



CITY OF ANAHEIM
MAYOR CURT PRINGLE

August 21, 2007

Honorable Nancy Wieben Stock
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: Response to Recommendations of Grand Jury Report Entitled, "ICE in Orange County"

Dear Judge Stock:

The City of Anaheim respectfully submits the following response to Recommendation R-3 of the Grand Jury Report entitled, "ICE in Orange County," to September 30, 2007:

Recommendation R-3:

To ensure consistency within Orange County, the cities of Anaheim, Santa Ana, Huntington Beach, Irvine, Orange, Fullerton and Garden Grove should consider entering into an agreement with ICE, or make an arrangement with OCSD, to ensure that all people booked at their jails have their immigration status checked with ICE and hold UIs for ICE transport to federal facilities. (This recommendation arises from Finding F-3.)¹

Response to Recommendation R-3:

For the reasons set forth below, Recommendation R-3 will not be implemented because it is not warranted.

ICE agents report regularly to the Anaheim jail facility to review the arrest information of all persons in custody and, when ICE deems it appropriate, to conduct prisoner interviews. If the ICE agents determine an arrestee is an undocumented individual, a detainer is placed on the arrestee. Under this arrangement, ICE has an opportunity to check the immigration status of the majority of persons arrested by Anaheim officers. The only arrestees who are not subjected to an immigration status check by ICE are those who are booked and released, most of whom are arrested on misdemeanor charges. It is very rare for felons to be released prior to being evaluated by ICE agents.

¹ Finding F-3 provides, "Cities which contract with OCSD and Costa Mesa have the immigration status of all booked individuals checked. Anaheim has only a part time ICE agent. However, it is unclear if OC's large cities (Santa Ana, Huntington Beach, Irvine, Orange, Fullerton and Garden Grove) check the immigration status of all individuals booked at their city jails."

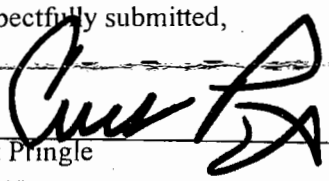
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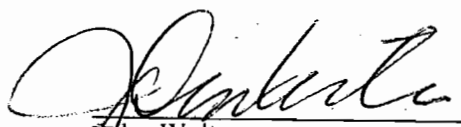
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If ICE determines that it should check the immigration status of all persons arrested and booked by Anaheim Police officers, the Anaheim Police Department will cooperate fully with ICE. A formal agreement with ICE or an arrangement with the Orange County Sheriff's Department is not necessary. The method utilized by ICE to accomplish this result is left to the sound discretion of ICE, provided, however, that such method does not involve participation by Anaheim officers in checking such immigration status. The Anaheim Police Department has made great strides in developing and maintaining the trust and confidence of the community, especially in the area of race relations. This relationship, which is critical to the success of community policing, could be compromised if Anaheim officers engage in immigration checks on behalf of ICE.

Respectfully submitted,



Curt Pringle
Mayor



John Welter
Chief of Police

c: Mike Penn, Foreperson, Orange County Grand Jury