



Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

LORENZO DUEÑAS
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

May 7, 2014

Craig Meyer
Assistant Field Office Director
Office of Enforcement and Removal Operations
Immigration and Customs Enforcement
U.S. Department of Homeland Security
630 Sansome Street, Room 590
San Francisco, CA 94111

Re: ICE Immigration Detainers

Dear Mr. Meyer,

The Sonoma County Sheriff's Office is evaluating its policy and practice of honoring immigration detainers issued by the United States Immigration and Customs Enforcement ("ICE") in light of some recent court orders on that subject. (See, e.g. *Galarza v. Szalczyk*, Case No. 12-3991 (Third Circuit, March 4, 2014) and *Miranda-Olivares v. Clackamas County*, Case No. 02317-ST (United States District Court, Portland, Oregon, April 11, 2014)). These court orders clarify that ICE immigration detainers are non-mandatory requests only and that local law enforcement agencies are free to disregard ICE detainers. More importantly, these court orders suggest that local law enforcement agencies may be exposed to potential civil rights actions for honoring ICE detainers absent a showing of probable cause for the detention.

Therefore, please be advised that the Sonoma County Sheriff's Office will no longer honor ICE immigration detainers, in compliance with the Trust Act, unless ICE presents proof that it has probable cause for the detention, for example by providing an arrest warrant.

If you would like to discuss possible other methods of providing probable cause, I would be happy to meet. Please contact me at (707)-565-2781 to schedule a meeting or if I can answer any further questions.

Sincerely,

STEVE FREITAS
Sheriff-Coroner

SF:pb