

**Monterey County Board of Supervisors
Referral Submittal Form**

**Urgent Referral No. 2026.04
Assignment Date: 4/14/26**

(Completed by CAO's Office)

SUBMITTAL - Completed by referring Board office and returned to CAO no later than noon on Thursday prior to Board meeting:

Date: 04/07/2026	Submitted By: Supervisor Wendy Root Askew	District #: 4
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Referral Title: Consider Board action outlined in attached memo regarding immigration enforcement at the April 14th Board meeting.

Referral Purpose:

Request Board consideration of attached memo during the April 14th Board meeting outlining actions to better align our actual practices with our stated values regarding local interactions with federal immigration enforcement authorities. As part of the Truth Act hearing on January 27, 2026 the BOS directed a follow-up discussion be scheduled on April 14, 2026, so questions from members and the public could be addressed. The April 14 follow-up presents an opportunity for the Board to move beyond information-gathering and provide clear direction consistent with Monterey County's values, legal authority, and responsibility to the communities we serve.

Brief Referral Description (attach additional sheet as required):

I request that the attached memo be included as an attachment with the April 14th published agenda for consideration by the Board.

RE: Actions for Consideration by the Board at April 14, 2026 Follow-up to Truth Act Hearing

At the January 27, 2026 TRUTH Act hearing, the Board received annual reporting regarding local interactions with federal immigration enforcement authorities. During that hearing, significant concerns were raised regarding:

- the scope of discretionary cooperation with ICE and related federal agencies;
- the adequacy of due process protections and informed consent procedures for individuals in County custody;
- the County's continued administrative participation in the State Criminal Alien Assistance Program (SCAAP);
- the limitations of current TRUTH Act reporting, which provides only the statutory minimum;
- potential policy gaps regarding outside employment and conflicts of interest; and
- the absence of independent oversight mechanisms to ensure Board-directed accountability in the Sheriff's Office.

The upcoming April 14 follow-up reports from our Sheriff, County Counsel, and CAO present an opportunity for the Board to move beyond information-gathering and provide clear direction consistent with Monterey County's values, legal authority, and responsibility to the communities we serve. I've spent time reviewing the transcript of the January 27th discussion, as well as actions taken by other Counties to protect their communities. The TRUTH Act and VALUES Act establish a framework for local engagement with immigration enforcement. **They do not prevent Monterey County from adopting stronger local standards, greater transparency, or clearer limits on the use of County resources where the Board has authority to do so.**

Monterey County has repeatedly affirmed its commitment to being a Welcoming County and to protecting the dignity, safety, and civil rights of immigrant residents. Our Legislative Platform states that we will *"support and*

defend the civil and human rights of all residents, including those that are foreign-born.” The County of Monterey “recognizes the importance of maintaining an environment of trust and safety for immigrants who choose to make Monterey County their home” and specifically states that we support “removing Immigration and Customs Enforcement (ICE) from the County jail.”

The follow-up reports returning on April 14 provide the Board with an opportunity not only to receive additional information, but to give clear policy direction as we move forward. ***For that reason, I propose that we consider the following actions to better align our actual practices with our stated values.***

Actions for consideration by the Board:

1. **County Values Statement:** Formally state that Monterey County’s policy direction is to minimize and, to the fullest extent permitted by law, eliminate discretionary use of County resources, staff time, facilities, and coordination in support of civil immigration enforcement;
2. **Urge Sheriff to End Cooperation with ICE :** Formally urge and request that the Sheriff discontinue all discretionary cooperation with ICE and other federal immigration enforcement agencies to the fullest extent permitted by law; including participation in the State Criminal Alien Assistance Program;
3. **Direct that County Resources Not be used for Immigration Enforcement:** Direct County Counsel to return within 30 days with draft resolution language, and any implementing policy or ordinance options as appropriate, to prohibit County departments under Board authority from using County resources, staff time, or County property to facilitate civil immigration enforcement except where legally compelled;
4. **Direct Immediate Termination of SCAAP Contract:** Direct the County Administrative Office and County Counsel to take all steps within the Board’s authority to terminate the JBI contract to process the State Criminal Alien Assistance Program and any associated contracts, data-processing agreements, or administrative arrangements;
5. **Direct revised due process and ICE contact protocols:** Direct the Sheriff’s Office, in consultation with County Counsel and the Public Defender, to return within 45 days with final proposed written policies and forms governing all ICE contact in County custody, including multilingual advisements, informed consent procedures, access to legal consultation prior to ICE interviews to the fullest extent feasible, documentation requirements, and clear limits on ICE access to jail facilities;
6. **Expand future TRUTH Act reporting:** Direct that all future TRUTH Act reports include expanded written reporting beyond the statutory minimum, to include: longitudinal year-over-year ICE transfer data; all ICE/DHS requests by type; detainers received versus acted upon; interview requests and outcomes; legal basis for any transfer, notification, or release-related coordination; anonymized breakdowns of case categories; staff time estimates; SCAAP participation status; and non-confidential metadata reflecting the type and frequency of communications with ICE or DHS;
7. **Review Outside Employment Conflict-of Interest:** Direct Human Resources in consultation with County Counsel and labor relations staff, to review and amend County outside-employment and conflict-of-interest policies that require disclosure of outside employment with federal immigration enforcement agencies and prohibit outside employment that creates a direct conflict with County duties, County policy, or public trust, subject to applicable law and bargaining obligations;
8. **Independent Oversight of Sheriff’s Office:** Direct the County Administrative Office to engage the services of an Inspector General reporting directly to the Board of Supervisors on Board-directed accountability priorities, including immigration-related policies.

Classification - Implication

Mode of Response

<input type="checkbox"/> Ministerial / Minor <input type="checkbox"/> Land Use Policy <input checked="" type="checkbox"/> Social Policy <input type="checkbox"/> Budget Policy <input type="checkbox"/> Other:	<input type="checkbox"/> Memo <input type="checkbox"/> Board Report <input type="checkbox"/> Presentation
	Requested Response Timeline
	<input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> Status reports until completed <input type="checkbox"/> Other: <input checked="" type="checkbox"/> Specific Date: April 14, 2026

ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s) Completed by CAO’s Office:

Department(s): CAO/County Counsel	Referral Lead: Nick Chiulos/Susan Blitch	Board Date: 4/14/26
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REASSIGNMENT – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO’s Office:

Department(s):	Referral Lead:	Date:
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ANALYSIS - Completed by Department and copied to Board Offices and CAO:

Department analysis of resources required/impact on existing department priorities to complete referral:	
Analysis Completed By: _____	Department’s Recommended Response Timeline
Date: _____	<input type="checkbox"/> By requested date <input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> 6 months <input type="checkbox"/> 1 year <input type="checkbox"/> Other/Specific Date: _____

REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:

Referral Response Date:	Board Item No.:	Referrals List Deletion:
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Note: Please cc Claudia Escalante and Karina Bokanovich on all CAO correspondence relating to referrals.

MEMORANDUM

To: Board of Supervisors

From: Wendy Root Askew, Supervisor, District 4

Date: April 7, 2026

RE: Actions for Consideration by the Board at April 14, 2026 Follow-up to Truth Act Hearing

During the January 27, 2026 TRUTH Act hearing, the Board received annual reporting regarding local interactions with federal immigration enforcement authorities. During that hearing, significant concerns were raised regarding:

- the scope of discretionary cooperation with ICE and related federal agencies;
- the adequacy of due process protections and informed consent procedures for individuals in County custody;
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- the limitations of current TRUTH Act reporting, which provides only the statutory minimum;
- potential policy gaps regarding outside employment and conflicts of interest; and
- the absence of independent oversight mechanisms to ensure Board-directed accountability in the Sheriff's Office.

The upcoming April 14 follow-up reports from our Sheriff, County Counsel, and CAO present an opportunity for the Board to move beyond information-gathering and provide clear direction consistent with Monterey County's values, legal authority, and responsibility to the communities we serve. I've spent time reviewing the transcript of the January 27th discussion, as well as actions taken by other Counties to protect their communities. The TRUTH Act and VALUES Act establish a framework for local engagement with immigration enforcement. They do not prevent Monterey County from adopting stronger local standards, greater transparency, or clearer limits on the use of County resources where the Board has authority to do so.

Monterey County has repeatedly affirmed its commitment to being a Welcoming County and to protecting the dignity, safety, and civil rights of immigrant residents. Our Legislative Platform states that we will "support and defend the civil and human rights of all residents, including those that are foreign-born." The County of Monterey "recognizes the importance of maintaining an environment of trust and safety for immigrants who choose to make Monterey County their home" and specifically states that we support "removing Immigration and Customs Enforcement (ICE) from the County jail."

The follow-up reports returning on April 14 provide the Board with an opportunity not only to receive additional information, but to give clear policy direction as we move forward. For that reason, I propose that we consider the following actions to better align our actual practices with our stated values;

Actions for consideration by the Board:

1. County Values Statement: Formally state that Monterey County's policy direction is to minimize and, to the fullest extent permitted by law, eliminate discretionary use of County resources, staff time, facilities, and coordination in support of civil immigration enforcement;
2. Urge Sheriff to End Cooperation with ICE : Formally urge and request that the Sheriff discontinue all discretionary cooperation with ICE and other federal immigration enforcement agencies to the fullest extent permitted by law; including participation in the State Criminal Alien Assistance Program;
3. Direct that County Resources Not be used for Immigration Enforcement: Direct County Counsel to return within 30 days with draft resolution language, and any implementing policy or ordinance options as appropriate, to prohibit County departments under Board authority from using County resources, staff time, or County property to facilitate civil immigration enforcement except where legally compelled;
4. Direct Immediate Termination of SCAAP Contract: Direct the County Administrative Office and County Counsel to take all steps within the Board's authority to terminate the JBI contract to process the State Criminal Alien Assistance Program and any associated contracts, data-processing agreements, or administrative arrangements;
5. Direct revised due process and ICE contact protocols: Direct the Sheriff's Office, in consultation with County Counsel and the Public Defender, to return within 45 days with final proposed written policies and forms governing all ICE contact in County custody, including multilingual advisements, informed consent procedures, access to legal consultation prior to ICE interviews to the fullest extent feasible, documentation requirements, and clear limits on ICE access to jail facilities;
6. Expand future TRUTH Act reporting: Direct that all future TRUTH Act reports include expanded written reporting beyond the statutory minimum, to include: longitudinal year-over-year ICE transfer data; all ICE/DHS requests by type; detainees received versus acted upon; interview requests and outcomes; legal basis for any transfer, notification, or release-related coordination; anonymized breakdowns of case categories; staff time estimates; SCAAP participation status; and non-confidential metadata reflecting the type and frequency of communications with ICE or DHS;
7. Review Outside Employment Conflict-of Interest: Direct Human Resources in consultation with County Counsel and labor relations staff, to review and amend County outside-employment and conflict-of-interest policies that require disclosure of outside employment with federal immigration enforcement agencies and prohibit outside employment that creates a direct conflict with County duties, County policy, or public trust, subject to applicable law and bargaining obligations;

8. Independent Oversight of Sheriff's Office: Direct the County Administrative Office to engage the services of an Inspector General reporting directly to the Board of Supervisors on Board-directed accountability priorities, including immigration-related policies.

ATTACHMENT

County of Monterey Legislative Platform, Pages 20-21

<https://www.countyofmonterey.gov/home/showpublisheddocument/138247/638736919326900000>

Immigration

The County of Monterey strives to support and defend the civil and human rights of all residents, including those that are foreign-born. Immigrants comprise over 30% of the total population, and at 21.7% Monterey County has the highest percentage of non-citizens of any California county. The County's immigrant population, including undocumented immigrants, is a critical component of the local labor force, especially for the County's two largest industries – agriculture and hospitality. The contributions of immigrants to the economic, cultural, and social well-being of our community are a source of pride for the County, and the County recognizes the importance of maintaining an environment of trust and safety for immigrants who choose to make Monterey County their home.

The Board of Supervisors has proudly supported the County's immigrant community by supporting comprehensive immigration reform which includes a pathway to citizenship for undocumented immigrants; removing Immigration and Customs Enforcement (ICE) from the County jail and declaring Monterey County a "Welcoming County"; supporting reinstatement of the Deferred Action for Childhood Arrivals (DACA) program and becoming the first "Dreamers County" in the nation; supporting the Farm Workforce Modernization Act; and opposing policies that seek to discriminate against individuals based on their immigration status.

The County will advocate to:

- Oppose legislative and executive actions that facilitate large-scale deportations or separation of migrant families at border crossings.
- Oppose legislative and executive actions that unlawfully discriminate against immigrants based on their country of origin.
- Oppose legislative and executive actions that restrict public benefits for immigrants.
- Oppose legislative and executive actions that reduce the number of available employment based immigrant and nonimmigrant visas, including those for temporary workers.
- Oppose legislative and executive actions that reduce the number of available family-based immigrant and nonimmigrant visas.
- Oppose legislative and executive actions that seek to punish local governments for failure to assist with federal immigration enforcement actions.

- Oppose legislative and executive actions that are counter to the values of the County of Monterey.
- Oppose legislative and executive actions that terminate or infringe on the Deferred Action for Childhood Arrivals (DACA) program, or that seeks to use information previously submitted by applicants to DACA for anything other than the applicant's intended purpose.
- Support policies that provide permanent legal status and a path to citizenship for Dreamers and other undocumented immigrants that arrived in childhood.
- Support comprehensive immigration reform legislation that addresses the County's labor force needs and provides a path to citizenship for the nation's undocumented immigrant population.
- Support efforts to increase language access, ensure access to health care, facilitate naturalization, extend voting rights, and build leadership development pipelines for immigrants.
- Support the Farm Workforce Modernization Act, which would establish a program for agricultural workers in the United States to earn legal status through continued agricultural employment and contribution to the U.S. agricultural economy.
- Support reform of the H-2A program to provide more flexibility for employers, while ensuring critical protections for workers.
- Support efforts to establish a nationwide E-Verify system through which agricultural employers would electronically verify the employment eligibility of their workers.
- Support policies that establish effective nonimmigrant visa programs that address the workforce needs of the agriculture and hospitality industries.
- Support policies that extend Temporary Protected Status for qualifying individuals and oppose any changes to the program that make it more restrictive.