



ORANGE COUNTY SHERIFF'S DEPARTMENT

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SHERIFF-CORONER
SANDRA HUTCHENS

OFFICE OF THE SHERIFF

June 12, 2014

Field Office Director David W. Jennings
SAC Los Angeles
501 West Ocean Boulevard, Suite 7200
Long Beach, California 90802-4213

Dear Mr. Jennings,

I am writing to advise you that, based on the federal court decision of *Miranda-Olivares v. Clackamas County*, the letter dated February 25, 2014, from Acting ICE Director Daniel H. Ragsdale to Congressman Adam Smith, and the advice of County Counsel, effective Monday, June 16, 2014, the Orange County Sheriff's Department (OCSD) will no longer hold inmates with ICE detainers beyond their scheduled release date, absent a judicial determination of probable cause, a warrant of arrest, or other judicial order accompanying the ICE detainer. For those inmates with ICE detainers, OCSD will make all reasonable efforts to notify ICE when the inmates are scheduled for release or become eligible for release. ICE may take custody of the inmate so long as it occurs during OCSD's release process and does not require additional detention of the inmate by OCSD.

I appreciate and value our ongoing partnership with Immigration and Customs Enforcement and I intend to continue our inmate screening process as part of the 287g program. Unfortunately the decision not to hold inmates with ICE detainers was made after careful deliberation, and all possible alternatives to avoid this result were explored. However, the case authority and ICE's public position in the above-referenced letter that detainers are "not mandatory as a matter of law," has required this outcome so as to avoid significant liability exposure to the County of Orange. Please contact me or Assistant Sheriff Steve Kea if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sandra Hutchens".

Sandra Hutchens
Sheriff-Coroner

SH/bf