

THE HONORABLE RICHARD A. JONES

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

Wilson RODRIGUEZ MACARENO,

Plaintiffs,

vs.

Joel THOMAS, in his official and individual
capacities; Craig GARDNER, in his official
and individual capacities; Peter TIEMANN,
in his official and individual capacities;
Arthur STEPHENSON, in his official and
individual capacities; and CITY OF
TUKWILA,

Defendants.

No. 2:18-cv-00421 RAJ

**DECLARATION OF
ACLU-WA ATTORNEY
ENOKA N. HERAT**

I, Enoka N. Herat, declare that I am over the age of eighteen, have personal knowledge of the
matters stated therein, and am competent to testify thereto.

1. I am the Police Practices and Immigration Counsel with the American Civil Liberties
Union of Washington Foundation (ACLU-WA) and have been an attorney with the
ACLU-WA since March 2017. I am competent to make this declaration.

DECLARATION OF ENOKA N. HERAT
No. 2:18-cv-00421 RAJ – 1

AMERICAN CIVIL LIBERTIES UNION
OF WASHINGTON FOUNDATION
901 FIFTH AVENUE #630
SEATTLE, WA 98164
(206) 624-2184

- 1 2. As part of my work for the ACLU-WA, I have personal knowledge of the May 16,
2 2017 letter that was sent by ACLU-WA and signed onto by 50 organizations
3 throughout the state of Washington to all law enforcement agencies, as well as city
4 and county council members, throughout Washington State, including to the Tukwila
5 Police Department. The content of the letter is attached as Exhibit A to this
6 Declaration. Our office files contain a spreadsheet listing all the law enforcement
7 agencies who received the same letter. The Tukwila Police Department is listed on
8 that spreadsheet of agencies who received the same letter as Exhibit A; the letter was
9 emailed to the Tukwila Police Department at policechief@tukwilawa.gov. Our
10 records also list a few agencies for whom the letter bounced back due to problems
11 with the e-mail address, but the Tukwila Police Department was not on that list.
12
- 13 3. As part of my work for the ACLU-WA, I have personal knowledge of the January 22,
14 2018 letter that was sent by ACLU-WA and the Northwest Immigrant Rights Project
15 (NWIRP) to all law enforcement agencies, as well as city and county council
16 members, throughout Washington State, including to the Tukwila Police Department.
17 The content of the letter is attached as Exhibit B to this Declaration. Our office files
18 contain a spreadsheet listing all the law enforcement agencies who received the same
19 letter. The Tukwila Police Department is listed on that spreadsheet of agencies who
20 received the same letter as Exhibit B; the letter was emailed to the Tukwila Police
21 Department at policechief@tukwilawa.gov. Our records also list a few agencies for
22 whom the letter bounced back due to problems with the e-mail address, but the
23 Tukwila Police Department was not on that list.
24
25
26

1 4. On October 29, 2018, ACLU-WA filed a Motion for Leave to File Amicus Curiae
2 Brief in this case, together with the proposed Amicus Curiae Brief.

3 I declare under penalty of perjury under the laws of the state of Washington that the
4 foregoing is true and correct.

5 DATED this 7th day of January, 2019.

6
7 Respectfully submitted,

8 By: 

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EXHIBIT A

ENOKA HERAT
POLICE PRACTICES & IMMIGRANT
RIGHTS COUNSEL



May 16, 2017

Via Electronic Mail

Re: Declining Involvement in Federal Immigration Enforcement

Dear Official:

The current federal administration seeks to compel local jurisdictions to directly participate in federal immigration enforcement. The ACLU-WA along with 50 organizations write today to commend you for practices you maintain that limit involvement with immigration enforcement. We urge your agency to continue to decline honoring ICE detainers, refuse to inquire into immigration status, and reject making 287(g) agreements. These practices promote public safety and fairness for all Washingtonians. We provide you with the following information to help you respond to potential pressure to change these policies. We also write to offer our support in efforts to refine your policies and practices to comply with the United States and Washington State Constitutions.

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JEAN ROBINSON
BOARD PRESIDENT

KATHLEEN TAYLOR
EXECUTIVE DIRECTOR

Local enforcement of immigration law undermines public safety and is costly.

Choosing to engage in federal immigration enforcement results in clear, negative consequences to public safety and local resources, and increases liability risk. A study of police officers from across the country and across the political spectrum, found that local enforcement of federal immigration laws resulted in an increase in racial profiling, increased fear in immigrant communities, and the undermining of trust between law enforcement and the communities they serve.¹ When local police are viewed as an extension of the immigration system, noncitizens are less likely to report crime or appear as witnesses,² making us all less safe. Many in law enforcement recognize that crime solving relies on community trust and cooperation. As King County Sheriff Urquhart noted, if a community is afraid that contacting law enforcement will result in deportation, “[i]t’s going to hinder our ability to solve, not only minor, but very serious crimes.”³

Furthermore, studies consistently show that “immigrants commit crimes at lower rates than native-born citizens.”⁴ As the libertarian Cato Institute’s study found, “[a]ll immigrants are less likely to be incarcerated than natives relative to their shares of the population,” including undocumented immigrants.⁵ Additionally, immigration enforcement commonly targets individuals who pose no threat to public safety. In the first three months of 2017, Immigration and Customs Enforcement (ICE) arrested over 5,000 noncitizens without any criminal history.⁶ Time spent engaging in federal immigration enforcement does not advance public safety goals.

Participating in immigration enforcement comes at a cost. The federal government does not reimburse the costs of local resources used to collaborate in immigration enforcement. Expending scarce local resources compromises the ability of local governments to meet the needs of their community. Additionally, such enforcement exposes a jurisdiction to costly litigation. Agencies can both save money and prioritize public safety by declining to participate in immigration enforcement. A recent study, analyzing the federal government's own data, showed positive outcomes in jurisdictions that do not enforce immigration laws. Jurisdictions that choose not to hold people for ICE have lower rates of crime, poverty, and unemployment.⁷ In addition to a safer community, these reflect the economic benefits of law enforcement building trust in local communities.

ICE detainers are voluntary and honoring them risks liability for Fourth Amendment Violations.

In 2014, the court in *Miranda-Olivares v. Clackamas County*,⁸ found the county liable for damages for holding Ms. Miranda-Olivares pursuant to an ICE detainer (form I-247). Numerous other courts have followed suit.⁹ An ICE detainer is a written request that local law enforcement detain an individual for an additional 48 hours after s/he would otherwise be released so that ICE may take custody of the person. The *Miranda-Olivares* Court found that the ICE detainer lacked probable cause or a judicial warrant, and thus that the County had detained Ms. Miranda-Olivares in violation of the Fourth Amendment. Following the decision, the vast majority of counties in Washington rightly changed their policies, refusing to honor ICE detainers absent a judicial warrant supported by probable cause.

On March 24, 2017, Thomas D. Homan, the Acting Director of ICE issued a revised ICE detainer (form I-247A) and a directive providing guidance on the issuance of ICE detainers.¹⁰ The “new” ICE detainer contains boilerplate assertions of probable cause that fail to meet the standards of particularity necessary to satisfy the Fourth Amendment. The directive advises ICE agents to have probable cause when issuing a detainer. However, ICE’s definition of “probable cause” is not the one that the criminal justice system uses: probable cause found by a neutral judge that a crime has been committed. The directive also requires ICE agents to include an administrative “warrant”— which also does not require judicial review.

The new ICE detainer and directive are written in disregard of current case law. The *Miranda-Olivares* decision makes clear that individuals cannot be held in custody under ICE detainers without a *judicial* warrant to justify detention that extends beyond the custody necessary for a criminal case. In spite of clear case law to the contrary, ICE incorrectly suggests that detainers accompanied by administrative ICE warrants (form I-200 or I-205) provide the necessary documentation to hold a person. ICE “warrants” are not criminal warrants and do not satisfy the Fourth Amendment’s warrant requirement because they are not signed or reviewed by a neutral judicial officer; rather, they are issued by ICE itself. ICE agents alone determine whether probable cause exists, and sign their own warrants. Therefore, these documents

continue to lack a judicial finding of probable cause or a judicial warrant, requirements for compliance with the Fourth Amendment. Honoring the new ICE detainer thus remains unconstitutional.

We agree with the Washington State Sheriff's Association that "[t]he public expects [a law enforcement agency] to enforce the law while obeying the law."¹¹ ICE cannot compel a law enforcement agency or jail to act unconstitutionally by honoring an ICE detainer. Despite the revised detainer and directive, any policy by your agency that allows detention without a judicial probable cause finding or a warrant signed by a judge is in violation of the Fourth Amendment and would give rise to a claim for damages pursuant to 42 U.S.C. § 1983. Requiring a judicial warrant before honoring a detainer is a practice that is in full compliance with federal law.

Washington has rejected 287(g).

Local law enforcement agencies in Washington do not have the authority to make stops or arrests for suspected immigration violations. Federal officials are the only law enforcement agents responsible for arresting and detaining individuals for civil immigration violations, unless those duties have been specifically delegated under a 287(g) program.¹² The 287(g) program is a voluntary partnership that deputizes local law enforcement to carry out ICE duties, without the same level of training that federal agents receive, and without federal funds to cover all of the expenses incurred. No local law enforcement agency in Washington has entered into a 287(g) partnership. These agencies should continue to carry out their primary duty of upholding public safety first, rather than starting down the path of expensive, unnecessary, and damaging agreements with the federal government to enforce immigration law. Studies have shown that these 287(g) agreements are ineffective and undermine public safety.¹³

Questioning people on their immigration status can violate the Washington Constitution.

The Washington Constitution prohibits prolonged detention for questioning related to immigration status. In 2013, a Superior Court in *Ramirez-Rangel v. Kitsap County*,¹⁴ declared that Article I, Section 7, of the Washington State Constitution is violated when state law enforcement officers prolong a detention to question individuals about their immigration status or to investigate an individual's immigration status. This is because state and local law enforcement officers do not have authority to enforce federal immigration law, and therefore may not prolong a detention to question those they have stopped about their country of origin, immigration status, or citizenship status. Even when officers have reasonable suspicion or probable cause to seize someone for a valid reason unrelated to immigration enforcement, they are constitutionally forbidden from extending a detention to interrogate the detainee about his or her immigration status. Moreover, doing so creates confusion in the community and erodes trust in local law enforcement.

Declining involvement in immigration enforcement does not violate federal law.

A federal court in California has recently enjoined the federal government from acting on its threats to withdraw funds from so-called “Sanctuary Cities.”¹⁵ The Administration has labeled jurisdictions that decline enforcement of immigration law as “sanctuary jurisdictions” and has threatened to strip federal funding based on an alleged violation of 8 U.S.C. 1373.¹⁶ This is meant to coerce local police force involvement in federal immigration enforcement. Under the Tenth Amendment, local governments cannot be commandeered to enforce federal immigration laws. Nothing in federal law compels compliance with ICE requests such as detainers or requests for notification of release dates.¹⁷ A federal Court agrees; the threat of withdrawing federal funding is unfounded.

The best policy is to place local communities and the Constitution first.

Rejecting the call to engage in immigration enforcement is in the best interest of local communities and of your agency. In order to preserve the Constitutional rights of all persons in Washington, we strongly recommend the adoption of policies that place local communities first and limit involvement in federal immigration enforcement. This includes requiring judicial warrants in order to honor ICE detainers, refusing to inquire into immigration status, and declining to participate in the 287(g) program. Local law enforcement agencies also have the power to enhance community safety by avoiding other forms of engagement in immigration enforcement. Notifying ICE of an individual’s release date or home address, can itself prolong someone’s detention and sow distrust in the community. Additionally, local law enforcement agencies can establish policies that alert individuals at booking that they have a right to refuse in-custody interviews by ICE agents, and where the individual provides written refusal (on boilerplate forms), honor such requests and decline ICE’s request to interview such persons.

We remain a resource for any additional information you may need on these immigration-related matters. We can also assist in the drafting and development of policies that formalize an appropriate set of rules on these issues (e.g. policies that limit inquiries by police regarding immigration status).

Please do not hesitate to contact us if you have any questions. Thank you for your time and consideration.



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Diane Narasaki, Executive Director, Asian Counseling and Referral Service
Marcos Martinez, Executive Director, Casa Latina
Rick Eichstaedt, Executive Director, Center For Justice
Reverend Shelly Fayette, Christ Episcopal Church, Seattle
Michael Ramos, Executive Director, Church Council of Greater Seattle
Kelsen Caldwell, Organizing Collective Member, Coalition of Anti-Racist Whites
Sandy Restrepo, Executive Director, Colectiva Legal del Pueblo
Antonio Ginatta, Policy Director, Columbia Legal Services
John Burbank, Executive Director, Economic Opportunity Institute
Estela Ortega, Executive Director, El Centro de la Raza
Rev. Paul Benz, Co-Director, Faith Action Network
Ximena Velázquez-Arenas, Co-founder, Greater Seattle Neighborhood Action Coalition
Ray Garrido, Legal Services Director, Kitsap Immigrant Assistance Center
Kelly Vomacka, Attorney, Law Office of Kelly Vomacka
Erin L Lovell, Executive Director, Legal Counsel for Youth and Children
Fernando Mejia, Organizer, Main Street Alliance of Washington
Jorge L. Barón, Executive Director, Northwest Immigrant Rights Project
Rich Stolz, Executive Director, OneAmerica
Melanie Henry, Member, Pacific Northwest Esoteric Leadership Group
Lisa Daugaard, Director, Public Defender Association
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Robby Stern, President, Puget Sound Advocates for Retirement Action
Mahnaz Eshetu, Executive Director, Refugee Women's Alliance
Elena Perez, Director, Restaurant Opportunities Center - Seattle
Kristina Hoeschen, Administration Director, Sea Mar Community Health Centers
Sarah Bishop, Commissioner, Seattle Human Rights Commission
Dori Cahn, Commissioner, Seattle Immigrant and Refugee Commission
Adam Glickman, Secretary-Treasurer, SEIU Local 775
Tom Small, President-UW Chapter, SEIU Local 925
Jim Williams, Education Secretary for the Coordinating Committee, South Sound Democratic Socialists of America

Christopher J Koehler, Director, St. James Cathedral Immigrant Assistance
 Nancy Farrell, Chair, Social Justice Committee, Tahoma Unitarian-
 Universalist Congregation
 David Huneryager, Director of Legal Services, TeamChild
 Pedro E. Olguin, Organizer, Teamsters Local 117
 Viral Shah, Trustee, UAW Local 4121
 Todd Crosby, President, UFCW Local 21
 Indira Trejo, Global Impact Coordinator, United Farm Workers of America
 Steffani Powell, Attorney, U.S. Immigration & Naturalization
 Law/Strengthening Sanctuary Olympia
 Annie Benson, Senior Directing Attorney, Washington Defender Association
 Kim Mead, President, Washington Education Association
 Tamaso Johnson, Public Policy Coordinator, Washington State Coalition
 Against Domestic Violence
 David Morales, Commissioner, Washington State Commission on Hispanic
 Affairs
 Eric Gonzalez Alfaro, Legislative & Policy Director, Washington State Labor
 Council, AFL-CIO
 Paula Lukaszek, President, WFSE Local 1488
 Maddy Vonhoff, President, What's Next

¹ Doris Marie Provine et al., *Policing Immigrants, Local Law Enforcement on the Front Lines* (2016).

² Nik Theodore, *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*, http://www.policylink.org/sites/default/files/INSECURE_COMMUNITIES_REPORT_FINAL.PDF (May 2013).

³ Sheriff John Urquhart, King5 News, <http://www.king5.com/news/politics/raw-sheriff-urquhart-on-trump-immigration-order/393696427> (January 26, 2017).

⁴ Nazgol Ghandnoosh et al., *Immigration and Public Safety* p. 5, <http://www.sentencingproject.org/wp-content/uploads/2017/03/Immigration-and-Public-Safety.pdf> (March 2017).

⁵ Michelangelo Landgrave & Alex Nowrasteh, *Criminal Immigrants: Their Numbers, Demographics, and Countries of Origin*, https://object.cato.org/sites/cato.org/files/pubs/pdf/immigration_brief-1.pdf (March 15, 2017).

⁶ Maria Sacchetti, *ICE immigration arrests of noncriminals double under Trump*, https://www.washingtonpost.com/local/immigration-arrests-of-noncriminals-double-under-trump/2017/04/16/98a2f1e2-2096-11e7-be2a-3a1fb24d4671_story.html?hpid=hp_rhp-more-top-stories_no-name%3Ahomepage%2Fstory&utm_term=.419163f25d29 (April 16, 2017).

⁷ Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/> (January 26, 2017).

⁸ No. 3:12-cv-02317-ST (D. Or. April 11, 2014)

⁹ *Morales v. Chadbourne*, 996 F. Supp. 2d 19 (D.R.I. 2014) aff'd in part, dismissed in part, 793 F.3d 208, 215- 216 (1st Cir. 2015) (finding that detaining someone beyond their release date is an arrest under the Fourth Amendment and that ICE detainees lack probable cause); *Vohra v. United States*, 2010 U.S. Dist. LEXIS 34363 (C.D. Cal. 2010). *Galarza v. Szalczyk*, 745 F.3d 634, 641 (3d Cir. 2014) (recognizing that local law enforcement agencies are free to disregard detainees and cannot use them as a defense of unlawful detention). *See also*, *Harvey v. City of New York*, No. 07-0343 (E.D.N.Y. filed Jan. 16, 2007) (settled for money damages); *Cacho v. Gusman*, No. 11-0225 (E.D. La. filed February

2, 2011) (same); *Quezada v. Mink*, No. 10-0879 (D. Co. filed Apr. 21, 2010) (same); *Ramos-Macario v. Jones*, No. 10-0813 (M.D. Tenn. filed Aug. 30, 2010) (same).). *Buquer v. Indianapolis*, 797 F. Supp. 2d 905, 918-19 (S.D. Ind. 2011) (preliminary injunction), aff'd in *Buquer*, No. 1:11-cv-00708, 2013 WL 1332158, at *10 (permanently enjoining Indiana state law that allowed local jails to detain based on immigration holds, finding that it violates the Fourth Amendment because, among other reasons, "[t]here is no mention of any requirement that the arrested person be brought forthwith before a judge for consideration of detention or release).

¹⁰ Thomas D. Homan, U.S. Dept. of Homeland Security, *Policy Number 10074.2: Issuance of Immigration Detainers by ICE Immigration Officers*, <https://www.ice.gov/sites/default/files/documents/Document/2017/10074-2.pdf> (March 24, 2017).

¹¹ Mark Nelson, *Washington State Sheriff's Association Press Release*, http://lewiscountywa.gov/sites/default/files/users/lcso/2017_0331%20Final%20Media%20Release%20Letter%20on%20ICE_msn.pdf (March 31, 2017).

¹² 8 USC § 1357.

¹³ See Doris Marie Provine et al., *Policing Immigrants, Local Law Enforcement on the Front Lines* (2016).

¹⁴ No. 12-2-09594-4 (Wash. Sup. Ct., Aug. 16, 2013).

¹⁵ *County of Santa Clara v. Trump*, 17-cv-00574 (N.D. Cal. April 25, 2017).

¹⁶ The Court confirmed that only three federal grant programs are conditioned on compliance with section 1373: Edward Byrne Memorial Justice Assistance Grant (Byrne JAG), Community Oriented Policing Services (COPS), and the State Criminal Alien Assistance Program (SCAAP). In the entire state of California, these grants account for a total of \$114 million. See, Sara Kimberlin, *Federal Funds for Sanctuary Cities Protected for Now – Though Limited Grants Could Still Be at Risk* <http://calbudgetcenter.org/blog/federal-funds-sanctuary-cities-protected-now-though-limited-grants-still-risk/> (April 28, 2017).

¹⁷ See also, Washington State Office of the Attorney General, *Guidance Concerning Immigration Enforcement* p. 5, <http://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Another/AGO%20Immigration%20Guidance.pdf> (April 2017).

EXHIBIT B

January 22, 2018

Via Electronic Mail

Re: Faulty Lexipol Policy Results in \$49,000 Settlement, Confirming Local Police Cannot Prolong Detention for Immigration Authorities

Dear Official:

The City of Spokane recently settled a federal lawsuit based on a police officer contacting Customs and Border Protection (CBP) and wrongfully detaining an individual until they arrived. The Northwest Immigrant Rights Project (NWIRP) and the ACLU of Washington represented the individual, Gabriel Gomez, in the lawsuit. The City has agreed to modify its policies to make clear that police officers “shall not contact, question, delay, detain or arrest an individual because s/he is suspected of violating immigration laws.” It has also agreed to train police officers on the new policies, and to pay \$30,000 in damages to Mr. Gomez and an additional \$19,000 in attorneys’ fees. The Settlement Agreement and the Modified Policy language can be found [here](#).

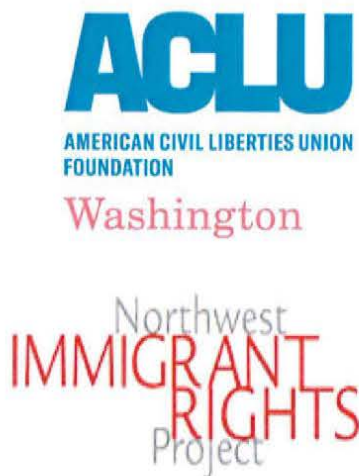
This information can help your jurisdiction avoid similar liability. We are available to consult with you as you refine your policies and practices to comply with the United States and Washington State Constitutions.

Police Officers in Washington Do Not Have Authority to Enforce Federal Immigration Law.

The court action stemmed from a traffic accident in which Mr. Gomez’s vehicle was struck by a minivan that failed to yield the right of way. The Spokane City police officer on the scene contacted immigration agents to inquire whether the agency had any interest in Mr. Gomez. The officer continued to detain Mr. Gomez at the scene of the accident until the Border Patrol arrived and took him into custody.

The lawsuit alleged that the police officer unlawfully detained Mr. Gomez for purposes of investigating his immigration status and prolonged his detention to assist federal immigration officers, in violation of the Fourth Amendment, the Washington Constitution, and the Washington Law Against Discrimination.

The U.S. Supreme Court has recognized that local police officers lack authority to arrest or detain individuals suspected of civil immigration violations. *Arizona v. United States*, 567 U.S. 387, 407 (2012). City and county police have no authority to enforce federal civil immigration violations because being undocumented is not a crime, and most



immigration violations are civil in nature. *Id.* It is also well-established that mere unlawful presence is insufficient to support a finding of probable cause of a federal immigration crime. *Id.* Under federal law, local officers may not perform “a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States.” 8 U.S.C. § 1357(g)(1). Although a local officer may perform such functions where the agency has been trained and certified through a “written agreement” under § 1357(g) (also known as “287(g) agreements”), no jurisdiction in Washington has agreed to participate in such an agreement.¹

Washington’s constitution also prohibits officers from questioning and detaining individuals based on immigration violations. In 2013, a Superior Court in Washington declared that Article I, Section 7, of the Washington Constitution prohibits local law enforcement officers from prolonging an otherwise lawful detention to question those they have stopped about their country of origin, immigration status, or citizenship status. *See Ramirez-Rangel v. Kitsap County*, No. 12-2-09594-4 (Wash. Sup. Ct., Aug. 16, 2013). Other courts have evaluated seizures and prolonged detentions based on perceived immigration violations as warrantless arrests. *See e.g., Lunn v. Commonwealth*, 78 N.E.3d 1143, 1155 (Mass., 2017). Washington law does not provide police officers with authority to effect warrantless arrests for federal civil immigration purposes. *See* RCW §10.31.100. There is simply no authority under Washington law for local police to detain someone based on perceived violations of federal immigration law.

Finally, the lawsuit alleged that the police officer’s actions were discriminatory. Here, the police officer called immigration authorities on Mr. Gomez, a Latino man, and prolonged his detention, but took neither action for the white driver. The Washington Law Against Discrimination protects all people in Washington State from discrimination based on race, color and national origin. Contacting immigration authorities based on one’s perceived national origin, race, or color violates Washington law.

Spokane Police Department’s Lexipol Policy Exposed the City to Liability.

The City of Spokane’s policies were based on a deficient Lexipol model immigration policy that unnecessarily exposed the City to liability.² The Lexipol policy incorrectly authorized officers to seize individuals and extend detentions for purposes of investigating and aiding in potential civil

¹ Studies have shown that 287(g) agreements are ineffective and undermine public safety. *See* Doris Marie Provine et al., *Policing Immigrants, Local Law Enforcement on the Front Lines* (2016).

² *See* <https://www.aclu-wa.org/docs/aclu-wa-annotated-lexipol-immigration-policy> and attached annotated Lexipol policy outlining its deficiencies.

immigration enforcement. The problems with the policy are compounded by the indemnity clause in Lexipol contracts, which requires local jurisdictions to pay the costs when the policy is found unlawful.

The Spokane Police Department has now adopted a new policy consistent with the U.S. and Washington Constitutions, and has agreed to train its officers accordingly. We urge your police department to update its policies, trainings, and guidelines to avoid similar liability.

We can be a resource for any additional information you may need on these immigration-related matters. We can also assist in the drafting and development of policies that formalize an appropriate set of rules on these issues (e.g. policies that limit inquiries by police regarding immigration status). Please do not hesitate to contact us if you have any questions. Thank you for your time and consideration.

Sincerely,



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Matt Adams
Northwest Immigrant Rights
Project
matt@nwirp.org
206-957-8611

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2019, I electronically filed the foregoing declaration and attached exhibit(s) with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Shannon M Ragonesi sragonesi@kbmlawyers.com
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And I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: None.

DATED this 8th day of January, 2019.

s/ Aaron Korthuis
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