**Lincoln County Sheriffs Office**
**Policy and Procedures Manual**                    **J620**

**Subject: Arrestee Immigration Status**
**Written:** 8/19/2009
**Reviewed:**  12/11/2013
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**Policy:** It is the Policy of the Lincoln County Jail to comply with State and Federal Laws regarding Immigration, and it is the duty each deputy to assist.

**Source:**     Colorado Revised Statues 29-29-103

**Summary:**
        Because Lincoln County Detention staff lack the time, training, and expertise to make full and official inquiries and determination concerning an arrestee's immigration status, the Sheriff's Office will comply with statutory requirements by adhering to the following practices:

**Procedure:**
- Detention Staff will inquire as to an arrestee's Place of Birth as part of the normal booking process and custody report. All individuals who report a place of birth other than the United States of America will be reported to Immigration Customs Enforcement (ICE). ICE agents, who do have the expertise, Data, and Training to determine Immigration Status will make the determination as to the Arrestee's Immigration Status. **Note**: *An individual arrested for domestic violence is NOT to be reported to ICE until such time as the arrestee is convicted of a domestic violence offense*.
- If ICE has been Notified but no detainer issued, and arrestee is bonding. Lincoln County Jail will not hold arrestee after Bonding.
- If an arrestee that ICE has requested a detainer has been sentenced to the County Jail, ICE will be notified of the arrestee's release date and time. Once the sentence is completed, the arrestee will be released, whether ICE agents respond or not to the Lincoln County Jail.  The

Lincoln County Jail will not hold an inmate on an immigration hold alone.

- The Immigration Contact/Arrest Book must be filled out by Jail Staff.

- Detention Staff will notify anyone bonding an inmate as to their immigration status. Staff will also inform the person posting the bond there is a chance the bond may be forfeited if the inmate is deported.