



## Examples of Criminal and Immigration Justice Collaborations in California

**Introduction:** Collaborations between local law enforcement, federal officials including the Immigration and Customs Enforcement (ICE), and the prison industry has existed for years, resulting in the mass incarceration and deportation of immigrants and communities of color alike. More recently, these communities have collaborated to fight back. Realizing their shared experience of oppression and capitalizing on their strength in numbers, incarceration and immigration campaigns have united to reach common goals. The following details how certain counties in California have merged efforts across communities and color lines to collaboratively stop further criminalization.

### Campaign Themes:

- **Stopping Collaboration with Immigration Authorities through ICE Detainers:** ICE detainers are voluntary requests from ICE to local law enforcement to hold an individual so that ICE can try to deport them. This results in a two-tiered system of justice where immigrants are held for deportation when US Citizens with the same criminal history are released. Additionally, ICE holds lead to the denial of bail and rehabilitative services in many jurisdictions and are often enforced even when criminal charges have been dismissed. Treating people different in the criminal justice system based on immigration status alone violates notions of equal protection, harms community trust in law enforcement, and leads to the separation of families.
- **Stopping Jail Expansion and Investing in Community Alternatives:** Overcriminalization has prompted a prison crisis in California. California has the largest prison and jail population in the U.S. and the recidivism rate is among the highest in the nation, at 67.5%. Moreover, communities of color are disproportionately affected, with Latinos representing the largest group incarcerated in California state prisons. California's implementation of "realignment" legislation provides an opportunity at the local level to lessen the reliance on incarceration and instead invest in alternatives to incarceration and community resources to stop the revolving door of incarceration in California.
- Building **multi-racial alliances** (particularly Latino and African American) around a shared agenda of **dismantling mass incarceration and mass deportation.**
- Investing in people and not prisons and working with communities and not with ICE. Both messages urge law enforcement to **work with communities** and **not the structures that tear them apart.**
- Utilizing this multi-racial infrastructure for **future campaigns** affecting communities of color.

**Contra Costa:** Contra Costa saw two significant successes as a result of its collaborations between formerly incarcerated individuals and immigrants, both of whom lived in the same communities and were the most heavily targeted by local law enforcement. In keeping with the incarceration crisis that had permeated throughout California, in June 2012 the Contra Costa Sheriff announced that he was requesting allocation of realignment funds to build 150 new beds at a local jail. This hike in incarceration would have affected black and brown communities alike. Instead, community groups urged for alternatives to incarceration. The Sheriff declined to comply with these requests yet openly cooperated with ICE. The Sheriff's Department complied with all ICE

detainers and had a multi-million dollar contract to detain immigrants in deportation proceedings. Yet, Contra Costa had the highest rate of “non-criminal” deportations in Northern California, with over 70% of deportations involving people with no criminal convictions on their record. Moreover, the 150 new beds that the Sheriff had requested, was the same number of beds that the Sheriff had previously contracted to ICE. Thus, the Sheriff was voluntarily contracting away bed space when he was supposedly facing jail overcrowding. Further, since complying with ICE detainers takes up bed space as jails hold people until ICE arrives, the Sheriff’s voluntary compliance with ICE detainers was contributing to jail overcrowding.

Contra Costa organizers responded to this collaboration with ICE and the Sheriff’s desired jail expansion, in turn. They organized several actions and attended Community Corrections Partnership (CCP, a body composed of County leaders including the Sheriff and other law enforcement officials) meetings. The CCP decides how to allocate State realignment funds and implement community corrections programs. Community groups attended the CCP meetings and every week organized actions in which communities came together and voiced the message to invest in people and not prisons, and to stop separating families through the enforcement of ICE detainers. The message was clear that the community wanted to cease the Sheriff’s desire to increase incarceration, either through the guise of needing more prison space or cooperation with ICE. Critical to this campaign was mobilizing three major population centers in Contra Costa (Richmond, Antioch, Pittsburg), that were primarily African-American and Latino. Uniting these communities through their shared oppression and shared agenda was critical.

The campaign was ultimately successful in halting the building of a new jail. Additionally, the CCP allocated \$5.2 million dollars (25% of total funding) toward community alternatives to incarceration and \$2 million toward transitional employment. More recently, the coalition had its last meeting with the Sheriff’s office to create an ICE detainer policy which will not categorically transfer all noncitizens over to ICE. The implementation of this policy is pending.

These campaigns were led by Contra Costa Interfaith Supporting Community Organization (CCISCO) and the Safe Return Project with legal support provided by the Immigrant Legal Resource Center (ILRC).

**San Mateo:** In San Mateo, efforts to build a similar campaign as Contra Costa County are presently underway. As in Contra Costa, jail expansion and ICE detainers have been at the forefront of community concerns. The County has already approved plans to build a new county jail, but is struggling to secure funds. The Sheriff also continues to enforce all ICE detainers. Interestingly, the Sheriff has applied for special funds to build the jail which are tied to overcrowding issues in the county. Since complying with ICE detainers takes up more bed space, the Sheriff may actually be incentivized to superficially create overcrowding, so that he has a better chance of receiving special funds to break ground on a new jail. In response, Californian’s United for a Responsible Budget (CURB) and a coalition of immigrant rights groups, have started to meet regularly to discuss how they can work together to similarly halt the construction of a new jail and limit or altogether eliminate, compliance with ICE detainers. The ILRC assisted in bringing together these groups and providing an informational training about the relationship between the issues. The groups continue to meet and the campaign is presently pending.

**Alameda & Fresno:** In Alameda and Fresno Counties, immigrant rights groups and criminal justice organizations are similarly working together to fight for the investment in more community resources and to halt compliance with ICE detainers. While jail expansion is not presently an issue in either of these counties, both criminal justice and immigration rights coalitions see the problem with increasing the incarceration of communities of color, including through ICE detainers. For months in Fresno and for years in Alameda County, these groups attempted to secure a meeting with the Sheriffs to discuss immigration issues in person. Community groups responded by attending CCP meetings and Board of Supervisor budget meetings where the Sheriff was present. Finally, the Sheriff met with groups from both counties, which was a step in the right direction. Both communities are continuing to mount pressure.