

ACLU CRITICAL OF SHERIFF'S OFFICE AT FIRST TRUTH ACT FORUM

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DECEMBER 12, 2018 / BRYANA LOZOYA ([HTTPS://SOUTHKERNSOL.ORG/AUTHOR/BRYANA-LOZOYA/](https://southkernsol.org/author/bryana-lozoYA/))



Kern County held its first TRUTH Act forum Tuesday at the Board of Supervisors meeting to discuss the involvement between the Kern County Sheriff Office and Immigration and Customs Enforcement.

A public forum is a requirement of the California Transparent Review of Unjust Transfers and Holds (TRUTH) Act, passed into law in September of 2016. The law provides vital “know your rights” information to immigrants who are in ICE custody and brings transparency to local law enforcement participations in federal immigration enforcement. It also requires local law enforcement to provide a written consent form to explain the purpose of the interview, that it is voluntary and that the individual may decline the interview.

The law also ensures that if local law enforcement agencies provide ICE with notifications of an individual’s release date and time, then the agency must also provide the same notification to the individual in custody and their attorney, according to the bill. The law requires local police agencies to collect information and data when ICE requests transfer holds and interviews with individuals in custody.

The forum began with the presentation of data from KCSO representative Chief Deputy Tyson

Davis.

In 2017, ICE made 622 requests to be notified of the release of detainees from Kern County detention facilities, according to KCSO's presentation. Of those requests, ICE arrested 486 individuals upon their release from Sheriff's Office custody.

Of the 622 requests, 610 were for Hispanic and 587 were male. The average age was 33.

Rosa Lopez, the community engagement and policy advocate for Kern County's ACLU office, said those numbers are "pretty high."

"Kern County has consistently been one of the top countries in the country where ICE enforcement has gone up," Lopez told South Kern Sol.

KCSO notifies inmates of their rights regarding ICE interviews and release notifications; notifies inmates that ICE has requested notification of their release; and makes release notifications as allowed by the law, Davis said in the presentation.

The department also said it cooperates "with ICE within the law to protect public safety."

However, the department said it does not ask individuals for immigration status; does not hold inmates past the date of their release or delay their release; does not enforce federal immigration laws; and does not participate in immigration sweeps.

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Jordan Wells, a staff attorney with the ACLU, spoke at the TRUTH Act forum held Tuesday.

BY BRYANA LOZOYA

Jordan Wells, a staff attorney at Bakersfield's new ACLU office, said this is an important issue for the community to address.

"We need to recognise Kern is a diverse Community," he said. "(Hispanics) play a vital role in our labor market and our economy."

More than 50 percent of Kern's population identify as Hispanic or Latino, according to the ACLU. One-fifth of those individuals are foreign-born and approximately 75,000 are undocumented.

Wells said he wanted KCSO to provide more information about the department's policies, procedures and data about reports that involved ICE, calling their four-slide presentation "bare bones."

"I think the more questions you ask, the more information will be driven out," Wells said. "We

"I think the more questions you ask, the more information will be driven out," Wells said. "We want to know, how are they implementing (the law)?"

"ICE picked up 486 individuals upon release," Wells continued. "That doesn't just magically happen."

During the ACLU presentation, Wells commented on the absence of Sheriff Donny Youngblood.

"We really want to encourage Sheriff Youngblood to actually attend these forums," he said. "We would like him to be right here to hear from people about the preliminary issues."

Wells wasn't the only one to take note of Youngblood's absence. During the public comment period, a number of community members expressed anger and disappointment in Youngblood missing the forum.

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Dolores Huerta spoke at Tuesday TRUTH Act Forum.

BY BRYANA LOZOYA

During the public comment period, Dolores Huerta asked the board to see the public's commentary as a reflection of the policies and philosophies of the board members.

"I want to say to the Board of Supervisors that we have to change the conversation here in Kern County," Huerta said. "We need a Board of Supervisors that will be more supportive of the Latino community. I would like to come back someday to this board and not have to complain about an action you all took."

Jose Bello, a local undocumented resident who was arrested by ICE early this year and detained at Mesa Verde detention facility, also spoke of his "poor" experience with ICE agents.

"I would hate for anyone to be in that situation," Bello said.

Ambar Tovar, a staff attorney for the United Farm Workers Foundation, told the Board of Supervisors that many of her clients, some of whom have been deported, weren't told about their rights when arrested and detained.

"We need to hold the sheriff's office accountable to ensure Kern County is not in violation of this law," she said.

Lopez said she wasn't surprised by KCSO's short presentation.

"It's a little upsetting they weren't as clear or didn't have a chance to answer any questions or concerns raised by public," Lopez said. "But what I did appreciate, it seemed like the supervisors

concerns raised by public, Lopez. But what I did appreciate, it seemed like the supervisors were more willing to listen.”

For future forums, Wells said it would be better if the forums were held in the evening, making it more accessible to the public; if the forums were held early on in the year; and if Youngblood attended the forums.

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Bryana Lozoya is a youth reporter for South Kern Sol. Lozoya is student at Bakersfield College and writes for The Renegade Rip.

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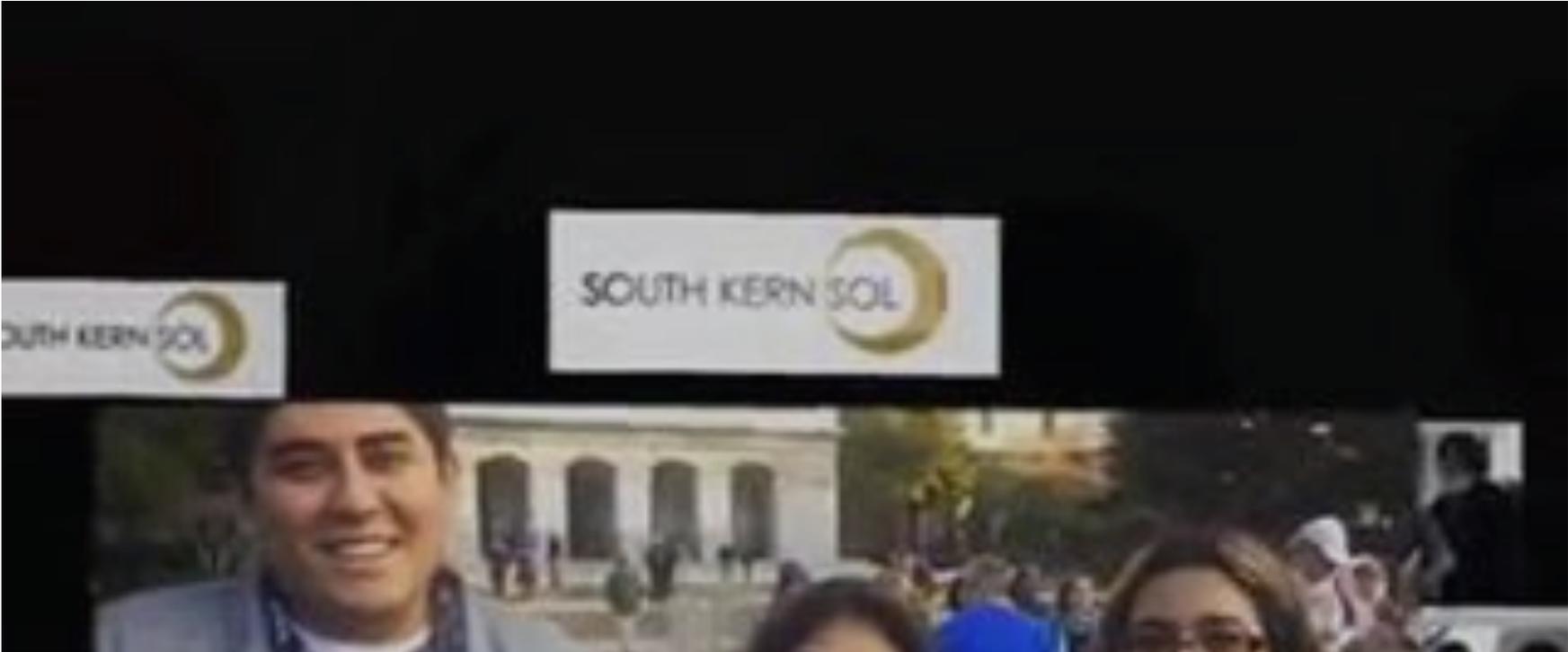
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