



OFFICE OF THE SHERIFF CITY AND COUNTY OF SAN FRANCISCO

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VICKI HENNESSY
SHERIFF

December 7, 2017
Reference: 2017-136

In order to comply with state law, the San Francisco Sheriff's Department must notify undocumented immigrants in our custody if we receive a voluntary request for detention/notification form in their name from Immigration & Customs Enforcement (ICE).

The responsibility for distribution of copies of these forms to affected inmates will rest with our Prisoner Legal Services Unit.

This notification process complies with the 2016 California TRUTH Act and does not, in any way, conflict with San Francisco's Administrative Codes 12H & 12I, which establish San Francisco as a "City and County of Refuge."

The purpose of this letter is to provide you with information that will aid you in responding to constituent, client or public inquiries regarding the Sheriff Department's implementation of TRUTH Act requirements. It also reaffirms our commitment to comply with San Francisco Administrative Codes, 12H and 12I.

TRUTH Act Background

The TRUTH Act requires that each individual in custody for whom the Sheriff receives an ICE voluntary detainer/notification form, be provided a copy. The purpose of the TRUTH Act is to increase transparency and enhance undocumented defendants' understanding of their rights in the State of California.

There is no change in our policies regarding the notification of ICE agents of inmates' scheduled release dates or the detention of those individuals who are the subject of civil ICE detainer requests. The San Francisco Sheriff's Department will not detain individuals based on civil immigration requests, consistent with the provisions in San Francisco Administrative Codes 12H & 12I.

12H & 12I Compliance & Data

In 2016 the San Francisco Sheriff's Department received 99 requests for notification and/or detention from ICE. From January 1 through December 1, 2017, we have received 469 new requests.

To date, no individual who has been released from County Jail has met the criteria established in 12I, which could result in a notification to ICE. If we discover an individual who is scheduled for release meets the criteria AND if the decision is made to notify ICE, the TRUTH Act provides that the individual will also be informed of the pending notification.

We are attaching copies of San Francisco Sheriff's Department Forms 17-01 and 17-02, which were created to facilitate compliance with the TRUTH Act. These forms are available in Chinese, Filipino, Russian, Spanish and Vietnamese, and will be translated into additional languages upon request. They explain to affected individuals how the Sheriff's Department is complying with the TRUTH Act and San Francisco Administrative Codes 12H & 12I.

We are also including a list of Immigration Legal Services Providers, prepared by attorneys from the San Francisco Public Defender's Office, the San Francisco Bar Association and the Asian Law Caucus.

If you have commissioners, staff or other colleagues who work in this area, please feel free to share this information with them.

Thank you for taking the time to review these materials. If you have any questions or concerns, please contact the Sheriff Department's Director of Communications, Nancy Crowley, at 415-554-7225.

Sincerely,

Vicki Hennessy

Sheriff