



SEDGWICK COUNTY SHERIFF'S OFFICE

Randy L. Peck
SHERIFF

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DIRECTIVE

Date: June 16th, 2014

To: All Personnel

From: Sheriff Peck

Subject: ICE Detainers, Administrative Warrants

Due to recent case law in the Federal Courts In Oregon and Pennsylvania, the Sedgwick County Sheriff's Office has looked at the paperwork dealing with ICE and their Administrative Warrants. I have talked with other Sheriff's from across the State and have reviewed the ACLU letter and its contents. I have talked with several attorney's.

I believe that these Detainers and Administrative Warrants are not subject to Judicial review, which, conflicts with Colorado State Law; CRS 16-3-102 and also CRS 16-1-104 (18). We will no longer be honoring these requests from ICE unless they have a statement of probable cause and are signed by magistrate or a judge.

Effective immediately, the following directive will apply to all personnel at the Sedgwick County Sheriff's Office:

1. SCSO **WILL NOT** hold or detain any person In our jail based solely upon an ICE Detainer or an Administrative Warrant (I-200).
2. SCSO personnel will continue to notify ICE that suspected illegal immigrants are in custody in our jail by the IAQ process.
3. Once a person has completed their time in custody or have posted bond, the inmate is free to leave. ICE will be notified, as soon as possible of the expected release date of any inmate that has an ICE detainer or Administrative Warrant (I-200).
4. SCSO **WILL** detain any person if we are presented with a Federal Warrant that has been signed by a Federal Judge or Magistrate. Warrants received through NCIC are presumed to

meet this legal threshold. Any ICE warrant received through NCIC must be located and confirmed prior to execution of the warrant.

5. In the event that ICE agents are requesting an interview with an inmate, the inmate will be given the opportunity to refuse or consent to the interview.
6. SCSO WILL continue to cooperate with a Federal Law Enforcement agencies as long as the requests conform with Colorado Law.

