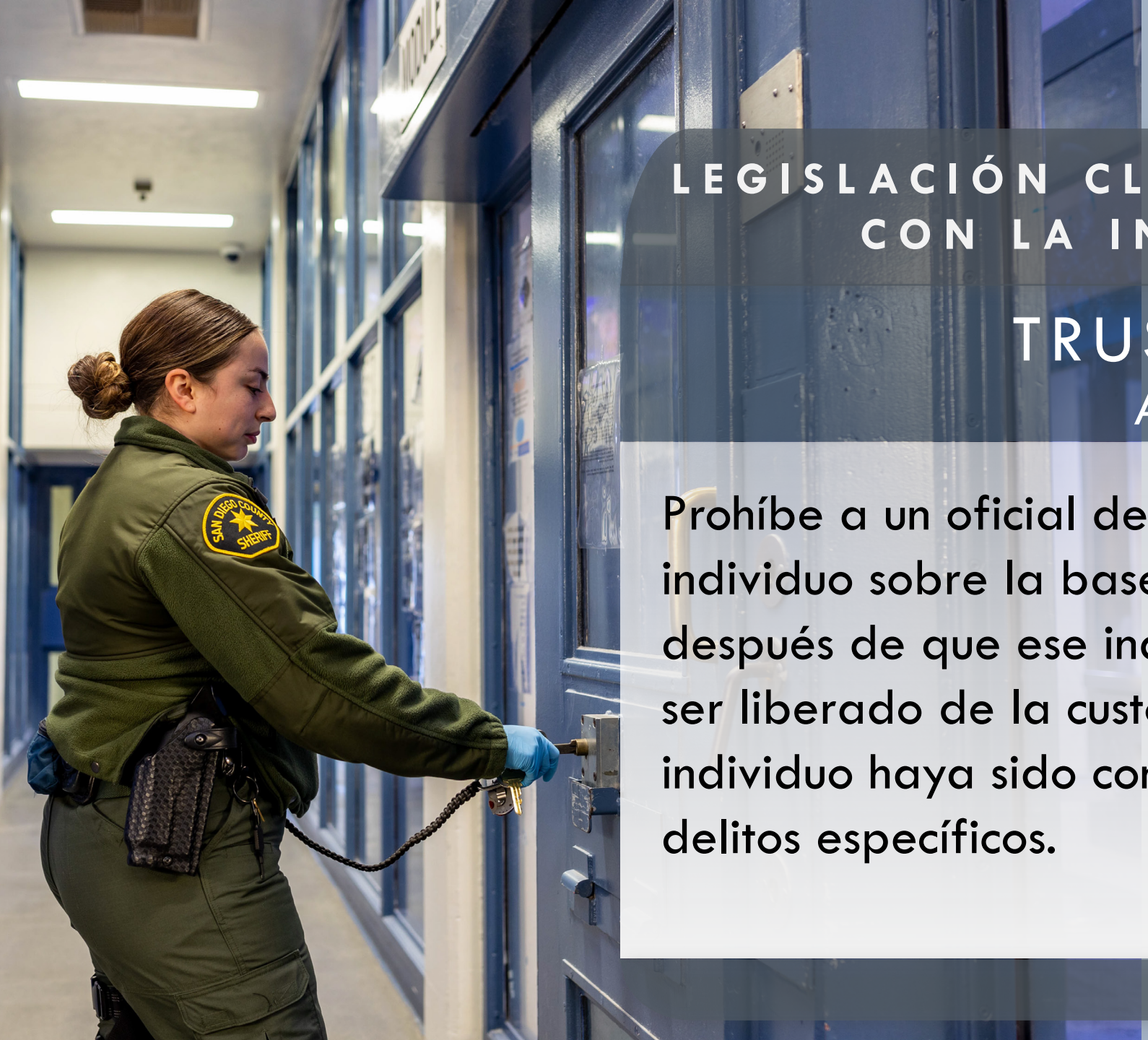
JUNTA DE SUPERVISORES DEL CONDADO DE SAN DIEGO

# LEY DE LA VERDAD

## Foro de la comunidad

Punto del orden del día n. ° 21 de mayo de 2024




# LEGISLACIÓN CLAVE RELACIONADA CON LA INMIGRACIÓN

## TRUST ACT

### AB 4

Prohíbe a un oficial de la ley, detener a un individuo sobre la base de una retención del ICE después de que ese individuo sea elegible para ser liberado de la custodia, a menos que ese individuo haya sido condenado o acusado de delitos específicos.

# LEGISLACIÓN CLAVE RELACIONADA CON LA INMIGRACIÓN

## LEY DE LA VERDAD

### AB 2792

- Requiere que las agencias locales de cumplimiento de la ley, antes de una entrevista entre el ICE y un individuo bajo custodia, proporcionen al individuo un formulario de consentimiento por escrito, entre otras disposiciones.
- Requiere que el cuerpo gobernante local celebre un foro comunitario público durante el año siguiente, según se especifique, para proporcionar información al público sobre el acceso del ICE a las personas.

# LEGISLACIÓN CLAVE RELACIONADA CON LA INMIGRACIÓN

## LEY DE VALORES
### SB 54

- Prohíbe a las fuerzas del orden público estatales y locales retener a individuos basándose en las órdenes de detención federales de inmigración, o transferirlos a custodia federal, a menos que hayan sido condenados en los últimos 15 años por uno de una lista de 31 delitos, o sean delincuentes sexuales registrados: de lo contrario, solo pueden ser detenidos con una orden de un juez federal.
- Prohíbe a las autoridades estatales y locales preguntar a alguien sobre su estatus migratorio.
- Previene que los organismos utilicen recursos para investigar, interrogar, detener, detectar o arrestar a personas con fines de control de la inmigración.

# Políticas del departamento

## Políticas y procedimientos del departamento

Sección 6.24 Uso de la base de datos de las fuerzas del orden público y difusión de antecedentes penales

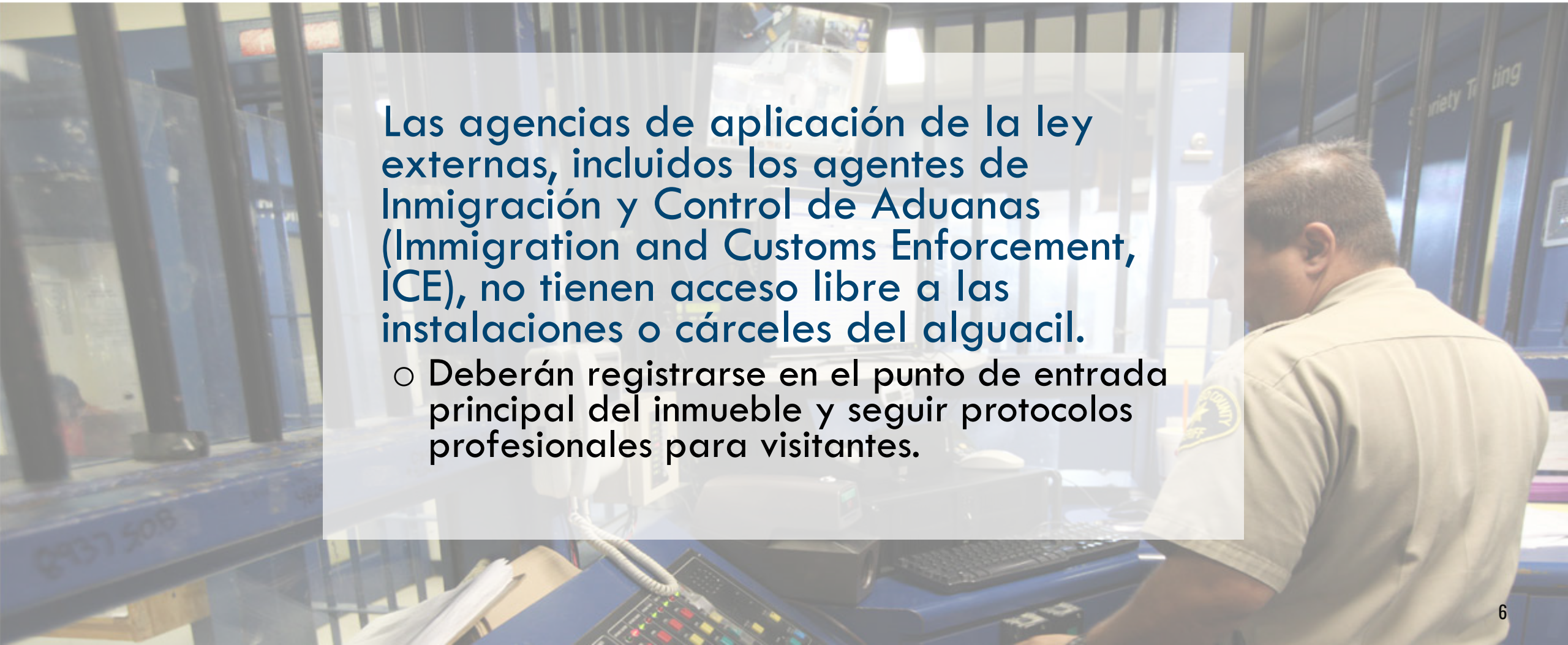
Sección 6.47 Leyes de inmigración: aplicación

## Política y procedimiento de detenciones

Sección Q.4 – Verificación del estatus legal y conformidad con las leyes de inmigración

Uso y distribución continuos de formularios con fines de notificación

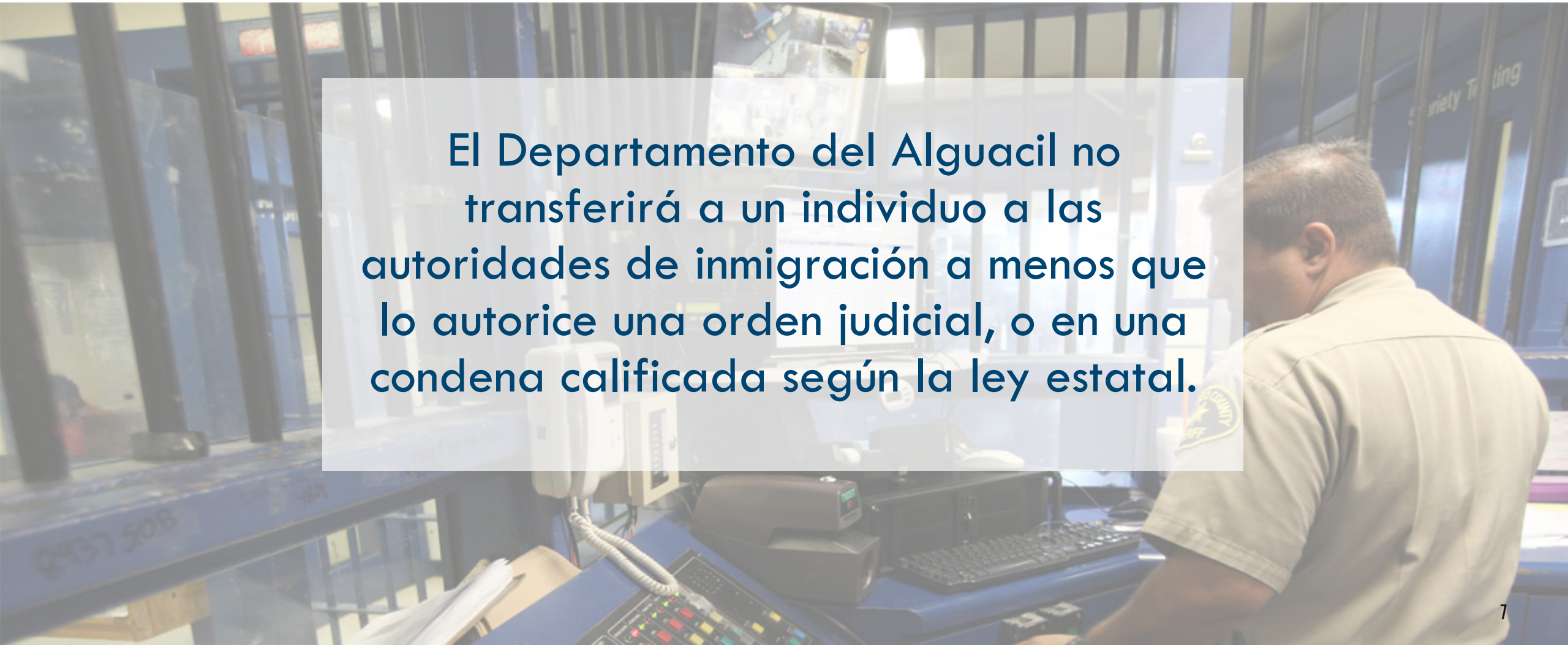
# PROTOCOLOS CARCELARIOS EN RELACIÓN CON LOS EE. UU. SERVICIO DE INMIGRACIÓN Y CONTROL DE ADUANAS (ICE)



Las agencias de aplicación de la ley externas, incluidos los agentes de Inmigración y Control de Aduanas (Immigration and Customs Enforcement, ICE), no tienen acceso libre a las instalaciones o cárceles del alguacil.

- Deberán registrarse en el punto de entrada principal del inmueble y seguir protocolos profesionales para visitantes.

# PROTOCOLOS CARCELARIOS EN RELACIÓN CON LOS EE. UU. SERVICIO DE INMIGRACIÓN Y CONTROL DE ADUANAS (ICE)



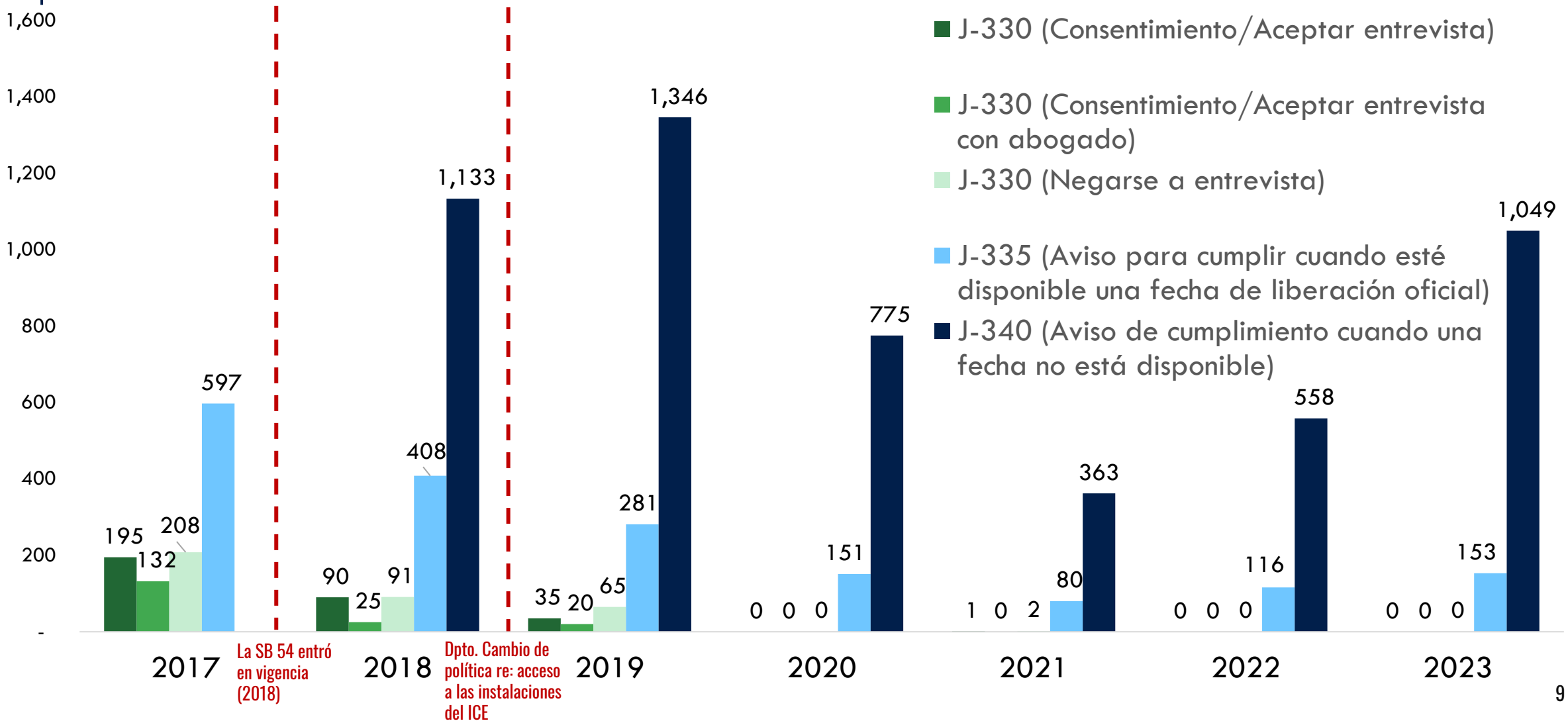
El Departamento del Alguacil no transferirá a un individuo a las autoridades de inmigración a menos que lo autorice una orden judicial, o en una condena calificada según la ley estatal.

# PROTOCOLOS CARCELARIOS EN RELACIÓN CON LOS EE. UU. SERVICIO DE INMIGRACIÓN Y CONTROL DE ADUANAS (ICE)

Se requiere que el ICE complete los siguientes formularios dependiendo de su interés en la información de divulgación o solicitudes de entrevista:

- J-330: La persona encarcelada recibe formulario para dar su consentimiento/aceptación de una entrevista del ICE solo, con un abogado o bien, negarse a ello.
- J-335: Aviso de intención de cumplir con la solicitud del ICE y proporcionar fecha de liberación
- J-340: Aviso a la persona recluida, de la solicitud del ICE y la intención de notificar

# SOLICITUDES DE ICE EN LOS ÚLTIMOS AÑOS



# SOLICITUDES DE ENTREVISTAS DEL ICE EN EL 2023

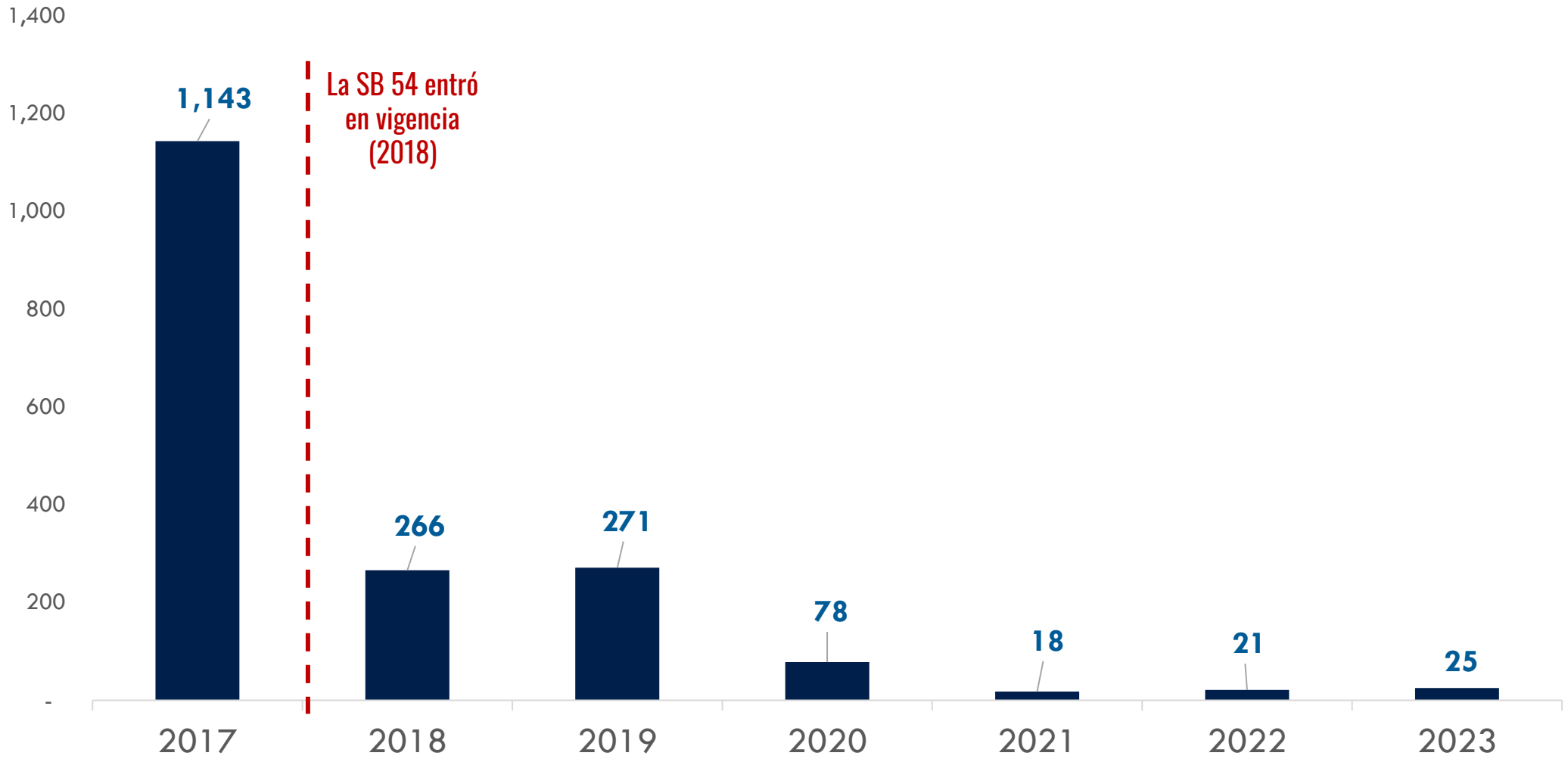
| ENTREVISTAS SOLICITADAS | ACEPTAR UNA ENTREVISTA | INDIVIDUO RECHAZÓ ENTREVISTAS | ACORDÓ ENTREVISTARSE CON EL ABOGADO PRESENTE |
|---|---|---|---|
| 0 | 0 | 0 | 0 |

# VERSIÓN 2023 NOTIFICACIONES

**1,059** Solicitudes de notificación de liberación de ICE recibidas y examinadas

| MES | SOLICITUDES RECHAZADAS | SOLICITUDES APROBADAS |
|---|---|---|
| Enero | 83 | 20 |
| Febrero | 88 | 17 |
| Marzo | 79 | 20 |
| Abril | 70 | 18 |
| Mayo | 75 | 7 |
| Junio | 70 | 19 |
| Julio | 74 | 20 |
| Agosto | 70 | 8 |
| Septiembre | 68 | 13 |
| Octubre | 86 | 19 |
| Noviembre | 59 | 16 |
| Diciembre | 52 | 8 |
| TOTAL | 874 | 185 |

# TRANSFERENCIAS DE ICE A LO LARGO DE LOS AÑOS



Values Act: 2023 Transfer Reporting
San Diego County Sheriff's Department

| ID | BOOK DATE | GENDER | ETHNICITY | SELF-REPORTED PLACE OF BIRTH | SELF-REPORTED HOME ADDRESS CITY/STATE/ZIP | | | CURRENT BOOKING PRIMARY CHARGE & SEVERITY | | | RELEASE DATE/ FACILITY | | QUALIFYING CONVICTION DATE, CHARGE & SEVERITY | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 06/29/23 | Male | Laotian | Laos | San Diego | CA | 92105 | 1203.2(A) PC | PROBATION VIOLATION:REAREST/REVOKE | F | 07/24/23 | GBDF | 11/28/22 | 496D PC | RECEIVING STOLEN PROPERTY – POSSESSION OF STOLEN VEH/VES/ETC. | F |
| 2 | 12/18/22 | Male | Hispanic | USA | San Diego | CA | 92144 | 594(A)(B)(1) PC | VANDALISM OVER $400 | F | 01/30/23 | GBDF | 02/04/02 | 245(A)(1) PC | ASSAULT UPON THE PERSON OF ANOTHER WITH A DEADLY WEAPON OR INSTRUMENT OTHER THAN A FIREARM | F |
| 3 | 01/28/23 | Male | Hispanic | Mexico | San Diego | CA | 92154 | 422 PC | CRIMINAL THREATS – THREATEN TO COMMIT CRIME WHICH WILL RESULT IN GREAT BODILY INJURY | F | 02/09/23 | EMRF | 10/17/16 | 422 PC | CRIMINAL THREATS – THREATEN TO COMMIT CRIME WHICH WILL RESULT IN GREAT BODILY INJURY | F |
| 4 | 07/22/23 | Male | Laotian | Laos | San Diego | CA | 92126 | 459 PC | RESIDENTIAL & COMMERCIAL BURGLARY – ENTER WITH INTENT TO COMMIT THEFT OR ANY FELONY | F | 07/24/23 | SDCJ | 08/25/15 | 245(A)(4) PC | ASSAULT UPON THE PERSON OF ANOTHER BY ANY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY | F |
| 5 | 04/18/23 | Male | Hispanic | Mexico | Oceanside | CA | 92054 | 207(A) PC | KIDNAPPING | F | 09/28/23 | VDF | 04/26/19 | 530.5(C)(1) PC | IDENTITY THEFT - INTENT TO DEFRAUD | M |
| 6 | 03/01/23 | Male | Hispanic | Mexico | Vista | CA | 92084 | 647(F) PC | DISORDERLY CONDUCT- PUBLIC INTOXICATION | M | 03/02/23 | VDF | 09/14/22 | 459 PC | RESIDENTIAL & COMMERCIAL BURGLARY – ENTER WITH INTENT TO COMMIT THEFT OR ANY FELONY | F |
| 7 | 08/06/23 | Male | Hispanic | USA | Escondido | CA | 92027 | 23152(A) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS | M | 08/07/23 | VDF | 02/28/11 | 186.22(D) PC | PARTICIPATION IN CRIMINAL STREET GANG | F |
| 8 | 01/04/23 | Male | Hispanic | Mexico | San Diego | CA | 92102 | 261.5(C) PC | UNLAWFUL SEXUAL INTERCOURSE – WITH A MINOR MORE THAN 3 YEARS YOUNGER THAN PERPETRATOR | F | 04/08/23 | SBDF | 01/04/23 | 261.5(C) PC | UNLAWFUL SEXUAL INTERCOURSE – WITH A MINOR MORE THAN 3 YEARS YOUNGER THAN PERPETRATOR | F |
| 9 | 11/06/23 | Male | Hispanic | Mexico | Escondido | CA | 92027 | 647(F) PC | DISORDERLY CONDUCT- PUBLIC INTOXICATION | M | 11/07/23 | VDF | 02/03/15 | 496(A) PC | RECEIVING STOLEN PROPERTY >$950 | F |
| 10 | 12/20/22 | Male | Hispanic | USA | Anaheim | CA | 92801 | 496D PC | RECEIVING STOLEN PROPERTY – POSSESSION OF STOLEN VEH/VES/ETC. | F | 02/02/23 | SDCJ | 09/12/22 | 496(D) PC | RECEIVING STOLEN PROPERTY – POSSESSION OF STOLEN VEH/VES/ETC. | F |
| 11 | 04/06/23 | Male | Hispanic | Mexico | San Diego | CA | 92114 | 459 PC | RESIDENTIAL & COMMERCIAL BURGLARY – ENTER WITH INTENT TO COMMIT THEFT OR ANY FELONY | F | 04/12/23 | EMRF | 06/07/21 | 496(D) PC | RECEIVING STOLEN PROPERTY – POSSESSION OF STOLEN VEH/VES/ETC. | F |
| 12 | 06/02/23 | Male | Hispanic | Honduras | Vista | CA | 92083 | 1203.2(A) PC | PROBATION VIOLATION:REAREST/REVOKE | F | 11/09/23 | VDF | 06/01/22 | 273.5(A) PC | WILLFULLY INFLICTS CORPORAL INJURY RESULTING IN A TRAUMATIC INJURY | F |
| 13 | 04/06/23 | Male | Hispanic | Mexico | Escondido | CA | 92025 | 459 PC | RESIDENTIAL & COMMERCIAL BURGLARY – ENTER WITH INTENT TO COMMIT THEFT OR ANY FELONY | F | 04/13/23 | VDF | 12/21/22 | 459 PC | RESIDENTIAL & COMMERCIAL BURGLARY – ENTER WITH INTENT TO COMMIT THEFT OR ANY FELONY | F |
| 14 | 04/21/23 | Male | Hispanic | Mexico | Vista | CA | 92081 | 23152(A) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS | M | 04/22/23 | VDF | 09/06/17 | 23153(B) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS WITH .08% OR GREATER BAC CAUSES BODILY INJURY | F |
| 15 | 11/09/17 | Male | Hispanic | Mexico | Tijuana | MM | --- | 11370.4(B)(4) HS | AMPH,METH,PCP: +20KG/400 LTS | F | 11/07/23 | VDF | 02/02/18 | 11379(A) HS | TRANSPORTATION OR SALE OF RESTRICTED DANGEROUS DRUG | F |
| 16 | 02/10/22 | Male | Hispanic | Mexico | Spring Valley | CA | 91977 | 11379(A) HS | TRANSPORTATION OR SALE OF RESTRICTED DANGEROUS DRUG | F | 07/15/23 | SBDF | 09/09/21 | 11379(A) HS | TRANSPORTATION OR SALE OF RESTRICTED DANGEROUS DRUG | F |
| 17 | 04/18/19 | Male | Hispanic | Mexico | Oceanside | CA | 92054 | 11379(A) HS | TRANSPORTATION OR SALE OF RESTRICTED DANGEROUS DRUG | F | 10/16/23 | SDCJ | 06/10/20 | 11379(A) HS | TRANSPORTATION OR SALE OF RESTRICTED DANGEROUS DRUG | F |
| 18 | 10/18/22 | Male | Hispanic | USA | San Diego | CA | 92121 | 422 PC | CRIMINAL THREATS – THREATEN TO COMMIT CRIME WHICH WILL RESULT IN GREAT BODILY INJURY | F | 03/16/23 | EMRF | 05/31/22 | 487(C) PC | GRAND THEFT – PROPERTY TAKEN FROM THE PERSON OF ANOTHER | F |
| 19 | 05/17/23 | Male | Hispanic | Mexico | San Marcos | CA | 92028 | 1203.2(A) PC | PROBATION VIOLATION:REAREST/REVOKE | F | 05/24/23 | VDF | 02/24/20 | 23153(B) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS WITH .08% OR GREATER BAC CAUSES BODILY INJURY | F |
| 20 | 01/14/23 | Male | Hispanic | Mexico | Lemon Grove | CA | 91945 | 594(B)(1) PC | VANDALISM $400 OR MORE | F | 01/19/23 | EMRF | 02/28/11 | Assaultive Offense | OUT OF STATE - AGGRAVATED ASSAULT (GA) | F |
| 21 | 04/06/23 | Male | Hispanic | Mexico | San Diego | CA | 92102 | 1170(H)(5)(B)/ 1203.2(A)PC | MANDATORY SUPERVISION VIOLATION | F | 07/05/23 | EMRF | 05/17/22 | 11378 HS | POSSESSION FOR SALE OF RESTRICTED DANGEROUS DRUG | F |
| 22 | 06/30/23 | Male | Hispanic | Mexico | Los Angeles | CA | 90053 | 2800.2(A) VC | EVADE PO:DISREGARD SAFETY | F | 07/12/23 | VDF | 01/09/23 | 487(A) PC | GRAND THEFT – MORE THAN $950 VALUE | F |
| 23 | 12/29/22 | Male | Hispanic | USA | Los Angeles | CA | 90061 | 10851(A) VC | VEHICLE THEFT | F | 01/10/23 | SBDF | 12/10/20 | 261.5(C) PC | UNLAWFUL SEXUAL INTERCOURSE – WITH A MINOR MORE THAN 3 YEARS YOUNGER THAN PERPETRATOR | F |
| 24 | 06/08/23 | Male | Hispanic | Mexico | San Diego | CA | 92113 | 23152(A) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS | M | 06/08/23 | SDCJ | 07/19/13 | 187(A) PC | MURDER | F |
| 25 | 01/20/23 | Male | Hispanic | Mexico | Vista | CA | 92083 | 23152(A) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS | M | 01/21/23 | VDF | 08/04/08 | 23152(A) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS W/ PRIORS (4+ PRIORS) | F |

| Number of Transfers | Offense Code | Offense Description |
|---|---|---|
| 1 | 11378 HS | POSSESSION FOR SALE OF RESTRICTED DANGEROUS DRUG |
| 3 | 11379(A) HS | TRANSPORTATION OR SALE OF RESTRICTED DANGEROUS DRUG |
| 1 | 186.22(D) PC | PARTICIPATION IN CRIMINAL STREET GANG |
| 1 | 187(A) PC | MURDER |
| 1 | 23152(A) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS W/ PRIORS (4+ PRIORS) |
| 2 | 23153(B) VC | DUI – DRIVING UNDER INFLUENCE OF ALCOHOL OR DRUGS WITH .08% OR GREATER BAC CAUSES BODILY INJURY |
| 1 | 245(A)(1) PC | ASSAULT UPON THE PERSON OF ANOTHER WITH A DEADLY WEAPON OR INSTRUMENT OTHER THAN A FIREARM |
| 1 | 245(A)(4) PC | ASSAULT UPON THE PERSON OF ANOTHER BY ANY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY |
| 2 | 261.5(C) PC | UNLAWFUL SEXUAL INTERCOURSE – WITH A MINOR MORE THAN 3 YEARS YOUNGER THAN PERPETRATOR |
| 1 | 273.5(A) PC | WILLFULLY INFLICTS CORPORAL INJURY RESULTING IN A TRAUMATIC INJURY |
| 1 | 422 PC | CRIMINAL THREATS – THREATEN TO COMMIT CRIME WHICH WILL RESULT IN GREAT BODILY INJURY |
| 2 | 459 PC | RESIDENTIAL & COMMERCIAL BURGLARY – ENTER WITH INTENT TO COMMIT THEFT OR ANY FELONY |
| 1 | 487(A) PC | GRAND THEFT – MORE THAN $950 VALUE |
| 1 | 487(C) PC | GRAND THEFT – PROPERTY TAKEN FROM THE PERSON OF ANOTHER |
| 1 | 496(A) PC | RECEIVING STOLEN PROPERTY >$950 |
| 3 | 496D PC | RECEIVING STOLEN PROPERTY – POSSESSION OF STOLEN VEH/VES/ETC. |
| 1 | 530.5(C)(1) PC | IDENTITY THEFT - INTENT TO DEFRAUD (MISDEMEANOR) |
| 1 | Assaultive Offense | OUT OF STATE - AGGRAVATED ASSAULT (GA) |
| 25 | Total Transfer | |

JUNTA DE SUPERVISORES DEL CONDADO DE SAN DIEGO

# LEY DE LA VERDAD

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Punto del orden del día n. ° 21 de mayo de 2024