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Multnomah County

Board supports Sheriff's policy on immigration holds

Thursday, 4/4/13 - 2:53 pm



Sheriff Dan Staton addresses the board on Thursday, April 4. He was joined by, from left, Drew Brosh of the Sheriff's Office; Francisco Lopez Of Causa; and Guillermo Maciel of Chair Cogen's Office

The Board of County Commissioners has unanimously approved a [resolution](#) supporting Multnomah County Sheriff [Dan Staton's](#) decision to stop complying with federal immigration holds for low-level offenders in county jails.

The board's action at its regular meeting April 4 supports the change in policy taking effect April 15.

People suspected of undocumented immigration and taken into custody by the county Sheriff's Office have been jailed for up to 48 hours on behalf of Immigration Customs and Enforcement (ICE), the investigative branch of the U.S. Department of Homeland Security. These 48-hour holds, called I-247 detainers, keep people in jail even after they have been cleared of their booking charges and are normally enforced no matter the allegation.

Chair Jeff Cogen expressed his concern at the board meeting over the impact of enforcing immigration detainers for ICE on Multnomah County and its residents.

"Oregon law makes it clear that local governments are not to be involved in immigration enforcement," Cogen said. "This is because for local governments to be successful in carrying out their mission of protecting public safety and providing health and human services, we need to have good, strong, trusting relationships with the community. And immigration law in particular, because of the threat of forcible deportation, is very likely to cause fear in communities."

Immigration holds are part of a larger program called Secure Communities. Under Secure Communities, the FBI will, in many cases, take information it receives on people in custody from state and local law enforcement and share it with ICE. ICE then takes this information and checks it against immigration databases to determine whether a person is legally in the country, or has a criminal

conviction. Based on what the cross-checks reveal, ICE can then take enforceable action, including detention and deportation.

Sheriff Staton told the board that the Multnomah County jail system only has a total of 1310 jail beds to serve a county population of about 745,000 people.

"In many circumstances because we're holding people who have committed low-level crimes for the federal government," Cogen said, "we're forced to release other people who have been brought in for higher, more dangerous crimes."

During the public testimony portion of the board meeting, Kayse Jama from the [Center of Intercultural Organizing](#) shared the story of a 19-year-old Somali man who ended up being sent to the Northwest ICE Detention Center in Tacoma after not being able to afford MAX fare.

"He ended up riding the MAX line two or three times because he could not afford the fare," Jama said. "The first two times he was given a ticket. The third time he was put in Multnomah County jail and then put on an ICE hold."

"He was shipped to Tacoma. It took me more than two months to release him," Jama added. "His family is here. His mother is in Colorado. His father is in Portland. He has no connection to Somalia. His country is war-torn. He could not be sent back to Somalia."

Under the new policy being implemented by the Multnomah County Sheriff's Office, people suspected of undocumented immigration will only be held for ICE if they have been charged with a felony, a Class A - Person Misdemeanor or if ICE can demonstrate through an affidavit that an individual poses a threat to public safety based on previous, non immigration-related, convictions or current charges relating to:

- violence, threats, or assaults
- sexual abuse or exploitation
- driving under the influence of alcohol or a controlled substance
- unlawful possession of firearm or other deadly weapon
- the distribution or trafficking of a controlled substance

If the person was charged with low-level misdemeanors, including non-person A misdemeanors, or if the ICE detainer is issued based solely on immigration charges or convictions, the Sheriff's Office will no longer hold individuals for ICE after their booking charges have been cleared.

"We need to work hard to rebuild trust with our officers," testified Pedro Sosa of the [American Friends Service Community](#). "This doesn't only affect the immigrant community, it affects the entire community, in terms of public safety."

[Click here to read a FAQ on Secure Communities, immigration detainers and Multnomah County.](#)

[Click here to view the Multnomah County Sheriff's Office protocol fact sheet.](#)

[Click here to view Resolution NO. 2013-032: In support of Multnomah County Sheriff's Office revised plan for 1-247 immigration detainers.](#)

Preguntas Más Frecuentes

"Secure Communities", Ordenes de retención de inmigración y del Condado de Multnomah
(Coming soon)

Protocolo del Chérif del Condado de Multnomah para Ordenes de Detención de Immigrantes

(Coming soon)

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