



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

NATHAN FLETCHER
Fourth District

JIM DESMOND
Fifth District

DATE: November 15, 2022

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TO: Board of Supervisors

SUBJECT

NOTICED PUBLIC HEARING: TRUTH ACT COMMUNITY FORUM REGARDING IMMIGRATION AND CUSTOMS ENFORCEMENT ACCESS TO INDIVIDUALS DURING 2021 (DISTRICTS: ALL)

OVERVIEW

In 2016, the State of California enacted the Transparent Review of Unjust Transfers and Holds Act, also known as the “TRUTH Act.” As part of the TRUTH Act, Government Code Section 7283.1(d) requires that the governing body of a county hold an annual community forum if a local law enforcement agency within that county provided federal Immigration and Customs Enforcement (ICE) access, as defined in the Act, to individuals during the previous year.

This is a request for the Board of Supervisors to hold a TRUTH Act community forum in order to provide information about ICE’s access to individuals, and to receive and consider public comment. This forum was noticed to the public on October 12, 2022.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Hold a community forum on November 15, 2022, in accordance with Government Code Section 7283.1(d).
2. Receive a report from the Sheriff’s Department regarding ICE access to individuals during 2021.

EQUITY IMPACT STATEMENT

To increase transparency and public access to information, the County will hold a community forum and solicit public comment regarding any County departments that have provided access to Immigration and Customs Enforcement (ICE) with a summary of data. Additionally, all records related to ICE access are available for public access. Information that is reported out includes the number of individuals to whom the agency has provided ICE access and their demographic characteristics, the date ICE access was provided, and how ICE access was provided, either through a hold, transfer, notification request or through other means.

SUSTAINABILITY IMPACT STATEMENT

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The proposed actions to hold a public Transparent Review of Unjust Transfers and Holds Act (TRUTH) Act Community Forum and receive a report from the Sheriff's Department regarding Immigration and Customs Enforcement access to individuals during 2021 contribute to the County of San Diego's Sustainability Goals of engaging the community and providing just and equitable access. To engage the community in meaningful ways and solicit stakeholder input in the civic process, the County of San Diego is hosting a community forum in a publicly accessible space and with at least 30 days of public notice with the goal of designing public processes that encourage people and diverse stakeholders to participate in decisions that impact their lives and communities. Furthermore, by inviting public comment to all community members wishing to participate, and by offering translated materials and interpretation services in Arabic, Chinese (Mandarin), Korean, Persian (Farsi and Dari), Somali, Spanish, Filipino (Tagalog), and Vietnamese, the proposed TRUTH Act Community Forum furthers the County of San Diego's vision of investing in just and equitable access to County services for all residents.

FISCAL IMPACT

There is no fiscal impact associated with the recommendations to hold a community forum and receive a report regarding ICE access to individuals. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

In 2016, the State of California enacted the Transparent Review of Unjust Transfers and Holds Act (Act), also known as the "TRUTH Act." The TRUTH Act requires, per Government Code Section 7283.1(d), that the governing body of a county hold an annual community forum if a local law enforcement agency within the county provided federal Immigration and Customs Enforcement (ICE) access, as defined in the Act, to individuals during the previous year. This forum shall be open to the public, in an accessible location, and with at least 30 days' notice, to provide information to the public about ICE's access to individuals and to receive and consider public comment.

The TRUTH Act defines local law enforcement agencies as those authorized to enforce criminal statutes, regulations or local ordinances; or to operate jails or maintain custody of individuals in jails; or to operate juvenile detention facilities or maintain custody of individuals in juvenile detention facilities; or to monitor compliance with probation or parole conditions. The legislation defines ICE access and describes the conditions under which this access may be provided.

On October 14, 2022, notification of the TRUTH Act community forum to be held on November 15, 2022, during the Board of Supervisors' meeting, which is open to the public, was issued in compliance with the statute's requirement for notice 30 days prior to the forum. During the forum, the Sheriff's Department will report on the Department's interactions and communication with

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ICE during 2021. No other County departments provided ICE access, as defined in the Act, to individuals during the previous year.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The TRUTH Act community forum supports the Empower and Community initiatives in the County of San Diego's 2022-2027 Strategic Plan by sharing information with the public in compliance with state law.

Respectfully submitted,



FOR

HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

N/A