



April 7, 2017

Dear Jefferson County Community,

Illegal immigration is understandably a concern for many citizens and I am occasionally asked “Why is Jefferson County a sanctuary county?” My response is simple: It is not.

Jefferson County has been unfairly and inaccurately labeled a “sanctuary county” by advocacy groups and as non-cooperative by the federal government for my decision to decline U.S. Immigration and Customs Enforcement’s (ICE) requests to hold certain foreign-born inmates beyond their release dates. ICE holds are signed by an immigration official rather than a judge and without a *judicially authorized warrant*, holding an inmate beyond his or her release date violates the Fourth Amendment’s protection against unlawful seizure. Through its ICE hold requests, the same governing body that created our Constitution is asking me and all local sheriffs to violate the nation’s founding principles as well as the oath we took when sworn into office.

In recent years, many jurisdictions across the country have been successfully sued for detaining an individual at the behest of ICE. In 2009, the JCSO held an inmate beyond his release date at the request of ICE and we were subsequently successfully sued by the ACLU on behalf of that inmate. Repeatedly, the courts have ruled that local sheriffs have no authority to hold arrestees without a *judicially approved warrant*.

In 2016, we reported to ICE that 1,109 foreign-born inmates were booked into the Jefferson County Detention Facility. ICE indicated interest in 94 of those individuals, but did not present a single judicially authorized warrant on any of them.

The Department of Homeland Security, which has oversight of ICE, recently began publishing weekly Declined Detainers Outcome Reports (DDOR) that are replete with errors, specifically where Jefferson County is concerned. For its January 28 – February 3 report, DHS condemned Jefferson County for three declined detainer requests at the Broomfield Detention Center, located in *Broomfield* County. In its February 4 – February 10 report, DHS cited us for declining an ICE detainer for an inmate who was actually picked up by ICE at our facility the same day he bonded out. *Because* we notified ICE, an immigration officer was able to take him into custody upon release. DHS claims we did not provide ample notification even though we alerted ICE as soon as we learned a judge had authorized bond for the inmate during a court advisement hearing.

Contrary to these erroneous reports, we cooperate with ICE to the full extent of the law. Every day we provide ICE a list of foreign-born individuals in our custody and we notify ICE when a foreign-born individual is booked into our jail. We provide qualifying inmates’ names, dates of birth, places of birth, physical descriptions, charges, and arrest and booking

dates and times. We also enter detainee fingerprints into the Colorado Bureau of Investigation database, which is shared with the FBI and ultimately ICE.

If ICE indicates interest in an inmate based on the information we provide, we provide space for an immigration officer to conduct an investigative interview. We notify ICE of inmate transfers as well as pending releases, allowing time for immigration officers to take an inmate into custody upon release if ICE has probable cause to believe the individual has violated immigration law.

It is our policy to cooperate with all federal law enforcement agencies – the FBI, DEA, ATF, *and* ICE – to the extent compliance does not exceed my authority as sheriff or violate the Constitution. When we receive a judicially authorized warrant to detain a suspected illegal alien, we honor those orders, rare as they are.

The Jefferson County Sheriff's Office exists to protect, serve, and enforce. We do this with integrity, excellence, and respect, and no degree of pressure will deter me from fulfilling my oath of office to protect our constitutional freedoms.

Sincerely,



Jeff Shrader, Sheriff
Jefferson County Sheriff's Office

JEFF SHRADER, SHERIFF
