

**SANTA BARBARA COUNTY PROBATION DEPARTMENT  
JUVENILE SERVICES DIVISION**

***Policy/Procedure Directive***

<b>Subject:</b> <b><i>Immigration and Customs Enforcement Requests</i></b>	<b>Policy Number:</b> <b><i>J-2018-03</i></b>
<b>Category:</b> <b><i>Juvenile Services and Institutions</i></b>	
<b>Authority:</b> <b><i>DCPOs Holly Benton and Shawn Small</i></b>	
<b>Issued:</b> <b><i>August 3, 2018</i></b>	<b>Revised:</b>

**I. Purpose:**

This Directive is to provide direction regarding contact with the United States (U.S.) Department of Homeland Security, Immigration and Customs Enforcement (ICE).

**II. Policy Statement:**

Deputy Probation Officers (DPO) and Juvenile Institutions Officers (JIO) will, through the normal course of their duties, have occasion to believe that a youthful offender is undocumented and in the U.S. ICE officials have the authority to determine a person's U.S. citizenship or immigration status and may contact the Probation Department to inquire about juveniles under the jurisdiction of the Juvenile Court.

**III. Response to ICE Inquiry:**

Should ICE inquire about a juvenile under the jurisdiction of the Juvenile Court, including subjects 18 years of age or over, the ICE agent should be informed that absent a court order pursuant to §827(a)(1) W&IC, no specific information will be released. Should ICE contact a juvenile facility and inquire if a specifically named juvenile not currently in the facility is in custody, including subjects 18 years of age, custody staff should indicate the named individual is not housed in the facility. If the named youth is in custody at the time of the inquiry, the ICE agent should be informed that absent a court order pursuant to §827(a)(1)W&IC, no specific information will be released, including any confirmation they are detained. Upon receiving an inquiry from ICE, the DPO or JIO should notify the Supervising Probation Officer (SPO), who in turn would notify his/her Manager, and the request should be documented in Information Management for Probation Automated Client Tracking (IMPACT) via an Event entry.

Typically, a Notice of Request for Disclosure of Juvenile Case File (JV-571 Judicial Council form), along with a Request for Disclosure of Juvenile Case File (JV-570) delineating the specific records being sought, an Objection to Release of Juvenile Case File (JV-572), and Proof of Service – Request for Disclosure (JV-569) are

submitted to the Court, constituting the request under §827(a)(1)(Q) W&IC. Upon receipt of such a request, County Counsel will be contacted, via the chain of command, and a copy of the request should be provided to the assigned attorney for review. In the event the Court grants the request, the minute order or other Court order specifying the release of records should be scanned into IMPACT and only the specific documents delineated in the Court order should be provided to ICE. An Event entry should be generated in IMPACT documenting the release of the document(s) and to whom they were released.