

County of Santa Cruz

BOARD OF SUPERVISORS

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JOHN LEOPOLD
FIRST DISTRICT

ELLEN PIRIE
SECOND DISTRICT

NEAL COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

MARK W. STONE
FIFTH DISTRICT

June 7, 2012

Sheriff Phil Wowak
701 Ocean Street
Santa Cruz, CA 95060

Dear Sheriff Wowak:

As you are aware, on May 22, 2012, the Board considered a letter submitted by Supervisors Caput and Stone concerning Secure Communities and new language contained in Assembly Bill 1081. As currently proposed, Assembly Bill 1081 would reform California's participation in the United States Immigration and Customs Enforcement Agency's "Secure Communities" program.

Santa Cruz County community members continue to voice their strong opposition to the application of the Department of Homeland Security's Secure Communities program. While the original purpose of the Secure Communities program was to rid communities of violent criminals, far too many hard working men and women have been arrested and deported - many of whom have not been successfully prosecuted. Such deportations have created a strain on the community, tearing apart families and often removing the primary provider and his/her income from the household. The immigration detainers upon which the program depends are also a drain on local resources.

Most importantly, as many legal rulings and memos have clarified (see attached), the Secure Communities program does not demand mandatory participation by local law enforcement agencies. Instead, the Secure Communities program makes voluntary requests of local law enforcement agencies, requests with which other jurisdictions have respectfully chosen not to fully comply. To reiterate, there are no mandatory requirements, per Secure Communities guidelines or legal interpretations of those guidelines, which prevent our county from further modifying our participation in the Secure Communities program.

Our Board believes that the County of Santa Cruz should exercise our legal right to apply discretion in our county's compliance with immigration detainer requests made through the Immigration and Customs Enforcement (ICE) Agency's Secure

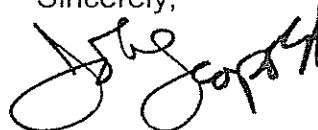
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Communities program. Accordingly, I am writing at the direction of the Board to urge that you devise a policy guided by the language of Assembly Bill 1081 to only hold persons convicted of serious or violent felonies or who have past histories of serious or violent felonies. Such a policy will prevent the detention of persons who would otherwise be released from custody were it not for ICE's requests and will spare us the ensuing expenses associated with such holds. Such a policy will also avoid fostering an environment in which immigrant residents who are victims or witnesses to crime, including domestic violence, are less likely to report crime or cooperate with law enforcement when any contact with law enforcement could result in deportation. Instead, such a policy would focus on the program's originally stated goal of solely detaining individuals with serious felony convictions.

We urge you to give this matter your very serious consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Leopold", written over a circular stamp or seal.

JOHN LEOPOLD, Chair
Board of Supervisors

JL:ted

cc: Clerk of the Board
✓Latino Affairs Commission

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