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**Beth Kampschror & 7 others: Community members ask for no ICE holds in county jail**

Apr 24, 2026

We believe that Montanans should have the right to weigh in on major decisions that elected officials make that have profound legal, moral, and fiscal implications for our communities. For that to happen, elected officials need to be acting with transparency and allow for input from the people they represent.

Unfortunately, neither of these things happened when former Gallatin County Sheriff Brian Gootkin unilaterally made the decision in 2020 to sign a memorandum of understanding with U.S. Immigration and Customs Enforcement (ICE).

Called the 287(g) agreement, it makes the GCSO a participant in federal detention of immigrants, allowing GCSO to routinely place ICE holds on immigrants detained for misdemeanors. When immigrants in the county's custody have paid their bond or are deemed eligible to be released on their own recognizance, GCSO can instead hold them for 48 hours to allow for ICE to take those immigrants into its own custody.

It's bad enough that the former sheriff signed the agreement without input from the county commissioners or from county residents. What's worse is that the agreement still hasn't been addressed by the Gallatin County Commission.

For this reason and a host of legal and moral concerns, we're calling on the Gallatin County Commission to, at long last, address the 287(g) agreement Gootkin signed and to consider holding a vote on whether to keep, pause or revoke it. This vote will allow county residents to weigh in on the agreement, as should be the case for any issue the county deals with that is as legally and morally troubling as this one is.

Since October 2025, courts around the country have ruled more than 4,400 times that ICE has jailed people illegally. There exists then the very real possibility that GCSO is aiding and abetting ICE's illegal activity — with the support of Gallatin County tax dollars, which cover the salaries of GCSO staff. (According to the 287(g) agreement GCSO signed with ICE in 2020, GCSO is responsible for paying its staff for the hours they spend on immigration enforcement on behalf of ICE.)

Currently, the 287(g) agreement is by far the most common path in Gallatin County for immigrants to end up in ICE detention. As a result of the agreement, GCSO transferred 84 people to ICE custody in 2025, many of whom had only misdemeanor charges.

Perhaps county residents would feel better about the agreement if it meant that the GCSO was helping ICE deport only violent criminals, as President Trump promised would be the case when he was campaigning. But that's not happening.

According to an internal Department of Homeland Security document, less than 14% of nearly 400,000 immigrants arrested by ICE during the first year of the current administration had charges or convictions for violent criminal offenses.

Before this administration, most immigrants the GCSO brought into custody on misdemeanor or minor offense charges who had no pre-existing deportation warrants were evaluated by ICE and then released to continue with their legal immigration process.

Now most detainees are transferred to the Cascade County Detention Center in Great Falls, where they are held for two to five days before being transferred to ICE detention facilities out of state. These transfers happen so quickly that it's almost impossible for families and lawyers to communicate with or even track their loved ones and clients.

Once in ICE detention, they face the prospect of severe overcrowding, unsanitary conditions, inadequate food, and medical neglect. Largely as a result of these

conditions, 32 people died in ICE custody in 2025, as compared to 11 in 2024. Since October 2025, 23 people have died.

Guaranteeing “individual dignity”, article II, section 4 of the Montana Constitution states that “no person shall be denied the equal protection of the laws.” Gallatin County therefore has a legal obligation to make sure that any involvement with federal immigration enforcement upholds our state and federal constitutions.

In light of this obligation and the possibility that GCSO may be aiding and abetting ICE’s violation of people’s civil rights, it’s imperative then the Gallatin County Commission consider the legal jeopardy the 287(g) agreement puts the county in and whether it’s time to revoke it.

**Ita Killeen, Jessie McCaw and Natalie Walz** write on behalf of Community Rapid Response of Gallatin County. **Kay LaFrance, Beth Kampschorr, Elizabeth Moore, Linda Fineman and Paula Power** write on behalf of Indivisible Bozeman.