



**CROWLEY COUNTY DETENTION FACILITY
GENERAL ORDER 1-22**

IMMIGRATION DETAINERS (ICE)

I. POLICY

The Crowley County Detention Facility will not comply with the directives of Federal Regulation 8 C.F.R. 287.7 (d), regarding Immigration Detainer requests (Form I-247) or Federal Administrative Warrants issued pursuant to 8 C.F.R. 236.1 (b) (Form I-200) requesting the detention of inmates for I.C.E.

II. PURPOSE

The purpose of this policy is to provide written guidance and procedures for immigration issues within detention and law enforcement operations.

III. PROCEDURE

Upon receiving an official detainer by fax, CJIS or other official means of a citizen of national citizenship other than the United States, the person receiving the information will make official notation. ICE can be notified as to official date of release information and an official notation will be present indicating such action.

Any person of foreign nation citizenship who is being held at the Crowley County Detention Facility pursuant to community charges upon the proper release from the custody of the Sheriff by court order will not be detained for detainers but only official arrest warrants signed by a person in judicial review.

Detainers and administrative warrants without judicial review are not enough to prevent a person from being released. Effort will be made to notify federal authorities of pending official release and usually at least five working days in advance where possible but releasing the person shall not be impeded.

Bond/Bail

A person who makes bond or bail shall not be prevented from release upon review of accuracy as to the bond or bail. Only official warrants/detainers by a court can prevent the release of certain person (s). As of May 14, 2014, ICE detainers and administrative warrants and/or orders are not enough to prevent the proper bail and bond of person (s).

Detention Reporting

ICE will be notified immediately upon arrest of a foreign national. If party can make bond, ICE will be advised they have two hours to respond to pick up the party (booking and bonding time).

Some detentions of a foreign national must be made known to a consulate to satisfy the requirement of Consular Notification; a separate policy is in place for such notifications.

CROWLEY COUNTY I.C.E. INTERVIEW RIGHTS FORM

I, _____, am an inmate in the
(Print inmate's name)

Crowley County Detention Facility. An agent of ICE has made a request to interview me

___ In person ___ Via telephone. I understand that I have the following rights regarding this interview:

I have made my first appearance in court for local charges. _____ YES _____ NO

I was advised of my constitutional rights at that appearance. _____ YES _____ NO

I understand that I may refuse to talk with an agent of ICE. _____ YES _____ NO

I understand that I have a right to speak to an attorney first. _____ YES _____ NO

Having received this information, I choose:

_____ To speak with the ICE agent. _____ Not to speak with the ICE agent.

(Inmate's signature)

(Date)

(Deputy's signature)

(Date)

Instructions for completing this form:

- Advise inmate that an agent of ICE requests to speak with them.
- Present this form to the inmate and explain it outlines his/her rights regarding speaking with ICE.
- Print inmate's name in the space provided.
- Check if the request is in person or via telephone.
- Instruct the inmate to initial the space next to their responses (yes or no).
- Instruct the inmate to sign and date .