

OFFICE OF THE  
**COUNTY ADMINISTRATOR**

July 9, 2019

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Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** TRUTH Act Community Forum

Dear Board Members:

**RECOMMENDATION:** Pursuant to Government Code Section 7281.1(d), hold a community forum regarding the provision of information about individuals housed in the Marin County Jail to the federal Immigration and Customs Enforcement Agency (ICE)

**BACKGROUND:** In 2016, Governor Brown signed the Transparent Review of Unjust Transfers and Holds Act, also known as the "TRUTH Act" (AB 2792; Bonta). Beginning in 2018, the TRUTH Act requires the governing body of a local government, such as Marin County, to hold an annual community forum if a law enforcement agency operated by the County provided the federal Immigration and Customs Enforcement (ICE) agency with any 'ICE access' to individuals for civil immigration enforcement purposes during the prior calendar year. The statute requires that the community forum be convened and does not require that any action be taken by the local governing board.

Statute further provides that the community forum be scheduled with thirty-days' advance notice to the public and that local law enforcement agencies participating in the forum must provide the board with certain information. The forum was legally noticed June 3, 2019 in the Marin Independent Journal.

**SUMMARY:** The Sheriff's Office has provided information regarding the provision of ICE access in calendar year 2018 (see Attachment A), as well as summary data for the first six months of 2019 (Attachment B).

The Sheriff changed procedures effective November 27, 2018. The Sheriff's Office now responds to an ICE notification only if the information is available to the public or if the inmate was convicted or booked on a serious or violent predicate crime as outlined in Government Code Section 7282.5.

Per Attachment A, Sheriff's Office data from 2018 illustrates that 188 Immigration Detainer-Notice of Action forms were received from ICE for arrestees; 17 inmates were still in custody as of January 16, 2019. 75 inmates were arrested by ICE in 2018, for a 44 percent ICE arrest rate ( $75/171$  ( $188-17$ ) = 44 percent rate).

Per Attachment B, summary data from the Sheriff's Office illustrates that, for the first six months of 2019, 86 Immigration Detainer-Notice of Action forms were received from ICE for arrestees through June 30. The Sheriff's Office reports that 13 inmates

have been arrested by ICE year-to-date, for a 15 percent ICE arrest rate (13/86). Detail for 2019 will be released by the Sheriff's Office in January 2020.

It is recommended that your Board hold a TRUTH Act forum in accord with Government Code section 7283.1(d).

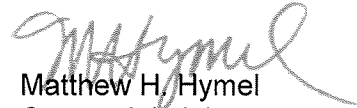
Please let me know if you have any questions or concerns.

Submitted by,



Daniel Eilerman  
Assistant County Administrator

Reviewed by,



Matthew H. Hymel  
County Administrator

Attachments (2)

Cc: Sheriff Robert T. Doyle