



NEVADA COUNTY SHERIFF'S OFFICE

Captain Sam Brown

TRUTH ACT

- Transparent Review of Unjust Transfers and Holds
- Approved by Governor Brown on September 26, 2016
- Requires NCSO to provide an inmate a written consent form prior to ICE interview
- NCSO established policies and procedures
 - Effective April 18, 2017 - Corrections Division Directive 72
 - Addresses requirements of Government Code 7283-7283.2 and 7282.5

GOVERNMENT CODES

- Government Code 7282.5
 - Identifies charges inmates can be held by ICE
- Government Code 7283
 - Provides definitions that apply to these Government Codes
- Government Code 7283.1
 - Outlines process (providing forms, information availability, community forum)
- Government Code 7283.2
 - Specifies chapter doesn't change authority to detain per ICE



CORRECTIONS DIVISION DIRECTIVE 72

- Inmate receives copy of ICE request as well as one other person designated by inmate (e.g. an attorney)
- Notify inmate if jail plans on complying
- Consent form has to be available in several different languages
- Jail keeps a copy, inmate receives original
- All documents and communications are public record

PROCESS

- Inmate is booked into WBCF
- Inmate's fingerprints are obtained via Livescan
- ICE is notified via Livescan
- ICE will then send detainer to WBCF
- Detainer form is completed
- Notification and consent forms are given to inmate
 - If inmate consents, they may be interviewed by ICE
- ICE receives Notification of Release form



FORMS

- In 2018 NCSO served:
 - 0 Requests for consent to Interview form (Truth Act Form 1)
 - Ice interview is voluntary
 - You have the right to remain silent
 - May request to have an attorney present during interview
 - If in deportation proceedings, you have the right to have an immigration lawyer with you
 - 11 ICE request form (Truth Act Form2)
 - Notifies inmate ICE requested NCSO:
 - Hold for up to 48 hours after release
 - Notify ICE of release date so ICE may detain the person
 - Transfer inmate into immigration detention
 - 2 Notification of release forms (Truth Act Form 3)

Immigration and Customs Enforcement Request
(Truth Act Form 2)

Solicito recibir este formulario en español. // request to receive this form in Spanish.
 請寄來中文表格。 // request to receive this form in Chinese.
 Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. // I request to receive this form in Tagalog.
 Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. // I request to receive this form in Vietnamese.
 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다 // I request to receive this form in Korean.

Name: _____ Booking #: _____ Date: _____

The purpose of this notice is to inform you that Immigration and Customs Enforcement ("ICE") has requested that the Nevada County Sheriff's Office:

- Hold you for up to 48 hours after your release from criminal custody to allow ICE time to take you into immigration detention. (I-247 or I-247D)
- Notify ICE of your release date, so that ICE may detain you (I-247N)
- Transfer you into immigration detention (I-247X or other request)

Under the Transparent Review of Unjust Transfers and Holds (TRUTH) Act, the Nevada County Sheriff's Office is required to provide you with a copy of ICE's request and inform you whether The Nevada County Sheriff's Office intends to comply with the request. A copy of the request is attached.

Nevada County Sheriff's Office DOES DOES NOT intend to comply with ICE's request.
(check one)

You will promptly receive a separate letter if the Nevada County Sheriff's office notifies ICE of your release date. The Nevada County Sheriff's office is required by law to notify both you and your attorney or designee if the Nevada County Sheriff's Office notifies ICE of your release. Please provide contact information, including phone number and/or email, for your attorney or designee that you choose below.

Name of Detained Individual: _____
Attorney or Designee (choose one): _____
Name of Attorney or Designee: _____
Email for Attorney or Designee: _____
Phone number for Attorney or Designee: _____

Served by: _____ ID #: _____ Date: _____

DEMOGRAPHICS

Age

- 25-30 8
- 31-40 5
- 40-50 5
- 50+ 1
- Youngest 25
- Oldest 51
- Average 35

Ethnicity

- Hispanic 18
- Indian 1

Gender

- Male 18
- Female 1

Citizenship

(Self Reported)

- Mexico 5
- US 4
- Foreign 7
- Non US 3

Country of Birth

(Self Reported)

- Mexico 17
- Honduras 1
- India 1

2018 ICE STATISTICS

- Of those inmates with some level of ICE involvement, there were:
 - 19 bookings (down from 31 that were reported last year)
 - 4 Federal bookings
 - 7 inmates with holds from other agencies
 - (Madera county, Santa Clara County, Parole, etc.)
 - 17 of those inmates have been released
 - 2 of the 17 releases were released to ICE
 - 1 was from a Federal Booking and the USMS released the inmate to ICE
 - 1 was released to ICE where NCSO had jurisdiction
 - 2 inmates on any given day on average in WBCF
 - 24 days as an average length of stay