PRESS RELEASE

IN RESPONSE TO MULTNOMAH COUNTY SHERIFF

We Protest: Multnomah County Sheriff’s Office Must Put Community Safety First and Not Comply with ICE “Hold Requests”

Faith and labor groups, immigrant and civil rights groups join together in opposition to a December 20, 2012 statement by Multnomah County Sheriff’s office. In this statement, Sheriff Dan Staton says that his hands are tied and he has no discretion “in deciding whether or not to comply with immigration, or ICE, holds. The regulation as written is mandatory….”

At issue is whether the Multnomah County jail officials must comply with a request by the federal Immigration and Customs Enforcement to hold people so that ICE can take custody of these individuals regardless of whether there are pending criminal charges. A central concern of community groups that are opposed to enforcement of ICE holds is that the threat of this action inhibits people from cooperating with local law enforcement. People fear any contact with the police, even if they have been the victim of a crime.

Other jurisdictions across the country have policies that allow local law enforcement the discretion of enforcing the immigration holds from ICE. In California, Governor Brown has stated that he believes federal immigration agents should not “coerce” local agencies into detaining people. And California Attorney General Kamala Harris as publicly stated “The federal government cannot mandate that these chiefs and sheriffs hold onto immigrants because of the request for detainer. The police chiefs and sheriffs have it within their discretion — within their authority — to honor that request or not.”

In California, Santa Clara, San Francisco and Los Angeles counties have decided that the safety of their community trumps the requests from immigration authorities to hold people so they can be deported. Across the country, in places like New York City, Cook County (Illinois), Taos (New Mexico) and Washington DC, localities have enacted policies to limit the use of ICE holds in their jails.

Immigration and Customs Enforcement and the Department of Homeland Security memos also clarify that ICE Holds are optional: ICE Assistant Director David Venturella stated that hold requests are optional. And DHS Office of Civil Rights and Civil Liberties Briefing Video on “How to Respond to an Immigration Detainer” (2012) at states that “the immigration detainer is a formal request to temporarily detain . . . aliens . . .”). In answer to the question “Is an ICE detainer a request or a requirement?” The answer: “It is a request. There is no penalty if they [local law enforcement] don’t comply.”

---

Given that other jurisdictions have agreed to put community safety before requests from ICE, community groups in Multnomah County question why the Sheriff’s office believes what our local ICE officials say is “the law.” It should be in our local law enforcement’s interest to put community safety first and not comply with the ICE hold requests.

“We will continue to push for a change in policy using all resources at our disposal,” pledges Bob Brown, speaking for local faith groups and several member organizations of the ACT Network for Justice and Dignity.

###