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**PRESS RELEASE – FOR IMMEDIATE RELEASE**

**Orange City, Iowa; April 16, 2018**

**SIOUX COUNTY JAIL CHANGING POLICY TO COMPLY WITH STATE LAW**

Effective July 1, 2018, the Sioux County Sheriff's Office/Sioux County Jail will begin extending inmates' detention for up to 48 hours after a valid Immigration and Custom's Enforcement ("ICE") detainer request is made to the jail. This policy change results from forthcoming Iowa Code Chapter 825 requiring counties hold inmates subject to an ICE detainer request.

The jail has always detained inmates in connection to state crimes as well as after a judge has determined probable cause existed that such an inmate was subject to deportation. Prior to 2014, the jail also prolonged an inmate's detention for up to 48 hours after ICE asked the jail do so upon receiving an ICE detainer request.

However, in 2014, the jail ceased prolonging an inmate's detention, based solely on an ICE detainer request, to avoid potential liability for violating the liberty interests of inmates. At the time, courts began holding that an ICE detainer request, without a judge's determination, did not authorize local jails to prolong an inmate's detention, and that jails could be liable for violating an inmate's Fourth Amendment rights, even though the jail was acting at the request of ICE.

In 2018, the Iowa legislature passed a law that will begin requiring county jails hold inmates subject to an ICE detainer request for up to 48 hours beyond the time they would otherwise be released. The new state law goes into effect on July 1, 2018.

Sioux County Sheriff Dan Altena, in consultation with Sioux County Attorney Thomas Kunstle, made the decision to change jail policy to conform to the requirements of the new state law.