

TRUTH ACT

Community Forum

APRIL 22, 2025

AGENDA ITEM #14

Key Immigration-Related Laws

- The TRUST Act, Assembly Bill 4 (Chapter 570, Statutes of 2013), which limits the circumstances under which local law enforcement can detain individuals on behalf of federal immigration authorities.
- The TRUTH Act, Assembly Bill 2792 (Chapter 768, Statutes of 2016), which ensures transparency and oversight regarding local law enforcement's communication with federal immigration authorities.
- The VALUES Act, Senate Bill 54 (Chapter 495, Statutes of 2017), which limits the circumstances under which local law enforcement may use funds or personnel to support immigration enforcement and prevents police officers and sheriff's deputies from asking about an individual's immigration status, from sharing a person's personal information with immigration authorities, unless otherwise required or permitted by law, or from arresting anyone only for having a deportation removal order or for most other immigration violations.

San Diego Sheriff's Office Role with Immigration-related Enforcement

- DO NOT** ask immigration status
- DO NOT** investigate or enforce immigration law
- DO NOT** detain an individual for an ICE hold request
- DO NOT** participate in immigration raids, checkpoints, or mass deportations
- DO NOT** provide personal information, about an individual, including, but not limited to, the individual's home address or work address unless that information is available to the public
- DO** share release date information or transfer to ICE when an individual is convicted of a qualifying crime (individual is already in San Diego County Jail custody) or unless authorized by a judicial warrant
- DO** participate in regional task forces and enforce state and federal law related to narcotics, transnational criminal activity, human trafficking, weapons, terrorism and other violent criminal acts that do not focus on immigration enforcement

Release Authority per SB 54 (Gov Code 7282.5)

The incarcerated individual qualifies if they are:

- Convicted of a serious or violent felony; or
- Convicted of a felony that is punishable by imprisonment in state prison; or
- Convicted within the past 5 years of a misdemeanor for a crime that is punishable as either a misdemeanor or felony; or
- Convicted of specific offenses within the last 15 years of a felony; or
- A current registrant on the California Sex and Arson Registry; or
- Convicted of a federal crime that meets the definition of an aggravated felony; or
- Currently facing a charge for a crime that is considered a serious or violent felony or is punishable by a term in state prison and where a judge has made a probable cause finding; or

Judicial Warrants override state law.

HOW THE JAIL PROCESS TAKES PLACE

ICE WANTS TO SPEAK WITH/INTERVIEW AN INDIVIDUAL IN SHERIFF'S CUSTODY

SDSO Action

SDSO screens the request to determine if the individual meets the qualifying charges.

- › If they don't meet the qualification, the process ends, and the individual will receive a copy of the form for their records.
- › If they meet the qualification, SDSO provides an ICE interview consent form to the individual (J-330 form).
 - If the individual meets the qualification, then:
 - The incarcerated individual receives the consent form (available in preferred language), and determines if they want to:
 - Deny interview request; or
 - Approve the interview request; or
 - Approve with their attorney present

HOW THE JAIL PROCESS TAKES PLACE

ICE WANTS TO RECEIVE A NOTIFICATION ON THE RELEASE DATE OF AN INDIVIDUAL IN SHERIFF'S CUSTODY

SDSO Action (if release date is available)

SDSO screens the request to determine if the individual meets the qualifying charges.

- › If they don't meet the qualification, the process ends.
- › If the individual meets the qualification, and their release date is available, then:
 - The incarcerated individual receives a J-335 form (available in preferred language), which notifies them that ICE will be contacted on the day of their release.
The call is for notification purposes only. We do not schedule or coordinate a person's release with ICE, nor is the release delayed as part of this process.

HOW THE JAIL PROCESS TAKES PLACE

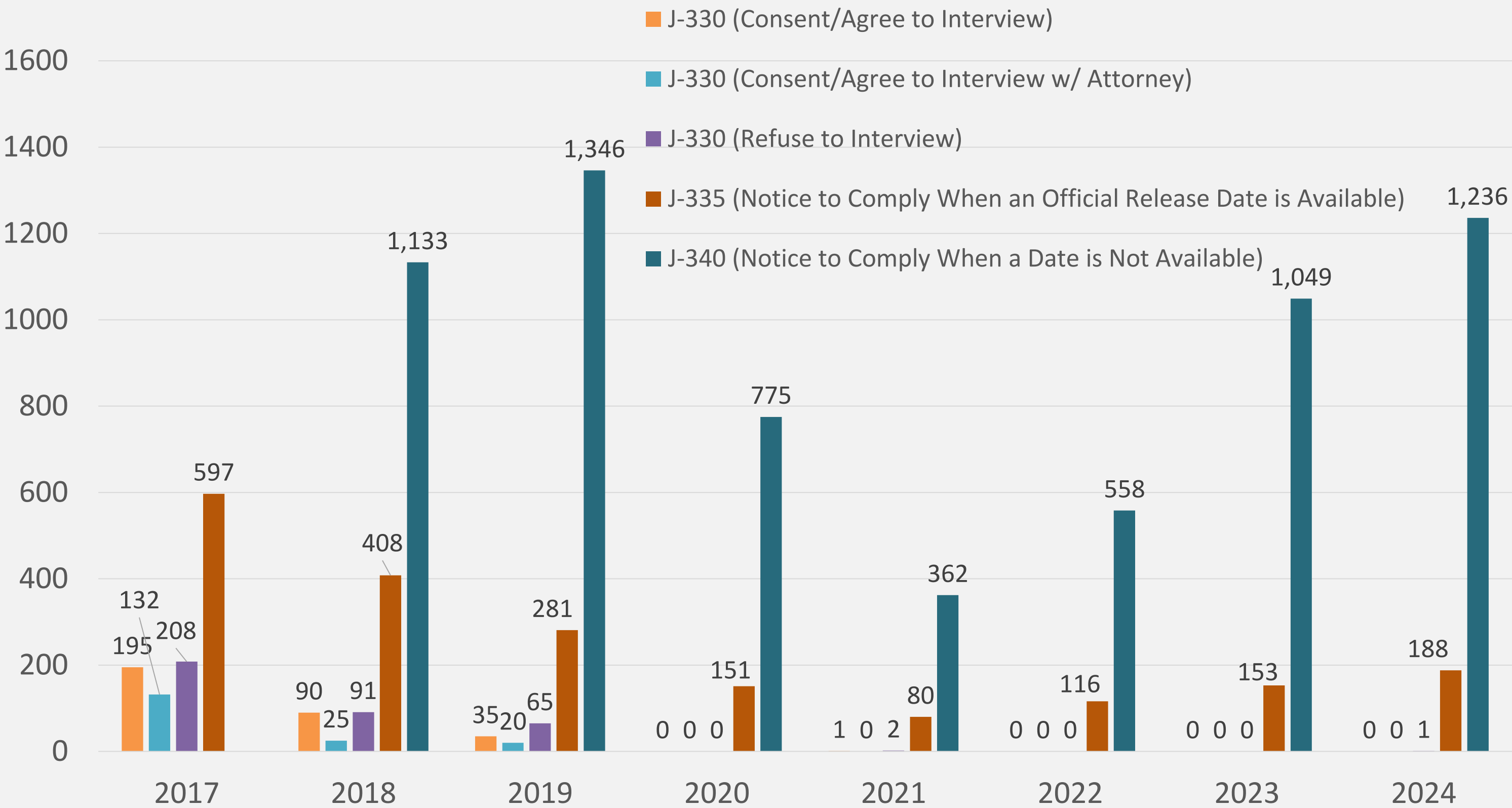
ICE WANTS TO RECEIVE A NOTIFICATION ON THE RELEASE DATE OF AN INDIVIDUAL IN SHERIFF'S CUSTODY

SDSO Action (if release date is unknown/not available)

SDSO screens the request to determine if the individual meets the qualifying charges.

- › If they don't meet the qualification, the process ends.
- › If the individual meets the qualification, and their release date is not available, then:
 - The incarcerated individual receives a J-340 form (available in preferred language), which notifies them that ICE is interested in their release date and will be notified once that date becomes available.

ICE REQUESTS OVER THE YEARS



2024 ICE INTERVIEW REQUESTS



INTERVIEWS
REQUESTED

1*



AGREED TO AN
INTERVIEW

0



INDIVIDUAL
DECLINED
INTERVIEW

1*



AGREED TO
INTERVIEW WITH
AN ATTORNEY

0

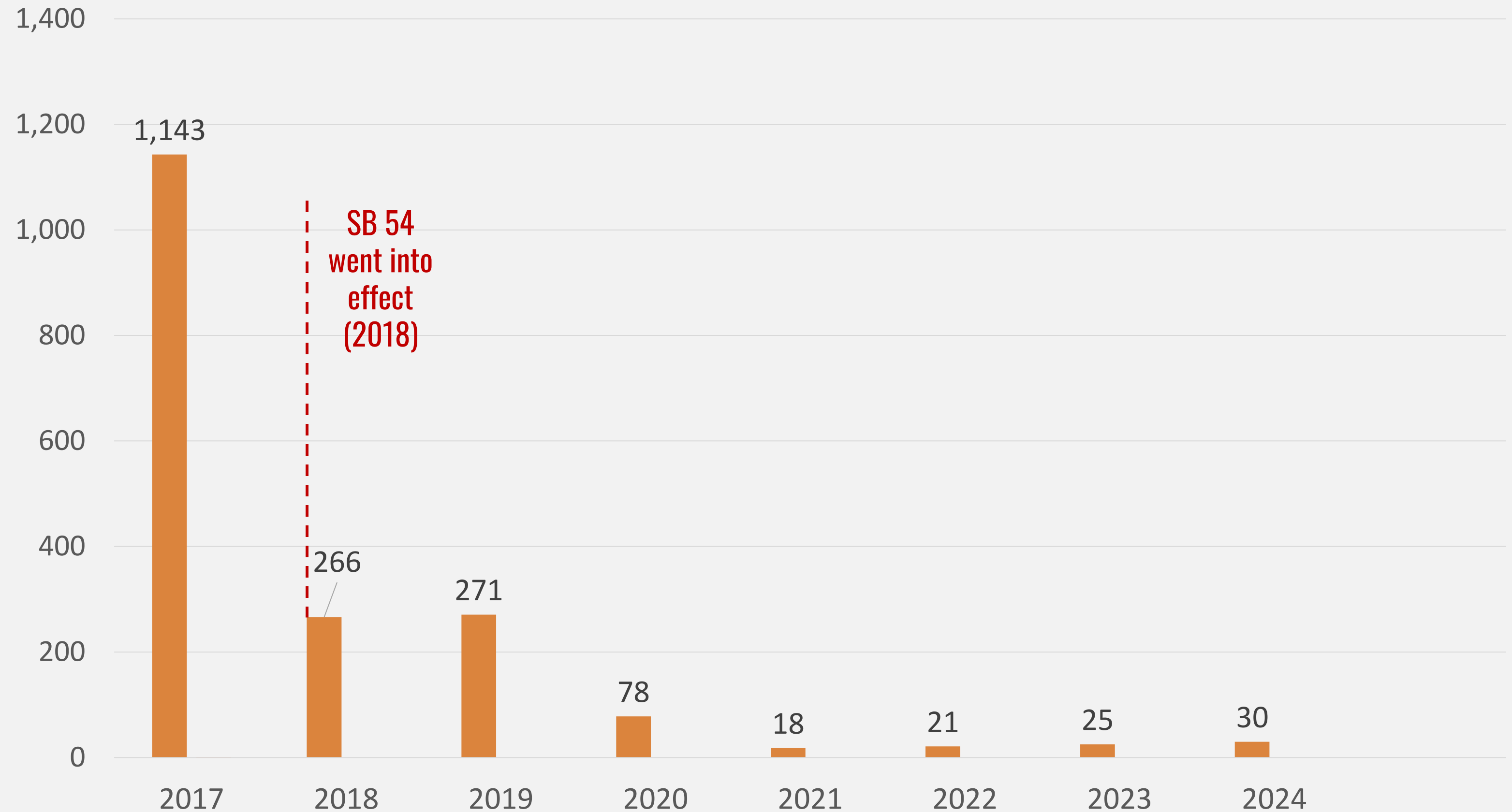
* Reporting error – no interviews took place.

2024 ICE RELEASE NOTIFICATIONS

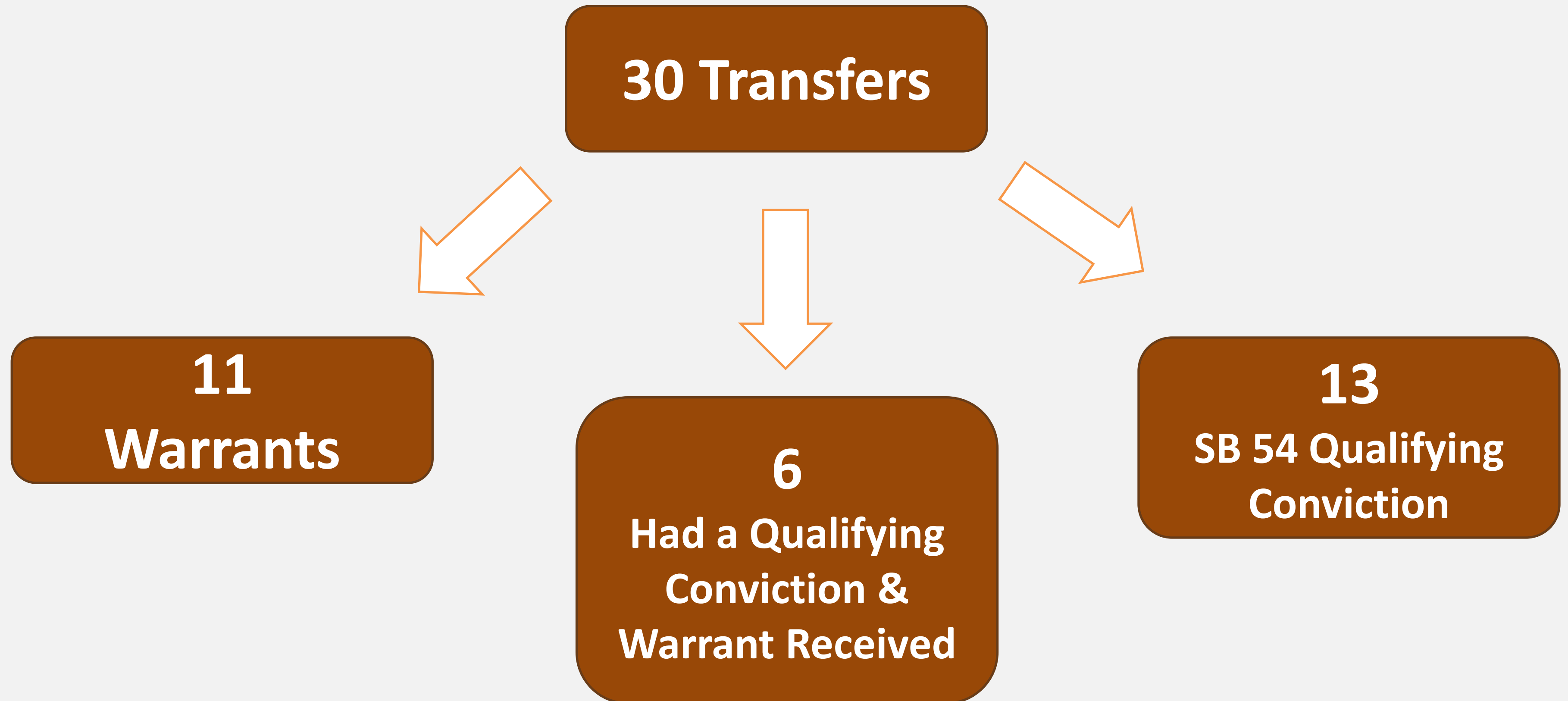
1,236 Received & Screened
ICE Release Notification
Requests

MONTH	REJECTED REQUESTS	APPROVED REQUESTS
January	12	88
February	19	78
March	12	82
April	19	92
May	20	81
June	18	73
July	19	101
August	18	103
September	19	95
October	22	78
November	11	73
December	13	90
TOTAL	202	1,034

ICE TRANSFERS OVER THE YEARS

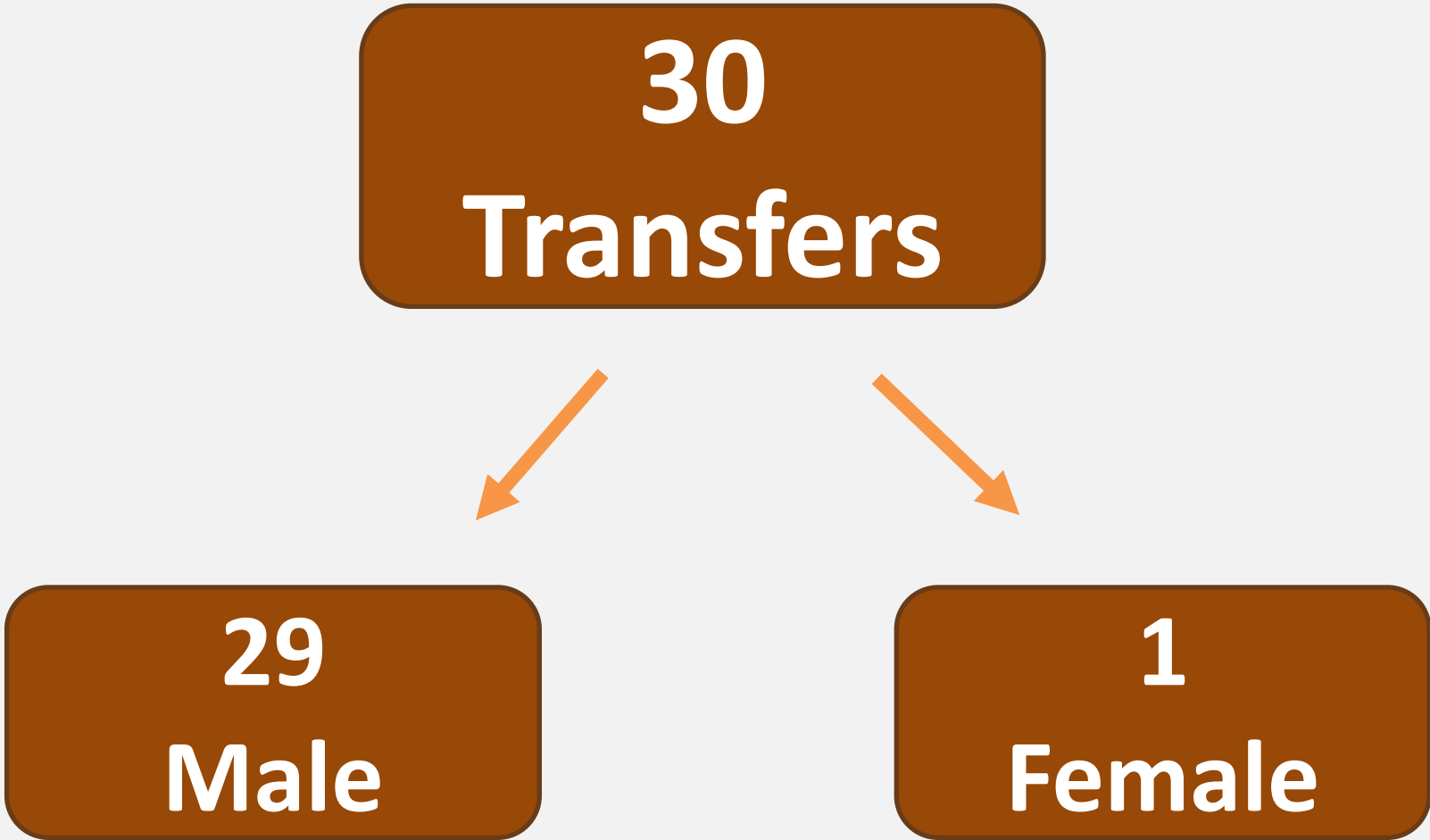


2024 ICE TRANSFER REPORTING



2024 ICE TRANSFER REPORTING

Self-Reported Country of Origin	
3	Guatemala
1	Honduras
20	Mexico
1	Thailand
5	USA



2024 ICE TRANSFER REPORTING

Qualifying Convictions	
Transportation or sale of restricted dangerous drug	Evading an officer while driving with wanton disregard for safety
Robbery – theft by force or fear	Possession of firearm by prohibited person
DUI – driving under influence of alcohol or drugs w/ priors (4+ priors)	Grand theft – more than \$950 value
DUI – driving under influence of alcohol or drugs causes bodily injury to another person	Residential & commercial burglary – enter with intent to commit theft
DUI – driving under influence of alcohol or drugs with .08% or greater BAC causes bodily injury to another person	Receiving stolen property >\$950
False imprisonment	Threat or Violence towards a peace officer in performance of duty
Assault upon the person of another with a deadly weapon or instrument other than a firearm	Federal Warrant
Assault upon the person of another by any means of force likely to produce great bodily injury	Evading an officer while driving with wanton disregard for safety

2024 ICE TRANSFER REPORTING

30
Transfers

▶
Generated

108
Bookings*
Over the Last 7 Years

*The individuals ranged from 1-12 prior bookings. Approximately, two out of the three bookings were for felony-level offenses such as assault, burglary, robbery, vehicle theft, domestic violence, multiple DUIs, drug sales, supervision violations, etc.

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