



March 6, 2020

SENT VIA REGULAR MAIL AND EMAIL to scott.v.stricker@ice.dhs.gov

Scott V. Stricker
Supervisory Detention and Deportation Officer
Immigration and Customs Enforcement
Department of Homeland Security
4310 SW Macadam Ave
Portland OR 97239

Re: Immigration and Customs Enforcement Subpoena
Your File Number A205 583 025

Dear Mr. Stricker:

This firm serves as the City Attorney for the City of Hillsboro (“City”), and it is in that capacity in which I write to you regarding the above-referenced subpoena.

As you know, the subpoena in question demanded certain information from the City’s Police Department regarding Jose Fajardo-Alvarado. The information sought by the subpoena is the same that Immigration and Customs Enforcement (“ICE”) demanded and received from the Washington County Sheriff through the issuance of a virtually identical subpoena. Consequently, there does not appear to be any legitimate need for ICE to have issued this subpoena to the City. Instead, the subpoena in question appears to have been made in bad faith and merely for the purposes of making a political statement, which is unlawful and exceeds the statutory authority granted to ICE by Congress.

In addition, the City believes an administrative subpoena of this nature may violate the Tenth Amendment to the United States Constitution, as it seeks to require the use of City personnel and resources for the enforcement of federal immigration laws.

For these reasons, the City will not be producing the demanded information without clarification from a federal court that the subpoena is lawful, and that the City is compelled by federal law to comply.

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It is my understanding, based on an ICE-issued press release, that ICE will seek to have the United States Attorney seek an order from the United States District Court for the District of Oregon to require production of the demanded documents under 8 U.S.C. §1225(d). If ICE takes such action, please inform the United States Attorney to direct all future communications regarding this matter to my attention at the address below or chad@gov-law.com.

Very Truly Yours,



Chad A. Jacobs

CAJ/kkb

- c: Robby Hammond, Hillsboro City Manager, via email
Jim Coleman, Hillsboro Chief of Police, via email
Billy J. Williams, US Attorney, District of Oregon, via email, bill.williams@usdoj.gov