SAN DIEGO COUNTY COMMUNITY FORUM

Sheriff William D. Gore
November 13, 2018
In accordance with the TRUTH Act, **Government Code Section 7283.1 (d)** any law enforcement agency that has provided ICE access to an individual during the last year shall hold at least one community forum during the following year.

At this forum I will provide information on data that was maintained in relation to ICE access to individuals within county jails. Additionally, I will outline the documents used to ensure compliance with the TRUTH Act and provide information on changes we have made in our data collection process.
In 2017, the San Diego County Sheriff’s Department provided ICE access as defined in Government Code Section 7283 (d). The Department provided ICE with advance notification of an individual's release date for certain charges, specifically individuals convicted of a serious or a violent felony and allowed ICE to interview individuals. All of the aforementioned actions were done in compliance with the TRUTH Act.

The Sheriff’s Department maintains a database containing Criminal Justice Information (CJI) that has several applications which contain criminal history information. In compliance with Senate Bill 54; ICE is permitted to access these databases to obtain information on individuals who have a criminal history to include prior criminal arrest or convictions. We are currently reviewing the Attorney General’s Information Bulletin issued on October 1, 2018 on Database Guidance, to ensure we are
following the best practices regarding non-criminal history information contained within the databases.

The Sheriff’s Department does not provide ICE with information regarding probation nor parole check-ins.
Pursuant to Assembly Bill No. 2792, the Sheriff’s Department adopted the following policies:

**Department P&P, Section 6.47 - Immigration Law: Enforcement**
“The Sheriff's Department shall not use agency resources or personnel to investigate, interrogate, detain, detect or arrest persons for immigration enforcement purposes.”

**Detention P&P, Section Q.4 - Verification of Legal Status Conformance to Immigration Laws**
“In no event shall an inmate be held past their scheduled date of release or be delayed during the release process due to the issuance of an I-247A form.”
In April of 2017, ICE consolidated their forms and created an I-247A form, Immigration Detainer Notice of Action. This became the primary form ICE would use to request notification of an individuals release date.
Upon receiving an I-247A request from ICE, a copy of the request is provided to the individual. Prior to allowing an interview between ICE and an individual in custody; we provide the individual with a J-330 written consent form, that explains the purpose of the interview, explains the interview is voluntary, and informs the individual they may decline to be interviewed or may choose to be interviewed only with his or her attorney present.

If we provide ICE with notification that an individual is being, or will be released on a certain date, we also provide the same notification in writing to the individual and to their attorney or to one additional person who the individual has designated. The notification is done using the J-335 form if the release date is known or the J-340 form if the release date is unknown. At the request of the California Immigrant Policy Center an email
notification is sent to the individual’s attorney or designee if the email address is known.

The consent forms are available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean as required by the TRUTH Act.
In early 2017, we worked collaboratively with the California Immigrant Policy Center to ensure our forms contained the proper notifications required by the TRUTH Act. The Department also adopted many of the suggestions provided by the California Immigrant Policy Center and routinely accommodated requests for statistical information. At the request of the aforementioned policy advisors; we conducted a manual count of ICE access by tracking the J-330, J-335 and J-340 forms submitted to custody records.

In 2017, based on the manual count approximately 1143 individuals were released to ICE.