



San Bernardino County

Legislation Text

File #: 4926, Agenda Item #: 50

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AND RECORD OF ACTION

October 5, 2021

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator
TRACY REECE, Chief Probation Officer, Probation Department

SUBJECT

Transparent Review of Unjust Transfers and Holds - TRUTH Act (Assembly Bill 2792) Public Forum

RECOMMENDATION(S)

1. Consider scheduling a public forum regarding U.S. Immigration and Customs Enforcement access to local detention centers, as required by the Transparent Review of Unjust Transfers and Holds Act (Assembly Bill 2792).
2. Schedule the public forum for TUESDAY, NOVEMBER 16, 2021.
(Presenter: John Ades, Deputy Chief, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The public forum will be held during the Board of Supervisors (Board) regular bi-weekly meeting scheduled for Tuesday, November 16, 2021.

BACKGROUND INFORMATION

The Transparent Review of Unjust Transfers and Holds (TRUTH) Act (Assembly Bill (AB) 2792) went into effect in California in January of 2017, and requires that "[b]eginning January 1, 2018, the local governing body of any county, city, or city and county in which a local law enforcement agency has provided to the U.S. Immigration and Customs Enforcement (ICE), access to an individual during the last year shall hold at least one community forum during the following year, that is open to the public, in an accessible location, and with at least 30 days' notice to provide information to the public about ICE's access to individuals and to receive and consider public comment." (Govt. Code, § 7283.1, subd. (d)).

As required by AB 2792, the Board previously approved requests to schedule TRUTH Act forums on October 16, 2018 (Item No. 49); on September 24, 2019 (Item No. 49), and on October 6, 2020 (Item No. 40), notifying the public at least 30 days in advance of the forums, which were held on December 4, 2018, November 19, 2019, and November 17, 2020, respectively, for the 2017, 2018, and 2019 calendar years. In 2020, the Sheriff/Coroner/Public Administrator provided ICE access to information and inmates housed in County detention facilities, when permissible under California and Federal law. These actions trigger the requirement

for the County to schedule a public forum, with 30 days' advance notice, to receive and consider public comment about ICE's access to inmates. The public forum may include a presentation from the Sheriff/Coroner/Public Administrator department about policies related to ICE's access to inmates. The Probation Department did not have responsive contact with ICE during 2020.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455; and Jamie Ryan, Deputy County Counsel, 387-3088) on September 10, 2021; Finance (Carolina Mendoza, Administrative Analyst, 387-0294) on September 14, 2021; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on September 14, 2021.