



SAN DIEGO COUNTY SHERIFF'S DEPARTMENT

TRUTH Act Community Forum San Diego County

November 15, 2022



BACKGROUND: KEY IMMIGRATION-RELATED LEGISLATION

TRUST ACT (AB 4)

- Prohibits a law enforcement official, from detaining an individual on the basis of an ICE hold after that individual becomes eligible for release from custody, unless that individual has been convicted of or charged with specified crimes

TRUTH ACT (AB 2792)

- Requires local law enforcement agencies, prior to an interview between ICE and an individual in custody, to provide the individual a written consent form, among other provisions.
- Requires the local governing body to hold a public community forum during the following year, as specified, to provide information to the public about ICE's access to individuals

VALUES ACT (SB 54)

- Prohibits state and local law enforcement from holding individuals on the basis of federal immigration detainers, or transferring them into federal custody, unless they've been convicted in the last 15 years for one of a list of 31 crimes, or are a registered sex offender: if not, they may only be held with a warrant from a federal judge
- Prohibits state and local law enforcement from asking anyone about their immigration status
- Prevents agencies from using their resources to investigate, interrogate, detain, detect, or arrest people for immigration enforcement purposes

POLICIES & TRAININGS

Staff Continually Educated on Department Policy and Procedures

Department Policy & Procedure Section 6.47 – Immigration
Laws: Enforcement

Detentions Policy & Procedure Section Q.4 – Verification of
Legal Status and 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.

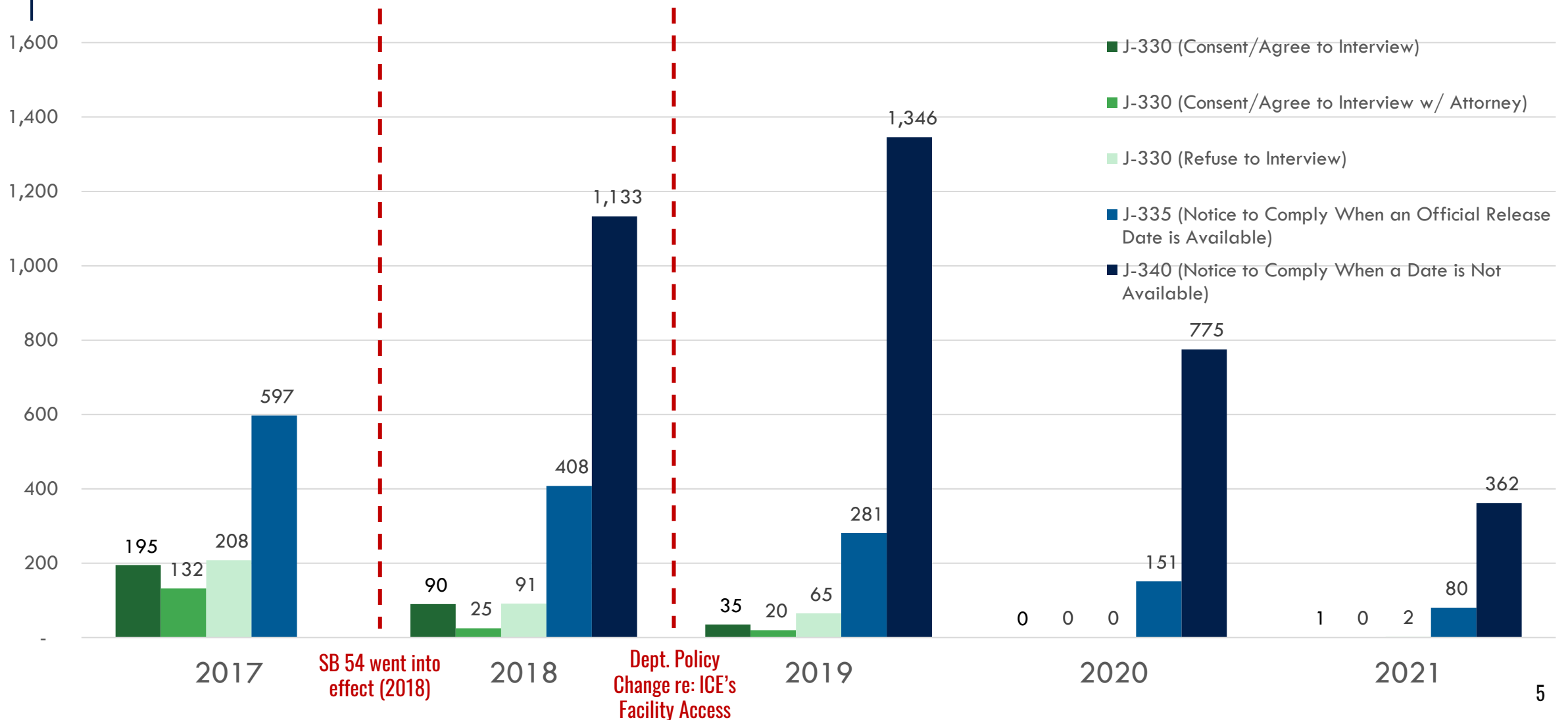
- ICE is required to check in via the primary entrance point and follow professional visitor guidelines

▶ 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 in release information or interview requests:

- J-330: Incarcerated Person receives form to consent/agree to an ICE interview alone, with an attorney, or refusal
- J-335: Notice of Intent to comply with ICE request and provide release date
- J-340: Notice to Incarcerated Person of ICE Request and Intent to Notify

ICE INTERVIEW REQUESTS | 5-YEARS AT A GLANCE



2021 ICE INTERVIEW REQUESTS

3 ICE Interview Requests However NO Interviews Took Place



**ICE Interview
Consent Form
Made Available in:**

English
Spanish
Chinese
Tagalog
Vietnamese
Korean
Arabic
Somali (new)
Farsi (new)

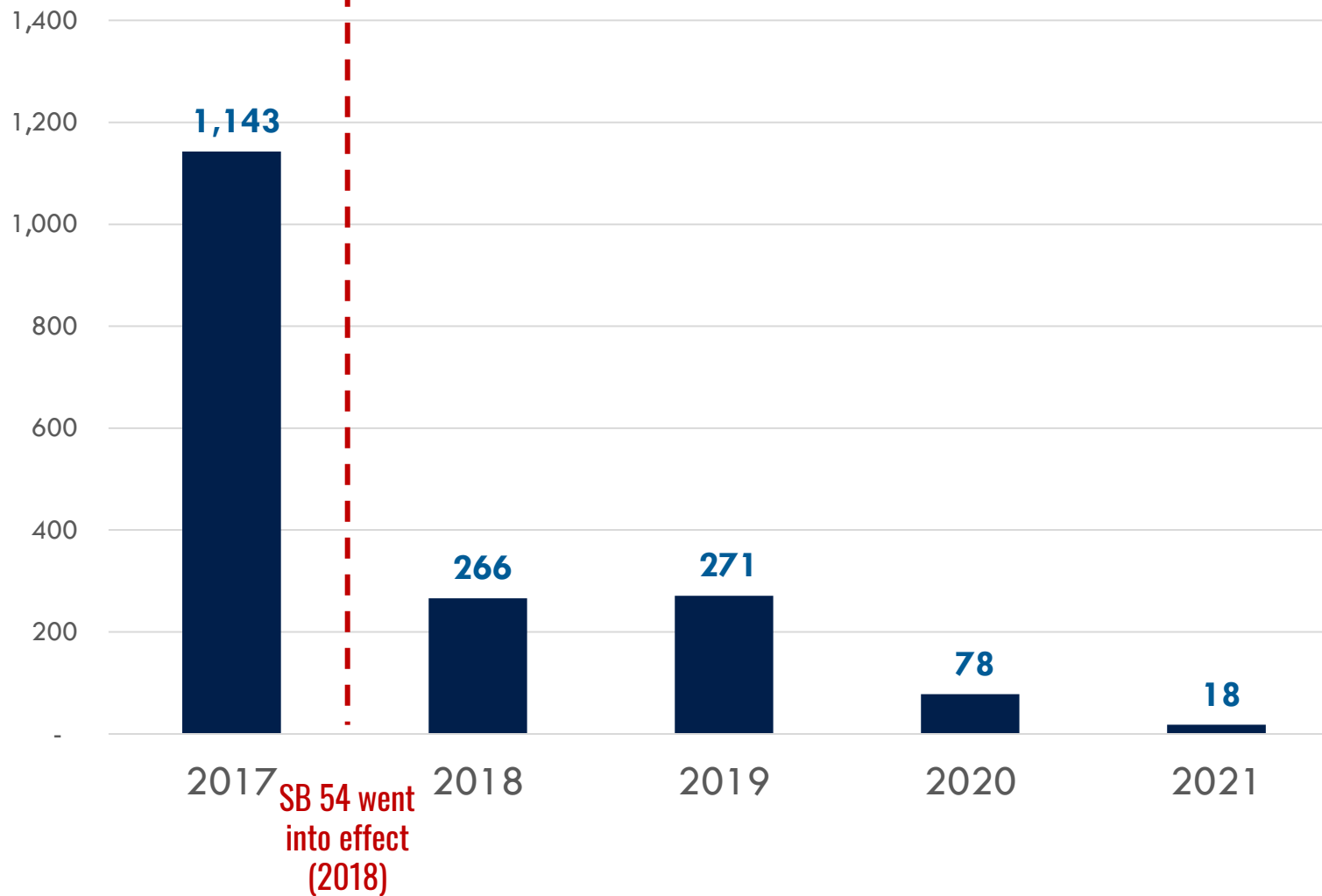
2021 RELEASE NOTIFICATIONS

365 Received & Screened ICE Release Notification Requests

275 Rejected ICE Requests

90 Qualified ICE Requests

ICE TRANSFERS | 5-YEARS AT A GLANCE



Values Act: 2021 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	05/30/17	Male	Hispanic	Mexico	SAN BERNARDINO	CA	92411	11378 HS	Possession for Sale of Restricted Dangerous Drug	F	01/11/21	GBDF	07/11/17	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F
2	02/28/18	Male	Hispanic	Mexico		CA	25236	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F	01/11/21	EMRF	07/05/18	11378 HS	Possession for Sale of Restricted Dangerous Drug	F
3	06/19/18	Male	Hispanic	Mexico		CA		11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F	05/14/21	EMRF	11/16/19	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F
4	08/31/18	Male	Hispanic	Mexico		CA		11370.4(B)(3) HS	AMPH/METH/PCP Over 10KG or 200L	F	01/11/21	EMRF	10/11/18	11352(A) HS	Transport/Import/Sale of Narcotics (includes Opiates & Cocaine)	F
5	12/12/18	Male	Hispanic	Mexico	ESCONDIDO	CA	92027	288.5(A) PC	Continuous Sexual Abuse of a Child	F	07/16/21	GBDF	06/29/21	288(A) PC	Child Molestation – Victim Under 14	F
6	02/06/19	Male	Hispanic	Mexico		CA		11352(A) HS	Transport/Import/Sale of Narcotics (includes Opiates & Cocaine)	F	01/11/21	SDCJ	04/30/19	11352(A) HS	Transport/Import/Sale of Narcotics (includes Opiates & Cocaine)	F
7	03/21/19	Male	Hispanic	Mexico	LOS ANGELES	CA	90001	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F	09/18/21	EMRF	05/23/19	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F
8	06/18/19	Male	Hispanic	Mexico	VISTA	CA	92084	475(B) PC	Possess Blank Check w/ Intent to Defraud > \$950	F	04/01/21	EMRF	09/21/15	2800.2(A) VC	Evading an Officer while Driving with Wanton Disregard for Safety	F
9	12/05/19	Male	Hispanic	Mexico	CHULA VISTA	CA	91911	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F	04/11/21	EMRF	01/24/20	11378 HS	Possession for Sale of Restricted Dangerous Drug	F
10	02/27/20	Male	Hispanic	Mexico	SAN DIEGO	CA	92139	23152(A) VC	DUI – Under the Influence of Alcohol	M	02/24/21	EMRF	03/19/10	23152(A) VC/ 23550 VC	DUI – Under the Influence of Alcohol/DUI with Priors	F
11	10/17/20	Male	Hispanic	Mexico	OCEANSIDE	CA	92057	245(C) PC	Assault w/ a Deadly Weapon- Not Firearm- On Peace Officer: GBI Likely	F	03/16/21	VDF	08/20/20	69 PC	Threat or Violence Toward a Peace Officer in Performance of Duty	F
12	10/20/20	Male	Hispanic	Mexico	SAN DIEGO	CA	92116	278 PC 17B4	Child Abduction	M	03/24/21	VDF	11/06/18	273.5(A) PC	Domestic Violence with Traumatic Injury	F
13	03/03/21	Male	Hispanic	Mexico	SAN DIEGO	CA	92105	463(B) PC	Grand Theft During State of Emergency	F	08/30/21	EMRF	04/30/21	459 PC	Residential & Commercial Burglary – Enter w/Intent to Commit Theft or any - Felony	F
14	03/28/21	Male	Hispanic	Mexico	SAN DIEGO	CA		29800(A)(1) PC	Felon Possess Firearm	F	04/05/21	SDCJ	08/19/19	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)	F
15	04/20/21	Male	Hispanic	Mexico	ESCONDIDO	CA	92027	187 PC	ATMP - Murder	F	09/23/21	EMRF	12/03/08	487(A) PC	Grand Theft – more than \$950 value	F
16	05/07/21	Male	Hispanic	Mexico	VISTA	CA	92084	273.5(A) PC	Domestic Violence with Traumatic Injury	F	05/15/21	VDF	05/04/09	487(C) PC	Grand Theft – Property Taken from the Person of Another	F
17	05/24/21	Male	White	Mexico		CA		3056 PC	Violation of Parole	F	06/02/21	SBDF	09/19/17	136.1(B)(1) PC	Preventing or Dissuading a Victim from Reporting a Crime	F
18	06/23/21	Male	Hispanic	Mexico	ESCONDIDO	CA	92027	245(A)(2) PC	Assault with a Firearm	F	06/30/21	VDF	04/14/21	496(A) PC	Receiving Stolen Property - Misdemeanor	M

Values Act: 2021 Transfer Reporting
San Diego County Sheriff's Department

ID	BOOK DATE	GEN	ETHNICITY	SELF-REPORTED	SELF-REPORTED	CURRENT BOOKING PRIMARY CHARGE & SEVERITY	RELEASE	QUALIFYING CONVICTION DATE	CHARGE & SEVERITY	
1	05/30/17	M							of Controlled (narcotics)	
2	02/28/18								Restricted Dangerous	
3	06/19/18	M							of Controlled (narcotics)	
4	08/31/18	M							of Narcotics (e)	
5	12/12/18	M							im Under 14	
6	02/06/19	M							of Narcotics (aine)	
7	03/21/19	M							of Controlled (narcotics)	
8	06/18/19	M							e Driving with (safety)	
9	12/05/19	M							Restricted Dangerous	
10	02/27/20	M							ce of Alcohol/DUI	
11	10/17/20	M							ard a Peace Officer	
12	10/20/20	M							Traumatic Injury	
13	03/03/21	M							al Burglary – Enter (ft or any - Felony)	
14	03/28/21	M							of Controlled (narcotics)	
15	04/20/21	M							n \$950 value	
16	05/07/21	Male	Hispanic	Mexico	VISTA CA 92084	273.5(A) PC	Domestic Violence with Traumatic Injury	F	05/15/21 VDF 05/04/09 487(C) PC	Grand Theft – Property Taken from the Person of Another
17	05/24/21	Male	White	Mexico	CA	3056 PC	Violation of Parole	F	06/02/21 SBDF 09/19/17 136.1(B)(1) PC	Preventing or Dissuading a Victim from Reporting a Crime
18	06/23/21	Male	Hispanic	Mexico	ESCONDIDO CA 92027	245(A)(2) PC	Assault with a Firearm	F	06/30/21 VDF 04/14/21 496(A) PC	Receiving Stolen Prop

Number of Transfers	Offense Code	Offense Description
2	11352(A) HS	Transport/Import/Sale of Narcotics (includes Opiates & Cocaine)
2	11378 HS	Possession for Sale of Restricted Dangerous Drug
4	11379(A) HS	Transport/Import/Sale of Controlled Substance (Meth & non-narcotics)
1	136.1(B)(1) PC	Preventing or Dissuading a Victim from Reporting a Crime
1	23152(A) VC/23550 VC	DUI – Under the Influence of Alcohol/DUI with Priors
1	273.5(A) PC	Domestic Violence with Traumatic Injury
1	2800.2(A) VC	Evading an Officer while Driving with Wanton Disregard for Safety
1	288(A) PC	Child Molestation – Victim Under 14
1	459 PC	Residential & Commercial Burglary – Enter w/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 - Misdemeanor
1	69 PC	Threat or Violence Toward a Peace Officer in Performance of Duty
18	Total Transfer	

DEVELOPMENTS OVER THE PAST 5 YEARS

- ▶ Updated department protocols, policies & procedures based on dialogue from the community
 - Removed the daily public posting report of release dates from website
 - Limited ICE's access to facilities
- ▶ Updated ICE Interview Consent Forms in added threshold languages
- ▶ Received 100% compliance rate from the San Diego Immigrant Rights Consortium based on their report *"SB 54 Implementation: Three Years Later"*
- ▶ Transparent data portal for immigration-related reports, jail transfers, and ICE interview requests
 - Continued data sharing to the public and SDIRC to increase transparency and trust that individuals were transferred to ICE based on SB 54's time limitations and statues
- ▶ Detentions Processing Division implemented electronic tracking and audit systems to uphold accountability



SAN DIEGO SHERIFF DEPARTMENT

OVERALL COMPLIANCE RATE: 100%



The San Diego Sheriff's Department covers over 4,200 square miles. It provides services to 944,000 of our county's 3.3 million residents, 23.4% of whom are foreign born. The Sheriff's department has 4,385 staff and a budget of \$977.6 million. [Click to see written policies](#) (Section 6.47, starting on page 299).

Does the department policy cover the following SB 54 requirements? Yes No

(The answers below are based on their written policies)

1. Using agency resources for immigration enforcement purposes is prohibited. _____
2. Inquiring into an individual's immigration status is prohibited. _____
3. Detaining an individual on the basis of a hold request is prohibited. _____
4. Notifying ICE of release dates is prohibited under most circumstances. _____
5. Sharing most personal information with federal immigration agencies is prohibited. _____
6. Performing the duties of an immigration officer is prohibited. _____
7. Making arrests based on civil immigration warrants is prohibited. _____
8. Transferring individuals to federal immigration is prohibited under most circumstances. _____
9. Providing dedicated office space for immigration authorities is prohibited. _____
10. Contracting with federal government to detain individuals is prohibited. _____
11. Using immigration agents as interpreters is prohibited. _____
12. Arresting individuals for violations of immigration law is prohibited under most circumstances. _____
13. Participation in joint task forces is only allowed if the primary purpose is not immigration enforcement. _____
14. Reporting on joint task force operations to the CA Attorney General is required. _____





A large banner for the 'ACADEMIA VIRTUAL DE ALGUACIL 2021'. The main image shows a woman in a San Diego County Sheriff's uniform with a name tag that says 'K. BAH'. The text 'Bienvenidos a ACADEMIA VIRTUAL DE ALGUACIL 2021' is overlaid on the right. Below the main image are four small video call thumbnails showing participants in a virtual meeting.

COMMUNITY CONNECTIONS



COMMUNITY CONNECTIONS



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