

Protesters say Fresno County sheriff violates immigrant hold law

By Rory
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Protesters say the Fresno County Jail is illegally detaining immigrants and notifying federal immigration agencies. They rallied outside the jail in downtown Fresno on Friday, Sept. 19, 2014.

RORY APPLETON — The Fresno Bee

About 60 people assembled Friday evening outside the Fresno County Jail in downtown Fresno to protest what they contend are illegal detentions of immigrants and collusion with federal immigration officials. But sheriff's officials maintain that no laws have been broken.

The conflict stems from the passage last year in California of the Trust Act, which places limits on how and why immigrants can be detained in local jails. The protesters say that Fresno County Sheriff Margaret Mims claimed she would not follow the act and then fell silent after it became law.

But the sheriff's office says that it has followed the Trust Act from the beginning.

The protesting coalition, which included members of local and Northern California American Civil Liberty Union offices and youth immigration groups, also cited a federal case in Oregon that found law enforcement financially liable when immigrants were held past their release dates. Oday Guerrero of Fresno Immigrant Youth told the crowd that Fresno County could face similar litigation if Mims violates the Trust Act.

Assistant Sheriff Tom Gattie said that inmates are only held on criminal charges, regardless of their citizenship status.

Undersheriff Steve Wilkins added that he was aware of the Oregon case. "We are aware of the possible liability

associated with holds," he said. "That's why we only notify ICE (Immigration and Customs Enforcement) of immigrants' release dates but don't hold them for any reason."

Kiran Savage of the Northern California ACLU said that this notification policy "violates the intent of the Trust Act."

Grisanti Valencia of California Immigrant Youth Justice Alliance said she was aware of only one Fresno County Jail case in the past few months where an immigrant was illegally detained an additional 48 hours. "They told us that this was just a clerical error but also said that Immigration Services was on the way to pick her up anyway."

No one else at the rally could specify any Trust Act violations at the jail.

Valencia also spoke out against the jail's policy of notifying ICE, saying that it created intense fear for local immigrants and their families.

Early in the rally, the coalition heard from sheriff's officials about the office's compliance with the Trust Act. The protesters then shifted their focus to demanding a written statement from the sheriff confirming the compliance report and an explanation as to why ICE officials are in the Fresno County Jail offices each week.

A spokeswoman told the group that a small group would enter the jail to present their demands, but soon the entire picket line surged in. The crowd, which was mostly made up of young men and women, shouted things like "Mims! Listen! Immigration is not your mission!" Deputies eventually formed a line in the lobby and forced protesters back outside before locking the door. No one was injured.

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