

# Pomona Police Department

## **CPCA: RESEARCH—PARTICIPATION IN ICE ENDEAVORS**

### INQUIRY

We would like to know what cities participate in joint ICE endeavors regarding daily policing, what role ICE plays, and what impact it has on your operations.

### RESPONSES

#### **Tom Aguigui, Oceanside PD**

We have supported ICE on several ops in our city. The majority of ops focused on OUR documented gang members that are classified as deported felons. We do not support them in ops where the primary focus is solely on immigration status.

We are careful not to give our community, specifically our Hispanic community and our city politicians the impression that we are enforcing immigration laws our policies.

But as you, this could change in the near future.

#### **Frank Steenport, Chief of Police, Huron PD**

We and other Fresno County agencies have been very pleased with our relationship with ICE during Operation Community Shield. No formal written agreement was needed and it was at our invitation to address illegal aliens who are criminals and previously deported or here illegally committing crimes. We received very positive press coverage as we went to great lengths to explain that it wasn't an immigration raid. ICE helped us remove several repeat offenders that previously we could not get anything done with. We plan to work together on future joint operations. Let me know if you need any info.

#### **Santos Hernandez, Lt., El Monte PD**

We use ICE, however, we are selective in how we utilize them. They are very helpful and "take care of business". Over the past several years we have developed a close working relationship with them and know several of the agents on a personal basis.

We call ICE generally to place immigration holds on felony suspect, gang members, who are undocumented. We may also do this with non-gang members who we feel pose a danger to our community.

We will also call when we have a gang member who is causing havoc in our community but can't get victims to come forward, or we are having trouble/difficulty putting a case together but we know is responsible for crimes. Many are previously deported felons or felons who have not been deported because the immigration issue was not visited by the courts or handling agency.

We do not advertise this and we are discreet about the use of ICE because of its controversial nature but we do not shy away from using ICE in a reasonable and legal manner. We also do not use immigration or threats of being deported as a tool during the interview process with suspects. It is

used as a surprise tool to: extend investigations when we need more time, when it's a D.A. reject but the suspect poses a danger to our community, he or she has previously been deported.

**Leonard Miranda, Captain, Chula Vista PD**

We participate on three (3) different task forces lead by ICE, all of them are primarily drug interdiction groups. We are the lead with a joint gang task force and we may soon have a representative from ICE in the near future. We've worked closely with ICE for over 15 years and it has had a very positive impact for our department and community. Let me know if you would like additional details and please give Chief Romero my regards (fellow Command College graduates).

**Marc Taylor, Captain, West Covina PD**

The city of West Covina does not conduct any type of operations with ICE and we do not routinely notify them of illegal immigrants that are in-custody. Occasionally, we will notify them if we have a serious felon in-custody and are unable to get a filing. We thought that we would start having more problems with illegals, as we just opened a Home Depot. However, we have had no problems to date.

**Adolfo Gonzales, Chief of Police, National City PD**

We at National City Police Department do not participate with ICE on a daily basis. However, upon investigation, if PC exists for a physical arrest, and we determine the suspect is illegally in the US, we place a hold for ICE/USBP.

**Jim Jolliff, Sgt., Colton PD**

I don't know if this will help your research in the realm of daily policing, but we have had success with ICE on joint operations in the area of prostitution and alcohol violations. The first investigation that resulted in a joint operation was a city wide crack down on prostitution at three massage parlors. In the beginning of the investigation we learned that a majority of the females engage in prostitution we foreign nationals from Mexico, South Korea, San Salvador, and Honduras. We determined that with ICE assistance we could impact this activity with greater effect. This was done by determining the legal status of the prostitutes by ICE. Instead of releasing on a citation, which would not be a deterrent, the females were taken into Federal custody. With the females unable to return immediately to their illegal activity, two of the three massage parlors went out of business and the third took about a year to recover.

The second operation was a joint investigation with San Bernardino PD, Colton PD, and Montclair PD. ICE initiated an investigation of a group of co-conspirators based out of Santa Ana that were staffing their bars with females from Mexico that were here illegally or in violation of their visa. Some of the females sold drugs or were involved in prostitution. The majority of the females were used to sell beer at an inflated price to customers in violation of ABC statutes. Once the investigation was complete we detained 30 at the bar in Colton which were evaluated by ICE for legal/visa status. Two were arrested for ABC violations and we were able to suspend the business alcohol license for 20 days.

**Anthony Margis, Deputy Chief, Hemet PD**

At the insistence of several council members in Hemet, we met with ICE several years ago, to try to enter into a MOU in which we could cross train officers for field enforcement purposes. It was a long drawn out process, that eventually ended with them saying no.

It was explained to us that 287g cross training was not a field enforcement program, and there are no departments in this state doing field enforcement. All ICE MOU's in California are custody programs, where all screening is done in the county jails. There are several cities who have and MOU and do screening in their own jails. This can be expensive and cumbersome on your personnel as you would be responsible for getting illegal aliens found in your jail to a federal holding facility. In our case, we did not qualify for that portion of the program either, as we only have a temporary holding facility.

I suppose things could have changed since we looked into it, but I have not heard that yet.

Although ICE would not enter into a 287g agreement with us, they did help out in other areas, such as getting a border patrol agent assigned to our gang task force.

#### **John Momot, Lt., Azusa PD**

The Azusa Police Department does not have any daily policing contact with ICE. Our departments only contact with ICE has been to invite them to join us during large multi-agency annual Parole/ Probation sweeps within our city.

#### **Dale Miller, Huntington Beach PD**

The Huntington Beach City Jail has been providing information to ICE on all foreign born arrestees we hold in detention for Felonies and those Misdemeanors that are deemed to be an immediate public safety hazard. This notification is made by telephone by on-duty Jail staff to on-call ICE agents. ICE agents will then conduct a telephone interview with the arrestee and make a determination as to whether to place an Immigration Hold on the individual. If the agent determines that a hold is warranted, he/she will fax the hold to the City Jail. Jail staff then places the hold on the individual and the hold goes with them to Court or County Jail.

The Department of Homeland Security is in the process of installing a video conferencing system to allow the interviews to be conducted via video. This will replace the current telephone interview, once completed. The equipment has been installed, but is still pending testing.

We are not currently making arrests solely on immigration status or holding arrestees for ICE. We are making notification to ICE in cases where there is a question of immigration status when an individual is arrested for a felony or immediate public safety hazard. Since, March 2007, we have seen 256 immigration holds placed as part of this notification process. To date, over 80 of these holds were in conjunction with DUI arrests.

The additional time spent making notification has been an issue for staff. This has been minimized by ICE calling daily to see if we have applicable detainees in custody. Additionally, the need to move and secure these detainees to a phone or to the new video conferencing room also takes time away from other staff duties. Finally, at present the Orange County Sheriff's Department Court Transportation will not take custody of a detainee on solely an ICE Hold. In cases where the detainee is credited with time served or who's case is rejected, we send an officer to the court and take custody of the detainee. The detainee is transported back to the city jail and held till ICE agents pickup the detainee. This typically takes place the following day.

#### **Kathleen Sheehan, Chief of Police, Bishop PD**

We do not have a formal police here in Bishop, but we have a good working relationship with our Bakerfield ICE office. Basically, we identify "problem" suspects, whom we believe are involved in violations of the Penal Code or H & S, whom we suspect to be illegal. We send an e-mail with suspect

names, descriptions and dates of birth, and sometimes follow-up with a phone call to ICE. ICE runs the folks through their database, which determines their immigration status (perhaps by LACK of documents?) ICE would rather not deal with Juveniles, but they will in extreme cases. Sometimes, like right now, we actually wait until just after a problem juve (like a tagger or gang member) turns 18.

If we have an open charge on the individuals, we merely arrest them for it, then ICE makes sure they are there to scoop them up from the jail. By then, we have learned the names and faces of our suspects, so we can get them on a Federal "Illegal Re-entry" charge if they come back. Those cases carry a realistic 2-7 years of Federal time! If we do not have an arrestable offense, but we have good information that certain suspects are at the root of crime problems, we set a date where ICE will come up and door-knock the illegal.

The ICE Special Agent we deal with in Bakersfield is very competent and committed. His name is Alvin DeLaRosa; his phone number is 661-343-0434 and his e-mail is [alvin.de-la-rosa@dhs.gov](mailto:alvin.de-la-rosa@dhs.gov). I have heard that a lot of the enforcement and cooperation you get from ICE happens as the result of good relationships with individual agents in your local office. When I used to work for LAPD, we had a GREAT ICE agent, who would go with us on "armed and dangerous" search warrants or anything else we wanted. His name is Simon Porter, but I have lost track of exactly which ICE office he works out of now.

#### **Jeff Bird, Sergeant, City of Orange PD**

We do not have a formal police here in Bishop, but we have a good working relationship with our Bakerfield ICE office. Basically, we identify "problem" suspects, whom we believe are involved in violations of the Penal Code. The Orange Police Department Gang Unit maintains a positive working relationship with I.C.E. They have been used in past gang investigations and enforcement actions. I.C.E. has been found to be an important and valuable resource that the Gang Unit frequently utilizes.

The Orange Police Department has participated in joint operations where criminally deported gang members have returned to the United States and I.C.E. facilitated enforcement of the Federal violations.

I.C.E. has and continues to provide assistance and personnel support for Orange P.D. Gang Unit strategies and operations. The Gang Unit currently meets with or communicates with I.C.E. representatives on a monthly basis.

