enforcement (I.C.E.) must be accompanied by a judicial determination of probable cause or a judicial warrant. |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| El Dorado County, California (San Francisco) | August 2014 | Sheriff's Office Procedural Order | • 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. |
| Jefferson County, Iowa (St. Paul) | August 2014 | County Jail's Decision | • Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant |
| Iowa County, Iowa (St. Paul) | August 2014 | County Jail's Decision | • Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant |
| Benton County, Iowa (St. Paul) | August 2014 | County Jail's Decision | • Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant |
| Union County, New Jersey (Newark) | August 2014 | County Counsel's Decision | • Will not honor ICE detainer without warrant, court order, or other legally sufficient proof of probable cause from ICE |
| Franklin County, New York (Buffalo) | August 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without warrant |
| St. Lawrence County, New York (Buffalo) | August 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Archuleta, Colorado (Denver) | July 2014 | Sheriff's Directive | • Will not hold beyond release date but will notify |
| Bernalillo, New Mexico (El Paso) | July 2014 | Immigration Detainers and Warrants | • Will not detain any inmate and will not delay the otherwise authorized release of any inmate, as a result of detainer requests or administrative warrants received by ICE. |
| Butte County, California (San Francisco) | July 2014 | Sheriff's Office Order | • Requires an accompanying arrest warrant to honor detainer. |
| Camden County, New Jersey (Newark) | July 2014 | Sheriff's Statement | • Requires court order or arrest warrant |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Dona Ana County, New Mexico (El Paso) | July 2014 | County Detention Center Statement | • Will not honor detainer |
| Los Angeles County, California (Los Angeles) | July 2014 | Sheriff's Statement | • Requires a judicial determination of probable cause or a warrant from a judicial officer. |
| Onondaga County, New York (Buffalo) | July 2014 | County Sheriff's Office Decision | • Onondaga County Justice Center Jail will not honor ICE detainer without a signed warrant |
| Placer, California (San Francisco) | July 2014 | Placer County Sheriff Office Procedure Manual | • No longer accept detainers unless they are accompanied by an arrest warrant signed by a judge. |
| Wayne County, New York (Buffalo) | July 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Rhode Island Department of Corrections, Rhode Island (Boston) | July 2014 | Department of Corrections Policy from Governor | • Will not honor ICE detainer without a warrant |
| Hall County, Nebraska (St. Paul) | July 2014 | County Corrections Decision | • Hall County Corrections will not honor ICE detainer without a warrant |
| Middlesex County, New Jersey (Newark) | July 2014 | County Decision | • Will not honor ICE detainer unless an individual:<br>o Is charged with a first- or second-degree crime;<br>o Is identified as a known gang member; or<br>• Has been subject to a final order of removal by ICE |
| Clark County, Nevada (Salt Lake City) | July 2014 | The LVMPD Will No Longer Detain Persons on Federal Immigration Holds | • Will not honor ICE detainer |
| Hennepin, Minnesota (Saint Paul) | July 2014 | Sheriff Statement on U.S. Immigration and Customs Detainers | • Will not honor ICE detainer absent judicial authority |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Imperial County, California (San Diego) | July 2014 | Sheriff's Office Decision | • Requires an accompanying court order to honor detainer. |
| Rio Arriba, New Mexico (El Paso) | July 2014 | County Jail Decision | • Will not honor ICE detainer |
| Santa Fe, New Mexico (El Paso) | July 2014 | County Jail Statement | • Will not honor ICE unless the individual is accused of a serious crime |
| Yolo, California (San Francisco) | July 2014 | Sheriff Statement | • Requires a valid and enforceable warrant signed by a judicial officer. |
| Bradford County, Pennsylvania (Philadelphia) | June 2014 | County Correctional Facility's Policy | • Will not honor ICE detainer without paperwork that an individual has a criminal warrant or a criminal conviction<br>• Will not hold individuals solely for the detainer and will request further information should they receive a detainer |
| Butler County, Kansas (Chicago) | June 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without a court order or warrant |
| Cambridge, Massachusetts (Boston) | June 2014 | City Council Resolution | • Will not honor ICE detainer unless in cases where immigration agents have a criminal warrant or Cambridge officials have a legitimate law enforcement purpose not related to immigration |
| East Haven, Connecticut (Boston) | June 2014 | East Haven Police Department Policies and Procedures No. 428.2 | • Will not honor ICE detainer |
| Finney County, Kansas (Chicago) | June 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without probable cause or a warrant |
| Hernando County, Florida (Miami) | June 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Harvey County, Kansas (Chicago) | June 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without a court order or warrant |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Kings County, California (San Francisco) | June 2014 | Sheriff's Office | • It is the policy of the Kings County Sheriff's Office to refrain from honoring detention requests from ICE ("ICE Holds") unless the request is accompanied by a valid and enforceable warrant signed by a judicial officer. |
| Merced, California (San Francisco) | June 2014 | Sheriff Statement | • The Sheriff's Office will no longer place Immigration Detainers (ICE Holds) on inmates in our custody, save for exceptional circumstances, and then only with the approval of the Sheriff or his command level staff and consistent with the law. |
| Mono County, California (San Francisco) | June 2014 | Custody Services Manual | • The Department will not hold a person in custody beyond any applicable release date for the sole reason that ICE requested the Department to hold that person in custody. |
| Orange County, California (Los Angeles) | June 2014 | Sheriff's Statement | • Requires a judicial determination of probable cause or a warrant from a judicial officer. |
| San Joaquin, California (San Francisco) | June 2014 | County Sheriff's Office Decision | • The San Joaquin County Jail will no longer honor immigration detainers from Immigration and Customs Enforcement (ICE) placed by an Immigrations and Customs Agent. This does not apply to arrest warrants signed by a judge. |
| San Luis Obispo County, California (Los Angeles) | June 2014 | Sheriff's Statement | • Sheriff's Office will not detain the inmate on the basis of an Immigration Detainer past his or her scheduled release date. |
| Sedgwick County, Kansas (Chicago) | June 2014 | County Sheriff's Decision | • Will not honor ICE detainer without a court order or warrant |
| Shawnee County, Kansas | June 2014 | Sheriff's Directive | • Will not honor detainers without additional probable cause |
| Sioux County, Iowa (St. Paul) | June 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant |
| Story County, Iowa (St. Paul) | June 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer unless a judge has approved the move with a probable cause warrant |
| Alameda County, California (San Francisco) | May 2014 | Sheriff's Decision | • No longer accept detainers unless they are accompanied by an arrest warrant signed by a judge. |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Aurora Detention Center, Aurora Colorado (Denver) | May 2014 | Detention Center Decision | • Will not honor ICE detainer |
| Chester County, Pennsylvania (Philadelphia) | May 2014 | County Prison's Policy | • Will not detain individuals solely based on an ICE detainer<br>• Will allow ICE agents access to daily population reports and other records for investigative purposes |
| Clallam County, Washington (Seattle) | May 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Contra Costa County, California (San Francisco) | May 2014 | Sheriff's Decision | • Requires an accompanying arrest warrant to honor detainer. |
| Delta County, Colorado (Denver) | May 2014 | Sheriff's Decision | • Will notify five days prior to release but will not honor detainer |
| Inyo County, California (San Francisco) | May 2014 | Sheriff's Decision | • Requires an accompanying arrest warrant to honor detainer |
| Jefferson County, Washington (Seattle) | May 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Lehigh County, Pennsylvania (Philadelphia) | May 2014 | Board of Commissioners Resolution 2014-36 | • Will not honor ICE detainer without a judicially issued detainer, warrant, or order |
| Mendocino County, California (San Francisco) | May 2014 | Mendocino County Sheriff's Policy and Procedure Manual | • Requires a valid and enforceable warrant. |
| San Bernardino, California (Los Angeles) | May 2014 | Sheriff's Statement | • Detainers must be accompanied by a signed court order. |
| San Juan County, Washington (Seattle) | May 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Santa Barbara County, California (Los Angeles) | May 2014 | Sheriff's Statement | • Requires a judicial determination of probable cause or a warrant from a judicial officer. |
| Skagit County, Washington (Seattle) | May 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Somerville, Massachusetts (Boston) | May 2014 | Mayoral Executive Order and Board of Alderman Ordinance | • Will not honor ICE detainer unless ICE provides criminal warrant or if there is a legitimate law enforcement purpose beyond immigration status for keeping a suspect in custody after bail is posted or a judge releases the individual |
| Sutter County, California (San Francisco) | May 2014 | Sutter County Jail Policy | • Will continue to notify ICE when we have a possible immigration violation<br>• Will not hold someone past the time their local charges would otherwise cause them to be released. |
| Whatcom County, Washington (Seattle) | May 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Baker County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Bucks County, Pennsylvania (Philadelphia) | April 2014 | County Department of Corrections Policy | • Will not hold solely on an ICE detainer, but will notify ICE via email of a pending release from custody |
| Clackamas County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer unless there is probable cause for such detention |
| Clark County, Washington (Seattle) | April 2014 | Chief Jail Deputy's Decision | • Will not honor ICE detainer unless ICE provides an affidavit of probable cause |
| Clatsop County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Coos County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Cowlitz County, Washington (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Deschutes County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Douglas County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Grant County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Jackson County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Jefferson County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Josephine County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Lincoln County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Malheur County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Marion County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Montgomery County, Pennsylvania (Philadelphia) | April 2014 | County Correctional Facility's Policy | • Will not honor ICE detainer<br>• Will not accept anyone brought to it solely on an ICE detainer<br>• Has daily contact with ICE |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Multnomah County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Polk County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Springfield Police Department, Oregon (Seattle) | April 2014 | Department Policy | • Will not honor ICE detainer without court order or warrant |
| Snohomish County, Washington (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Thurston County, Washington (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer |
| Tillamook County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Polk County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Union County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Walla Walla County, Washington | April 2014 | Special Order 2014-002 | • Will not hold individuals on the authority of an ICE detainer |
| Wallowa County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Washington County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant Sheriff's office will now only send a daily roster of foreign-born individuals in county custody instead of notifying ICE of each person individually |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Philadelphia, Pennsylvania (Philadelphia) | April 2014 | Mayoral Executive Order | • Will honor ICE detainer where the alien has a prior conviction for a first or second degree felony offense involving violence and the detainer is accompanied by a judicial arrest warrant<br>• Order also prohibits notice to ICE of the pending release of subjects of interest to ICE unless the above criteria is met |
| Yamhill County, Oregon (Seattle) | April 2014 | County Sheriff's Office Decision | • Will not honor ICE detainer without court order or warrant |
| Napa, California (San Francisco) | February 2014 | Napa County Sheriff's Office | • A deputy should consider the seriousness of the offense, community safety, potential burden on ICE, and the impact on the immigrant community when determining whether or not to notify ICE. |
| Yuba, California (San Francisco) | January 2014 | Yuba County Jail Manual | • The Yuba County Sheriff's Department will no longer accept ICE detainers for foreign born arrestees. |
| California | January 2014 | Trust Act | • On January 1, 2014, California's AB 4, also known as the Trust Act, went into effect, specifying that local law enforcement agencies need only honor ICE detainers for aliens who meet at least one of the following criteria:<br>o Specific serious or violent felony conviction;<br>o Felony conviction punishable by state imprisonment;<br>o Specific sexual crimes conviction;<br>o Misdemeanor conviction within the past five years for a crime that is punishable as either a misdemeanor or a felony, or conviction at any time of a felony for specified offenses<br>o Federal conviction that meets the definition of aggravated felony;<br>o Outstanding federal felony arrest warrant as identified by ICE;<br>o Arrested and taken before a magistrate on a serious or felony charge other than domestic violence and warranting a probable cause finding; or<br>o Currently registered in the California Sex and Arson Registry. |
| Connecticut | January 2014 | Trust Act | • Law enforcement agencies will honor ICE detainers if an individual is:<br>o Convicted of a felony,<br>o Subject to pending criminal charges, has an outstanding arrest warrant,<br>o Identified gang member, among other criteria<br>• Additionally, Local law enforcement agencies will not enforce ICE Detainer Requests solely on the basis of a final order of removal, unless accompanied by a judicial warrant, or past criminal conviction, unless the conviction is for a violent felony. |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| King County, Washington (Seattle) | December 2013 | Ordinance 2013-0285 ICE Detainer Ordinance | • Convicted of a homicide at any time in the past;<br>• Convicted of a violent, serious, sex, or serious traffic offense within the past 10 years; or<br>• Released from prison after serving sentence for violent, serious, sex, or serious traffic offense conviction, among other criteria<br>• Accompanied by criminal warrant |
| Newark, New Jersey (Newark) | July 2013 | Newark Police Department General Order 13-04 | • Will not honor ICE detainer |
| Washington, DC (Washington DC) | July 2012 | Immigration Detainer Compliance Amendment Act of 2011 | • Requires written agreement from ICE reimbursing costs in honoring detainer; and that the alien is:<br>o Convicted of a dangerous crime;<br>o Convicted of a crime of violence within the last 10 years;<br>o Convicted of a homicide; or<br>o Released in the past five years for these crimes |
| Chicago, Illinois (Chicago) | July 2012 | Municipal Code of Chicago Chapter 2-173-005 and 2-173-042 | • Has an outstanding criminal warrant;<br>• Convicted of a felony;<br>• Is a defendant in a criminal case where a judgment has not been entered and a felony charge is pending; or<br>• Identified as known gang member |
| Milwaukee, Wisconsin (Chicago) | June 2012 | Resolution 12-135 | • Convicted of at least one felony or two non-traffic misdemeanor offenses;<br>o Convicted or charged with any domestic violence offense or any violation of a protective order;<br>o Convicted or charged with intoxicated use of a vehicle;<br>o Is a defendant in a pending criminal case;<br>o Has an outstanding criminal warrant;<br>o Identified as known gang member; or<br>o Is a possible match on the US terrorist watch list |
| Amherst, Massachusetts (Boston) | May 2012 | Bylaw Regarding Sharing of Information with Federal Agencies | • To the extent permissible by law, will not honor immigration detainer requests |
| Santa Cruz County, California (San Francisco) | May 2012 | Board of Supervisors Resolution | • Will not honor detainer unless individual convicted of serious or violent felony |
| Providence, Rhode Island | March 2011 | Resolution of the City Council | • The State of Rhode Island does not honor ICE detainers |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Santa Clara County, California (San Francisco) | October 2011 | County Resolution | • Will hold an additional 24 hour period after they would have otherwise be released as long as: (1) all costs incurred are reimbursed by ICE, (2) the individual is convicted of a serious or violent felony for which they are currently in custody, (3) the individual has been convicted of a serious felony in the past 10 years of the request or has been has been released after serving a sentence for a serious or violent felony within 5 years of the request, whichever is later. |
| Cook County, Illinois (Chicago) | September 2011 | Ordinance 11-0-73; Chapter 46 Law Enforcement, Section 46-37 of Cook County Code | • Requires written agreement from ICE reimbursing costs in honoring detainer |
| Taos County, New Mexico (El Paso) | January 2011 | Taos County Adult Detention Center Policies and Procedures | • Will only hold aliens with at least one felony or two or more misdemeanors |
| Lebanon County, Pennsylvania (Philadelphia) | August 2008 | County Correctional Facility's Policy | • Will not hold individuals solely on ICE detainers<br>• Will send weekly reports to ICE about newly incarcerated individuals, and allows ICE to access the facility and records |
| Hartford, Connecticut (Boston) | August 2008 | Article XXI - City Services Relating To Immigration Status (Ord. No. 20-08, 8-11-08) | • Will not arrest or detain a person based solely on their immigration status unless there is a criminal warrant |
| Clarion County, Pennsylvania (Philadelphia) | September 1997 | County Corrections Policy | • Will not hold individuals solely based on ICE detainer; requires legal and authorized commitment paperwork |
| Calaveras County, California (San Francisco) | Undated | Jail Policy | • Must be accompanied by federal warrant or judicial determination of probable cause to comply with hold but will notify ICE of release date. |
| Lake, California (San Francisco) | Undated | County Sheriff Decision | • Will not hold inmates in regards to their immigration status. |
| Glenn County, California (San Francisco) | Undated | Sheriff's Decision | • Requires an accompanying court order to honor detainer. |

| Jurisdiction (AOR) | Date Enacted | Policy | Criteria for Honoring Detainer |
|---|---|---|---|
| Mariposa, California (San Francisco) | Undated | Sheriff's Statement | • Mariposa County Sheriff's Office Custody Division does not hold or detain persons based exclusively upon a "detainer" or "hold request" issued by the U.S. Department of Immigration and Customs Enforcement (ICE). |
| Pike County, Pennsylvania (Philadelphia) | Undated | Correctional Facility's Standard Operating Procedures | • ICE detainers are not acceptable commitment paperwork nor can be used as a valid hold<br>• Has a contract with ICE to hold those who are in federal custody pending immigration proceedings |
| Sacramento County, California (San Francisco) | Undated | Sheriff's Statement | • Will not hold individuals past release date |

## Section IV: Report Scope and Data Fidelity

### Operational/Policy

1. Some field offices ceased issuing detainers to known uncooperative jurisdictions. ICE field offices have been recently instructed to issue detainers on all removable aliens in a LEA's custody. As a result, the number of issued detainers is expected to increase over the next several reporting periods.

2. Currently, uncooperative jurisdictions prevent ICE from knowing when an alien has been released from custody. Consequently, active detainers exist for aliens who are no longer incarcerated. The field offices are in the process of reviewing outstanding active ICE detainers, potentially affecting the list of jurisdictions listed in future reporting periods.

3. ICE field offices are also being instructed to update the criminal history information contained within ICE's records at the time of detainer issuance, as ICE does not normally enter criminality until it assumes custody post-processing. Hence, the list of crimes reported for aliens subject to detainers that are subsequently declined may be temporarily under-reported until this new change improves data quality.

4. At present, ICE does not document, in a systematically reportable manner, the immigration status of an alien at time of detainer issuance. ICE sends detainers to law enforcement agencies, which requests aliens be turned over to ICE prior to release, if ICE possesses probable cause to believe that the alien is removable from the United States.

### Statistical Reporting

5. ICE will update this report weekly, noting the time period for which it collected data. Data reflected will be 6 weeks past to ensure data integrity.

6. ICE compiled this report based on jurisdictions with detainers that were declined between February 4, 2017 and February 10, 2017, regardless of detainer issuance date. As such, the declined detainers may include a combination of I-247, I-247D, I-247N, and/or I-247X forms.

7. This report should not be considered an exclusive factor in determining a jurisdiction's level of cooperation with and support of ICE or the law enforcement community.

8. The I-247N form and some I-247X forms requested that the LEA provide notice to ICE as early as possible, or as early as practicable before the subject is released from LEA custody (at least 48 hours). This notification is intended to allow ICE time to respond and take custody of the alien where resources may not be instantly available. This report may reflect instances in which the LEA may have technically provided notification to ICE in advance of an alien's release, but where the LEA did not provide sufficient advance notification for ICE to arrange the transfer of custody prior to release due to geographic limitations, response times, or other logistical reasons. In these instances ICE records the detainer as declined by the LEA.

9. This report does not, nor does it intend to create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; contractors or any other person.