



CHELAN COUNTY REGIONAL JUSTICE CENTER

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Directive 2014 - 001

The Chelan County Jail has received and understood ICE detainers as commands from the Department of Homeland Security, pursuant to 8 C.R.F. § 287.7, that we hold in custody the person named in the detainer. The fact that the detainer contains both language of request and command has led to conflicting interpretations as to whether the immigration detainers provide legal authority for the continued custody of the person named in the detainer.

Recently, in a case involving the Clackamas County Sheriff's Office, *Miranda-Olivares v. Clackamas County, U.S. Magistrate Judge Stewart* clarified this issue. In her decision, Judge Stewart concluded that the immigration detainers are "requests" and that the detainers do not, without more; provide the necessary legal basis referred to as probable cause, for the County Jail to hold the named person in custody.

Effective Immediately:

As a result of this decision, review and legal advice from Chelan County Prosecutor Douglas Shae, the Chelan County Jail shall immediately cease to hold individuals in custody when the only authority for such custody is a request contained in a DHS ICE immigration detainer.