

Memo

To: Cynthia Martinez, Interim City Manager
Randy Beehler, Communications & Public Affairs Director

From: Robert K. Peterson, Airport Director

cc: Scott Shafer, Interim Assistant City Manager

Date: Wednesday, October 18, 2019

Re: MEETING WITH IMMIGRATION AND CUSTOMS ENFORCEMENT REGARDING THE USE OF THE YAKIMA AIR TERMINAL-MCALLISTER FIELD.

The purpose of this memo is to provide a summary of the September 30, 2019 meeting we had with Immigration and Customs Enforcement (ICE) representatives to discuss the ongoing utilization of the Yakima Air Terminal-McAllister Field to transfer detainees within the United States. ICE officials attending the meeting were Nathalie Asher, Field Office Director, Mike Melendez, Deputy Field Office Director, Melissa Nitsch, Community Relations Officer and Geoffrey White, Yakima Field Officer. During the meeting various topics were discussed to include an overview of their procedures followed as they accept detainees at the Tacoma detention center. Ms. Asher's emphasis was to ensure detainees receive a full health and mental evaluation within the first few days of being accepted into the facility to address any health issues. This procedure was further highlighted when detainees' health is thoroughly evaluated to ensure they are "fit to fly" prior to departing the center and transported to the Yakima Air Terminal-McAllister Field. Ms. Asher advised the Department of Homeland Security (DHS) considers a detainee's health a high priority as approximately \$270 million is devoted to care for the individuals.

Ms. Asher also explained that individuals being detained may seek asylum and those being removed from the United States and have been afforded Due Process prior to deportation. She commented that those held in Washington receive legal representation from legal aid organizations. Most states do not have organizations providing this service. On occasion an immediate stay order could be processed while an individual is in flight for removal. In this instance, the individual is transported back to the detention center for further consideration.

Ms. Asher highlighted the concern for operating out of the Yakima Airport due to the overall increased cost of the program as well the fast approaching winter season. The concerns voiced were for the detainees, field officers, and the opportunity for the pass closing and not allowing the busses to reach Yakima. Further, the reality of detainees and officers being stranded on the pass due to a road closure is increasing and therefore ICE is conducting tabletop exercises to evaluate

viable options in the event this scenario were to occur. This led the discussion to the topic of ICE considering alternative locations to fly detainees from within Washington State. Ms. Asher's response was they have and are exploring the option of utilizing Joint Base Lewis-McChord to transfer detainees. Ms. Asher advised they were exploring that option due to the close proximity to the Tacoma Detention Center but advised a potential lengthy process to work out an agreement due to differing federal agencies. Additionally, Ms. Asher advised they are interested in returning to King County International Airport but are awaiting the lengthy process of the Federal Aviation Administration Part 13 informal complaint filed against the airport. However, for the foreseeable future Ms. Asher advised they will be utilizing the Yakima Airport.

Much of the meeting revolved around the emphasis of media relations and the opportunity for Ms. Nitsch communicating with various media outlets. Ms. Asher noted the prior field administration did not communicate their operations and this is a primary goal to increase transparency. Ms. Asher also emphasized the importance of how they can help our community understand their operations and advised Ms. Nitsch is available to answer any questions with Yakima's local media. If requested, Ms. Nitsch is willing to visit with Council in order to provide an overview of their operations and clarify any misinformation about their organization.

Finally, the question if there's been an increase in enforcements within the Yakima Valley since ICE began utilizing the Yakima Airport was discussed and Ms. Asher did not indicate any increase has occurred. However, Ms. Asher voiced concerns that the Keep Washington Working Act (Senate Bill 5497) will further restrict cooperation between local governments and ICE field operations. The new law prohibits state and local agencies, including law enforcement, from cooperating with or assisting in an investigation or enforcement of a federal registration or surveillance program that targets residents on the basis of race, religion, immigration or citizenship status, or national or ethnic origin. This will ultimately force ICE field agents to increase their ground enforcement efforts throughout Washington State beginning December 1, 2021 when state and local agencies are required to comply with the new law.