



October 29, 2020

Marin Fox
Cowlitz County Jail
1935 1st Avenue
Longview, WA 98632

Ryan Jurvakainen
Cowlitz County Prosecuting Attorney's Office
Hall of Justice
312 SW 1st Ave.
First Floor
Kelso, WA 98626

Sent via email (10.29.2020)

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

Dear Ms. Fox and Mr. Jurvakainen:

We write to express our concerns regarding Cowlitz 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 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.

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 reveal that Cowlitz County jail staff, namely Officer Steve Caldwell, has sent multiple emails to ICE personnel notifying them of release dates and times, emails indicating a willingness to hold someone for two hours so that ICE can arrive and arrest them, and numerous emails to ICE staff with individuals’ home address, date of birth and other personal information. We have attached a copy of such an email thread as an example. Moreover, your Foreign Nationals and Diplomats policy states that the corrections department will affirmatively notify immigration officials when there is a foreign national in the jail’s custody (Policy 604.2), *see* RCW 10.93.160(5) and your Inmate Reception policy includes gathering one’s place of birth (Policy 502.5), *see* RCW 10.93.160(4)(a). These policies and practices violate state law, exposing your County to liability.

In light of this information, we request that you immediately correct your policies and cease conduct which violates KWW. Moreover, we request that you confirm, by November 30, 2020, that moving forward, your agency will no longer violate KWW, and detail the action taken to resolve this. Additionally, we would like this letter to act as a complaint of misconduct against Officer Caldwell for repeatedly violating state law and Cowlitz County policy 209.3.1. We request that an administrative or personnel review and investigation be completed, and discipline be imposed as authorized.

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
s/ Enoka Herat
ACLU of Washington
Foundation
PO Box 2728
Seattle, WA 98111-2728
Tel: (206) 624-2184

cc: Brad Thurman, Sheriff
Carolyn Fundingsland, County Auditor
Axel Swanson, County Commissioner Chief of Staff

From: Caldwell, Steve [REDACTED]@co.cowlitz.wa.us]
To: Lundquist, Pontus H [REDACTED]
Sent: 38 day, June 10, 2019 12:43:12 AM
Subject: RE: ICE detainer/Warrant of removal
Attachments: image003.jpg (2 KB); image001.jpg (4 KB);

I have added a note to her file in the computer to have our staff contact you prior to any release. We can hold for up to two hours if you are able to pick up.

I will try to keep an eye on this and update you when possible.

Currently she has a Pre-trial review scheduled for [REDACTED]

Please let me know if you have any questions.

Officer Steven Caldwell
Cowlitz County Jail
1935 First Ave
Longview, WA 98632
T/360-[REDACTED]
F/360-[REDACTED]



From: Lundquist, Pontus H [mailto:[REDACTED]@ice.dhs.gov]
Sent: Friday, June 07, 2019 7:06 AM
To: Caldwell, Steve <[REDACTED]@co.cowlitz.wa.us>
Cc: Vossler, Jordan - DHS <[REDACTED]@ice.dhs.gov>; Salvato, Conrad - DHS <[REDACTED]@ice.dhs.gov>
Subject: ICE detainer/Warrant of removal

Greetings

Attached is an ICE detainer/Warrant of removal for inmate #: [REDACTED]. The attachment is password protected and password will be sent in a separate email.

Regards

Pontus



Pontus Lundquist | Deportation Officer | DO2: 333-667
Enforcement and Removal Operations / Non-Detained Unit
4310 SW [REDACTED] Ave, Suite [REDACTED] Portland
Cell: (503) [REDACTED] | Desk: (503) [REDACTED] | [REDACTED]@ice.dhs.gov

From: Caldwell, Steve [CaldwellS@co.cowlitz.wa.us]
To: Vossler, Jordan - DHS
Sent: Wednesday, October 16, 2019 11:02:19 AM
Subject: RE: [REDACTED] [REDACTED] [REDACTED]
Attachments: image002.jpg (4 KB);

He's still being held on \$1000 bail with the following court dates –

Pretrial – [REDACTED]
Readiness – [REDACTED]
Trial – [REDACTED]

A note to call you if subject posts bail still remains in the file.

Officer S Caldwell
Cowlitz County Jail
1935 First Ave
Longview, WA 98632
T/360 [REDACTED]
F/360 [REDACTED]



From: Vossler, Jordan [mailto:[REDACTED]@ice.dhs.gov]
Sent: Wednesday, October 16, 2019 10:54 AM
To: Caldwell, Steve <[REDACTED]@co.cowlitz.wa.us>
Subject: [REDACTED] [REDACTED] [REDACTED]

Hey Steve,

He's probably still in court, but can you keep me updated on the below person's court today and if he will remain in custody or if he is getting released that way we can try and get up there.

[REDACTED] [REDACTED] [REDACTED]

Thanks!

Jordan Vossler

Deportation Officer

Address: 4310 SW Macadam Avenue, Suite 300, Portland, OR 97239

E-Mail: [REDACTED]@ice.dhs.gov

Cell: 503 [REDACTED]

Desk: 503 [REDACTED]

Fax: 503 [REDACTED]

From: Caldwell, Steve [REDACTED]@co.cowlitz.wa.us]

To: Salvato, Conrad - DHS

Sent: Tuesday, October 15, 2019 12:01:41 PM

Subject: RE: Info request

Attachments: image002.jpg (4 KB); [REDACTED] 38 - 29SEP19 profile.jpg (17 KB); [REDACTED] 38 - 29SEP19 front.jpg (23 KB);

We were given a birthdate of [REDACTED]. However, he gave us an address of [REDACTED] [REDACTED]

He did not give an employer.

Officer S Caldwell
Cowlitz County Jail
1935 First Ave
Longview, WA 98632
T/360 [REDACTED]
F/360 [REDACTED]



From: Salvato, Conrad N [mailto:[REDACTED]@ice.dhs.gov]

Sent: Tuesday, October 15, 2019 11:20 AM

To: Caldwell, Steve <[REDACTED]@co.cowlitz.wa.us>

Subject: Info request

Hi Steve,

Could you send me the booking photo for [REDACTED] 38, [REDACTED] 38, [REDACTED] 38, DOB: [REDACTED] SID# [REDACTED]? He was booked on 09/29/19. Also, if he provided an address or employer, I'd appreciate it.

Thanks,
Conrad

From: Caldwell, Steve [REDACTED]@co.cowlitz.wa.us]
To: Vossler, Jordan - DHS
Sent: Tuesday, October 08, 2019 3:47:10 PM
Subject: RE: detainer
Attachments: image002.jpg (4 KB);

His next appearance is

He's serving a sentence until [REDACTED] on one case, and has \$1000 bail on the case being reviewed [REDACTED].

I'll make sure a note is entered to call if he posts bail.

Officer S Caldwell
Cowlitz County Jail
1935 First Ave
Longview, WA 98632
T/360 [REDACTED]
F/360 [REDACTED]



From: Vossler, Jordan [mailto:[REDACTED]@ice.dhs.gov]
Sent: Tuesday, October 08, 2019 1:48 PM
To: Caldwell, Steve <[REDACTED]@co.cowlitz.wa.us>
Subject: detainer

Hi Steve,

Just an FYI, I just sent this detainer over for [REDACTED] [REDACTED] ([REDACTED] [REDACTED] [REDACTED]). Does he have a release/future court date yet?

Thanks,

Jordan Vossler

Deportation Officer
Address: 4310 SW Macadam Avenue, Suite 300, Portland, OR 97239
E-Mail: [REDACTED]@ice.dhs.gov
Cell: 503-[REDACTED]
Desk: 503-[REDACTED]
Fax: 503-[REDACTED]