Policy Code No. 6.02
Reference:
PA Code No. 95.222(a) 1
Effective Date: September 25, 2008
Review Date: June 4, 2014
Revision Date: June 30, 2014
UNIT: Records
SUBJECT: Detainer Processing

I. POLICY

In an effort to develop a consistent and effective method of processing detainers which include outstanding charges in other jurisdictions, bench warrants, parole violations, etc., the following procedure is hereby adopted We believe this confirms continuation of Northampton County's cooperation with ICE and provides mechanisms to limit the County's liability exposure.

II APPLICABILITY

This policy is applicable to all persons who are employed by or contracted by the Northampton County Department of Corrections.

III. PROCEDURE

A. Upon a detainer being received through the mail, personal service, faxed, via computer, or any other means, said detainer is to be time stamped and **print** your full name by the employee receiving same. This includes victim notification detainers.

B. All pertinent information shall then be entered in the Jail Management System on the "detainer" screen, and a detainer alert generated. The original copy that is received must be clearly stamped with a stamper provided for this purpose, and placed in the inside left section of the individual inmate's file folder. A second copy will be given to the inmate and the appropriate data entered on the Jail Management System detainer screen. A third copy shall be given to the Classification Division.

C. Upon a detainer being satisfied, the employee receiving the document and lifting the detainer must verify the document's validity with the issuing agency. This process will ensure that the document received is legitimate and that the releasing jurisdiction no longer requires the inmate to be detained. The releasing information must then be entered in the Jail Management System on the "detainer" screen. At this time the "detainer" alert may be removed. Copies of the releasing document must then be processed as listed in Paragraph "B" of this policy. These copies must be time stamped and **print** your full name.

D. Immigration, and Customs Enforcement Detainers (ICE)

1. I.C.E. detainers received via the ICE confirmed the process set forth below. The confirmed the 48 hour pick up or notification if they cannot comply. ICE shall be required to provide 24 hour contact info to the D.O.C. The information will be forwarded directly to the Intake Administrator who shall disseminate same to the appropriate parties.

2. The D.O.C. shall confirm when it is received. The D.O.C. shall continue with the process of informing ICE via email, fax, phone call and through the use of NCP Form Number NCP-354.

3. ICE detainers themselves have contact information for the defendants to use if they question the detainer. The officer on duty will ensure that the inmate will have access to the phones to use the contact number.

4. General ICE detainer protocols:

   a. ICE obtains a list of new inmates.
   b. ICE reviews the list to determine who they wish to interview.
   c. ICE interviews the inmates in person and they obtain a new set of fingerprints.
   d. ICE runs the fingerprints through their own database which has a broader spectrum than the local law enforcement database.
   e. If ICE confirms US citizenship – no further action is taken.
   f. If ICE receives a hit on their database or has a good faith belief the inmate is undocumented, they issue a detainer.
   g. Once the inmate is set for release, NCP notifies ICE and will pick up the inmate **within 48 hours**.
   h. In the event, 48 hours expires, and ICE has not arrived to pick up the inmate, inclusive of weekends and holidays, the inmate shall be release from our jurisdiction.
   i. The protocol does not permit ICE to lodge a detainer solely on the request of a law enforcement agent.

5. Additional information is:

   a. If the defendant claims US citizenship, the information gathered during the interview is sent to ICE's in house counsel in Washington DC for a determination. The Agents no longer make the determination if there is a claim of citizenship.

b. If the defendant's fingerprints "hit" on a database, ICE contacts the local entity and informs the agency of the hit. Then the interview process begins.

c. NCP officials can contact ICE through a 24 hour /7 days a week if an inmate is questioning the detainer or citizenship. Should an inmate raise concerns or if NCP has questions, the phone number(s) shall be used to confirm the status of the detainer and the inmate.

d. The new protocol requires ICE to confirm status before lodging a detainer, and it provides the county with access to raise concerns which may develop. However, should an inmate complain of his claimed status, NCP officers shall contact ICE via the contact lines as soon as possible.

6. Additional contact numbers:

ICE Command Center
Philadelphia, PA
6AM-6PM
215-656-7079

ICE Law Enforcement Support
802-872-6020

By: _____
Director/Warden