



THE COUNTY OF CHESTER



COMMISSIONERS
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November 14, 2014

THOMAS L. WHITEMAN
County Solicitor

Jennifer Lee
Sheller Center for Social Justice
Temple University Beasley School of Law
1719 N. Broad Street
Philadelphia, PA 19122

Re: Right To Know Request dated
October 10, 2014

Dear Ms. Lee:

You have made a Right To Know Request for "any document, correspondence, or public record concerning immigration detainers, also known as Immigration, Customs, and Enforcement ("ICE") detainers". Please find Chester County Prison's written policy in that regard. If you have any questions concerning this matter please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "T. Whiteman", written over a horizontal line.

Thomas L. Whiteman, Solicitor
Open Records Officer

TLW:s
enclosure



Chester County Prison

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Policies and Procedures

Subject: Immigration and Customs Enforcement (ICE) Detainers

Supersedes: All executive orders and related memoranda

Date: 05/01/14

Purpose: To define how Chester County Prison (“CCP”) will process a detainer from the Immigration and Customs Enforcement Agency (“ICE”), a part of the Department of Homeland Security. ICE detainers are issued pursuant to the authority of 8 C.F.R. Section 287.7 and are requests to detain suspected illegal aliens. The Third Circuit’s decision in Galarza v. Szalczyk (3d Cir., March 4, 2014) has necessitated this policy.

Policy:

CCP will allow ICE agents access to daily population reports and other records for investigative purposes.

CCP will accept ICE detainers served by ICE agents on a suspected illegal alien.

CCP will not detain individuals or maintain continuing custody solely based on an ICE detainer. When the detained subject is due for release from CCP, CCP staff will notify ICE that the subject is being processed for release and ICE may take appropriate action. If ICE agents do not respond to assume custody or contact cannot be made, then the subject is to be released from CCP custody.