



Board Agenda Item 12

DATE: September 10, 2019

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: Truth Act Public Forum

RECOMMENDED ACTION(S):

1. **Conduct public forum in accordance with Government Code section 7283.1(d);**
2. **Receive statistical report from the Sheriff regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2018; and**
3. **Receive public comment.**

Beginning in 2018, the Transparent Review of Unjust Transfers and Holds (TRUTH) Act requires your Board hold a public forum annually regarding the Sheriff's interaction and communication with the United States Immigration and Customs Enforcement (ICE). The recommended actions fulfill that requirement.

ALTERNATIVE ACTION(S):

There is no viable alternative action. The Truth Act requires the Board conduct an annual forum for this purpose.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action.

DISCUSSION:

On September 28, 2016, Governor Brown signed the TRUTH Act, AB 2792 (Bonta, Chapter 768, Statutes of 2016). The TRUTH Act requires, beginning January 1, 2018, the local governing body in which a local law enforcement agency has provided ICE access to an individual during the last year to hold at least one community forum the following year. The forum must be open to the public, be 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. A public notice of today's meeting was posted in the Fresno Bee on August 4, 2019 to meet the 30 days' notice requirement. In addition, a press release regarding today's forum was issued on September 3, 2019.

As part of the forum, the local law enforcement agency may provide the governing body with data it maintains regarding the number and demographic characteristics of individuals to whom the agency has provided ICE access, the date ICE access was provided, and whether the ICE access was provided through a hold, transfer or notification request or through other means. As part of today's public forum, the Sheriff will make available a statistical report regarding the United States Immigration and Customs Enforcement access provided to incarcerated individuals in the Jail during 2018.

REFERENCE MATERIAL:

BAI #14, August 7, 2018

CAO ANALYST:

Jeannie Z. Figueroa