

July 21, 2014

VIA FIRST CLASS MAIL

2014 JUL 25 PM 7:39

Tom Ferrera, Sheriff
Solano County Sheriff's Department
530 Union Ave., Suite 100
Fairfield, CA 94533

Re: Request for Disclosure of Public Records

Dear Sheriff Ferrera:

Pursuant to the California Public Records Act (Cal. Gov't Code §§ 6250-6270), the American Civil Liberties Union of California requests any and all records¹ in the custody and control of the Solano County Sheriff's Department ("Sheriff's Department") that fit the following description:

1. Any and all records relating to the Sheriff's Department's policy, practice, and/or procedures with respect to immigration detainers ("ICE holds") issued by the Immigration and Customs Enforcement ("ICE"), including any and all information regarding whether or not the Department detains individuals beyond the time they are otherwise eligible for release on an immigration detainer.
2. If the Sheriff's Department has adopted a policy that prohibits compliance with immigration detainers unless accompanied by a judicial determination of probable cause or a judicial warrant, any and all records relating to whether and to what extent the Sheriff's Department assists ICE in locating individuals after their release from law enforcement custody, including but not limited to the following: notifying ICE of an individual's release date; notifying ICE of an individual's address; transporting an individual to ICE facilities upon the individual's release from law enforcement custody.

Please treat each numbered request for records as a separate and discrete request, so that any delay in producing one request does not delay the production of any other request.

If you determine that any information in a requested record or document is exempt from disclosure, please state which exemption applies, including a citation to the section of the Government Code that provides the exemption, and please provide an explanation for why the information or document falls under that exemption.

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If a record or document that contains the requested information also contains information that is exempt from disclosure, please provide a redacted version of the record or document that still shows the non-exempt information. See Cal. Gov't Code § 6253(a) ("Any reasonably segregable portion of a record

¹ "Records" include "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Cal. Gov't Code § 6252(e).

shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.”).

We have tried to be as specific as possible in designating public records without having access to the records themselves. If you find any of these requests to be insufficiently focused, we request that you provide the assistance required by California Government Code § 6253.1.

The ACLU of California is a non-profit civil rights organization. The records sought by this request will be used to advance public understanding of immigration enforcement in California. No part of the information obtained pursuant to this request will be sold or distributed for profit. For that reason, we respectfully request that you waive any fees in connection with the production of these documents. If you are not able to waive the applicable fees, please inform us immediately of any payment required *prior* to copying.

Electronic correspondence of the requested records by email is preferred. Please reply to this request within 10 working days, or as otherwise provided by statute. *See* Cal. Gov't Code § 6253(c). Please send electronic records via email to jpasquarella@aclusocal.org. Please send any paper records to the following address:

Jennie Pasquarella
Staff Attorney
ACLU of Southern California
1313 West Eighth Street
Los Angeles, CA 90017

If you have any questions regarding this request, please contact me at jpasquarella@aclusocal.org or 213-977-5236.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennie Pasquarella', with a long horizontal flourish extending to the right.

Jennie Pasquarella
Staff Attorney

American Civil Liberties Union of California

OFFICE OF
COUNTY COUNSEL

SOLANO COUNTY GOVERNMENT CENTER
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July 30, 2014

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DEPUTY COUNTY COUNSELS

Sent via email to jpasquarella@aclusocal.org &US Mail

Jennie Pasquarella, Staff Attorney
ACLU of Southern California
1313 West Eighth Street
Los Angeles, CA 90017

Re: Public Records Act Request to the Solano County Sheriff

Dear Ms. Pasquarella:

Your Public Records Act ("PRA") request to Sheriff Tom Ferrara at the Solano County Sheriff's Office ("Sheriff's Office"), was received July 25, 2014 and forwarded to me for response. You requested any and all records in the custody and control of the Solano County Sheriff's Department [sic] that fit the following description:

Request No. 1: Any and all records relating to the Sheriff's Department's policy, practice, and/or procedures with respect to immigration detainers ("ICE holds") issued by the Immigration and Customs Enforcement ("ICE"), including any and all information whether or not the Department detains individuals beyond the time they are otherwise eligible for release on an immigration detainer.

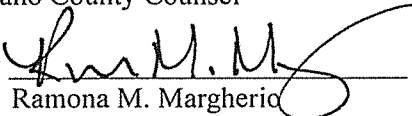
Response: Attached is a copy of a Sheriff's Office written memo issued by Custody Captain Gary Faulkner regarding ICE detainers. Any other responsive Sheriff's Office policies and procedures that may exist are currently in draft form and unavailable at this time. Finalized copies will be provided to you upon completion.

Request No. 2: If the Sheriff's Department has adopted a policy that prohibits compliance with immigration detainers unless accompanied by a judicial determination of probable cause or a judicial warrant, any and all records relating to whether and to what extent the Sheriff's Department assists ICE in locating individuals after their release from law enforcement custody, including but not limited to the following: notifying ICE of an individual's release date; notifying ICE of an individual's address; transporting an individual to ICE facilities upon the individual's release from law enforcement custody.

Response: See Sheriff's Office Response to Request 1.

Jennie Pasquarella
July 30, 2014
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Sincerely,
DENNIS BUNTING
Solano County Counsel

By: 
Ramona M. Margherio
Deputy County Counsel

Enclosure

cc: Solano County Sheriff's Office

MEMORANDUM

May 22, 2014

To: All Custody Division Staff
From: Captain Gary Faulkner
Subject: ICE Detainers

Effective immediately, we will no longer be honoring ICE detainers. Please direct any inquiries to your Facility Commander for questions and or further clarification. This memorandum shall remain in effect until the policy is updated to reflect our new practice.