



Bedford County Correctional Facility

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TO: Supervisors  
FROM: A. Henderson  
Deputy Warden  
SUBJECT: ICE Detainers

8 C.F.R. 287.7 authorizes Immigration and Customs Enforcement Agency (ICE) agents to issue a detainer for the purpose of advising a local law enforcement agency that ICE is interested in a person in the custody of such agency, and to request that the agency hold that person for up to 48 hours, excluding weekends and federal holidays, after the person is otherwise entitled to be released for the criminal justice system; however in *Galarza v. Szalczk*, No. 12-3991, the U.S. Court of Appeals for the Third Circuit ruled that detainers issued under 8 C.F.R. 287.7 are not mandatory orders, but merely nonbinding requests.

Because of *Galarza v. Szalczk*, No. 12-3991, the Bedford County Correctional Facility will no longer hold inmates solely on ICE detainers. If an ICE agent places a detainer on an inmate incarcerated in the BCCF the records officer is to contact ICE and inform them of a probable release date and that Bedford County will not hold them without a court order authorized by a judge.

cc. Warden, Captain, Lieutenants, Sergeants, File