

AGENDA for TRUST Act Implementation Meetings with Sheriffs

1. **Thank you for meeting & Introductions** [FACILITATOR/POINT PERSON: _____]
 - a. Ask each attendee to introduce self (Name, Org, # of community members serve, *if relevant, mention constituency – Sheriffs are elected*)

2. **Explain TRUST Act (AB 4) is state law as of Jan. 1, 2014** [POINT PERSON: _____]
 - a. Under the TRUST Act, local law enforcement (i.e., sheriffs) cannot hold individuals in response to an ICE hold request unless specific exceptions listed in the TRUST Act are met. The TRUST Act went into effect on Jan. 1, 2014 and is now binding state law on all counties.
 - b. The TRUST Act rebuilds the trust that Immigration and Custom Enforcement's Secure Communities Program (S-Comm) has undermined between immigrant communities and local police by establishing statewide standards for responding to burdensome ICE hold requests.
 - i. Other arguments to consider:
 1. *Burden on local police* – ICE hold requests impose an unfair burden on local governments. Local police should not be shouldered with responsibility of federal civil immigration enforcement. That is the job of the federal government (ICE).
 2. *Burden on local resources* - ICE does not provide full reimbursement for the cost of holding people in response to ICE hold requests. According to a report from Justice Strategies, ICE holds cost California about \$65 million a year. See:
<http://www.justicestrategies.org/publications/2012/cost-responding-immigration-detainers-california>.
 3. *Any Additional Reasons, Especially Personal Testimonies about Harm Caused by ICE Holds*
 - c. Only IF Sheriff argues that ICE holds are mandatory, explain that the federal government cannot require that local law enforcement conduct federal immigration enforcement. This would be a violation of the anti-commandeering provision in the 10th Amendment of the Constitution. Reference Dec. 2012 memo from CA Attorney General Kamala Harris to support point about voluntary nature of ICE hold requests:
www.catrustact.org/uploads/2/5/4/6/25464410/kamala_harris_bulletin_ice_holds_12_4_12.pdf.
Also refer Sheriffs to page two of county counsel memo, available at
http://www.catrustact.org/uploads/2/5/4/6/25464410/trust_act_memorandum_-_12_19_13.pdf

3. **Ask Questions** [POINT PERSON: _____] *Reserve the most time here.*
 - a. Review and select suggested questions here:
http://www.catrustact.org/uploads/2/5/4/6/25464410/questions_for_sheriffs_regarding_trust_act_implementation.pdf.
 - b. Be sure to ask:
 - i. What steps has the Sheriff's Department taken to ensure compliance with the TRUST Act?
 - ii. Will the Sheriff's Department work with the community, including the organizations represented here today, to implement the TRUST Act? If yes, how?
 - iii. What is the name and contact information for the Sheriff's Department's point person if an ICE hold request is improperly responded to? Will there be a process in place to file related grievances?
 - iv. Can you share with us any Sheriff Department written policies, procedures, and training materials regarding TRUST Act implementation? Please provide us with a copy. If they do not have a Sheriff's Department policy to implement the TRUST Act, follow up with the model policy and Alameda Sheriff's Department policy. See:
http://www.catrustact.org/uploads/2/5/4/6/25464410/model_trust_policy_final.pdf and
http://www.catrustact.org/uploads/2/5/4/6/25464410/alameda_approved_immigration_go_1223_12_24_2013_final.pdf.
 - v. Can you share with us data regarding how many ICE holds are responded to, and the basis for any ICE holds that are responded to – pre and post TRUST Act? Please provide us with a copy.
 - vi. How soon can we meet again to discuss ongoing implementation?

4. **Advocate for Local Reform:** Consider laying groundwork for more progressive local policy. *The TRUST Act is a floor and not a ceiling as to what a locality may do. We think it is important to maintain an open dialogue with the community and decide mutually what the best policy is for our community. Other counties have already done this, including Santa Clara and San Francisco. Would you be open to engaging in further discussions with the community on this topic? Follow-up here could be a community forum or an ongoing working group with the Sheriff's Dept.*
5. **Review Next Steps and Thank you** – Note any follow up steps and thank them for the meeting.
[POINT PERSON:_____]

NOTES & NEXT STEPS:

Make sure to make the Ask, Record the Answer, and Relay Info to angelac@advancingjustice-alc.org. Thanks!