

CONTRA COSTA COUNTY TRUTH ACT FORUM

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CONTRA COSTA IMMIGRANT RIGHTS ALLIANCE (CCIRA)



HISTORY & ACCOMPLISHMENTS

- The Contra Costa Immigrant Rights Alliance (CCIRA) was established in 2017 by legal and community-based organizations aiming to advance immigrant rights and promote resources for all Contra Costa residents regardless of immigration status.
- CCIRA was formed after an article was published in the East Bay Express about the Probation Department and the Custody Alternative Facility turning people over to ICE during appointments.
- In 2017, CCIRA successfully secured funding through a foundation-county partnership to establish Stand Together Contra Costa, a county rapid response system to respond to increasing immigration enforcement.
- In March 2018, Stand Together officially launched with a 24-hour hotline, two attorneys, and a coordinator.



HISTORY & ACCOMPLISHMENTS

- Days after the 2019 TRUTH Act Forum where members of the public spoke out against the county's collaboration with ICE, Sheriff Livingston stopped allowing ICE into private areas of county jails to conduct ICE arrests.
- After the 2020 TRUTH Act Forum, CCIRA members and members of the Sheriff's Office met on several occasions to discuss the Sheriff's policy on collaborating with ICE.
- In June 2021, CCIRA was notified that Sheriff Livingston made some changes to his policy, and adopted CCIRA's suggested policy change of ending the practice of publishing lists of release dates online.



Notice of 2021 Truth Act Forum



CCIRA was notified on July 14-- less than 2 weeks prior to today that the forum would be held on July 27th. We made several attempts to find another date that would work for both CCIRA and the Sheriff's Office, but the county refused to reschedule.



In the spirit of a true public forum, we encourage the Board of Supervisors to provide meaningful notice to known community stakeholders.

CONCERNS ABOUT ICE & LOCAL LAW ENFORCEMENT



Fosters distrust between immigrant communities and local law enforcement. Makes immigrant communities view local law enforcement and ICE as the same entity



Unnecessarily expends local resources on immigration enforcement, which is not a responsibility of the Sheriff's department



Opens local law enforcement up to liability, which means tax dollars are used to pay out settlements



Can result in the permanent separation of community members from their families and intergenerational trauma. Black, brown & API folks most harmed by mass incarceration and criminalization suffer the most.

CONCERNS ABOUT ICE & LOCAL LAW ENFORCEMENT:

Collaboration with ICE is unnecessary and costly

“In 2018 and 2019, the LA County Sheriff’s Department spent nearly \$3 million dollars transferring about 1,400 people to ICE custody for detention and possible deportation.

Statewide, nearly 4,000 people were transferred from local jails to ICE in that time period, at an estimated cost of more than \$7 million dollars.”

— ALLIANCE FOR BOYS AND MEN OF
COLOR

CONCERNS ABOUT ICE & LOCAL LAW ENFORCEMENT:

Local law enforcement & ICE perpetuate racial injustice and trauma

BLACK IMMIGRANTS

AT GREATER RISK FOR DEPORTATION

7.2%



PERCENT OF NON-CITIZENS
WHO ARE BLACK

20.3%



PERCENT OF THOSE **FACING
DEPORTATION** ON CRIMINAL
GROUNDS WHO ARE BLACK

SOURCE: BLACK ALLIANCE FOR JUST IMMIGRATION

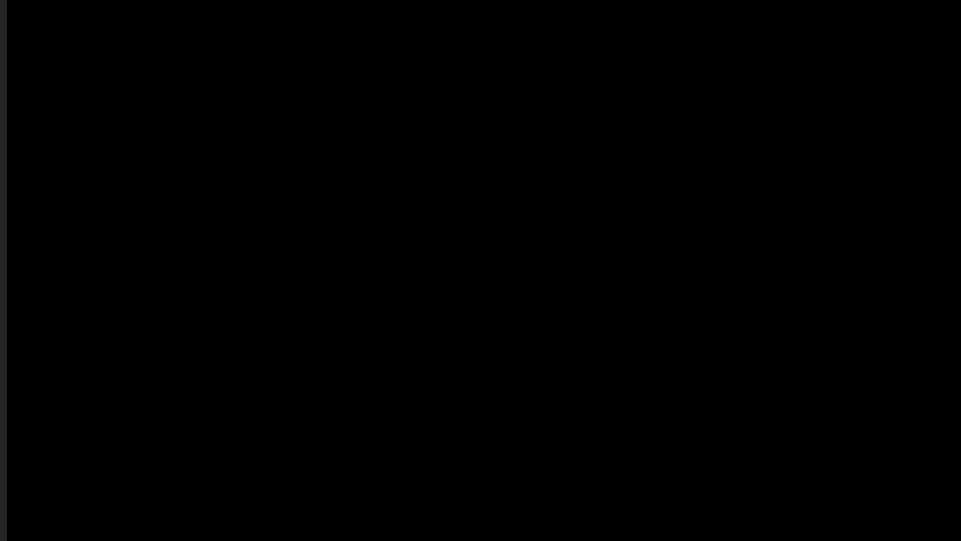
CONCERNS ABOUT ICE & LOCAL LAW ENFORCEMENT:

Local law enforcement & ICE perpetuate racial injustice and trauma

“In the US, Southeast Asian communities are 3 to 4 times more likely to be deported for past convictions when compared with other immigrant communities.... Between 2017 and 2018, there was a 279% spike in the deportation of Cambodian Americans and a 58% increase in the deportation of Vietnamese Americans.”

— Human Impact Partners, “Stop ICE Transfers:
Promoting Health, Unifying Families, Healing Communities

Bouchan Keola and his family,
Contra Costa County residents











Key CA Immigrant Rights Laws

CA TRUTH Act (AB 2792)

Increases transparency
around local law
enforcement agencies that
choose to collaborate with
ICE either by notifying ICE
of release dates or
facilitating transfers of
community members to ICE.
(Gov't Code §§ 7283 et
seq.) (effective Jan. 2017)






CA Values Act (SB 54)

The CA Values Act, signed
into law by Gov. Brown on
October 5, 2017, is a state
law that limits state and
local resources from being
used to carry out
immigration detentions and
deportations.

POLICE-ICE TACTIC	UNDER SB 54
<p>Immigration Holds</p> 	<p>Prohibited.</p>
<p>Making arrests on civil immigration warrants</p> 	<p>Prohibited.</p>
<p>287g</p> 	<p>Prohibited.</p>
<p>Asking about immigration status or using immigration agents as interpreters.</p> 	<p>Prohibited.</p>
<p>Sharing personal info with ICE (e.g., work, home addresses)</p> 	<p>Prohibited unless publicly available.</p>
<p>Notifying ICE of release dates</p> 	<p>Prohibited unless:</p> <ul style="list-style-type: none"> • Revised TRUST Act exception applies, including: <ul style="list-style-type: none"> • Conviction for a felony punishable by imprisonment in state prison at any time • Conviction within past 15 years for any other specified felony. The 15-year “wash” is an improvement on the old TRUST Act standard. • Conviction within the past 5 years for a misdemeanor for a specified wobbler offense. • Charges for a crime that is serious, violent, or punishable by a term in state prison if finding of probable cause has been made by a magistrate pursuant to PC 872. • If release dates/times are already publicly available, can be shared

POLICE-ICE TACTIC

UNDER SB 54

<p>Transfers to ICE</p> 	<p>Prohibited unless:</p> <ul style="list-style-type: none">• Revised TRUST Act exception applies (see above under notifications)• Warrant or probable cause determination from a judge that someone has violated federal criminal immigration law. <p>Local law enforcement required to report number of transfers and basis for transfer to Attorney General's Office.</p>
<p>Local arrests for "criminal" violations of immigration law</p> 	<p>Prohibited except local law enforcement may arrest someone for unlawful re-entry following deportation <i>if</i></p> <ul style="list-style-type: none">• The re-entry is detected during an unrelated law enforcement activity, and• The person has a prior "aggravated felony" conviction <p>Any person arrested for unlawful reentry may be transferred to ICE only if a revised TRUST exception applies.</p>
<p>ICE interviews in jail and prison</p> 	<p>TRUTH Act protections essentially expanded to prisons (can't be interviewed by ICE unless sign consent form prior to interview). Prohibition on providing office space exclusively dedicated to ICE in local jails.</p>
<p>Joint Task forces</p> 	<p>Some limitations and reporting requirements imposed.</p> <ul style="list-style-type: none">• Primary purpose of task force must be unrelated to immigration enforcement, and• Participation does not violate any local law or policy.• Local law enforcement required to report information about joint taskforce operations to CA Attorney General and information is available as a public record.
<p>Databases</p> 	<p>Attorney General will draft advisory guidelines to ensure that databases are not used for immigration enforcement. State and local law enforcement agencies are encouraged but not required, to adopt guidelines.</p>

CONTRA COSTA COUNTY AND ICE



Contra Costa County and ICE Notifications



Contra Costa County Sheriff continues to respond to ICE requests for notification so that ICE can detain community members on their release dates.



This results in the unequal treatment and double punishment of community members who have completed their time in jail, and the perpetuation of trauma in immigrant and refugee communities. But for their country of birth, they would return home and begin their reentry plans.



Between Nov. 1, 2020 and January 25, 2021, the Sheriff notified ICE of release dates for 17 community members.

Contra Costa County and ICE Notifications

- Of the 17 ICE notifications the Sheriff's Office responded to, we have questions and concerns about 5 of them occurring in violation of SB 54.
- 2 of the 17 ICE notifications were for convictions that were 15+ old.
- We strongly encourage the Sheriff to stop ICE notifications because they harm immigrant communities and leave the county vulnerable to liability.

Questions for the Sheriff

- Of the 17 ICE notifications made, how many community members were picked up by ICE?
- Among those arrested by ICE, how and where were the arrests made?

CCIRA's Recommendations to the Sheriff



STOP
responding to
ICE Notifications



POLICY
CHANGES

Thank you for meeting with us, ending direct ICE transfers, and ending the practice of publishing release dates online. We hope to continue dialogue about improving policies.



SHARE NEW
POLICY

Provide the most updated
Sheriff's Policy to CCIRA

CCIRA'S Recommendations to the Board of Supervisors



Fund Eviction
Defense &
Rental
Assistance



Fund Public
Defender's Office

Hiring social workers
to connect clients to resources at
first contact and fund deportation
defense teams



Fund community
resources

Funding for immigration legal
defense, social workers, and
community engagement
through Stand Together Contra
Costa

Questions?

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THANKS

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