




LEON COUNTY SHERIFF'S OFFICE
Directing Memorandum

DATE: August 21, 2014
TO: All LCSO Staff
FROM: Major Robert Long 
RE: ICE Detainers

MESSAGE

It is the policy of the Leon County Sheriff's Office that no inmate in the Leon County Jail will be held pursuant to detainer requests from U.S. Immigration and Customs Enforcement (ICE) Agents. These administrative requests, such as the I-200 or I-247, are not orders from a court and do not require probable cause to support the individual's detention. As such, courts have determined it may be unconstitutional to detain an individual based solely on such a request. However, inmates will be held when there is a signed order from a judge requiring the inmate's detention.

When an inmate has been held on local charges or under other lawful conditions and is scheduled for release, jail staff shall look into the inmate's file and review the comment section for any immigration holds. If there is a signed immigration order from a judge, the inmate will be detained pursuant to the terms of the court order. If it is determined that the inmate only has an administrative hold request from an ICE Agent, the following steps will be taken:

1. ICE will be notified immediately of the inmate's anticipated release date and time to enable ICE to receive the inmate upon his/her release;
2. The notification will be made via a single e-mail to the following three email addresses: gerald.r.powers@ice.dhs.gov; roger.mas@ice.dhs.gov; and shane.kyle@ice.dhs.gov;
3. If a TTY address is available, a teletype will also be sent; and
4. Copies of the correspondence will be placed into the inmate's file for scanning.

Staff shall not wait on ICE to arrive before releasing the inmate. No inmate will be detained for any period beyond the time otherwise required to facilitate the inmate's release. That is, no inmate shall be held for any period of time when there is only an administrative hold request from an ICE Agent. Therefore, early ICE notification is essential to provide ICE with sufficient time to respond and take custody of the individual.

Please contact my office should you have any questions regarding this directive.