

- Good morning. Over the past few years there has been significant public discussion about interaction between local law enforcement and federal immigration authorities. We can say, without a doubt, that in the past 2 years no single issue has garnered more media coverage, opinions, and requests for information. As a Department we have responded to Public Record Act requests, spoken with community groups, released public statements and participated in numerous media interviews. Today's public hearing offers another opportunity to provide information.
- We know this is a topic that many in this room are very passionate about. We also know that there continues to be a lot of misinformation circulating that can propagate fear. We hope to provide some clarity so that everyone can better understand our role and goal- which is safeguarding all residents of Orange County.
- At the outset it is important to make clear that OCSD does not engage in immigration enforcement. As deputies patrol our communities, they are focused on criminal violations of state and local law. We enforce these laws equally, without bias, and without regard for one's immigration status. In carrying out our duties, we do not ask the immigration status of suspects, witnesses, or those who call to report crimes. The Sheriff's Department provides for the safety of all residents and responds to all calls for service without concern for immigration status.
- Sheriff Hutchens and I have worked diligently to share this message with the community. We have reached out to community groups through our Interfaith Council which have resulted in numerous opportunities to speak with and listen to Orange County's immigrant families. We have partnered with the Mexican Consulate on creating Public Service Announcements which reiterate that those who call law enforcement for service will not be questioned about their status.
- Where the law allows we do cooperate with federal authorities in a custody setting to address shared threats. Today's hearing concerns calendar year 2017. During that time we participated in the federal

government's 287(g) program. OCSD participated in the program for over a decade, under the Bush, Obama and Trump Administrations. The program provided an opportunity for dangerous offenders with immigration holds to be transferred to Immigration and Custody Enforcement (ICE) upon the completion of their local sentence. This partnership was wholly appropriate and consistent with the mission of the Sheriff's Department to keep our community shielded from those who seek to do harm and break the law.

- In calendar year 2017 we operated a 287(g) program and also abided by the TRUST act, which limited the types of charges in which we could communicate with ICE. During that calendar year a total of 580 inmates were transferred to ICE custody upon the completion of their sentence.
- As you can see the chart, this represents only 44% of the 1,316 inmates who were screened and had ICE detainers. We only released inmates to ICE who met the TRUST Act standard. Additionally, as a result of a 2014 federal court ruling, we did not hold inmates past their sentence date.
- The 580 inmates transferred to ICE represent less than 1% of the 58,129 inmates booked into the jail system in 2017. This is a narrow segment of the population, nonetheless the communication with ICE on these individuals was a benefit to public safety.
- On December 27, 2017 the Sheriff ended the 287(g) program. Ending this program was done in order to comply with SB 54. The Sheriff opposed SB 54 because it violated the principle of open communication amongst law enforcement on shared threats. But SB 54 is law and we are committed to following that law.
- While SB 54 prohibits programs like 287(g), the law does allow for continued notification to ICE regarding the release of certain serious offenders. We continue to notify ICE in those incidents.
- The limits placed on us by SB 54 and the TRUTH Act, however, have prevented communication on individuals who have now re-offended.

In the first nine months of 2018, a total number of 772 inmates with detainers were released. Of that number a total of 140 have been re-arrested in Orange County. These re-arrests were based on 49 various crimes. Crimes include 4 attempted murders, 9 assault with a deadly weapon, burglaries, a child molestation, child endangerment, spousal rape, 6 robberies, domestic violence charges and drug crimes.

- In closing, we strongly agree with those who argue that local law enforcement should not be enforcing immigration law. We have never, do not, and will not arrest individuals for violation of immigration law. It is not our charge and doing so could hinder our effectiveness in carrying out our core mission. We will, however, always advocate for the ability to communicate with our federal law enforcement partners on keeping the narrow segment of criminal offenders out of our community. Doing so keeps ALL members of our community safe.