

PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL

TITLE: IMMIGRATION HOLDS

Updated 07/08/2014
Approved 08/22/2014

POLICY:

Effective 01/01/14 State law mandates that law enforcement may have discretion to cooperate with federal immigration officials by detaining an individual on the basis of an immigration hold after that individual becomes eligible for release from custody only if the continued detention of the individual on the basis of the immigration hold would not violate any federal, state, or local law, or any local policy, and only under the circumstances as described in AB4, Section 7282.5 GC.

Effective 07/27/10 the Placer County Sheriff's Office was added to the Department of Homeland Security , Secure Communities Identification Program. This program provides the technology to help law enforcement agencies complete an integrated records check to determine both the criminal history and immigration status of individuals in our custody. This is accomplished by fingerprinting the inmate using the Live Scan Machine.

Effective 07/02/2014 after reviewing the recent case law, per County Counsel, we will no longer be accepting ICE Detainers unless they are in the form of an arrest warrant signed by a judge.

PROCEDURE:

Secured Communities:

When there is a match with the IDENT data, CJIS will receive the match response and generate an Immigration Alien Query (IAQ). It is not necessary for us to send this IAQ message on matches or no matches, unless the Live Scan device is not functioning or the inmate is being booked for a non-retainable offense and has an Immigration Warrant in NCIC.

Both our Agency and the Sacramento ICE Office receive a response based upon our fingerprint submissions. There is a delay in when our Agent receives these responses. Therefore, every morning at 4:00 AM a report of all Foreign Born Arrestees will be printed and faxed to the Sacramento ICE Office. This report includes all Arrestees that are currently in custody or that we released during the 24 hour period. See below instructions on how to run the report.

Until further notice, all "rejected" live scan response received from Department of Homeland Security, will be filed in the basket along with the other live scan responses.

**PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL**

A copy of the "Match" response will be filed in the Inmate's booking file. All other responses will be placed in the Live Scan basket. We will keep these in the basket for one month.

Obtaining a Hold due to a NCIC hit:

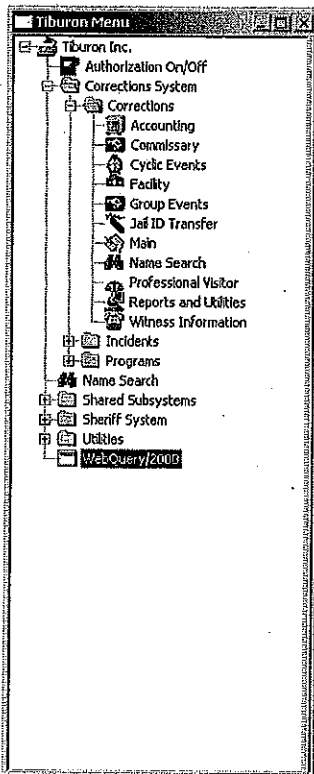
You will need to call the phone number listed on the hit, to verify that this is the subject wanted by ICE. Do not send a teletype until you have confirmed this information.

Federal Arrest Warrant from ICE:

Once the front office has received a Federal Arrest Warrant from ICE, make sure to obtain file and give these items to duty sergeant for review. The sergeant will determine whether or not the inmate will be held on the warrant.

FOREIGN BORN REPORT:

Access WebQuery from the Tiburon Menu by double clicking on this icon



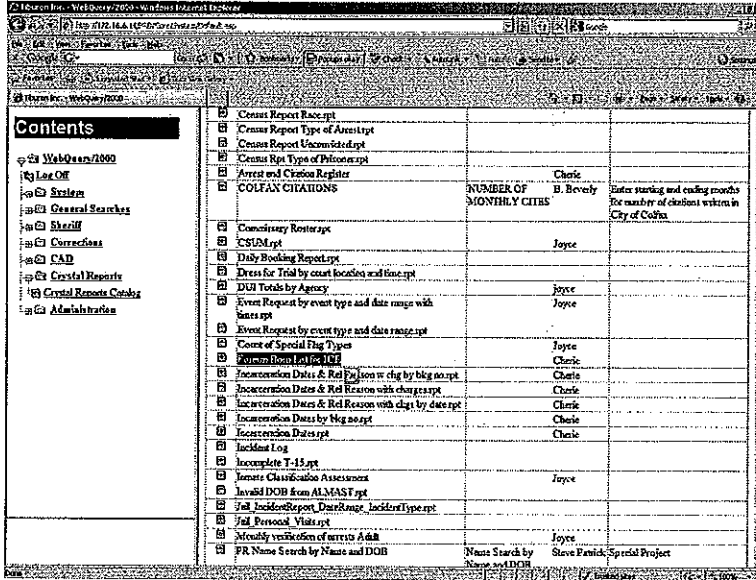
PLACER COUNTY SHERIFF'S OFFICE

CORRECTIONS DIVISION

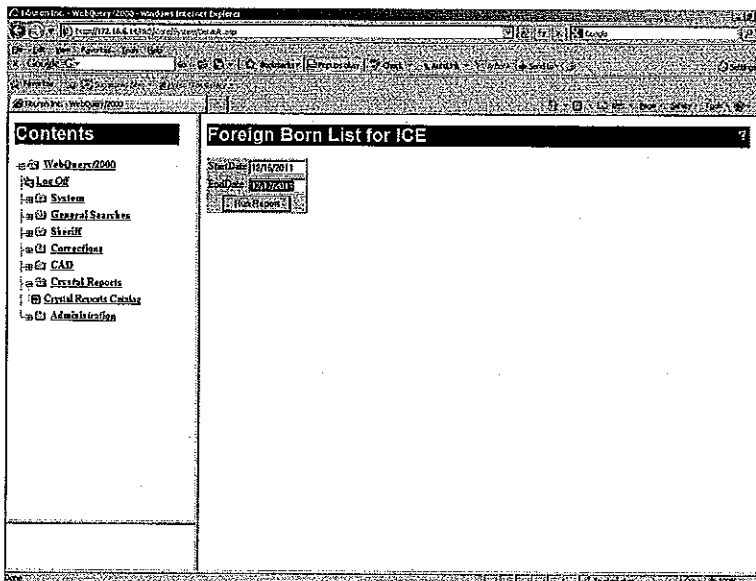
SUPPORT UNIT

PROCEDURE MANUAL

Double click on Crystal Reports and then Double click on the Crystal Reports Catalog icon. Double click on the Foreign Born List for ICE icon.

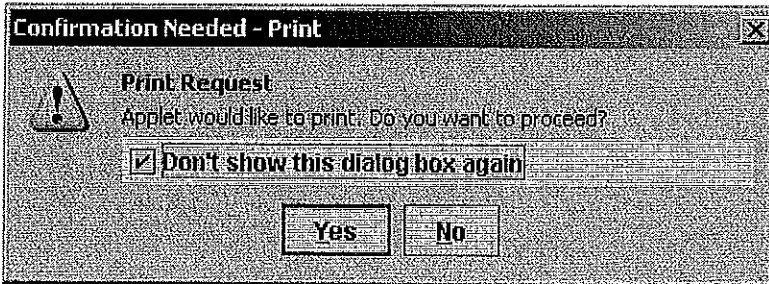


Enter Start Date – Yesterday's Date
 Enter End Date – Today's Date
 Click on Run Report



PLACER COUNTY SHERIFF'S OFFICE CORRECTIONS DIVISION SUPPORT UNIT PROCEDURE MANUAL

Click Yes for the Confirmation Needed – Print



Print the Report by clicking on the Printer icon

Housing	CH No	FBI No	Citizen	POB	Sentenced Charges
1/013A	[REDACTED]	[REDACTED]	US	LH	0

Authority: COMT 23153 (A)VC DUI ALCOHOL/DRUGS CA F [REDACTED]

Fax the Report to our ICE Agent's attention to (916) 491-2865.

**PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL**

OUR TELETYPE EXAMPLES:

IAQ Message Format:

CLETS Code = CMSG

Message Display

New Msg Back Forward Last Print Save Recall Quit

CMSG - FREE FORM CLETS SCREEN (CARRIAGE RETURN AFTER EACH LINE)

MESSAGE: N 001 LTS

IAQ.CA0310001.AX.TXT

PUR/C.ATN/YOUR NAME.PHN/5307458500.NAM/SUBJECT'S,NAME.DOB/HMDDYY.SEX/? .POB/?? .CUS/Y.OFF/####.BKN/JID#.REM/PLEASE CONTACT OUR AGENCY IF YOU WISH TO PLACE A HOLD

PUR = ALWAYS C

ATN = SENDERS NAME

PHN = OUR PHONE NUMBER WITH AREA CODE AND NO SPACED

DOB = MONTH, DAY AND THE LAST TWO NUMBERS OF THE YEAR

SEX = M FOR MALE AND F FOR FEMALE

POB = THE NCIC PLACE OF BIRTH CODE

CUS = CUSTODY STATUS - ALWAYS Y

OFF = NCIC OFFENSE CODE FOR THE HIGHEST CHARGE

BKN = BOOKING NUMBER - THIS IS MANDATORY IF IN CUSTODY.

REM = REMARKS

**PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL**

THEIR TELETYPE ACKNOWLEDGMENT EXAMPLE:

1LTS.AUJ0.AM.AX0000000

12:19 08/22/2006 43356

12:19 08/22/2006 21347 CA0310001

*AUJ0JA020B

TXT

YOUR INQUIRY HAS BEEN RECEIVED BY
THE ICE LAW ENFORCEMENT SUPPORT CENTER.

EDT 1519.

TEXT OF INQUIRY WAS:

PUR/C.ATN/SENDERS NAME.PHN/OUR PHONE NUMBER.

NAM/SUBJECTS,NAME.DOB/MMDDYY.SEX/?.POB/???.CUS/Y.OFF/#####.BKN/JID

ID.REM/PLEASE CONTACT OUR AGENCY IF YOU WISH TO PLACE A HOLD

END.

**PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL**

THEIR TELETYPE RESPONSE EXAMPLE:

4AUJ0.I*
IAR.VTINS0757
HH:MM MM/DD/YYYY 09146
HH:MM MM/DD/YYYY 30898 CA0310001
*0495967754
TXT
*** LAW ENFORCEMENT SENSITIVE ***

IAQ RECEIVED: MM/DD/YY HH:MM:SS A/PM

ORI/CA0310001 ATN/ ALC'S NAME PHN/5307458500
NAM/INMATES,NAME
DOB/INMATES DATE OF BIRTH CUS/Y OFF/0399 PUR/C POB/XX SEX/M OR F
FB/FBI NUMBER ARN/ SOC/ SID/CII NUMBER

****QUERY MESSAGE TEXT ENDS - L.E.S.C. RESPONSE BEGINS ****
**THIS IS NOT A GOVERNMENT DETAINEE! THIS INFORMATION IS FOR
LAW ENFORCEMENT USE AND IS BEING PROVIDED FOR INFORMATIONAL
PURPOSES ONLY. THIS RESPONSE IS NOT SUPPORTED BY FINGERPRINTS.**

POSSIBLE I.C.E. WARRANT OUTSTANDING

****BASED ON THE INFORMATION PROVIDED ****
THE FOLLOWING I.C.E. RECORD APPEARS TO RELATE:

NAM/INMATES NAME
AKA/INMATE'S KNOWN ALIAS'
DOB/ INMATE'S DATE OF BIRTH
POB/INMATE'S PLACE OF BIRTH
ARN/ 074010570
FCO/NYC
DOE/YYYYMMDD
LKA/LAST KNOWN ADDRESS
CITY STATE

**I.C.E. RECORDS INDICATE THAT SUBJECT ... This area will tell us if the inmate is
Wanted, a US Citizen or if they have been previously deported and re-entry may be illegal.**

IMPORTANT NOTICE

IT APPEARS THAT THIS PERSON HAS CONVICTIONS WHICH COULD BE
CLASSIFIED AS AGGRAVATED FELONIES. AS SUCH, THIS PERSON MAY
BE AMENABLE TO ARREST FOR IMMIGRATION VIOLATIONS.

REQUESTING ORI INFORMATION:
AGENCY/
PHONE/

LESC QUERY ID: 01575538 *** LIMITED OFFICIAL USE ***
END OF RESPONSE.....

PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL

DROPPING I.C.E. HOLDS:

Immigration can send our agency an authorization to drop their hold either by fax or teletype. These requests are to be processed immediately.

- Pull the booking file
- Dispo the Charge in the computer
 - Corrections Main
 - Charges Tab
 - Select the ICE Hold charge record
 - Disp Type – HDRP
 - Disp Officer – Your S Number
 - Save
- Place the authorization to drop hold in the booking file
- If this is the only charge holding this inmate, give the file to the Sergeant so that they can release the inmate.
 - If the inmate has other charges pending, return the file to the location where you found it.

SENDING READY FOR PICKUP TO I.C.E.:

Do not send a ready for pickup to ICE if subject also has a warrant for other counties. The other counties will be sent a ready for pickup first. If the subject is not picked up by the other agencies, a ready for pickup will be sent to ICE and their time limit begins.

Federal law (CFR 287.7(d)) mandates that law enforcement agencies may detain aliens with I.C.E. holds and no other charges pending for a maximum of 48 hours to allow I.C.E. to pick up the alien. If I.C.E. fails to pick up the alien within 48 hours, s/he must be released from custody.

The 48-hour time limit excludes Saturdays, Sundays and holidays. The 48-hour time limit starts when the Placer County inmate has an I.C.E. hold and any of the below occur:

- The inmate is sentenced and completes his/her sentence and there are no other criminal charges pending from either local or out of county agencies.
- The inmate is released per court order.
- The inmate posts bail.
- The inmate is released per Federal Court Order due to jail overcrowding.
- The inmate is released per 849 P.C., by the arresting agency.

**PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL**

Faxed Notifications:

There is a folder in the front office at the fax machine for the I.C.E. office in Sacramento. Fill out the information on the fax cover sheet and fax them when an inmate is ready for pickup. Please include a copy of their detainer.

Make sure you attached the fax transmittal confirmation sheets to the fax cover sheets and place in the inmate's booking file on the left side.

Write "Done" and your initials on the post-it on front of the file and return to the sergeant.

The fax number is on the pre-filled fax cover sheets. The information below is in case we run out of these:

Sacramento Office Fax (916) 930-3799

Transportation Division Supervisor Phone (916) 930-3852

Include the inmate's name, DOB, CII number, their file number, last day and time for pickup.

BOOKING ON IMMIGRATION HOLDS:

The Duty Sergeant will determine whether or not the inmate will be held on the Immigration Hold based upon the criteria under GC 7282.5. The Duty Sergeant will advise whether or not the inmate will be booked on the charge or booked on the charge and release the charge per AB4.

Refer to example of charge record below for add-booking an inmate on an Immigration Detainer/Hold.

PLACER COUNTY SHERIFF'S OFFICE

CORRECTIONS DIVISION

SUPPORT UNIT

PROCEDURE MANUAL

Example of Charge Record for I.C.E. Holds:

Corrections - Entry

1 Booking 2 Arrest Information 3 Charges 4 Property 5 Medical 6 Classification 7 Visitation 8 Events

Charge Information Charge Tracking Bail Fine Sentence Summary

Jail ID	Booking No	MNI	No	Charge Literal	Bail Amount/Type	Disp
P224442	197677	3318922	1	TEST ENTRY		BERR
			2	ILLEGAL ENTRY		ASVT

Booking Name: RECORD TEST

Type: Hazard: Housing: DC Event: 0001 0000

Charge Form Charge Remarks

Name	Charge No	Authority	Charge	Charge Literal
RECORD TEST	2	HOLD	8 1325 US	ILLEGAL ENTRY

Level	Counts	Charge Status	Top	Victim Notify	Bill Agt	Entry Date/Time	Open	DR No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			584378	

Court Case No	Docket No	Warrant Agt	Issue Date	Arrest Date/Time	Att Officer	Arrest Agt
				02/03/2014 15:25	584378	PCSO

Bail Information			Court Information			Fine Information	
Bail Out	Bail Type	Bail Amount	Count	Court Date/Time	Fine Costs	Fine Days	Fine Paid
N			77777				
Bail Condition	Bail Reference		Judge	Dress For Trial	Court Event		

Sentence Information					Disposition Information		
Sentence Date	Sentence Judge				Disp Date/Time	Disp Type	Disp Officer
Start Date/Time	Sentence Duration		Consec to Chg No		Release Date	Days Served	
	Yrs	Mo	Days	<input type="checkbox"/>			
Credit Time	No Good Time	No Work Time	Good Time	Work Time	Must Release	Control	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

press F1 for help. LIVE Placer County insert Record 2 of 2

**PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL**

Example of Charge Record for Release Disposition AB4

Corrections - Entry

1 Booking 2 Arrest Information 3 Charges 4 Property 5 Medical 6 Classification 7 Visitation 8 Events

Charge Information Charge Booking Bail Fine Sentence Summary

Chg ID: P-224642	Booking No: 113-7677	MNI: 3510922	No. Charge/Literal: 1 TEST ENTRY	Bail Amount/Type: RBA	Disp: BERR
Booking Name: RECORD TEST					
Juvs: N	Hazard: E	Housing: DC	Event: 0001 BDK0		

Charge Form Charge Remarks

Name: RECORD TEST	Charge No: 2	Authority: HOLD	Charge: 8 1325 US	Charge Literal: ILLEGAL ENTRY
Level: <input type="checkbox"/>	Counts: <input type="checkbox"/>	Charge Status: <input type="checkbox"/>	Top: <input type="checkbox"/>	Victim Notify: <input type="checkbox"/>
Court Case No:	Docket No:	Warrant Agt:	Issue Date:	Arrest Date/Time: 02/03/2014 15:25
Bail Information: Bail Out: N	Bail Type:	Bail Amount:	Court Information: Court: ZZZZZ	Court Date/Time:
Bail Condition:	Bail Reference:	Judge:	Dress For Trial:	Court Event:
Sentence Information: Sentence Date:			Disposition Information: Disp. Date/Time: 02/03/2014 15:26	
Start Date/Time:			Disp. Type: RB4	
Sentence Duration: Yrs: <input type="checkbox"/> Mo: <input type="checkbox"/> Days: <input type="checkbox"/>			Disp. Officer: S84378	
Consec to Chg No:			Release Date:	
Credit Time: <input type="checkbox"/>	No Good Time: <input type="checkbox"/>	No Work Time: <input type="checkbox"/>	Good Time: <input type="checkbox"/>	Work Time: <input type="checkbox"/>
			Days Served:	
			Must Release: <input type="checkbox"/>	
			Control: <input type="checkbox"/>	

press F1 for help. LIVE Placer County Insert Record 2 of 2

Property or Money for Inmates who will be picked up by ICE:

If an inmate is here on an ICE Hold only, family or friends may drop off money or property at the Sacramento ICE Office for the inmate. The address is: 650 Capitol Mall Room I-120., Sacramento, CA 95814.

PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL

Dates Updated:

- 01/13/2006 – Originally Written
- 09/21/2006 – Added the IAQ Message Format
- 02/06/2007 – Added notation regard ICE Phone Numbers on Jail Phone List
- 06/07/2007 – Added faxing copy of ICE detainer with Ready for Pickup notification
- 07/16/2007 – Changed contact phone numbers for ICE
- 06/05/2008 – Changed the Fax Number on NADM Teletype Example that can be used when the IAQ format does not work.
- 06/05/2008 – Added section “Property or Money for Inmates who will be picked up by ICE.
- 08/12/2008 – Changed section “Sending Ready for Pickups to ICE” added information in regards to out of county warrants.
- 08/12/2008 – Removed section “Notification Responsibility”.
- 09/15/2008 – Added section “Booking on Immigration holds” to procedure.
- 10/17/2008 – Added ICE business hour information to section “Sending Ready for Pickups to ICE”. This information was added per instruction from ICE Agent Alex Sabel.
- 12/08/2008 – Added section “ICE Fails to Pickup Subject and They Still Want Subject”.
- 01/13/2009 – Removed ICE business hour information from section “Sending Ready for Pickups to ICE”. Per Capt. Malim we will follow letter of the law.
- 01/13/2009 – Removed section “ICE Fails to Pickup Subject and They Still Want Subject.” Per Capt. Malim we will not obtain another detainer and re-arrest.
- 10/27/2009 – Changed screen shot to match the changes made to Tiburon in “Procedure” section “Booking on Immigration Holds” subsection “Example of Charge Record for I.C.E. Holds” subsection.
- 03/15/2010 – Updated ICE Contact Information in “Procedure” section “Obtaining a Hold and Verifying Citizenship” subsection.
- 11/14/2010 - Updated teletype examples to the new NADM Masks in “Procedure” section “Our Teletype Examples” subsection.
- 11/14/2010 – Added subsection “Secured Communities” to “Procedure” section
- 11/14/2010 – Added verbiage regarding “Secured Communities” to “Policy” section.
- 11/14/2010 – Changed to order of the ICE contact information in “Procedure” section “Obtaining a Hold and Verifying Citizenship” subsection.
- 11/14/2010 – Changed title of section “Obtaining a Hold and Verifying Citizenship subsection to “Obtaining a Hold and Verifying Citizenship When Live Scan is not Functioning or Inmate is In Custody on Non-Retainable Offense” in “Procedure” section.
- 01/11/2012 – Changed verbiage regarding faxing the “Match” response to faxing the Foreign Born report daily to the Sacramento ICE office “Procedure” section “Secured Communities” subsection.
- 01/11/2012 – Added section “Foreign Born Report” to “Procedure” section.

PLACER COUNTY SHERIFF'S OFFICE
CORRECTIONS DIVISION
SUPPORT UNIT
PROCEDURE MANUAL

Dates Updated (Cont'd):

- 03/07/2012 – Added subsection “Processing ICE Detainer Paperwork” to “Procedure” section.
- 12/02/2013 – Added additional instructions of “Procedure” section “Processing ICE Detainer Paperwork”.
- 12/02/2013 – Added second page of Immigration Detainer – Notice of Action
- 01/01/2014- Entire procedure updated to comply with AB4.
- 07/08/2014 – Added verbiage we no longer will be accepting ICE detainees unless they are in the form of an arrest warrant signed by judge.
- 07/08/2014 – Removed sample of ICE Detainer procedure to fill out paperwork and sample of detainer under “Processing ICE Detainer Paperwork”. Also changed title to “Federal Arrest Warrant from ICE”.