

Thurston County, WA change to ICE detainer policy

This directive was issued by the Jail Commander Todd Thoma on 4/23/2014 under the direction of Sheriff John Snaza.

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On Friday April 11, 2014 a US District Court Magistrate Judge issued a ruling/determination, in the state of Oregon (Miranda-Olivares v. Clackamas County), that ICE 48 Hour Detainer Requests are simply that, requests, and not a mandate. In her conclusion, the Judge ruled that Clackamas County violated the defendant's civil rights when she was held in their custody solely on an ICE detainer request following her release on local charges.

Because of this recent ruling, and until further notice, the Thurston County Sheriff's Office/Corrections Bureau will no longer book and/or enter into our jail management system (ATIMS), ICE 48 Hour Detainer Requests.

We will continue to follow the same previously established booking processes of notifying ICE, as it relates to those subjects identified as being born outside the United States. However, if a detainer request is received from ICE it will simply be placed in the subject's booking file and not entered into ATIMS as an outside jurisdictional hold. These detainer requests will simply be considered informational documents and will not preclude the release of any defendant from custody on bail, personal recognizance (PR) or time served. If a defendant is being transferred to another jurisdiction, a copy of the detainer request will accompany them, and the receiving jurisdiction(s) can determine whether they wish to honor it.

We have identified approximately nine persons currently in our custody with existing ICE 48 Hour Detainer Requests. Based on this directive, these holds will be dropped from ATIMS and the requests to remain in their files.