



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Details (With Text)

File #:	14-4636	Version:	1	Name:	
Type:	Ordinance Amendment	Status:		Filed	
File created:	8/8/2014	In control:	Legislation and Intergovernmental Relations Committee		
On agenda:	1/18/2012	Final action:	11/19/2014		
Title:	PROPOSED ORDINANCE AMENDMENT				

COB #316311

AN AMENDMENT TO POLICY FOR RESPONDING TO ICE DETAINERS

Submitting a Proposed Ordinance Amendment sponsored by Peter N. Silvestri and John P. Daley, County Commissioners.

Sec. 46-37. Policy for responding to ICE detainees.

(a) The Sheriff of Cook County shall may decline ICE detainer requests unless there is a written agreement with the federal government by which all costs incurred by Cook County in complying with the ICE detainer shall be reimbursed.

(b) Unless ICE agents have a criminal warrant, or county officials have a legitimate law enforcement purpose that is not related to the enforcement or immigration laws, ICE agents shall not be given access to individuals or allowed to use county facilities for investigative interviews or other purposes, and county personnel shall not expend their time responding to ICE inquires or communicating with ICE regarding individuals' incarceration status or release dates while on duty.

(c) (b) There being no legal authority upon which the federal government may compel an expenditure of county resources to comply with an ICE detainer issued pursuant to 8 USC § 1226 or 8 USC § 1357(d); tThere shall be no expenditure of any County resources or effort by on-duty County personnel for this purpose, except at the discretion of the Sheriff of Cook County or as expressly provided within this Ordinance.

(d) (c) Any person who alleges a violation of this Ordinance may file a written complaint for investigation with the Cook County Sheriff's Office of Professional Review.

(e) (d) Nothing in this Section shall prohibit, or be construed as prohibiting, the Sheriff of Cook County from identifying and reporting any person pursuant to state and federal law or regulation who is in custody after being booked for the alleged commission of a felony and is suspected of violating the civil provisions of any state or federal laws. In addition, nothing in this Section shall preclude any county department, agency, officer, or employee from reporting or cooperating with an ICE request for information regarding an individual who has been convicted of a felony committed in violation of the laws of the State of Illinois.

Effective Date: This Ordinance Amendment shall be effective immediately upon adoption.

Sponsors: PETER N. SILVESTRI, JOHN P. DALEY

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/19/2014	1	Board of Commissioners	receive and file	
11/19/2014	1	Legislation and Intergovernmental Relations Committee	recommend for receiving and filing	Pass
1/18/2012	1	Board of Commissioners	refer	

PROPOSED ORDINANCE AMENDMENT

COB #316311

AN AMENDMENT TO POLICY FOR RESPONDING TO ICE DETAINERS

Submitting a Proposed Ordinance Amendment sponsored by Peter N. Silvestri and John P. Daley, County Commissioners.

Sec. 46-37. Policy for responding to ICE detainees.

(a) The Sheriff of Cook County ~~shall~~ may decline ICE detainer requests unless there is a written agreement with the federal government by which all costs incurred by Cook County in complying with the ICE detainer shall be reimbursed.

(b) ~~Unless ICE agents have a criminal warrant, or county officials have a legitimate law enforcement purpose that is not related to the enforcement or immigration laws, ICE agents shall not be given access to individuals or allowed to use county facilities for investigative interviews or other purposes, and county personnel shall not expend their time responding to ICE inquires or communicating with ICE regarding individuals' incarceration status or release dates while on duty.~~

(e) ~~(b) There being no legal authority upon which the federal government may compel an expenditure of county resources to comply with an ICE detainer issued pursuant to 8 USC § 1226 or 8 USC § 1357(d); ¶ There shall be no expenditure of any County resources or effort by on-duty County personnel for this purpose, except at the discretion of the Sheriff of Cook County or as expressly provided within this Ordinance.~~

(d) ~~(c) Any person who alleges a violation of this Ordinance may file a written complaint for investigation with the Cook County Sheriff's Office of Professional Review.~~

(e) (d) Nothing in this Section shall prohibit, or be construed as prohibiting, the Sheriff of Cook County from identifying and reporting any person pursuant to state and federal law or regulation who is in custody after being booked for the alleged commission of a felony and is suspected of violating the civil provisions of any state or federal laws. In addition, nothing in this Section shall preclude any county department, agency, officer, or employee from reporting or cooperating with an ICE request for information regarding an individual who has been convicted of a felony committed in violation of the laws of the State of Illinois.

Effective Date: This Ordinance Amendment shall be effective immediately upon adoption.