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### **PRESSURE MOUNTS TO STOP AIDING ICE OFFICERS SHERIFF'S OFFICE HAS BEEN POSTING INMATE RELEASE DATES FOR IMMIGRATION OFFICIALS TO USE**

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Article Text:

Contra Costa

MARTINEZ >> A chorus of public and private voices on Thursday called on the Contra Costa Sheriff's Office to stop publishing the release dates of inmates in what some viewed as an indirect coordination with ICE.

"The harm being done to our clients every day cannot be overstated," Robin Lipetzky, chief public defender for Contra Costa County, said at a county Public Protection Committee meeting that was attended by advocates, public servants and residents. "We ask that the sheriff's office stop publishing these release dates immediately."

The county public defender's office operates a county hotline for legal services for immigrants and for notification of ICE activity in the community.

"There has been a fairly steady number of ICE arrests in the county and there is a lot of fear in the community," Ali Saidi of the public defender's office, said. "This is one of the major issues causing major distress in the community."

The public defender isn't the only county office seeing the impact of the sheriff's office's new policies. The Early Childhood Mental Health Program reported that a number of Latino families have canceled mental health appointments for their children over deportation concerns.

"In Pleasant Hill, the clergy are concerned — about 75 percent of the at-risk parishioners have dropped out," Dick Offerman of Pleasant Hill said.

On Feb. 16, the Contra Costa Sheriff's Office started publicly posting the release dates of inmates on its web site. Under the California Values Act, known as SB 54, local law enforcement was barred from notifying federal Immigration and Customs Enforcement of the release dates of undocumented immigrants who have not committed serious or violent crimes.

Though Attorney General Xavier Becerra's office declared that release dates could be posted publicly, some legal experts believe that the practice violates state law.

Sara Hussain, an attorney with the Asian Law Caucus and the Contra Costa Immigration Rights Alliance, helped research and write SB 54.

"Now that it has passed, we put out guidance on the law, letting (law enforcement) know what is allowed," Hussain said in a phone interview Thursday. "There are several sheriff's offices figuring out ways to get around it. That's problematic, when law enforcement is finding ways to circumvent the law. They are tasked with upholding the law, not undermining it."

According to Hussain, the sheriff's office's that have started posting the release dates of inmates after the passage of SB 54 are violating state law by using resources for immigration enforcement.

"If this was your 'policy or practice' prior to 2018, then you are not undertaking additional resources," Hussain said. "The sheriff's office has never done this before."

The sheriff's office's official explanation of publishing the release dates of inmates has been that it was intended to coordinate with inmate reentry efforts. A paragraph in a draft version of a county-wide reentry plan suggested that the publishing of these dates would help agencies coordinate reentry programs.

"We were notifying the public of release dates," said Chris Simmons, assistant sheriff. "(The reentry plan) objective is to make available the release dates to the public."

Donte Blue of the county Office of Reentry and Justice, which took the lead on the reentry plan, said that his office has revised the draft document this week to remove this portion of the plan and it now asks the sheriff's office to coordinate with the agencies directly rather than in a public release.

"It's so disingenuous to use a draft document, not even completed, to publish these names," said Debra Bernstein of Monument Impact, a Concord-based nonprofit involved with the reentry plan.

Contra Costa isn't the only county that publishes the names and release dates of inmates. Sixteen counties responded to this question in an informal survey sent to the California State Association of Counties' mailing list on March 29, according to Tim Ewell, senior deputy county administrator.

Santa Clara, Santa Cruz, Solano, San Mateo and Alameda counties have followed suit and begun this practice, according to the responses. Napa, Sonoma, Shasta and Ventura counties don't. Outside of the Bay Area, Humboldt, Los Angeles, Kings, Kern, Orange, Placer and Sacramento counties also confirmed they publish inmate release dates.

"The timing seems more than coincidental and seems suspicious that it happened with a number of counties at the same time," county Supervisor **John Gioia** said.

In November of 2017, the DOJ sent a letter to the sheriff's office stating it was concerned about the sheriff's policies against notifying ICE of the immigration status of arrestees and inmates. The sheriff's office stood to lose around \$20 million in federal grants if they did not comply with federal law. On Feb. 5, the sheriff's office reported that the Department of Justice was satisfied with the sheriff's office was in compliance.

Gioia, the public defender's office, Contra Costa County Immigrant Rights Alliance and a number of advocate groups called on the sheriff's office to immediately stop posting inmate release dates publicly and to coordinate with reentry agencies individually.

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