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Federal Court Rules Tukwila Police Officers Violated Constitution by Detaining and Arresting Tukwila Resident Based on an ICE Administrative Warrant

Seattle, WA – Yesterday, a federal court in Washington State ruled that Tukwila Police Department (TPD) officers violated the Fourth Amendment in arresting Wilson Rodriguez Macareno after he called 911 for help. After releasing the trespassing suspect, TPD officers instead arrested Mr. Rodriguez when they learned from a law enforcement database that Immigration and Customs Enforcement (ICE) had issued an administrative warrant for Mr. Rodriguez. Mr. Rodriguez, who is represented by the Northwest Immigrant Rights Project (NWIRP), brought a civil rights action against Defendants in federal court.

U.S. District Judge Richard Jones ruled that local law enforcement officers are prohibited from stopping or detaining an individual for suspected civil immigration violations. Judge Jones concluded that in detaining and arresting Mr. Rodriguez based on an administrative ICE warrant, Tukwila officers unlawfully seized Mr. Rodriguez. The order leaves open the possibility that two of the officers will face punitive damages for their actions. Body camera footage shows that following Mr. Rodriguez’s arrest, one police officer shared a witness’s information with ICE, despite having no indication about that individual’s immigration status. And as Judge Jones observed, video footage included additional details that may demonstrate animus. The case may now proceed to trial to determine the damages owed to Mr. Rodriguez.

The federal court found that while the officers violated Mr. Rodriguez’s constitutional rights and are liable for the unlawful arrest, the City is not independently liable because there is not sufficient evidence to demonstrate the officers acted pursuant to an official policy or longstanding practice. Nonetheless, the court noted that “Plaintiff’s encounter supports an inference that the City’s training on civil immigration violations is severely negligent, and in need of serious reform.” Indeed, in response to Mr. Rodriguez’s arrest, the Tukwila City Council passed an ordinance forbidding TPD officers from detaining individuals based on ICE administrative warrants. Nevertheless, Plaintiff argued that the TPD has failed to fully implement that policy and that TPD issued a directive that allowed officers to detain individuals based on ICE administrative warrants while consulting with TPD leadership about whether to order an arrest. However, yesterday’s decision makes clear that police officers may not detain individuals to investigate civil immigration matters.

“I am very happy with the court’s decision,” said Wilson Rodriguez Macareno. “I called the police because I felt unsafe in my home, and I wanted to protect my family. But instead I was arrested and made to feel unsafe by the police, who are supposed to help. I hope that this case helps other immigrants to be able to call the police safely without fearing that they might be arrested.”

“This decision makes clear that local law enforcement officers may not arrest those they come in contact with because of alleged immigration violations,” said Matt Adams, legal director for NWIRP. “These types of actions not only expose police departments to liability, but even more importantly, dramatically erode their ability to work effectively with the communities they serve.”

Links to key documents in the case can be found below:

Yesterday’s decision can be found [here](#)

Plaintiff’s motion for summary judgment can be found [here](#)