



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM McDONNELL, SHERIFF



January 10, 2017

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT REPORT ON OUR POLICIES, PRACTICES, AND PROCEDURES RELATING TO OUR IMMIGRANT RESIDENTS

On December 6, 2016, the Board requested the Sheriff to report back regarding a description of our policies, practices, and procedures currently in place in the Sheriff's Department related to immigrant residents and any planned changes in any of these policies, practices, and procedures should the President Elect move to implement mass deportations.

CURRENT POLICY AFFECTING OUR PATROL DIVISIONS AND RESIDENTS

Los Angeles County is the most diverse county in the country. Our County is home for residents that come from more than 200 countries around the world. We share in that rich diversity and honor our obligations to provide outstanding law enforcement services to all residents, including those that are undocumented. The residents of our 42 contract cities and 151 unincorporated communities depend on our unwavering commitment to uphold our Constitutional Policing standards. We are committed to fulfilling this obligation.

Our current policy on Immigration Inquiries and Notifications (MPP 5-09/271.00) was last modified on September 21, 2015. Our deputies understand that immigration enforcement is the federal government's responsibility. We do not enforce immigration laws and we are guided by this policy, the Trust Act (2014), and the Truth Act (2016), as we carry-out our duties and responsibilities. Our policy clearly states that we shall not arrest or book a person solely on suspicion of violating a federal immigration law relating to illegal entry, being unlawfully present, or overstaying a visa.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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We depend heavily on the trust of our communities as we partner with them to protect all members of our community. The trust we have earned is critical in providing an optimal level of service in our community. We are proud of this trust and continue to build on that foundation. This has been shown in the fact that our calls for service are at an all-time high in all of our communities, including our immigrant communities. We work hard and believe the community finds us approachable. For example, in 2014 we responded to almost a million calls for service. In 2015, our calls increased by almost 80 thousand. In 2016, when the final numbers are tallied, we expect an even greater increase of almost 50,000 calls for service. Data from our Risk Management Forum showed an increase of more than 10,000 calls for service at our East Los Angeles Sheriff's Station from 2014 to 2016. Similar results were realized at Century and Compton Sheriff's Stations during these same years.

The stated intent of our policy is to reassure immigrant communities that there is no need to fear contact with the Department when they have been a victim or a witness to a crime. We invite all residents, including those who are undocumented, to come forward to report crimes without fear of deportation. We shall treat all residents with dignity and respect without regard to a person's immigration status. To this end, we shall not initiate any police activity with the objective of determining a person's immigration status. Lastly, we do not ask any victim, witness, and/or offender about their immigration status.

Nothing in our policy is intended to interfere with our responsibility to assist undocumented immigrants who are victims and/or witnesses in certain criminal matters in obtaining U-Visas, under the Victims of Trafficking and Violence Protection Act of 2000. In fact, all patrol stations and specialized detective units have a U-Visa Coordinator who facilitate the application process for those that apply. Starting in 2017, the Department will have a Department U-Visa Coordinator at the rank of Assistant Sheriff (Eddie Rivero) to ensure all protocols are followed consistently throughout the Department.

CUSTODY OPERATIONS AND IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

The Los Angeles County Sheriff's Department does not treat undocumented inmates any differently than other inmates. In fact, as outlined in the Custody Division Manual's Anti Retaliation Policy (CDM 5-12/005.05), all inmates shall be processed and housed fairly and humanely, with no segregation or identification according to their immigration status. If the court grants bail to any inmate/defendant, including those who are undocumented immigrants, we shall not delay the release process based on a person's immigration status. ICE will only be allowed to interview qualifying inmates after their court cases are completely adjudicated through the court process. All inmates are then processed for release, transferred to prison, or transferred to another custody facility.

The process for releasing inmates to the custody of ICE agents was outlined in my Department directive, dated September 22, 2015. The IRC/CRDF Unit Order titled, "Release Area Procedures" is in compliance with my directive, as outlined below:

- Upon notification to the AB4 desk personnel of an inmate who was issued a detainer and has arrived at the release area, the AB4 desk will ensure ICE has issued the detainer to the correct inmate.
- Once confirmed, the AB4 desk personnel shall reconfirm the detainer meets the qualifying criteria of the Trust Act, pursuant to the California Government Code, section 7282.5 (a), as set forth in the Los Angeles County Sheriff's Department list of qualifying AB4 charges.
- Once qualified, the AB4 desk personnel can begin the process of an in-custody transfer to ICE.
- Any inmate who does not meet the AB4 qualifying criteria shall be released through the normal release procedures, without delay.
- At no time during the release process shall inmates be segregated from other inmates solely for ICE procedural purposes.
- Inmates who meet the criteria for an interview with ICE agents are provided with a "Los Angeles County Sheriff's Department Notification to Inmates of Immigration Interview Form." The form advises the inmate they have a right to the following:
 - Consent to an interview
 - Decline to be interviewed
 - Choose to have an attorney present
 - Be provided a list of legal representatives and community resources
 - Have the forms provided in their native language

Note: Because of our checks and balances process, we believe only the most violent and dangerous inmates are released to ICE for possible deportation. With that being said, the actual number of inmates who are released to the custody of ICE is very small. On average, we release more than 25,000 inmates every month and the total number of inmates released to ICE ranged from 54 to 110 in 2016. This equates to a fraction of one percent. Attached is the release table and release process flowchart

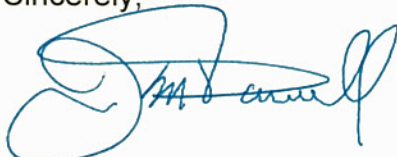
CONCLUSION

The information provided in this response reflects the standards I have set forth for the Los Angeles County Sheriff's Department. These policies, procedures, and practices

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demonstrate our commitment and dedication to all of the residents in our communities, as well as the inmates in our custody. All residents and inmates deserve to be treated with dignity and respect, and we will adhere to all state laws as we move forward into the coming months and years. We have no plans to change the policies and procedures described herein. I am confident that we will continue to both maintain the trust we share with our communities and ensure that only the most violent and dangerous criminals will be turned over to the custody of ICE.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim McDonnell", written over a large, stylized blue circular mark.

JIM McDONNELL
SHERIFF

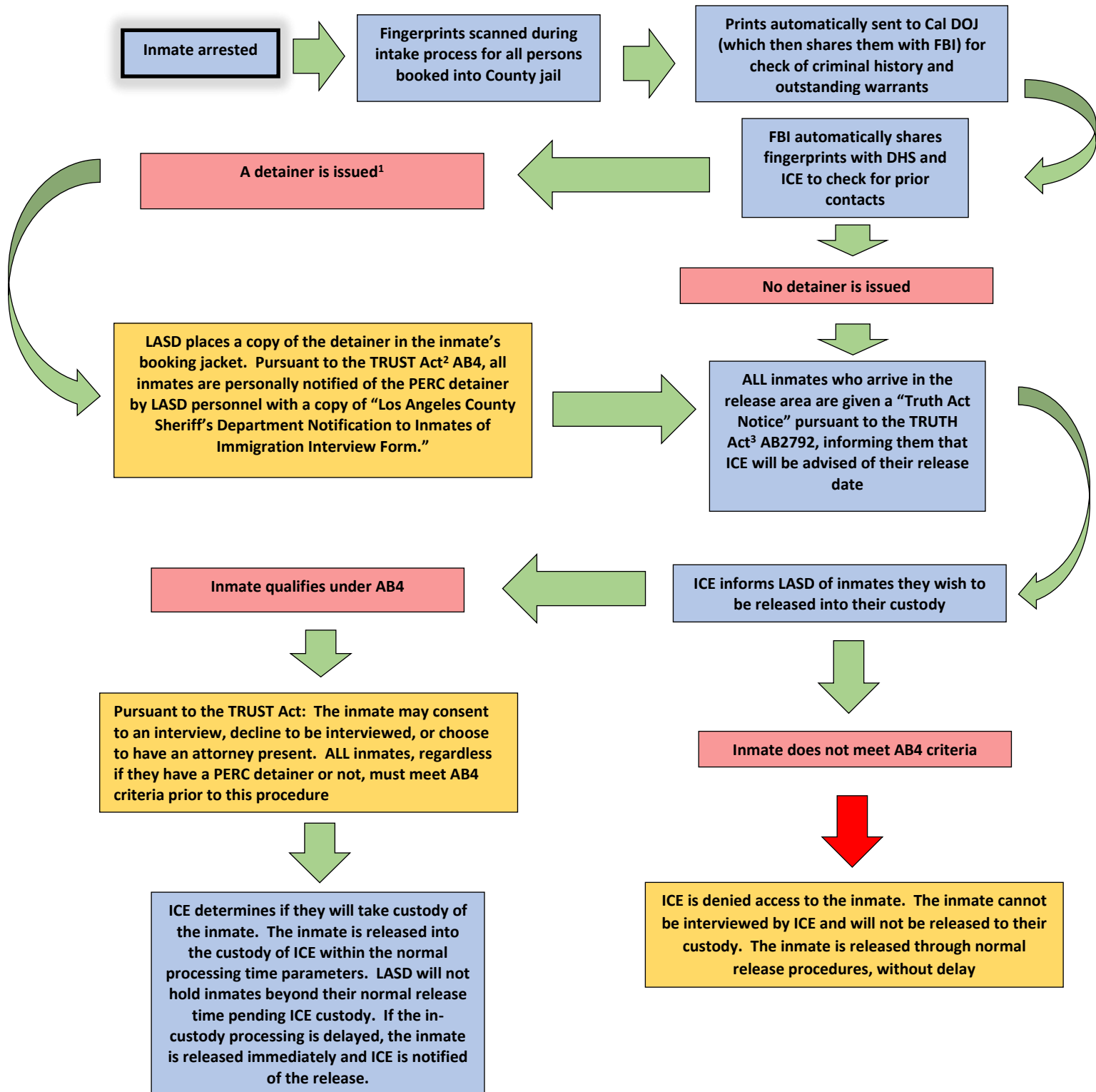
2016 RELEASES / ICE STATS

REGULAR RELEASES		RELEASES TO ICE
JANUARY	25,645	57
FEBRUARY	25,056	63
MARCH	26,980	73
APRIL	26,181	54

REGULAR RELEASES		RELEASES TO ICE
MAY	27,847	110
JUNE	27,623	86
JULY	26,130	74
AUGUST	28,181	87

REGULAR RELEASES		RELEASES TO ICE
SEPTEMBER	26,071	92
OCTOBER	24,779	95
NOVEMBER	23,370	85
DECEMBER	24,393	81

ICE DETAINER PROCESS IN LOS ANGELES COUNTY JAIL



¹ Detainers are issued by Pacific Enforcement Regional Center (PERC)

² Transparency and Responsibility Using State Tools (TRUST) pursuant to California Government Code section 7282.5 (a)

³ Transparent Review of Unjust Transfers and Holds (TRUTH) pursuant to California Government Code section 7283.1 (b)