

# RESPONSIBLE RELEASES

## Safeguards to Protect Immigrants Released from Jails and Prisons from Deportation

We celebrate the hard-won victories that have led to the release of people from jails and prisons since the onslaught of post-COVID-19. For immigrants, it is crucial that release from jails and prisons doesn't lead directly to someone's subsequent imprisonment in an immigrant detention facility rife with medical neglect. The following recommendations are best practices once an immigrant community member's release from custody is forthcoming. Advocating for these practices will ensure that all people get meaningful, responsible release, and are able to access necessary legal and community support as they reintegrate during shelter in place.



### ADULT JAILS AND PRISONS

**STOP:** All communications with ICE, including with ICE's private contractors such as G4S, about releases from custody, and coordination to transfer people to immigration detention

- No facilitating immigration arrests in any fashion including but not limited to, prohibiting ICE transfers in jails or state prisons, prohibiting ICE from entering the jail to arrest people, and prohibiting ICE access to jail or prison databases, files, or other information. [See model policies and resources.](#)
- No sharing of release dates, home addresses or work addresses with DHS agents.
- No cooperation between Board of Parole, parole officers, probation officers, and ICE

**START:** When individuals have ICE holds (I-247A forms), upon release local and state agencies should:

- Share ILRC [red card as know your rights](#)
- Share list of CA (or other local) [rapid response networks](#)
- Share list of [immigrant legal service providers](#)
- Upon receipt of an ICE hold request and upon the individual's release, provide the local public defender's office a copy of the ICE hold request. If any information is communicated to DHS, the same communication should be communicated to the person and the public defender or person's attorney contemporaneously.
- Upon confirmation of a person's imminent release date, if the person has an ICE detainer, **the releasing agency or probation or parole should affirmatively call** the person's designated family member, attorney, and the immigration rapid response networks to provide the nearest local or regional rapid response system with the release date and location.

**If local or state agencies receive a subpoena request for information on individuals from ICE, they are not legally required to respond.**

- This [tool kit](#) contains resources to help agencies fight back against non-binding subpoena requests from DHS. Localities and the state agencies should not respond to such requests.

## JUVENILE FACILITIES

For releases from juvenile court placements (juvenile hall, DJJ, etc.)

**STOP:** Sharing of information from juvenile court proceedings with ICE, including release dates, as required by California confidentiality laws.

**START:** If a youth has an ICE hold request, or otherwise expresses concerns about their immigration situation, upon release, local and state agencies should:

- Share ILRC [red card as know your rights](#)
- Share list of of CA (or other local) [rapid response networks](#)
- Share list of [immigrant legal service providers](#)
- If the youth has an ICE hold (out of Division of Juvenile Justice), upon their release, provide the public defender's office a copy of the ICE hold. If any information is communicated to ICE, the same communication should be communicated to the person, their parent or guardian, and public defender or their attorney contemporaneously.
- Upon confirmation of a person's imminent release date, if the person has an ICE detainer, **the releasing agency or probation or parole should affirmatively call** the person's designated family member, attorney, and the immigration rapid response networks to provide the nearest local or regional rapid response system with the release date and location, keeping in mind any confidentiality laws that apply.