



SAN DIEGO COUNTY SHERIFF'S DEPARTMENT

TRUTH Act Community Forum San Diego County

Agenda Item #1 | November 17, 2020



TRUTH ACT REQUIREMENTS

Transparent Review of Unjust Transfer and Holds (TRUTH) Act (AB 2792)

Provide the individual a written consent form explaining the purpose of an ICE interview request, which is voluntary, and that the individual may decline to be interviewed

Require the consent form to be available in specified languages

Require a local law enforcement agency to provide copies of specified documentation received from ICE to the individual and to notify the individual regarding the intent of the agency to comply with ICE requests

Hold a community forum to provide information to the public about ICE's access

POLICIES & PROFESSIONAL EDUCATION

**Staff Continually Educated on
Department Policy and
Procedures**

**Department Policy & Procedure Section 6.47 – Immigration
Law Enforcement**

**Detentions Policy & Procedure Section Q.4 – Verification of
Legal Status Conformance to Immigration Laws**

- **Continued Use and Distribution of Forms for Notification
Purposes to Individuals in Custody**

JAIL PROTOCOLS AS IT RELATES TO U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

▶ Outside law enforcement agencies, including Immigration and Customs Enforcement (ICE) agents, do not have free access to any Sheriff's facilities or jails.

- ICE is required to check in via the primary entrance point and follow professional visitor guidelines.

▶ The Sheriff's Department will not transfer an individual to immigration authorities unless authorized by a judicial warrant or based upon a qualifying conviction as per State law.

▶ ICE is required to complete the following form(s) depending on its interest for release information or interview request:

- I-247A: Immigration Detainer Notice of Action
- J-340: Notice to Inmate of ICE Request and Intent to Notify
- J-330: Consent form for ICE interview of inmate
- J-335: Notice of Intent to comply with ICE request

2019 RELEASE NOTIFICATIONS

1,536 Received & Screened ICE Release Notification Requests

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graph TD; A[1,536 Received & Screened ICE Release Notification Requests] --> B[1,086 Rejected ICE Requests]; A --> C[450 Qualified ICE Requests];
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1,086 Rejected ICE Requests

450 Qualified ICE Requests

2019 ICE INTERVIEW REQUESTS

120 ICE Interview Requests



20

Agreed to Interview
with Attorney Present



65

Declined an Interview



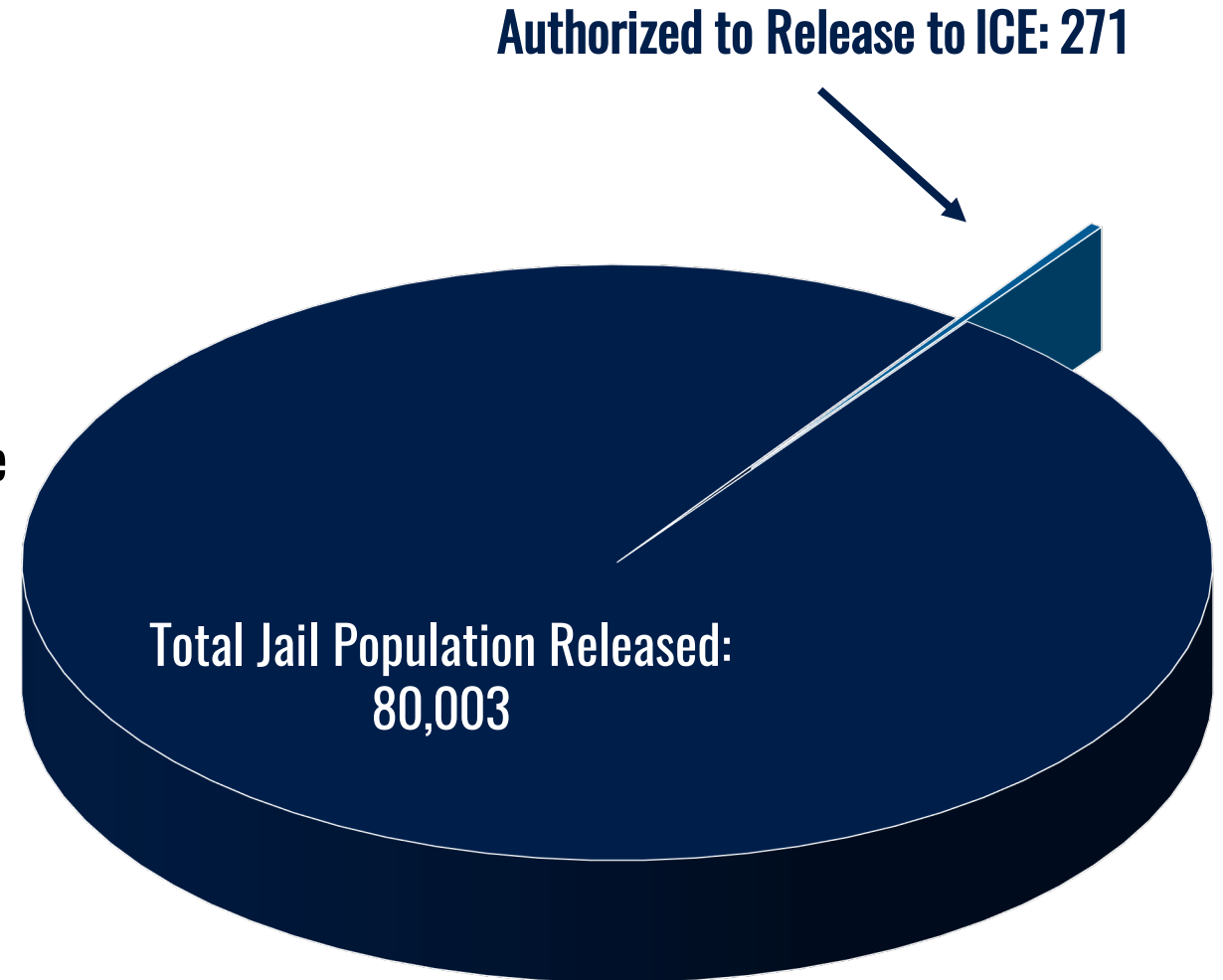
35

Agreed to Interview
without Attorney Present

2019 RELEASE DATA

Top Offenses:

- Burglary
- Identity Theft
- Sale or Transport of a Controlled Substance
- Possession of Meth for Sale



2019 RELEASE DATA

ICE Interview Consent Form Made Available in:

- English
- Spanish
- Chinese
- Tagalog
- Vietnamese
- Korean
- *Arabic - pending*

Ethnicity	# of Individuals
Hispanic	190
Other	48
<i>Other Asian</i>	9
<i>Cambodian</i>	1
<i>Middle Eastern</i>	8
<i>Filipino</i>	1
<i>Laotian</i>	4
<i>Other</i>	8
<i>Hawaiian</i>	1
<i>Vietnamese</i>	16
White	27
Black	6
Total	271

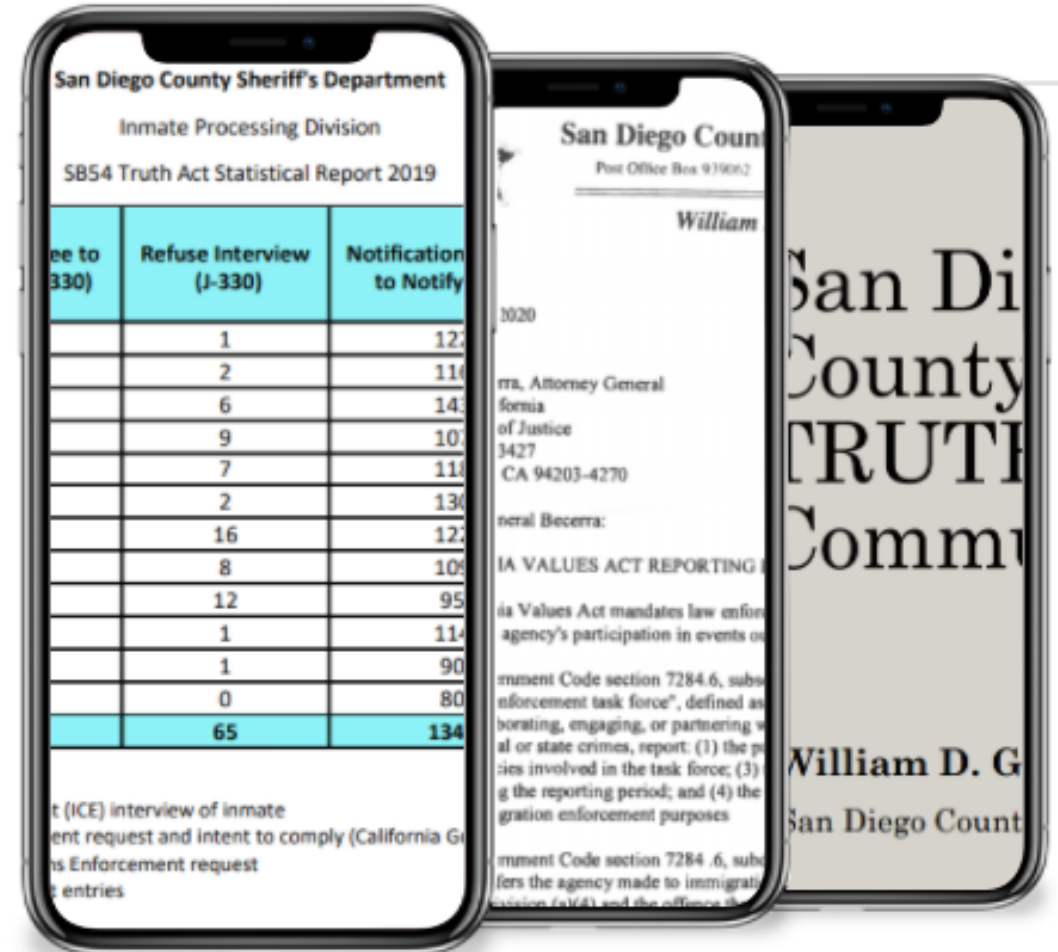
TRANSPARENCY & OPEN DATA

Sheriff's Website Hosts Archives of:

- ICE Interview Request Data (2017, 2018, 2019)
- SB 54 Values Act – Transfer Report: Number of Transfers per Offense Code (2018, 2019)
- SB 54 Values Act Report to CA Attorney General
- Past Truth Act Forum Presentations



www.SDSheriff.net



OUTREACH

- Community public safety presentations
- Coffee with the Community / Coffee with the Community *en Español*
- Mexican Consulate - Mobile Consulate Services
- Participation and collaboration with Latino/Hispanic, Immigrant, and Refugee non-profit organizations and community-based organizations
- Participation in multicultural community fairs and events
- Increasing department resources in multiple languages



San Diego County Sheriff's Department

Compliance with Senate Bill 54: The California Values Act

The San Diego County Sheriff's Department embraces the rich diversity of the communities we serve. We prioritize community relationships and want all residents to feel safe when reporting crime.

Law Enforcement Services Bureau

- Sheriff's deputies do not investigate or enforce immigration law
- Sheriff's deputies will not ask individuals their immigration status
- The Sheriff's Department does not contract with the federal government to detain individuals for immigration violations
- The Sheriff's Department does not hold individuals based on federal detainer warrants
- The use of department resources for purposes of immigration enforcement is prohibited
- Sheriff's deputies do not use immigration officers for translation services
- The Sheriff's Department does not share personal identifying information for immigration enforcement

Task Force Participation

- Sheriff's personnel assigned to regional task forces do not enforce immigration law
- Sheriff's personnel assigned who participate in regional task forces enforce state and federal law related to narcotics, transnational criminal activity, human trafficking, weapons, terrorism and other violent criminal acts

Jails

- The Sheriff's Department will not transfer an individual to immigration authorities unless authorized by a judicial warrant or based upon a qualifying conviction as per State law
- The Sheriff's Department will not provide information regarding an individual's release date or respond to requests for notification by providing release dates or other information unless that information is available to the public or is a qualifying conviction as stated above
- Outside law enforcement agencies, including Immigration and Customs Enforcement (ICE) agents, do not have free access to any Sheriff's facilities or jails. They are required to check in via the primary entrance point and follow professional visitor guidelines
- The Sheriff's Department does not provide dedicated office space for immigration authorities
- A consent form (available in six languages) must be completed and sent to an inmate in County Jail for all requested interviews by ICE agents. This form advises the individual that ICE requests to interview them. The inmate has the option to be interviewed in the presence of an attorney, without an attorney or to decline the interview. Translation services are provided, and no pressure is placed on the inmate regarding any of their choices

Transparency

- Reports, past presentations and other Values Act related data and information, are posted on the public webpage for the San Diego Sheriff's Department



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