



**For Immediate Release**

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## **Yakima County to Stop Detaining Individuals Based on ICE Warrants**

Yakima County entered a settlement agreement yesterday, February 6, 2019, resolving the claims brought against it in *Sanchez-Ochoa*. This follows up on a judgment entered against Yakima County in the related case of *Olivera*. After more than a year of litigation challenging Yakima County's use of immigration holds, Yakima County jail will change its policy on cooperation with U.S. Immigration and Customs Enforcement (ICE). This change in policy follows challenges to the county's practice of holding individuals in county custody on an immigration hold past the time they are otherwise eligible for release from jail, violating the U.S. Constitution by infringing on the Fourth Amendment right to be free from unreasonable seizures.

Columbia Legal Services and the Northwest Immigrant Rights Project (NWIRP) represented individuals, in both *Sanchez* and *Olivera*, who were unable to post bail or not released after paying bail, because of the immigration hold placed upon them under Yakima County's former policy. Under the old policy, county officials entered an immigration hold any time federal immigration officers sent them an administrative "warrant." When the individual was then otherwise entitled to be released on the state charge the county continued to hold the person by designating them as being placed under ICE custody.

"Jails in Yakima County and across the nation cannot deny a person's constitutional right to liberty unless the government has demonstrated probable cause," said Alfredo Gonzalez, an attorney with Columbia legal Services. **"Local law enforcement doesn't need to violate the Constitution and the rights of individuals to make our communities safer."**

In the settlement agreement, the county commits that:

- Yakima County will no longer prolong the detention of persons otherwise eligible to be released from county custody in response to request from immigration authorities;
- Yakima County will cease making “electronic” transfers to immigration custody and will release people from county custody when they are entitled to release;
- Yakima will no longer publish civil immigration warrants or detainers on the county jail’s website, but will confirm when an individual is being held under the contract with federal authorities;
- Yakima County agreed to pay a total of \$25,000 in damages and fees in *Sanchez-Ochoa*; and
- In addition, Yakima County paid \$157,000 in damages and fees in *Olivera*

Yakima County continues to have a contract with federal authorities which permits it to hold people for immigration purposes when those individuals are physically presented by immigration officers. Judge Salvador Mendoza, Jr. previously found the federal contract did not permit the County to administratively transfer individuals into ICE custody.

**“I wanted to make a difference for other people like me” said Mr. Antonio Sanchez Ochoa.** The result of these challenges does make a difference to individuals who find themselves in county custody and could have wide implications as local jurisdictions adopt similar policies across the country. The number of people who are turned over to ICE from Yakima county custody is likely to decline, because the county will no longer be accepting administrative forms to detain individuals and must release people when they are able to pay their bond.

“We believe this is an important step forward,” said Matt Adams, legal director for NWIRP. **“City and County officers are not authorized to enforce immigration laws and may not hold people just because immigration officials ask them to do so.”**

**Northwest Immigrant Rights Project** has defended and advanced the rights of immigrants in Washington State since 1984 through direct legal services, systemic advocacy, and community education. [www.nwirp.org](http://www.nwirp.org)

**Columbia Legal Services** advocates or laws that advance social, economic, and racial equity for people living in poverty. [www.columbialegal.org](http://www.columbialegal.org)

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