GENERAL ORDER:	**1.24**
CHAPTER:	**Law Enforcement Role, Responsibilities, and Relationships**
SUBJECT:	**Communication with Immigration Authorities**
ISSUED DATE:	January 1, 2014
REVISION DATE:	October 21, 2026
NOTES:	Creating a Zero-Contact Policy
RELATED ORDERS:	General Order 1.22, 9.14 D&C 11.02, 11.09, 11.40
ATTACHMENTS:	1. I-247 Detainer Notice of Action 2. I-247A Notification/Interview Request 3. SRJ ICE Log 4. I-200 Arrest Warrant 5. I-205 Removal Order

PURPOSE: The purpose of this policy is to ensure the Agency's resources are used to promote public safety and maintain trust and cooperation within our communities. We recognize that our communities are diverse and consist of individuals from different backgrounds, cultures, and immigration statuses. Therefore, our policy is designed to prioritize the safety and well-being of everyone in our communities, regardless of their immigration status.

POLICY: The Alameda County Sheriff's Office (ACSO) shall have a Zero-Contact Policy with immigration officials, except when a criminal warrant has been signed by a judge. The immigration status of a person, and the lack of immigration documentation, alone, shall have no bearing on the manner in which Agency members execute their duties. This policy shall ensure the ACSO is consistent with the County of Alameda's Welcoming County Resolution (2016) and is in compliance with California Government Code 7284.6(e) as well as 8 USC § 1373 and 8 USC § 1644.

DEFINITIONS:

IMMIGRATION ENFORCEMENT JURISDICTION: The U.S. Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE) has primary responsibility to investigate and enforce federal immigration laws.

ICE DETAINER: Includes DHS form I-247A, I-247G, and similar forms or communications from federal immigration agents that request the receiving law enforcement agency to notify ICE of a person's release date and time, transfer the person to ICE, hold the person in custody in order to facilitate transfer to ICE, or otherwise request the Agency provide information or assistance to ICE in apprehending someone in the Agency's custody.

ADMINISTRATIVE WARRANT: An order signed by an ICE agent, which directs federal immigration agents to arrest or remove an individual pursuant to federal immigration law, typically indicated on DHS form I-200 or I-205.

JUDICIAL WARRANT: An order for arrest signed by a federal or state judge or magistrate (as defined in Gov Code 7284.4(i)).

ICE Access: The TRUTH ACT, defines "ICE Access" for the purposes of civil immigration enforcement, to include when an individual is stopped with or without their consent, arrested, detained, or otherwise under the control of the local law enforcement agency, all the following:

1. Responding to an ICE hold, notification, or transfer request.

2. Providing notification to ICE in advance of the public that an individual is being or will be released at a certain date and time through data sharing or otherwise.

3. Providing ICE non-publicly available information regarding release dates, home addresses, or work addresses, whether through computer databases, jail logs or otherwise.

4. Allowing ICE to interview an individual.

5. Providing ICE information regarding dates and times of probation or parole check-ins.

TRUST ACT: Provides that a person may not be held in custody solely on the basis of a request for notification and/or detainer if he or she is otherwise eligible to be released from custody. "Eligible for release from custody" means that the individual may be released from custody because one of the following conditions has occurred:

1. All criminal charges against the individual have been dropped or dismissed

2. The individual has been acquitted of all criminal charges

3. The individual has served all the time required for their sentence

4. The individual has posted a bond

5. The individual is otherwise eligible for release under state or local law

TRANSFER OF CUSTODY: The custody exchange of an inmate within the secure area of the facility not accessible to the public, from ACSO's custody to the custody of another law enforcement agency.

JOINT LAW ENFORCEMENT TASK FORCE: At least one California law enforcement agency collaborating, engaging, or partnering with at least one federal law enforcement agency in investigating federal or state crimes.

ORDER:

A. GUIDELINES FOR AGENCY MEMBERS

1. If a federal immigration official approaches Agency members with a warrant or requests access to a restricted or non-public area of a County facility, Agency members shall:

a. Remain professional and request identification from the federal immigration official.

b. Review and retain a copy of any warrant or other legal document presented.

c. Sworn Agency members shall review the warrant and determine whether it is a valid Judicial warrant. If the Judicial warrant is valid, Agency members shall permit access.

d. If it is determined that the warrant is administrative rather than judicial, access to restricted areas shall be denied.

e. If there is a question regarding the warrant's validity or scope, Agency members shall not voluntarily provide access and shall immediately notify a supervisor.

2. When lawful entry is authorized, Agency members shall:

a. Provide a designated County representative to accompany the federal immigration officials.

b. Document the activity on their Body-Worn Camera in accordance with GO 8.17-Body Worn Cameras.

3. Agency members shall not answer questions on behalf of Alameda County or provide information beyond what is required by law or Sheriff's Office policy. Media inquiries shall be referred directly to the Public Information Officer (PIO) and the chain of command.

B. ZERO CONTACT POLICY

1. Agency members will not detain, arrest, or contact individuals based solely on their immigration status or suspected immigration violations.

2. Agency members will not enter into agreements with federal immigration authorities, including but not limited to, Immigration and Customs Enforcement (ICE), to enforce federal immigration laws.

3. Agency members will not use resources, including but not limited to, personnel, facilities, or equipment, to assist or facilitate federal immigration enforcement operations.

   This does not preclude Agency members from responding to critical incidents or emergency requests for assistance from any other law enforcement entity. Each level of assistance will be evaluated by the on-scene supervisor to ensure the ACSO's level of participation remains consistent with this order and California law while protecting human life and property.

4. Agency members will not honor civil immigration detainers, except when accompanied by a criminal warrant signed by a judge.

    a. The on-duty SRJ Intake, Transfer, and Release (ITR) Sergeant, or their designee, will ensure that the warrant is valid, enforceable, and specific to the individual in question before taking any action.

    b. Agency members shall not detain individuals based solely on an immigration warrant or hold.

5. Agency members will not inquire about an individual's immigration status unless the information is necessary to obtain in order to conduct a criminal investigation into a violation of California law, such as, but not limited to, trafficking, smuggling, or harboring of humans, and terrorism.

    a. This does not preclude Agency members from making all attempts to identify any person they detain, arrest, or who comes into the custody of the ACSO, when lawful to do so.

    b. Any person who would be cited and released, but who is unable to present satisfactory evidence of his or her identity, will be detained for the purpose of establishing his or her identity, consistent with the treatment of all individuals.

6. Agency members are prohibited from using immigration authorities as interpreters for law enforcement matters relating to individuals in Agency or department custody.

7. Agency members are prohibited from initiating contact with ICE for the purposes of providing information regarding an individual in ACSO's custody who is suspected of violating federal immigration laws.

8. Agency members will not participate in organized sweeps to locate and detain undocumented residents.

C. <u>ADMINISTRATIVE WARRANTS AND INFORMATION REQUESTS FROM ICE</u>

1. Agency members will no longer respond to I-247A requests or requests to interview inmates in ACSO’s custody from ICE for immigration purposes (See attachment 1). Upon receiving such a request, Agency members shall do the following:

    a. Forward the request to SRJ ITR Records, who will complete the Santa Rita Jail ICE Log (See attachment 3).

2. Upon receiving a request, SRJ ITR Records will do the following:

    a. Make a copy of the request, place the original in the inmate’s jacket, and scan a copy into the Jail Management System (JMS) to maintain a permanent electronic record of proof of service

    b. Provide a copy to the inmate in question

c. Provide the inmate with a “Notification of I-247A/Request to Interview” form (See attachment 2)

The “Notification of I-247A/Request to Interview” form is available in multiple languages. The forms are available in English, Spanish, Cantonese, Mandarin, Tagalog, Vietnamese and Korean.

d. Provide a copy to the public defender’s office or the inmate’s attorney of record

3. ACSO will not honor DHS Form I-200 - Warrant for arrest of Alien (attachment 4), or DHS Form I-205 - Warrant of Removal/Deportation (attachment 5).

D. ADDITIONAL GUIDELINES

1. ACSO Agency members may make inquiries into information necessary to certify an individual who has been identified as a potential crime or trafficking victim for a T or U Visa pursuant to Section 1101(a)(15)(T) or 1101(a)(15)(U) of Title 8 of the United States Code or to comply with Section 922(d)(5) of Title 18 of the United States Code.

2. All records relating to ICE access provided by and to ACSO, including all non-exempt and non-privileged communication involving ICE, shall be public records for purposes of the California Public Records Act (CPRA). As permitted under the CPRA, Personal Identifying Information (PII) and other exempt information may be redacted prior to public disclosure. Senate Bill 54 does not otherwise preempt or overrule ACSO's obligations under the CPRA, including the information required to be released under Government Code 6254(f)(1). Records relating to ICE access may include, but are not limited to:

a. Data maintained by ACSO regarding the number and demographic characteristics of individuals to whom ACSO has provided ICE access;

b. The date ICE access was provided;

c. Whether the ICE access was provided through a notification request, transfer, or through other means, to the extent the ACSO maintains such records; and

d. Non-exempt records to and/or from ICE and ACSO, including, but not limited to ICE notification or transfer requests.

e. These records shall be maintained in the current Jail Management Service.

3. Beginning January 1, 2018, if ACSO has provided ICE access to an individual during the last year, the County Board of Supervisors (BOS) shall hold at least one community forum during the following year that is open to the public, in an accessible location, and with at least 30 days’ notice to provide information to the public about ICE's access to individuals to receive and consider public comment.

As part of this forum, ACSO may provide the California Department of Justice with data it maintains regarding the number and demographic characteristics of individuals to

whom the Agency has provided ICE access, the date ICE access was provided and whether the ICE access was provided through a notification request or through other means. Data may be provided in the form of statistics or, if statistics are not maintained, individual records, provided that Personal Identifying Information shall be redacted

4. Beginning January 1, 2018, ACSO is also required to report statistics to the BOS on all individuals transferred to immigration authorities under the Values Act, GC 7284.6(a)(4). The report must include the following information:

    a. The date the reporting form was submitted.

    b. Submitting agency ORI and name.

    d. Number of transfers to ICE by offense code.

    e. Contact information for the individual completing this form.