



March 11, 2021

Jim Raymond
Franklin County Sheriff's Office
1016 N 4th Ave, D201
Pasco, WA 99301

Shawn Sant
Franklin County Prosecutor's Office
1016 N 4th Ave
Pasco, WA 99301

Stephen Sultemeier
Franklin County Jail
1016 N 4th Ave
Pasco, WA 99301

Matt Beaton
Franklin County Auditor's Office
1016 N 4th Ave
Pasco, WA 99301

Sent via email (3.11.2021)

**RE: Implementation of the Keep Washington Working Act
Cease Information Sharing with ICE – Confirmation Requested**

Dear Sheriff Raymond, Mr. Sant, Commander Sultemeier, and Mr. Beaton:

We write to express our concerns regarding Franklin County's implementation of the Keep Washington Working Act (KWW), signed into effect by Governor Jay Inslee on May 21, 2019, and codified at RCW 10.93.160.

The state legislature passed KWW to address the "substantial and compelling interest in ensuring the state of Washington remains a place where the rights and dignity of all residents are maintained and protected." S.B. 5497 § 1(3). To that end, KWW contains several provisions that prevent state and local law enforcement agencies and jails from participating in civil immigration enforcement actions carried out by U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP).

Under RCW 10.93.160,¹ local law enforcement agencies are specifically prohibited from the following practices:

1. Asking about and collecting place of birth, immigration status, or nationality, unless such information is connected to an ongoing investigation of a criminal violation under state or local law.
2. Providing ICE/CBP “non-publicly available” personal information, such as an individual’s home address.
3. Notifying ICE/CBP when someone will be released from custody.
4. Holding someone on a civil immigration warrant or detainer.

However, public records from 2019 provide evidence that since the enactment of KWW, Franklin County Sheriff’s Office jail staff, especially Officer Margot Wilder, have been responsive to emails from ICE personnel and initiated correspondence with them, sharing inmate information including release dates and photos, and showing a willingness to hold inmates for ICE. These records also show systematic information sharing between the Franklin County Sherriff’s Office and Richland ICE via an Inmate Place of Birth Report which Franklin County Sheriff’s Office sends to Richland ICE by fax every weekday morning. An example of this report is attached for your review.

In light of this information, we request that you confirm, by April 11, 2021, that you are no longer engaging in conduct which violates KWW, and detail the action taken to resolve this. Additionally, we would like this letter to act as a complaint of misconduct against Officer Wilder for repeatedly violating state law, and request that an administrative or personnel review and investigation be completed, and discipline be imposed as needed.

Sincerely,

s/ Matt Adams
s/ Aaron Korthuis
Northwest Immigrant
Rights Project
615 Second Ave., Ste. 400
Seattle, WA 98104
Tel: (206) 957-8611

s/ Lori Isley
s/ Alfredo Gonzalez
Columbia Legal Services
6 S. Second Street, Suite
600
Yakima, WA 98901
Tel: (509) 575-5593

s/ Antoinette M. Davis
ACLU of Washington
Foundation
PO Box 2728
Seattle, WA 98111-2728
Tel: (206) 624-2184

¹ See also, Keep Washington Working Act Guidance, Model Policies, and Training Recommendations for State and Local Law Enforcement Agencies, Washington State Office of the Attorney General, May 2020, available at: https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Home/Office_Initiatives/KWW/KWW%20LEA%20Model%20Guidance.pdf.

FCCC

Inmate Place of Birth

Book Id	Date/Time Booked	Last Name	First	Middle	DOB	Immigration #	Place of Birt
	10/31/2019 11:22:21 AM						ca
	10/31/2019 9:27:32 AM						wa TOPPENISH
	10/31/2019 11:27:30 AM						OH SPRINGFIELD
	10/30/2019 2:19:27 PM						CA OAKLAND
	10/31/2019 1:01:29 AM						WA KENNEWICK
	10/30/2019 3:01:12 PM					USC	WA KENNEWICK
	10/31/2019 9:25:09 AM						ID MOSCOW
	10/30/2019 5:00:00 PM						wa PASCO
	10/30/2019 5:15:34 PM					USC	WA PASCO
	10/30/2019 3:58:47 AM						nb BLAIRE
	10/30/2019 7:39:45 AM						ca SANGER
	10/30/2019 3:29:27 PM					USC	TX EDINBURG
	10/30/2019 11:14:01 PM						WA PASCO
	10/30/2019 12:45:03 PM						WA PASCO
	10/30/2019 9:17:42 PM						WA MOSES LAKE
	10/31/2019 9:01:42 AM					USC	MM JALISCO
	10/31/2019 6:35:20 AM						WA RICHLAND
	10/30/2019 11:08:33 PM						CO DENVER

Book Id	Date/Time Booked	Last Name	First	Middle	DOB	Immigration #	Place of Birt
	10/30/2019 2:32:54 AM						WA OTHELLO
	10/30/2019 2:46:41 PM						
	10/30/2019 6:00:00 PM						AR
	10/31/2019 11:34:34 AM						LA LAKE CHARLES
	10/30/2019 7:56:41 PM						WA RICHLAND
	10/31/2019 7:25:27 AM					USC	WA SUNNYSIDE