



CITY OF GARDEN GROVE POLICE DEPARTMENT

A NATIONALLY
ACCREDITED LAW
ENFORCEMENT
AGENCY

JOSEPH M. POLISAR
CHIEF OF POLICE

July 25, 2007

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

Dear Judge Wieben Stock:

I have reviewed the 2006-2007 Orange County Grand Jury report, "**Ice in Orange County.**" Certainly, the issue of illegal immigration and the collective impact on our country as a whole and certainly our individual communities is of great concern. After much deliberation and study with my command staff of the findings and recommendations set forth by the Grand Jury, I am pleased to forward to you my responses.

FINDINGS

F-3 Cities, which contract with OCS 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 largest cities (Santa Ana, Huntington Beach, Irvine, Orange, Fullerton and Garden Grove) check the immigration status of all individuals booked at their city jails.

RESPONSE

The City of Garden Grove partially disagrees with Finding F-3. The City of Garden Grove does not operate a jail as defined in Title 15, California Code of Regulations. By definition, the Garden Grove Police Department operates a "Temporary Holding Facility," which is defined as a "local detention facility used for the confinement of persons for 24 hours or less (pending release, transfer to another facility, or appearance in court)." The City of Garden Grove does not check the

immigration status of all individuals booked at the City's temporary holding facility.

The Garden Grove Police Department operates a three (3) cell holding facility where suspects are detained for a maximum of six (6) hours. This six (6) hour time frame allows for officers or investigators to photograph, fingerprint, and conduct criminal interviews of the arrestees. Arrestees are then transported to the Orange County Jail where they are formally booked, housed, or released pursuant to Orange County Jail policies. The Garden Grove Police Department also has a contract with the Huntington Beach Police Department that provides the availability of Garden Grove arrestees to be housed and detained at the Huntington Beach Jail until criminal arraignment. ~~Persons housed at the Huntington Beach Jail are normally chronic offenders who will not be detained at the Orange County Jail due to the arrest offenses consisting of misdemeanor behavior.~~

The policy of the Garden Grove Police Department is to handle and process arrested persons based upon their criminal behavior, not their immigration status. Since the Garden Grove Police Department does not operate a jail where persons arrested are actually housed and most persons arrested for crimes in Garden Grove are eventually booked into the Orange County Jail, it is my belief the Orange County Sheriffs Department is the ideal agency to screen inmates and determine their immigration status, if they so choose.

RECOMMENDATIONS

- R-3 To ensure consistency within OC, 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 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)

RESPONSE

Recommendation R-3 will not be implemented as it is not warranted. As stated in my response to Finding F-3, the Garden Grove Police Department operates only a temporary holding facility consisting of three (3) cells. There is no medical staff, no meal facilities, nor other required amenities required of a jail to house prisoners. The Garden Grove Police Department does not have the ability to hold UI's for ICE to arrange for pick-up and transportation.

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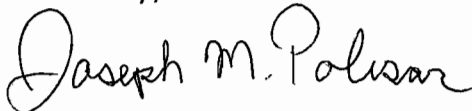
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their immigration status, is the correct policy for the residents of Garden Grove at this current time. The immigration issue must be resolved at the federal level first and appropriate resources and policies implemented accordingly before the responsibility for enforcing immigration statutes falls on local law enforcement. As Chief of Police, the resources available to me to ensure appropriate public safety services for the community of Garden Grove are stretched perilously thin. I also believe the enforcement of immigration statutes, without a comprehensive federal plan and resources, will erode the trust of the community we serve.

The vast majority of people arrested in Garden Grove are eventually booked into the Orange County Sheriff's Department jail. At this time, I believe the Sheriff's Department is ideally situated to screen people booked into their facility and have their immigration status checked by the appropriate personnel.

If I may be of assistance on this or any related matter, please contact me at your convenience.

Sincerely,



JOSEPH M. POLISAR

Chief of Police