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# NEVADA COUNTY SHERIFF'S OFFICE



## CORRECTIONS DIVISION DIRECTIVE

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Effective Date 04/18/2017

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### SUBJECT

### TRUTH ACT ICE DETAINEES

### POLICY

It is the policy of the Sheriff's Office to comply with the California Government Code whenever a person is in custody and potentially falls under the jurisdiction of the United States Immigration and Customs Enforcement Agency (ICE).

### PURPOSE

Ensure compliance with State and Federal law.

### CODE REFERENCE

California Government Code §§ 7283-7283.2 & § 7282.5

### DEFINITIONS

### PROCEDURE

The following shall be adhered to when dealing with inmates who come under the authority of the ICE:

1. In advance of any interview with ICE:
  - a) Staff shall provide the inmate with a written consent form that explains the purpose of the interview, that the interview is voluntary, and the inmate may decline to be interviewed or may choose to be interviewed only with his or her attorney present.
  - b) The consent form shall be available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean. Additional languages may be required as per § 7283.1(a).
  - c) The written consent form shall be witnessed by staff, scanned and indexed into an appropriate database for administrative purposes and the original given to the inmate or placed on the inmate's property.
2. Whenever the Jail receives an ICE hold, notification or transfer request, staff shall:

- a) Provide a copy of the specific request to the inmate after completing the Law Enforcement section indicating any release date.
  - b) Notify the inmate, in writing, informing him/her whether the Jail intends to comply with the request. In complying with any request, staff shall follow California Government Code § 7282.5.
  - c) Provide a copy of the completed request to the inmate's attorney or to one additional person the inmate has designated.
  - d) Scan and index all forms into an appropriate database for administrative purposes.
3. All documents above are considered Public Records, as well as any communication records with ICE, and are subject to disclosure after any appropriate redactions have been made.