

Senate Bill 54 Review
Public Protection Committee- November 6, 2017

	SB 54 (Chapter 495, October 5, 2017) Effective Jan. 1, 2018 Amends Gov. Code §§ 7282, 7282.5¹, adds Gov. Code §§ 7284-7284.12; Repeals Health & Safety Code § 11369	Sheriff Immigration Policy No. 1.02.28 (Rev. May 2017)	Draft Probation Immigration Policy 428 (Rev. Oct. 2017)
1.	Law enforcement officials may cooperate with immigration authorities in response to a notification request for persons convicted of specified felonies “within the last 15 years”- changed from convicted “anytime” in the past. § 7282.5(a)(3)	Amendment suggested to reflect change in the law. IV.F.3.c.-d.	Complies.
2.	Law enforcement officials may cooperate with immigration authorities only if information is public or in response to a notification request for release date (such as I-247N ²) if person arrested and taken before a magistrate for a serious or violent felony described in PC 667.5(c) or 1192.7(c), or a felony punishable by imprisonment in state prison. §7282.5(b); §7284.6(a)(1)(C)	Complies.	Complies.
3.	Law enforcement agencies shall not use agency money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes §7284.6(a)(1)	Requires further information from Sheriff's Office on interpretation and current practice. III.A.	Complies.
4.	Law enforcement agencies shall not inquire into an individual's immigration status. §7284.6(a)(1)(A)	Complies.	Complies.
5.	Law enforcement agencies shall not detain on basis of a hold request- as defined in § 7283(b) ³ . §7284.6(a)(1)(B)	Complies.	Complies.
6.	Law enforcement agencies shall not provide information on a release date or other information unless the information is available to the public or in response to a notification request per 7282.5. §7284.6(a)(1)(C)	Requires further information from Sheriff's Office on interpretation and current practice. IV.F.	Complies.

¹ Also known as the Trust Act- CA Gov. Code §§ 7282-7282.5 [Amended by SB 54 (2017)]

² Forms I-247N, I-247D, I-247X were rescinded by I.C.E. on April 2, 2017, and replaced with Form I-247A- Immigration Detainer- Notice of Action.

³ Also known as the Truth Act- CA Gov. Code §§ 7283-7283.2 [Not Amended by SB 54 (2017)]

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7.	Law enforcement agencies shall not provide personal information, as defined in CC 1798.3, including home address or work unless the information is available to the public. §7284.6(a)(1)(D)	Not covered by policy.	Complies.
8.	Law enforcement agencies shall not make or intentionally participate in arrests based on civil immigration warrants. §7284.6(a)(1)(E)	Requires further information from Sheriff's Office on interpretation and current practice. III.A.	Complies.
9.	Law enforcement agencies shall not assist immigration in activities described in 8 U.S.C. 1357(a)(3), perform immigration officer functions, or place peace officers under supervision of federal agencies for purposes of immigration enforcement. §7284.6(a)(1)(F), (G), & (a)(2)	Requires further information from Sheriff's Office on interpretation and current practice. III.A. IV.B.2.	Complies.
10.	Law enforcement agencies shall not transfer to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination or in accord with 7282.5. §7284.6(a)(4)	Complies.	Complies.
11.	Law enforcement agencies shall not contract with the federal government for use of California law enforcement agency facilities to house individuals as federal detainees, except per 7310 (June 15, 2017 cutoff for new contracts or renewal or modification of an existing contract.) §7284.6(a)(6)	Not covered by policy.	Not covered by policy.
12.	Repeals H&S Code 11369. SB 54, Sec. 4	Amendment suggested to reflect repeal of this law. IV.D.2.(i)	Complies.