



Clark County Sheriff's Office Written Directive

NEW ORDER **XX** ADDENDUM REVISION NUMBER: **22-13G**
OPERATIONAL ORDER **XX** SPECIAL ORDER PERSONNEL ORDER
DATE ISSUED EFFECTIVE DATE CANCELLATION DATE
April 12, 2022 **April 12, 2022**

TO: **All CCSO Staff**
WRITTEN BY: **Jim Hansen, Sheriff's Administration Manager**
AUTHORIZED BY: **John Chapman, Undersheriff**
SUBJECT: **Civil Immigration Warrants/Detainers; Local enforcement of federal immigration law is prohibited by WA State law**
REFERENCE/
PURPOSE: **Compliance with Washington's "Keep Washington Working" Act regarding birthplace, immigration, and citizenship status**

The following policies are implemented as result of our agency being contacted by the WA Attorney General's Office, regarding our compliance with, or lack thereof, with state laws involving immigration enforcement.

Local enforcement of federal immigration law is prohibited by WA State law. Persons held, detained or otherwise in the custody of Clark County Sheriff's Office are entitled to, and shall be provided, the same services, benefits, privileges, rights, opportunities, and resources regardless of their nationality, or immigration or citizenship status.

1. Civil immigration warrants, hold requests, and immigration detainer requests do not establish probable cause and shall not be the basis for any Deputy Sheriff or Corrections Deputy to arrest, detain, or otherwise hold any person in custody.
2. If agency personnel receive a court order or judicial warrant authorizing any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, to assume custody of an in-custody individual, such personnel

shall immediately contact their supervisor or manager to determine the appropriate course of action.

- A. Before authorizing any arrest, detention, or hold, the supervisor or manager shall confirm or cause to be confirmed that the federal criminal arrest warrant is issued and signed by a U.S. District Court Judge or Magistrate Judge authorizing the holding or detention of the individual by:
 - i. Obtaining a copy of the warrant;
 - ii. Identifying the criminal charge and citation to the federal law violation for which the warrant was issued;
 - iii. Identifying which U.S. District Court issued the warrant;
 - iv. Verifying that the warrant includes the correct date and location for detention; and
 - v. Confirming that a U.S. District Court Judge or Magistrate's signature is on the warrant.
 - B. The supervisor/manager or their designee shall not disclose the location of the agency personnel or individual to any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, before or during the warrant confirmation process.
3. The federal government, not the Clark County Sheriff's Office, has primary jurisdiction over the enforcement of federal immigration law. Removal of persons from the United States, including investigations and arrests made as part of that process, is a civil matter overseen by federal immigration authorities. The Clark County Sheriff's Office recognizes that unauthorized presence in the United States, standing alone, is not a violation of state or local law. The immigration or citizenship status of an individual or an individual's presence in, entry or reentry to, or employment in the United States alone is not subject to enforcement by the Clark County Sheriff's Office or its personnel. The Clark County Sheriff's Office shall presume any federal immigration authority acting on official duty to be engaged in immigration enforcement, unless determined otherwise.
 4. Clark County Sheriff's Office personnel shall not initiate or participate in any law enforcement action based solely on an individual's immigration or citizenship status, or place of birth, or in any other way attempt to enforce or assist in the enforcement of federal civil immigration laws or policies.