



Policy Type: Board

Category: Public Safety **Sub-Category:** Corrections

Policy Name: Cooperation with U.S. Immigration and Customs Enforcement - Board Policy 3.54

[← Previous Policy Manual Section](#)

[Next Policy Manual Section →](#)

3.54 COOPERATION WITH U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Adopted 10-18-11; Amended 6-4-19)

It is the policy of the County of Santa Clara that County officials and employees may cooperate with United States Immigration and Customs Enforcement (ICE) only as follows:

- (A) Consistent with longstanding County policy, the California Values Act (Gov. Code, §§ 7284-7284.12), and the Fourth Amendment to the United States Constitution, the County does not, under any circumstances, honor civil detainer requests from ICE by holding inmates on ICE's behalf for additional time after they would otherwise be released from County custody.

- (B) It is the policy of the County that the Sheriff may exercise discretion to facilitate the transfer of an adult inmate to ICE custody if an ICE agent presents a valid arrest warrant signed by a federal or state judicial officer, or other signed writ or order from a federal or state judicial officer authorizing ICE's arrest of the inmate. An administrative warrant signed by an agent or official of ICE or of the Department of Homeland Security (such as a Form I-200) is not a judicial warrant and will not be honored. The Sheriff and Chief of



County of Santa Clara

Policy Name: Cooperation with U.S. Immigration and Customs Enforcement -
Board Policy 3.54
Page 2 of 2

Correction shall jointly develop transfer procedures to implement this paragraph.

- (C) Except as permitted by this Policy, the County shall not provide assistance or cooperation to ICE in its civil immigration enforcement efforts, including by giving ICE agents access to individuals or allowing them to use County facilities for investigative interviews or other purposes, expending County time or resources responding to ICE inquiries or communicating with ICE regarding individuals' incarceration status or release dates, or otherwise participating in any civil immigration enforcement activities. This Policy does not limit or prohibit giving assistance with the investigative activities of any local, state, or federal law enforcement agency relating to suspected violations of criminal laws.

Related Policies

None.

Related Forms and Information

None.

History

Date	Changes Made
6/4/2019	Policy Amended. View legislative file.
1/31/2014	Policy Uploaded. (John Myers)
10/18/2011	Policy Adopted. View legislative file.