



ORANGE COUNTY SHERIFF'S DEPARTMENT

NEWS RELEASE

SHERIFF-CORONER DON BARNES

FOR IMMEDIATE RELEASE

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OC Sheriff transfers 717 inmates to ICE during first year of SB 54

SANTA ANA, Ca. (April 3, 2019) – In the first full year of implementation of California Senate Bill 54 (SB 54), a state law that limits which offenders local law enforcement can notify Immigration and Customs Enforcement (ICE) about, the Orange County Sheriff's Department (OCSD) transferred 717 inmates to ICE upon completion of their local sentence from Jan. 1 to Dec. 31, 2018.

In 2018, a total of 1,823 inmates in Orange County Jail had ICE detainers, meaning ICE requested that OCSD notify them when the inmates were being released. Despite being arrested for criminal violations of law, SB 54 restricted OCSD from notifying ICE of the release of 1,106 inmates who had ICE detainers.

Of the 1,106 inmates with ICE detainers who were released back into the community, 173 have been rearrested in Orange County for 58 different types of crimes committed including attempted murder, assault and battery, child molestation, and robbery. This does not include individuals who may have been arrested in surrounding jurisdictions, or re-arrested after Jan. 1, 2019.

"Open communication among law enforcement partners is a best practice for public safety agencies," said Sheriff Barnes. "SB 54 hinders this communication and puts the community at risk. I will continue to exercise my full authority as Sheriff and notify ICE when allowed by law."

While SB 54 prohibits communication on certain offenses, the law does allow information to be shared with federal authorities if it is publicly available. To that end, in March 2018, OCSD began publicly posting all inmate release dates enabling law enforcement authorities to know when individuals will be released from custody. Sheriff Barnes supported this policy as Undersheriff, and will continue this practice as Sheriff.

In addition to being legally prohibited from notifying, transferring and communicating with federal immigration authorities regarding certain offenders, SB 54 also required the elimination of OCSD's 287(g) program. Under the 287(g) program, OCSD was able to place detainers on undocumented individuals booked into custody. Ending this program eliminated proactive communication that resulted in identifying potential offenders who could have been transferred to federal custody following the conclusion of their local sentence.

Sheriff Barnes strongly opposed SB 54, lobbied against it in Sacramento, and will continue to advocate for its repeal.

"Public policy rooted in short-term political goals makes us less safe," said Sheriff Barnes. "Lawmakers must repeal laws that limit law enforcements' ability to collaborate on shared threats. Let's move beyond politics and let law enforcement operate under the best practices that have proven to provide a more secure community."

OCSD does not enforce immigration law or ask immigration status as we patrol our community and respond to calls for service. This is not part of our mission and is a federal government responsibility. Cooperating with ICE in a custody setting, however, makes possible the removal of criminals who pose a threat to all members of the community.

"The outcome of SB 54 has resulted in the release of criminals back into the community," said Sheriff Barnes. "We have an obligation to protect all members of the communities we serve, and that includes preventing those who have committed crimes from returning to the neighborhoods they prey upon."



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173 individuals have been rearrested in Orange County for 58 different types of crimes committed:

Attempt Murder	4
Assault w/ Deadly Weapon	7
Child Molestation	2
Lewd Acts	1
Spousal Rape	1
Unlawful Sexual Intercourse	1
Kidnap	2
Child Abduction	1
Child Endangerment / Cruelty to Children	3
Weapons	15
Robbery	6
Robbery 2 nd Degree	4
Attempt Robbery	1
Assault Causing Great Bodily Injury	1
Arson	2
Felony Domestic Violence	5
False Imprisonment	1
Misdemeanor Domestic Violence	8
Violation of Court Order / DV Order	22
Attempt Escape – Jail	1
Assault & Battery	5
Witness Intimidation	1
Criminal Threat	6
Destroy Evidence	1
Felony Resisting Officer	6
Misdemeanor Resisting Officer	12
Gang Enhancement	2
Transportation of Drugs for Sales	2
Possession of Drugs for Sales	1

Possession of Drugs	26
Under the Influence (Drugs)	6
Possession Drug Paraphernalia	32
Conspiracy	4
Hit & Run	1
DUI	7
Drunk in Public	9
Possession of Stolen Vehicle	1
Vehicle Theft	2
AB109/ Probation Violation	11
Warrants	82
Identity Theft	3
Fraud	4
Forgery	2
Receiving Stolen Property	8
Burglary – 1 st Degree	11
Burglary – 2 nd Degree	8
Grand Theft	6
Theft	4
Misappropriation of Property	6
Municipal Code Violation	5
Trespassing	7
Burglary Tools	5
Vandalism	10
Vehicle Tampering	1
False ID	5
Suspended License	3
Driving w/o a License	5
Vehicle Code	1



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