



**Date:** February 24, 2017  
**To:** Patrick H. West, City Manager *T. MB*  
**From:** Robert G. Luna, Chief of Police *R. Luna*  
**For:** Mayor and Members of the City Council  
**Subject:** **IMMIGRATION ISSUES: POLICY AND PRACTICE**

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This memorandum has been prepared in response to a request from Councilmember Pearce concerning current and pending legislation on specific immigration enforcement issues.

The Long Beach Police Department (LBPDP) supports the position of the Major Cities Chiefs Association (MCCA) in that immigration is a federal policy between the United States government and other countries, not local or state agencies and other countries. Local agencies do not possess adequate resources or training to enforce federal policy in addition to the added responsibility of homeland security.

It is the practice of the LBPDP to respond to requests for assistance from local, state, and federal law enforcement agencies that are conducting operations within the city of Long Beach. The assistance provided by LBPDP is based on the totality of circumstances. For instance, LBPDP does not provide assistance to Immigration and Customs Enforcement (ICE) on immigration issues; however, participation in the Los Angeles Border Enforcement Security Task Force (LABEST) through the Port of Long Beach requires collaboration with various federal agencies. Such collaboration could involve assisting ICE during the investigation of human trafficking operations. The focus, however, is ensuring proper products are brought into the country, as opposed to immigration enforcement.

Additionally, the LBPDP complies with the California TRUST Act, which prohibits local law enforcement from detaining a noncitizen pursuant to an immigration hold, past the time the person is eligible for release from criminal custody, unless provided with a judicial warrant. The LBPDP does not focus on or request immigration status. Rather, the focus remains on individuals who commit serious, violent crimes.

California law grants officers the discretion to either book a subject, or issue a misdemeanor citation for a variety of offenses, including any infraction. If a LBPDP officer takes custody of a subject, the subject is processed for temporary housing at the LBPDP Jail.

The LBPD is currently working with other City departments and the Los Angeles County District Attorney's Office to explore alternatives to incarceration, such as treatment for substance abuse and jail diversion approaches. Current proposals include collaboration among the LBPD, Health and Human Services Department and City Prosecutor's Office in developing programs that would provide care and treatment to non-violent individuals demonstrating mental health or substance abuse issues. For example, eligible individuals will be assisted by members of a care coordination team that will facilitate diversion from original interaction with the LBPD in the community, in the jail during booking, or in the court room.

California law is currently silent as to whether or not state and local governments may use their employees or resources to assist the federal government with a registry program. The LBPD does not maintain records or share information based solely on an individual's religion, ethnicity, or national origin. The LBPD complies with California Government Code Section 6254(f), which requires that certain information be made available to the public. The LBPD abides by current law and maintains comprehensive policies and controls on the maintenance and release of information.

Long Beach actively monitors policy changes at the federal level, as well as any proposed legislation that might impact local law enforcement. The LBPD continues to support measures and procedures geared toward reducing violent crime, while remaining committed to a relationship of trust and cooperation with all of the communities we serve, including immigrant communities.

If you have any questions, please contact me, or my Chief of Staff, Commander Wally Hebeish, at (562) 570-7301.

RGL:WH  
ImmigrationLegislation

cc: Charles Parkin, City Attorney  
Laura L. Doud, City Auditor  
Tom Modica, Assistant City Manager  
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Department Heads