



Interim Directive

May 27, 2014

Immigration Detainers

OVERVIEW:

Over the last few months the Sheriff's Office has held numerous meetings related to AB 4 (The Trust Act). The Trust Act is State law that went into effect January 1, 2014. As stipulated, the Trust Act prohibits Law Enforcement from detaining an individual on the basis of a U.S. Immigration and Customs Enforcement Detainer (I.C.E. hold), after the individual becomes eligible for release from custody.

Currently we are in the process of revising Policy and Procedure 4.1.1 "Booking," to reflect the new changes. Until the Policy can be issued, the following Interim Directive will be followed. Effective immediately, all inmates currently being held solely on an immigration detainer will be released from custody without delay. This does not include inmates with pending criminal charges that would normally be held for criminal proceedings. No inmate will be held on an immigration detainer when they are otherwise eligible for release.

Furthermore, The San Joaquin County Sheriff's Office will no longer honor immigration detainers from I.C.E. placed by an Immigration and Customs Agent. This does not apply to an arrest warrant, signed by a judge. We will continue to accept all lawfully valid arrest warrants, no matter the State, or Federal charge.

ADDITIONAL INFORMATION:

As always, I.C.E. will still have access to our jail facilities. They will receive the same treatment and professional courtesy extended to all Law Enforcement agencies.

This directive will remain in place until Booking Policy 4.1.1 has been revised, approved, and issued.