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Date: July 31, 2014
To: All Detention Supervisors
From: U/S B. Beauchamp 
Reference: ICE Detainers (Form I-247)

We have been recently advised by attorneys for the Florida Sheriff's Association to no longer hold inmates based solely on an ICE Detainer. According to a recent court ruling, the Form I-247 executed by an ICE Agent does not constitute probable cause to continue to hold the inmate once their local charges have been resolved. The court found that the inmate was the victim of false arrest and the Detention Center and Sheriff were liable for damages.

The purpose of this Memo is to advise you to follow this legal advice. Whenever you become aware that an inmate with an ICE Detainer is going to become eligible for release on local charges (bonded, Nolle Pros, time served, etc.), you should make every effort to notify ICE of the impending release and give them the opportunity to provide additional documentation (preferably signed by a Federal Magistrate) that authorizes us to continue to hold the inmate.

If you have any questions about the sufficiency of documentation provided by ICE, please contact your Lieutenant and or the Command Staff. Please be prepared to scan and e-mail the documents that you need to discuss.

Thank you for your cooperation in this matter.

CC: Command Staff