

EXECUTIVE ORDER NO. 1-14
POLICY REGARDING U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT AGENCY DETAINER REQUESTS

WHEREAS, immigrants make significant contributions to every facet of The City of Philadelphia's economic, educational and cultural life; and

WHEREAS, the purpose of detainer requests by the U.S. Immigration and Customs Enforcement Agency (ICE) under its "Secure Communities" program is to enhance ICE's ability to track and apprehend dangerous criminals who are in the country illegally; and

WHEREAS, the Secure Communities program shifts the burden of federal civil immigration enforcement onto local law enforcement, including shifting costs for detention of individuals in local custody who would otherwise be released; and

WHEREAS, a growing number of jurisdictions, including New York City, Cook County, Illinois, Newark and the State of California, have adopted policies of refusing ICE detainer requests when the individual in detention does not pose a serious risk to public safety;

NOW, THEREFORE, I, Michael A. Nutter, Mayor of the City of Philadelphia, by the powers vested in me by the Philadelphia Home Rule Charter, do hereby order as follows:

Section 1. No person in the custody of the City who otherwise would be released from custody shall be detained pursuant to an ICE civil immigration detainer request pursuant to 8 C.F.R. § 287.7, nor shall notice of his or her pending release be provided, unless such person is being released after conviction for a first or second degree felony involving violence and the detainer is supported by a judicial warrant.

Section 2. The Police Commissioner, the Superintendent of Prisons and all other relevant officials of the City are hereby required to take appropriate action to implement this order.

4/16/14
Date


Michael A. Nutter, Mayor