



Sonoma County Sheriff's Office Revised Immigration Policy Fact Sheet

Summary

On August 18, 2017, the Sheriff's Office implemented a revised policy dictating how it works with ICE (Immigration and Customs Enforcement) in the county jail. Specifically, it changed when the jail will respond to written requests for inmate release dates. The jail will respond to ICE written requests for inmate release dates only if the inmate has a previous felony conviction for a serious crime, or if the inmate has a misdemeanor conviction for a serious crime in the last five years. Those serious crimes are any of the following. Notably, driving without a license and driving on a suspended license are not on this list of serious crimes.

- A misdemeanor, or a misdemeanor punishable as either a misdemeanor or felony, within the past five years listed in the TRUST Act (Government Code section 7282.5). Examples include some elder abuse, hate crimes, child abuse, and gang-related offenses.
- A serious or violent felony (Penal Code sections 667.5 and 1192.7) or felony punishable by State imprisonment (Government Code section 7282.5) listed in the TRUST Act. Examples include murder, rape, kidnapping, bank robbery, assault with a deadly weapon, and arson.
- Sheriff's list of 13 serious crimes. Examples include domestic violence, sexual battery, indecent exposure, and DUI.

The revised policy includes a review process for an inmate and/or designee to request that the jail does not respond to ICE's request for his/her release date. Review criteria will be used to determine the inmate's threat to the community. Keep in mind that inmate release dates are public record under State law (Government Code section 6254(f)(1)). The jail must provide a release date, if available, to anyone who calls and requests it.

Background

On May 1, 2017, Sheriff Freitas committed to change this policy after listening to ongoing community concerns. Although he unexpectedly retired for health reasons, Sheriff Giordano is changing the policy consistent with the previous Sheriff's promise. Except for the 13 crimes identified by the Sheriff, all the crimes listed above are identified in the TRUST Act. The TRUST Act is a State law adopted in 2013 that dictates when law enforcement can honor an ICE detainer or hold. The TRUST Act is a logical starting point for this policy's list of serious crimes because it was vetted by the State legislature, including comments from the California State Sheriff's Association.

Resources

Read the TRUST Act: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB4

Read the Sheriff's Office policy and other immigration information:
<https://www.sonomasheriff.org/sheriffs-response-to-immigration-issue/>

Request a Sheriff's Office speaker at your group, school, etc.: Sheriff-Outreach@sonoma-county.org

The Sheriff is accepting feedback about this policy and may change it in the future. Send your comments to Sheriff-Feedback@sonoma-county.org.