



Pierce County

Sheriff of Pierce County

930 Tacoma Avenue South
Tacoma, Washington 98402

Daniel H. Ragsdale, Acting Director
U.S. Department of Homeland Security
Immigration and Customs Enforcement
500 12th Street SW
Washington D.C. 20536

Re: *Miranda-Olivares v. Clackamas County*

Dear Director Rasgdale:

According to the recent above-named Federal court decision finds that it is a violation of the Fourth Amendment of the Constitution to detain an inmate based solely on an immigration officer's issuance of an immigration detainer (DHS Form I-247). An ICE determination that "there is reason to believe the individual is an alien subject to removal from the United States" or that ICE has "initiated an investigation to determine whether the inmate is subject to removal from the United States" lacks probable cause to detain beyond the completion of criminal charges.

Therefore, I must inform you that the Pierce County Jail will not honor an Immigration Detainer unless there is an independent judicial finding of probable cause to hold an inmate who is otherwise eligible for release, including release on bail. It is my intention to cooperate with ICE detainers to promote public safety, national security, and border security missions.

The Pierce County Jail will honor requests for detention where there exists (1) a judicial warrant of arrest for removal proceedings; or (2) a court order of deportation or removal. In the case of a warrant, South Sound 911 staff must be able to verify the warrant through a records check before the inmate will be detained for ICE. Similarly, if a court order exists, rather than a warrant, jail staff must be provided with a copy of the order of deportation/removal.

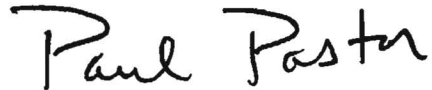
Please note that my Department will distinguish between judicially authorized warrants/orders and administrative warrants/orders, and will not honor the latter in connection with an immigration detainer. Administrative warrants would not satisfy the Federal court decision issued in Oregon.

Again, it is my intention to cooperate with ICE detainers to promote public safety, national security, and border security missions. However, I cannot honor an immigration detainer that a Federal court has held would violate an individual's civil rights. Hence I wish to clarify the need for a judicial finding of probable cause to extend an inmate's custody beyond that which has been ordered in his/her criminal case.



If you have questions or concerns, please do not hesitate to call me, 253/798-7258.

Sincerely,

A handwritten signature in black ink that reads "Paul Pastor". The letters are cursive and fluid, with a large initial "P".

Paul A. Pastor
Sheriff of Pierce County

Cc: Seattle Docket Control Office
Immigration & Customs Enforcement
12500 Tukwila International Blvd
Seattle, WA 98168

Rob Masko
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