



Public Comment

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## Santa Barbara County Immigrant Legal Defense Center

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December 7, 2020

The Honorable Board of Supervisors  
Santa Barbara County  
105 E Anapamu St. #406  
Santa Barbara, CA 93101

Re: Call to immediately stop all transfers to ICE and Information Sharing

Dear Supervisors:

On behalf of the Santa Barbara County Immigrant Legal Defense Center, I write to you in regard to the upcoming Santa Barbara Transparent Review of Unjust Transfers and Holds (TRUTH) Act Forum scheduled for December 8, 2020 and to urge you to immediately stop all official and non-official transfers to Immigration and Customs Enforcement (ICE), and to stop information-sharing of individuals' release dates and any other personal information that the Sheriff's department is officially and unofficially facilitating to ICE.

The TRUTH Act requires the governing body of any jurisdiction that has provided ICE access to any individual over the previous year to hold a community TRUTH Act Forum that is open to the public. These TRUTH Act Forums are intended to provide clarity to the public by making interactions between local/state law enforcement and federal immigration agencies more transparent. Even though Senate Bill 54 (SB 54), the California Values Act, limits the way that local/state law enforcement agencies are able to collaborate with federal immigration officials, some collaboration is still allowed.

Transparency and accountability are necessary for law enforcement to be able to build community trust that keeps all of us safe, especially in the midst of a pandemic. It has been long reported that the medical services in ICE detention facilities fall short of a basic standard of care, and local law enforcement should not be facilitating the transfer of our immigrant neighbors to ICE when their life is at risk. Moreover, immigrants should not be subject to double punishment simply because they are immigrants. Like all people released from jail, an immigrant has the right to restart their life and remain with their community and family. The SB County Immigrant Legal Defense Center has first-hand knowledge of the harm and trauma that incarceration and deportation have on families, including children, and communities beyond the individual incarcerated.

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We ask that you provide transparency through the explanation of how, why, and when collaboration between the Santa Barbara County Sheriff's Department and federal immigration agencies occurs. Last year, SB County community members expressed anger, frustration and worry because the Sheriff was violating SB 54 by utilizing loopholes and continuing to transfer individuals to ICE. Unfortunately, the same issues raised last year are still happening. The Sheriff continues to publicly post an "Inmates Pending Release Report" on its website. This report provides ICE the release date information they need to know to arrest individuals outside the door of the jails. This facilitates non-official transfers of community members from the jails to ICE. Resources continue to be shared with DHS agencies through shared databases like the "Inmates Pending Release Report."

Through our work at the SB County Immigrant Legal Defense Center and our participation in the Rapid Response System, we've collected data of individuals released from jail and officially and unofficially transferred to ICE. We've found a recurring pattern of individuals who are released from jail and soon after picked up by ICE outside their home. We urge the Board of Supervisors to demand the Sheriff's department an explanation of what type of information is being shared to ICE and the method in which they're delivering this information to DHS agencies.

The Sheriff's Department policy on pages 213-214 conflates notifications with transfers and appears to violate SB 54 by requiring notifications for every person who has an ICE hold, requiring both a notification and a transfer. We ask you to please demand the Sheriff's department explain if it is responding to ICE holds and holding individuals extra time to facilitate ICE pick-ups. Last year, the Sheriff's department reported 98 ICE transfers, yet they failed to report this number to the CA Attorney General, violating SB 54. 2019 also states zero ICE transfers took place. We urge you to demand transparency and hold the Sheriff's Department accountable to the TRUTH Act (AB 2792) and the safety of all community members.

Now more than ever, the Board of Supervisors needs to hold the Sheriff accountable and represent all SB County community members. We call upon you to immediately stop all official and non-official transfers to ICE and stop the Sheriff from defying SB 54 (by posting the "Inmates Pending Release Report," responding to ICE holds, holding individuals extra time, sharing resources and information with DHS agencies). The health and safety of our entire community depend on the community trusting our local law enforcement, and that trust cannot exist so long as Sheriff continues to use county resources to separate families and deport our immigrant neighbors.

Sincerely,