

MCSO's Protocol for I-247 Detainers

FACT SHEET

A. MCSO will comply with I-247 detainer requests, when an individual is booked in our County Jail with a charge for a:

- Felony as defined by ORS,
- Class A - Person Misdemeanor as established by the Oregon Criminal Justice Commission - OAR §213-003-001(15);

Or when ICE:

- Presents a warrant of arrest from removal proceedings,
- Presents an order for deportation or removal from the United States;

Or when ICE presents an affidavit attesting to:

- A felony conviction or a non immigration related felony charge,
- Three or more misdemeanor convictions,
- A prior misdemeanor conviction or current charge for an offense involving:
 - violence, threats, or assaults,
 - sexual abuse or exploitation,
 - driving under the influence of alcohol or a controlled substance,
 - unlawful possession of a firearm or other deadly weapon,
 - or the distribution or trafficking of a controlled substance;
- A significant risk to national security, border security, or public safety;
- Initiated removal proceedings and a Notice to Appear.

B. MCSO will not comply with I-247 detainer requests for individuals, who only:

- Have been convicted of illegal entry pursuant 8 U.S.C. § 1325;
- Have illegally re-entered the country after previous removal or return (felony);
- Have been found by an immigration officer or an immigration judge to have knowingly committed immigration fraud.