



Evaluation only

Foro Comunitario – LEY TRUTH

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Alguacil del Condado de Ventura

Alguacil Bill Ayub
noviembre 2020

La Ley TRUTH

Ley de la Asamblea 2792

Capítulo 768

- Una ley para añadir al capítulo 27.2 (comenzando con la sección 7285) a la división 7 del título 2 del Código Gobernamental, relacionado con el gobierno local.
- [Aprobado por el gobernador el 28 de septiembre del 2016. Presentado a la Secretaría del Estado el 28 de septiembre del 2016.]
- Ley de la Asamblea 2792, Bonta. Las agencias de aplicación de la ley locales: aplicación de la póliza de inmigración federal: acceso por el Control de Inmigración y Aduanas (ICE).

La sección del Código del gobierno 7283.1(d)

- A partir del 1 de enero de 2018, el ente gubernamental local de cualquier condado, ciudad, o ciudad y condado en que una agencia de aplicación de la ley local ha permitido contacto de ICE con un individuo en el año anterior organizará un foro público durante el próximo año, que está abierto al público, en un lugar accesible, y con al menos 30 días de aviso para proporcionar información al público sobre el contacto de ICE con individuos y recibir y considerar comentarios del público.

La sección del Código del gobierno 7283.1(d)

- La agencia de aplicación de la ley puede proporcionar los datos que mantiene al **órgano de aplicación de la ley** acerca de los números y características de los individuos con los que la agencia ha permitido contacto con ICE, la fecha cuando fue permitido el contacto con ICE y si se proporcionó contacto con ICE por medio de una detención, transferencia, o por una petición de notificación o por otros métodos.
- Los datos se pueden proporcionar en forma de estadísticas, o si no se mantienen estadísticas, por los registros individuales, siempre que información personal identificada será redactada.

La sección del Código del gobierno 7283.1(d)

- “Contacto con ICE”, significa por el propósito de la aplicación de la ley de inmigración civil, lo cual incluye cuando un individuo está detenido con o sin consentimiento, arrestado, o de otro modo está bajo el control de una agencia de aplicación de la ley local, todo lo siguiente:
 - Responder a una detención, notificación, o transferencia de ICE.
 - Avisar a ICE antes que al público que un individuo está o será librado a cierta hora y fecha por medio de compartir los datos o de otro modo.
 - Proporcionar información que no está disponible al público a ICE en cuanto a las fechas de liberación, direcciones de domicilios o de trabajos, o por medio de bases de datos informáticas, registros de cárcel, o de otro modo.
 - Permitir a ICE entrevistar a un individuo.
 - Proporcionar información acerca de las fechas y las horas de citas con la agencia de libertad condicional.

Póliza 415 del Alguacil del Condado de Ventura

- Es la póliza de la Oficina del Alguacil del Condado de Ventura (VCSO) que todos los miembros hagan un compromiso personal y profesional a la aplicación de la ley y a brindar un servicio igualitario a todos los miembros del público sin importar su estatus migratorio.
- Los agentes de la VCSO no se involucrarán en la aplicación de la ley de inmigración al nivel del programa.

Policy
415

Ventura County Sheriff's Office
Ventura County SD Policy Manual

Immigration Violations

415.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Ventura County Sheriff's Office for understanding our role as it relates to Federal Immigration Policy.

415.2 POLICE

It is the policy of the Ventura County Sheriff's Office that all members make personal and professional commitments to equal enforcement of the law and equal service to all members of the public regardless of their immigration status.

415.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity, or national origin in any way that would violate the United States or California constitutions.

415.4 ICE REQUESTS FOR ASSISTANCE

Deputies will not be involved in field level immigration enforcement.

Requests by ICE, or any other federal agency, for assistance from this department should be directed to the Watch Commander or Bureau Captain. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies.

415.5 INFORMATION SHARING

No member of this Department will prohibit, or in any way restrict, any other member from doing any of the following regarding citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- Sending information to, or requesting or receiving such information from ICE
- Maintaining such information in department records
- Exchanging such information with any other federal, state or local government entity

Notice to individuals in custody should be handled according to the Detention Services Divisional Policy and Procedures Manual.

La Orden de retención de ICE Formulario I-247 A

➤ Entró en vigor en abril del 2017, el ICE consolidó sus formularios y creó el formulario I-274 A que es una Orden de retención de inmigración – Aviso de acción.

➤ La Oficina del Alguacil del Condado de Ventura no retiene a individuos bajo custodia después de su fecha de liberación.

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: Event #:	File No: Date:
TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)	FROM: (Department of Homeland Security Office Address)

Name of Alien: _____

Date of Birth: _____ Citizenship: _____ Sex: _____

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2).

A final order of removal against the alien;

The pendency of ongoing removal proceedings against the alien;

A final conviction of the alien's identity and a post-check of federal law based on information indicating by themselves or in addition to other reliable information that the alien's immigration status is not lawfully standing such as status is removable under U.S. immigration law; and/or

Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or is removable under U.S. immigration law.

2. DHS HAS REQUESTED THE ALIEN TO BE IN CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).

Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

- **Notify DHS** as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) at _____. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at: (802) 872-6020.
- **Maintain custody** of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien **must be served with a copy of this form** for the detainer to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters
- Relay this detainer to any other law enforcement agency to which you transfer custody of the alien.
- Notify this office in the event of the alien's death, hospitalization or transfer to another institution.

If checked: please cancel the detainer related to this alien previously submitted to you on _____ (date).

(Name and title of Immigration Officer)

(Signature of Immigration Officer) (Sign in ink)

Notice: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____.

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____, in the following manner:

in person by inmate mail delivery other (please specify): _____

(Name and title of Officer)

(Signature of Officer) (Sign in ink)

DHS Form I-247A (3/17) Page 1 of 3

La sección del Código del gobierno 7283.1(a)

- Al recibir la Orden de retención de inmigración de ICE, la agencia de aplicación de la ley proporcionará una copia de la orden al individuo e informarle a él o a ella si la agencia cumplirá con la petición.
- Las ordenes de retención de inmigración de ICE se envían a la cárcel después de fichar al individuo.
- Las estaciones de patrulla no reciben las Órdenes de retención.

Alguacil del Condado de Ventura – Formulario de consentimiento de entrevista de ICE

- Los individuos están informados de una petición de ICE para hacer una entrevista al igual de sus derechos bajo la Ley TRUTH.
- Los individuos pueden negar hablar con ICE.
- Los individuos pueden aceptar hablar con ICE con un abogado presente.
- Los individuos pueden aceptar hablar con ICE sin un abogado presente.

VENTURA COUNTY SHERIFF'S OFFICE
Detention Services Division
ICE Interview Consent Form - AB 2792 Truth Act

- Solicito recibir este formulario en español. / I request to receive this form in Spanish.
 請寄來中文表格。 / I request to receive this form in Chinese.
 Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
 Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다. / I request to receive this form in Korean.

This notice is to inform you that Immigration and Customs Enforcement ("ICE") wants to interview you, either in person or by phone, to get information that they may use to try to deport you. **You have the right to agree or to refuse this interview.**

This notice is intended to provide you with information about your rights:

- 1) ICE interview a voluntario. You are going to an interview by ICE.
- 2) **You have the right to remain silent.** Even if you decide to say yes to an interview, you can refuse to answer any questions, including questions about your immigration status. This includes where you were born and how you came to the United States. Anything you say may be used against you in criminal and/or immigration proceedings. You should not sign any forms you do not understand.
- 3) **You may request to have an attorney present during any interview.** If you request an attorney in this form below, the jail may not bring you to an ICE interview without your attorney present.
- 4) **If you are already in removal (deportation) proceedings,** you have the right to have your immigration lawyer present during any questioning. You should tell ICE to contact your attorney (if you have one) before the interview.

By checking the box and signing below, you are indicating whether or not you agree to an interview with ICE. The jail or police officer will inform ICE of your decision. The jail is only allowed to bring you to an ICE interview if you agree.

Name: _____ Booking #: _____

Signature: _____

- I do **not** agree to speak to ICE.
 I agree to speak with ICE, **only** with my attorney present.
 I agree to speak with ICE, **without** an attorney present.

FOR LAW ENFORCEMENT PERSONNEL:

Served by : _____ ID #: _____ Date: _____

***This form is to be maintained in the archived inmate jacket after release.**

Distribution: White – Inmate Jacket Yellow – Legal Pink – Inmate

Alguacil del Condado de Ventura – Formularios de notificación a presos

➤ La VCSO proporciona notificaciones escritas a individuos al recibir una Orden de retención o notificaciones de liberación o las fechas de liberación.

**VENTURA COUNTY SHERIFF'S OFFICE
Detention Services Division**

ICE Information Request Form - AB 2792 Truth Act

Solicito recibir este formulario en español. / I request to receive this form in Spanish.
 請寄來中文表格。 / I request to receive this form in Chinese.

Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
 Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다. / I request to receive this form in Korean.

Date: _____
 Inmate Name: _____ Booking #: _____

The purpose of this letter is to inform you that Immigration and Customs Enforcement (ICE) has requested that you remain in custody for 48 hours after your release from our custody to allow ICE time to take you into immigration detention. (I-247 or I-247D)

Notify ICE of your release date, so that ICE may detain you. (I-247N)
 Transfer you into immigration detention. (I-247X or other request)

Under the Transparent Reform of Unjust Transfers and Holds (TRUTH) Act, we are required to provide you with a copy of ICE's request and inform you whether we intend to comply with the request. A copy of the request is attached.

We DO/ DO NOT intend to comply with ICE's request.
 (check one)

You will promptly receive a separate letter if we notify ICE of your release date.

We are required to notify both you and your attorney OR another person that you choose if we notify ICE of your release. Please provide contact information, including phone number and/or email, for your attorney OR another person that you choose and return to CIR.

Are you represented by a private attorney? YES NO **JAIL STAFF - If No, and we intend to notify ICE, then an email must be sent to TruthAct@Ventura.org with the inmate's name and booking number.**

Name of Attorney OR Designee (choose one): _____
 Email or Phone Number for Attorney or Designee: _____

Do Not put "N/A" unless we are not intending to notify ICE at release. If the inmate refuses, then note "Refused".

FOR LAW ENFORCEMENT PERSONNEL:
 Served by: _____ ID #: _____ Date: _____

****Return Completed form to CIR for placement into Inmate Jacket****

Distribution: Original – Inmate Jacket Yellow – Legal Unit Pink - Inmate

**VENTURA COUNTY SHERIFF'S OFFICE
Detention Services Division**

ICE Release Notification Form - AB 2792 Truth Act

Solicito recibir este formulario en español. / I request to receive this form in Spanish.
 請寄來中文表格。 / I request to receive this form in Chinese.

Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
 Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다. / I request to receive this form in Korean.

Date: _____
 Inmate Name: _____ Booking #: _____ Locator: _____

The purpose of this letter is to inform you that Immigration and Customs Enforcement (ICE) has requested that you remain in custody for 48 hours after your release from our custody to allow ICE time to take you into immigration detention. (I-247 or I-247D)

Notify ICE of your release date, so that ICE may detain you. (I-247N)
 Transfer you into immigration detention. (I-247X or other request)

Under the Transparent Reform of Unjust Transfers and Holds (TRUTH) Act, we are required to notify you and your attorney OR another person that you choose, in writing, if we inform Immigration and Customs Enforcement (ICE) of your release date.

Scheduled Release Date:

The purpose of this letter is to inform you that on _____ at _____, we notified ICE that you are scheduled to be released on _____ We have provided this same information to your attorney OR designee.

 Name of attorney or designee Email and/or Phone Number

Served by: _____ ID #: _____ Date: _____

Final Release:

The purpose of this letter is to inform you that on _____ at _____, we notified ICE that you are in the process of being released. We have provided this same information to your attorney OR designee.

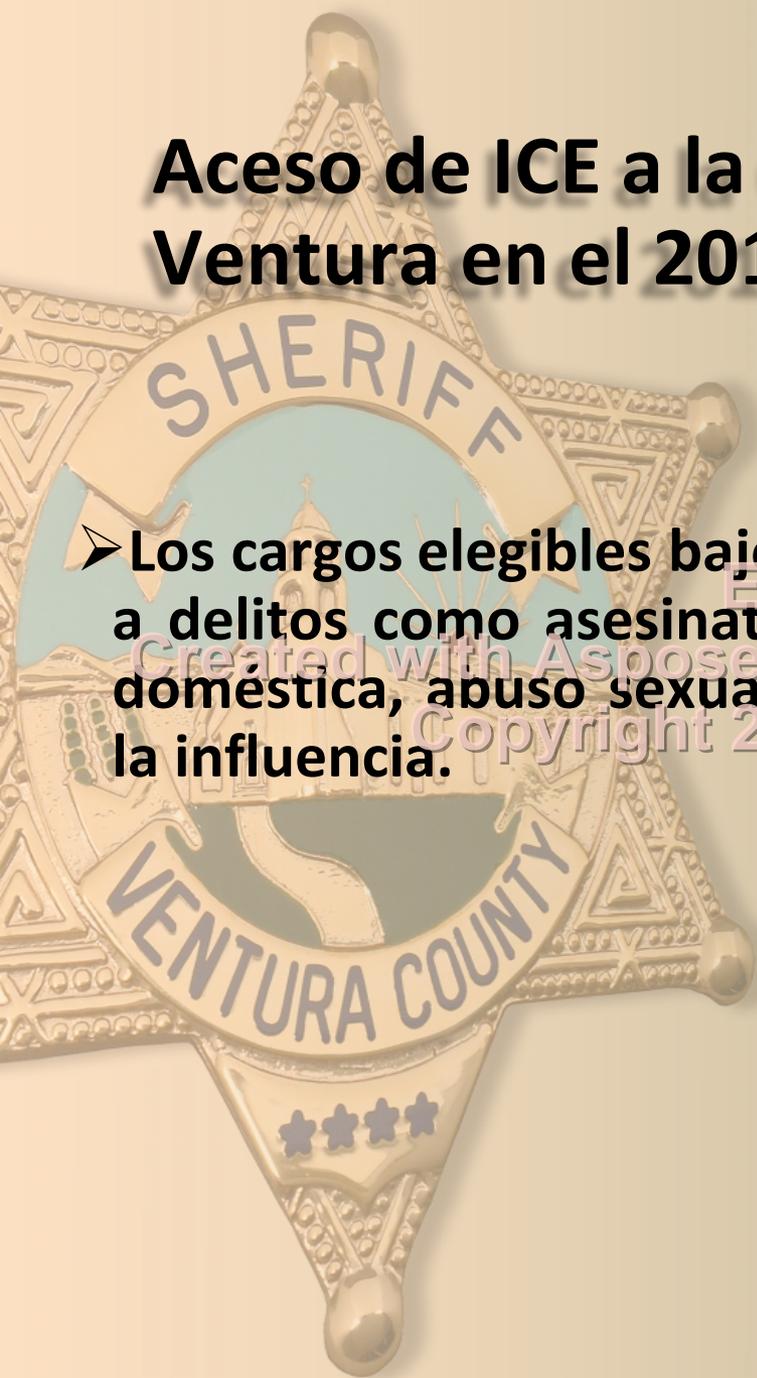
 Name of attorney or designee Email and/or Phone Number

Served by: _____ ID #: _____ Date: _____

Distribution: Original – Inmate Jacket Yellow – Legal Pink – Inmate (Final Release) Goldenrod – Inmate (Rel. Date)

Aceso de ICE a la Carcel del Condado de Ventura en el 2019

- Los cargos elegibles bajo la Ley SB54 incluyen, pero no se limitan a delitos como asesinato, asalto con un arma mortal, violencia doméstica, abuso sexual, robo, hurto y delito por conducir bajo la influencia.



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Aceso de ICE a la Carcel del Condado de Ventura en el 2019

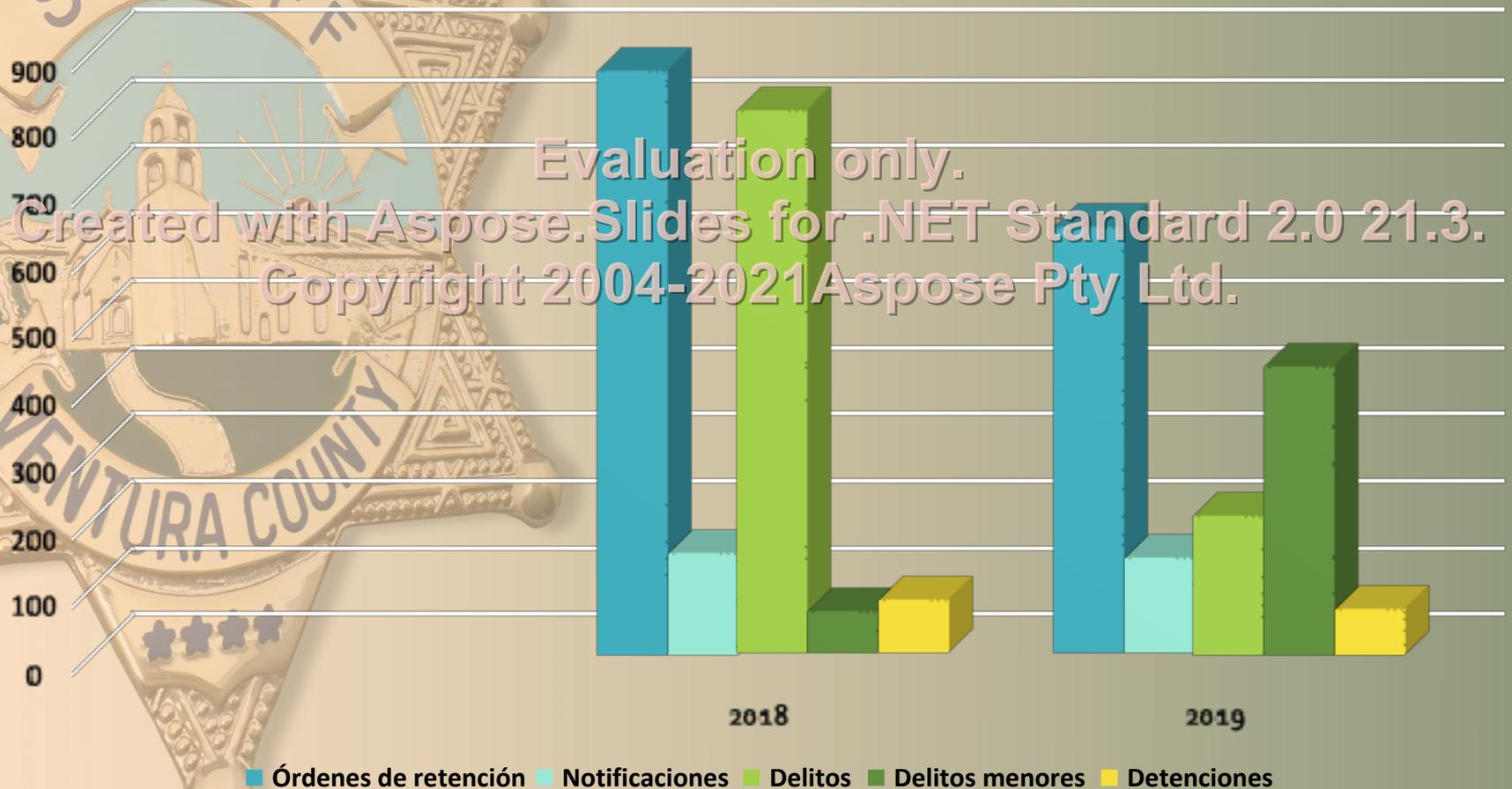
Órdenes de retención y notificaciones

Fichas en la Cárcel del Condado de Ventura	33,611	31,921	
	2018	2019	Change
Órdenes de retención recibidas	872	636	-28%
Notificaciones de liberación elegibles	151	142	-5%
Detenciones por ICE	79	67	-15%
Delitos relacionados con las órdenes de retención	810	206	-75%
Delitos menores relacionados con las órdenes de retención	62	430	+593%

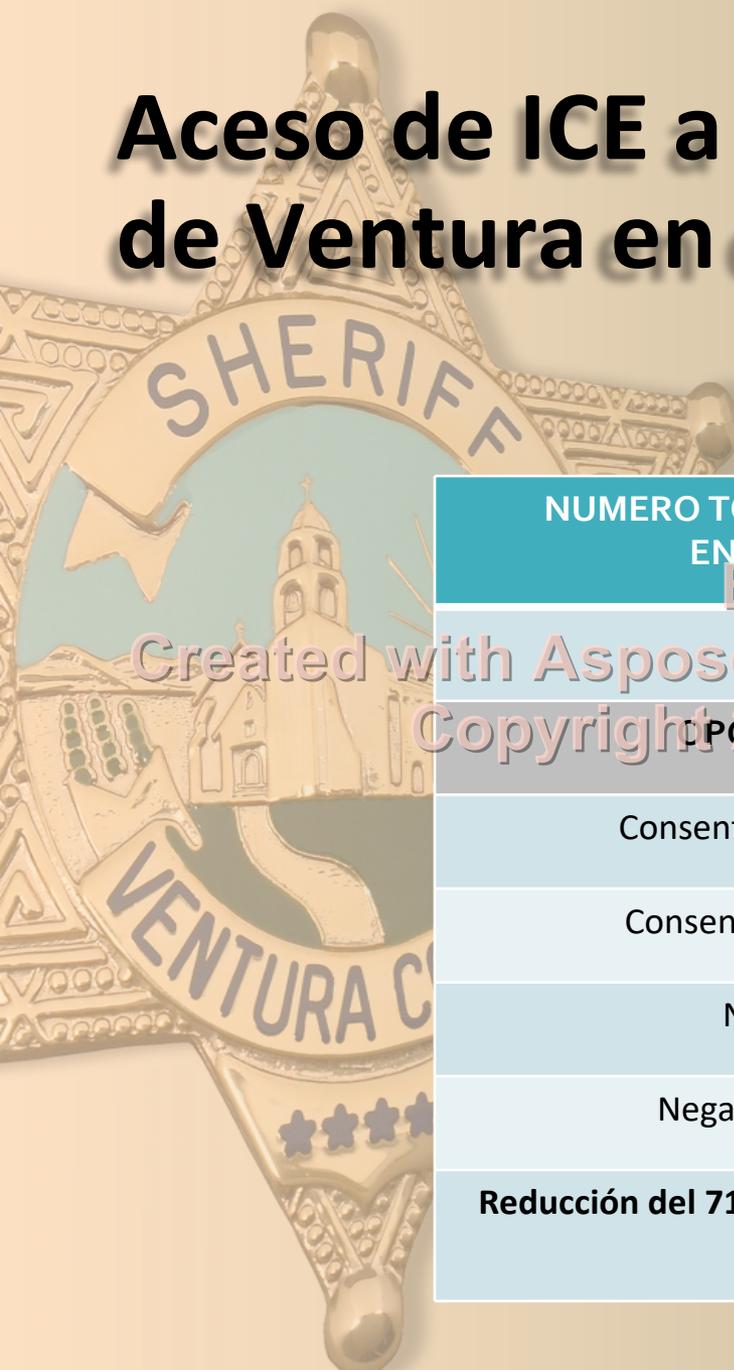
- En el 2018 y el 2019, las órdenes de retención de ICE se recibieron en menos del 1% de las fichas totales
- Como porcentaje, ICE detuvo menos que el .25 de 1% de las fichas en el 2019.

Aceso de ICE a la Carcel del Condado de Ventura en el 2019

Órdenes de retención y notificaciones



Aceso de ICE a la Carcel del Condado de Ventura en el 2019



	2018	2019
NUMERO TOTAL DE PETICIONES PARA ENTREVISTAS DE ICE	7	2
OPCIONES DEL PUESC		
Consentimiento con un abogado	0	0
Consentimiento sin un abogado	2	0
Negar la entrevista	5	2
Negar responder preguntas	0	0
Reducción del 71% en las peticiones para entrevistas por ICE en el 2019		

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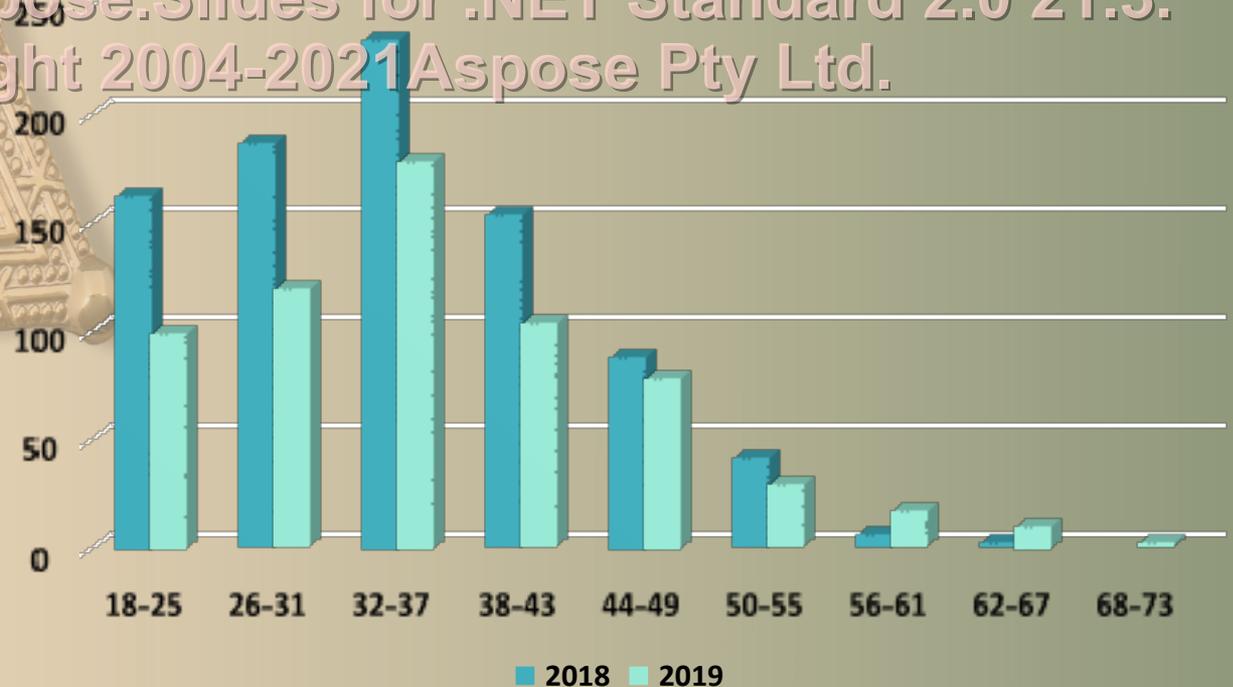
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Demografía de las Órdenes de retención de la Cárcel del Condado de Ventura en el 2019

- **2018**
 - 805 Hombres
 - 67 Mujeres
- **2019**
 - 598 Hombres
 - 38 Mujeres

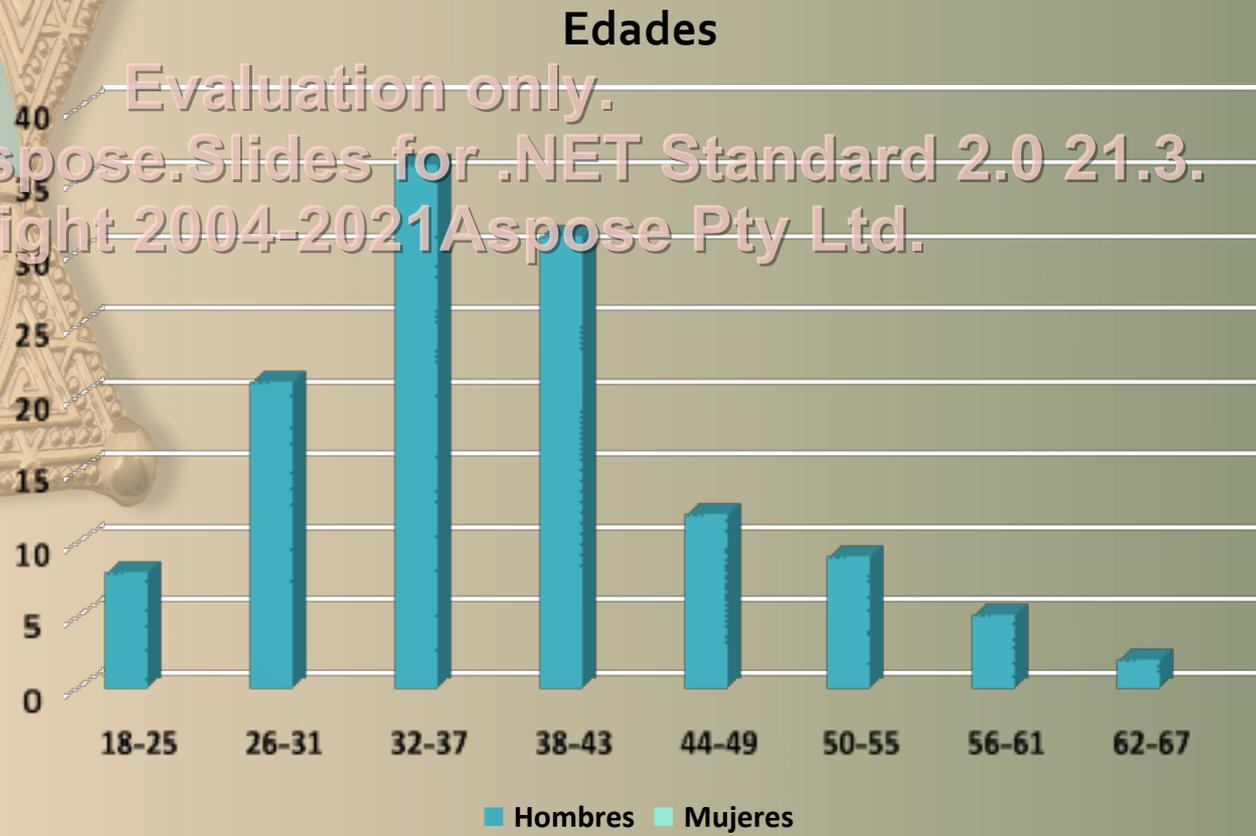
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Demografía de las notificaciones de ICE en la Carcel del Condado de Ventura en el 2019

- **2019**
- **24 Hombres**
- **18 Mujeres**



Lugar de nacimiento de los presos en la Carcel del Condado de Ventura en el 2019 (Todo las órdenes de retención)

LUGAR DE NACIMIENTO	NO. DE PRESOS
Mexico	538
Guatemala	25
El Salvador	18
Honduras	8
Chile	7
Philippines	3
Columbia	5
Laos	4
France	4
United Kingdom	3
Armenia	3
Peru	2
Spain	1
Cuba	1
Pakistan	1
India	1
Romania	1
Mozambique	1
Ghana	1
Belize	1
Afghanistan	1
China	1
TOTAL	636

* Los presos mismos dan información sobre su lugar de nacimiento.

Lugar de Nacimiento de los presos en la Carcel del Condado de Ventura en el 2019 (notificaciones de ICE)

LUGAR DE NACIMIENTO	NO. DE PRESOS
Mexico	106
El Salvador	6
Columbia	5
Chile	5
Philippines	4
Guatemala	3
Laos	2
Iran	2
Armenia	2
Honduras	1
Peru	1
Spain	1
Cuba	1
Pakistan	1
India	1
China	1
TOTAL	142

* Los presos mismos dan información sobre su lugar de nacimiento.

La Ley del Senado 54 (SB54) y la Ley TRUTH

- De conformidad con la SB54, la Oficina del Alguacil del Condado de Ventura puede responder a la petición de notificación para un individuo que cumple con los siguientes criterios:
 - El individuo ha sido condenado por un delito grave o un delito violento identificado en 1192.7(c) o 667.5(c) del Código Penal de California.
 - El individuo ha sido condenado de un delito punible con prisión en la prisión estatal.
 - El individuo es un registrante actual en el Registro de delincuentes sexuales e de incendio premeditado de California
 - El individuo fue arrestado por un delito grave o un delito violento, como se identifica en la Sección del Código Penal 1192.7(c) o 667.5(c), o por un delito punible con prisión en la prisión estatal; y después de aparecer ante un magistrado para una audiencia preliminar y el magistrado ha determinado que bajo la sección del Código Penal 872 que hay causa probable para detener al individuo para pagar por el delito.
 - El individuo ha sido condenado dentro de los últimos 5 años por un delito menor que es punible como un delito menor o un delito, o ha sido condenado dentro de los últimos 15 años por un delito como se describe la sección del Código del gobierno.

SB54 y la Ley TRUTH

- La Ley de valores de California (SB54) entró en vigor el 1 de enero del 2018.
- SB54 establece criterios específicos para las agencias de aplicación de la ley cuando corresponden con ICE.
- La Oficina del Alguacil del Condado de Ventura cumple tanto con SB54 como la Ley TRUTH.

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¿Preguntas o comentarios?

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