



## FOR IMMEDIATE RELEASE

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### **One Step Closer to ICE Out of California, Governor Brown Signs TRUTH Act** *Bill Seeks to Improve Due Process around Deportation Practices of Local Law Enforcement*

**SACRAMENTO, CA** — We applaud Governor Brown’s decision today to sign into law Assembly Bill 2792, also known as the TRUTH Act, which will provide crucial protections for immigrant community members held in California’s jails.

The TRUTH Act requires that, if Immigration and Customs Enforcement (ICE) places a detainer (any of various requests by ICE to local law enforcement to transfer someone for deportation) on someone in a California jail, the custodial law enforcement agency must serve a copy of that detainer upon the person. In current practice, many immigrants in custody are rarely notified that a detainer request has been placed upon them, making it extremely difficult for their defense counsel to effectively protect their rights.

The TRUTH Act takes an important step in upholding due process for immigrants held in local jails by giving them both the “right to know” when ICE requests to “interview” them to gauge eligibility for deportation and the “right to say no”—via a written consent form—to those interview requests. This will protect immigrants from coercion and intimidation by ICE in California jails.

Following the failure of Secure Communities, ICE has used backdoor tactics to continue to arrest immigrants directly from jails. The TRUTH Act will ensure that, if a local jail chooses to notify ICE when an immigrant will be released, they must also provide that notice to the immigrant and their designated representative. If ICE gets to know when a person is being released from jail, their community has a right to know too.

In addition, all records relating to ICE access to jail information will now be public records under the California Public Records Act, which acts as an accountability measure to enforce the other protections of the TRUTH Act. It also ensures that California communities have oversight over their local law enforcement agency’s relations with ICE.

Finally, starting in 2018, the TRUTH Act requires annual public review and input on any local dealings with ICE.

We commend the many organizations and community members across the state who came together to breathe more truth into our criminal justice system, and we look forward to ensuring this bill is implemented with full accountability within our jails.

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### **About the Immigrant Legal Resource Center**

*The Immigrant Legal Resource Center (ILRC) is a national nonprofit that works with immigrants, community organizations, legal professionals, law enforcement, and policy makers to build a democratic society that values diversity and the rights of all people. Through community education programs, legal training & technical assistance, and policy development & advocacy, the ILRC’s mission is to protect and defend the fundamental rights of immigrant families and communities. [www.ilrc.org](http://www.ilrc.org)*