

ACLU-Ohio

Discrimination, Detention, and Deportation: Immigration & Refugees

<https://www.acluohio.org/en/news/no-legal-authority-ohio-jails-detain-immigrants>

Campaign and Advocacy

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While Americans of all political persuasions continue the debate about who enters this country and under what circumstances, an important development is taking place under the radar, away from the yelling.

For several years, local jails have cooperated with Immigration and Customs Enforcement (ICE) to screen all new prisoners. The jails send fingerprints to ICE, who then runs the prints through databases searching for violators of immigration laws. If ICE takes an interest in a prisoner, they oftentimes notify the jail to hold that person for up to 48 hours after their scheduled release while ICE determines if they want that person taken into federal custody.

Organizations like the ACLU have complained about this for years. After all, is anything more offensive to the Bill of Rights than when government keeps someone imprisoned with zero legal authority to do so?

A typical reply from those running the jails has been that they are required to keep these people for ICE. However, the past few months have proven otherwise.

Recently, two different federal courts ruled that detaining immigrants without any probable cause of being a danger, such as evidence they have committed a serious crime, is a violation of their constitutional rights. Furthermore, this litigation revealed that when ICE contacts local jails about an individual, that communication is a request - not a demand. As news of these court decisions spreads, advocates around the country have been busy notifying their local jails and authorities of this development. Suddenly, and as the numbers quickly increase, it has become difficult to keep track of counties, sheriffs, and cities around the U.S. refusing ICE's requests.

We want to make sure this good news does not pass up Ohio. For that reason, we just contacted several jails in Ohio to make sure this news is reaching them. I suspect this will not be the last you read or hear of this exciting effort.

Read our August 4, 2014 letters to county sheriffs in Ohio:

[Letter to Butler County Sheriff Richard K. Jones](#)

[Letter to Clark County Sheriff Gene A. Kelly](#)

[Letter to Cuyahoga County Sheriff Frank Bova](#)

[Letter to Franklin County Sheriff Zach Scott](#)

[Letter to Mahoning County Sheriff Jerry Greene](#)

[Letter to Montgomery County Sheriff Phil Plummer](#)

[Letter to Warren County Sheriff Larry L. Sims](#)

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