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SERGIO FLORES and ROXANA GUEVARA
11

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 FOR THE COUNTY OF LOS ANGELES

14 SERGIO FLORES, ^{an individual,} and ROXANA
15 GUEVARA, a California taxpayer,

16 Plaintiffs,

17 vs.

18 CITY OF BALDWIN PARK POLICE
DEPARTMENT, CITY OF
19 BALDWIN PARK, and DOES 1 to 50,
20 inclusive,

21 Defendants.
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CONFORMED COPY
ORIGINAL FILED
Superior Court Of California
County Of Los Angeles

OCT 08 2014

Sherri R. Carter, Executive Officer/Clerk
By: Judi Lara, Deputy

Case No. **BC 560081**

**COMPLAINT FOR DAMAGES,
INJUNCTIVE AND DECLARATORY
RELIEF**

Judge: _____
Dept: _____

Plaintiffs Sergio Flores and Roxana Guevara (collectively, “Plaintiffs”) allege as follows:

INTRODUCTION

1. This action seeks remedies for the unlawful detention of Plaintiff Sergio Flores by the City of Baldwin Park Police Department (“Baldwin Park Police Department”), the City of Baldwin Park (“Baldwin Park”), and Does 1 to 50, inclusive (collectively, “Defendants”). Plaintiff Sergio Flores was detained by the Baldwin Park Police Department from March 7 to 10, 2014 on the sole basis of an “immigration hold” request (also known as “immigration detainer” or “ICE hold”). Mr. Flores’s detention was in direct violation of the California TRUST Act, Cal. Gov Code § 7282-7282.5, and was not supported by any lawful authority.

2. This action is also brought by taxpayer Plaintiff Roxana Guevara on behalf of all other taxpayers similarly situated to enjoin the wasteful expenditure of taxpayers' dollars and ongoing policy of the Baldwin Park Police Department that exceeds the agency's lawful authority. The policy challenged in this lawsuit is the continued detention of individuals on the sole basis of an immigration detainer in violation of the TRUST Act.

JURISDICTION AND VENUE

3. Venue is proper in this Court because the illegal acts against Plaintiff Sergio Flores took place in the County of Los Angeles. The Baldwin Park Police Department and Baldwin Park are located in the County of Los Angeles.

4. The amount in controversy is within the jurisdiction of this Court.

PARTIES

Plaintiffs

5. Plaintiff Sergio Flores is a 30-year-old resident of Baldwin Park, California. From March 7 to March 10, 2014, Defendants unlawfully imprisoned Mr. Flores in the Baldwin Park Police station by detaining him solely on the basis of an

1 “immigration hold” in violation of the California TRUST Act. Plaintiff Sergio Flores
2 seeks damages for his unlawful detention.

3 6. Plaintiff Roxana Guevara is a resident, taxpayer, and voter of the City of
4 Baldwin Park. Within one year preceding the filing of this action, Ms. Guevara paid
5 the following taxes utilized to support operations of the Baldwin Park Police
6 Department: (1) California State income taxes, and (2) General taxes on real property
7 located in the City of Baldwin Park.

8 **Defendants**

9 7. Defendant Baldwin Park Police Department is a public entity. Defendant
10 operates in the City of Baldwin Park in Los Angeles County. The Baldwin Park Police
11 Department is located at 14403 Pacific Avenue, Baldwin Park, CA 91706.

12 8. Defendant Baldwin Park is a general law city and political subdivision
13 duly organized and existing under the laws of the State of California. Upon
14 information and belief, Defendant Baldwin Park Police Department is an agency of
15 Baldwin Park, and all actions of the Baldwin Park Police Department are the legal
16 responsibility of the City. Baldwin Park is sued both in its own capacity and on the
17 basis of *respondeat superior*, under California Government Code § 815.2.

18 9. Defendants Does 1 through 50 were officers, agents, and/or employees of
19 the City and/or its Police Department who undertook actions under color of law,
20 within the course and scope of their respective duties as Baldwin Park Police Officers,
21 and with the complete authority and ratification of their principal, Defendant Baldwin
22 Park.

23 10. In committing the acts and in failing or omitting to act as described in
24 this complaint, Defendants Does 1 through 50 were acting on the implied and actual
25 permission and consent of Defendant Baldwin Park.

26 11. Defendant Baldwin Park is vicariously liable for the wrongful acts of
27 Defendants Does 1 through 50 under section § 815.2(a) of the California Government
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1 Code, which provides that a public entity is liable for the injuries caused by the
2 employees through acts within the scope of the employment if the employee's act
3 would subject him or her to liability.

4 12. The true names and capacities, whether individual, corporate, associate,
5 or otherwise, and the true involvement of Defendants sued here as Does 1 through 50,
6 inclusive, are currently unknown to Plaintiffs, who therefore sue these Defendants by
7 fictitious names and will amend this complaint to show the true names, capacities and
8 involvement when ascertained. Plaintiffs are informed and believe and allege that
9 each of the Defendants designated as a Doe is responsible in some manner for the
10 events and happenings referred to here, and that Plaintiffs' injuries and damages were
11 proximately caused by these Defendants.

12 13. All of the incidents and events described in this complaint occurred
13 within the County of Los Angeles, State of California.

14 **FACTUAL ALLEGATIONS**

15 **Arrest and Detention of Plaintiff Sergio Flores**

16 **Friday, March 7, 2014**

17 14. At approximately 12:00 p.m. on Friday, March 7, 2014, Plaintiff Sergio
18 Flores left his home to drive to work. At around 12:15 p.m., he was pulled over in
19 Baldwin Park by Baldwin Park Police Department officers, agents, and/or employees
20 ("arresting officers"). The arresting officers informed Mr. Flores that they had stopped
21 him because his vehicle displayed paper "dealer plates," rather than state-issued
22 license plates. Mr. Flores explained that he had recently purchased his car and was
23 waiting to receive his state-issued plates. The arresting officers asked to see Mr.
24 Flores's license and registration. Mr. Flores informed the arresting officers that he had
25 insurance but did not have a driver's license. The arresting officers then directed him
26 to get out of the car and put his hands up. Mr. Flores complied. After Mr. Flores
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1 exited his car, the arresting officers forcefully grabbed him by his wrists and placed
2 him in handcuffs.

3 15. They issued him a citation for vehicle code violations and called a tow
4 truck to remove his car.

5 16. The arresting officers informed Mr. Flores that they would take him to
6 the Baldwin Park Police station for photographing and fingerprinting. They told Mr.
7 Flores that this process would take approximately 15 minutes, after which he would be
8 released.

9 17. At the Baldwin Park Police station, Baldwin Park Police Department
10 officers, agents, and/or employees ("jail officers") fingerprinted and photographed Mr.
11 Flores. In addition, an unidentified officer, who wore a uniform with a "DHS"
12 insignia, questioned Mr. Flores about his immigration status.

13 18. After Mr. Flores was photographed and fingerprinted, jail officers placed
14 him into a holding cell. Mr. Flores did not understand why the jail officers were
15 continuing to detain him. Based on arresting officers' statements, Mr. Flores believed
16 that he would be released after being fingerprinted and photographed. He was
17 confused and upset by his continued detention.

18 19. Sometime at or before approximately 2:00 p.m., unbeknownst to Mr.
19 Flores, jail officers made a notation on his Los Angeles County Booking Record
20 stating that bail had been set at \$1,000. At the time of his arrest Mr. Flores, who had
21 recently received his income tax refund, was carrying approximately \$1,155 cash. Mr.
22 Flores was willing and able to use that money to post bail.

23 20. In the holding cell, and later a larger cell to which he was transferred, Mr.
24 Flores tried to rest, but he could not. Each time he tried to sit upright, jail officers told
25 him to lie flat on his back. This forced posture caused him pain in his back.
26 Frequently, jail officers dragged their batons along the bars of the jail cell, causing a
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1 loud noise that startled him whenever he tried to rest. In addition, the cell was cold,
2 and the one blanket jail officers provided was covered in dust.

3 21. Mr. Flores wanted to inform his family about what was happening to
4 him. He was especially concerned about his young son. He had promised his son that
5 they would go out together that weekend, and he knew his son would be very
6 disappointed if he wasn't able to keep his promise. But Mr. Flores was unable to call
7 his son or anyone else, because the phone card jail officers gave to him did not work.

8 22. A short while after he was placed in the holding cell, Mr. Flores overheard
9 several jail officers discussing him by name and mentioning the words "hold" and
10 "immigration."

11 23. Later that afternoon, Mr. Flores asked a jail officer whether he could post
12 bail. The officer responded that he could not.

13 24. Throughout the afternoon and evening, each time Mr. Flores noticed the
14 jail officers change shifts, he asked whether he could post bail. The jail officers
15 repeatedly stated that he could not.

16 25. At approximately 6:00 p.m. on Friday evening, Mr. Flores asked a jail
17 officer why he was still being detained. The jail officer responded that Mr. Flores was
18 being held at the request of federal immigration officials.

19 26. At approximately 7:15 p.m., unbeknownst to Mr. Flores, an official from
20 the federal Immigration and Customs Enforcement (ICE) agency issued an
21 "immigration detainer" for him. The detainer was addressed to the Baldwin Park
22 Police Department. It requested that the Baldwin Park Police "MAINTAIN
23 CUSTODY" of Mr. Flores "FOR A PERIOD NOT TO EXCEED 48 HOURS." A
24 copy of the immigration detainer is attached as Exhibit A. While in custody, Mr.
25 Flores was never provided with a copy of his immigration detainer.

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1 **Saturday, March 8, 2014**

2 27. On Saturday, Mr. Flores again asked a jail officer why he was being
3 detained and when he would be released. The jail officer stated that the Baldwin Park
4 Police Department intended to detain Mr. Flores for up to 48 hours, not including the
5 weekend, so that immigration officials could come pick him up.

6 28. Throughout the day on Saturday, Mr. Flores continually asked jail
7 officers whether he could post bail. Each time, the jail officer told him that he could
8 not.

9 29. On Saturday evening, Mr. Flores overheard a nearby jail officer talking
10 about him on speakerphone. The officer falsely stated that Mr. Flores was not in
11 Baldwin Park Police Department custody and was not being detained at the police
12 department's facilities. Upon information and belief, the jail officer was speaking to a
13 friend of Mr. Flores, who had called the jail to inquire about his whereabouts.

14
15 **Sunday, March 9, 2014**

16 30. On Sunday at approximately 12:00 p.m., a friend of Mr. Flores called the
17 Baldwin Park Police Department and spoke to a jail officer. The jail officer told her
18 that Mr. Flores was being detained on the basis of an ICE hold, and that he was not
19 eligible to post bail.

20
21 **Monday, March 10, 2014**

22 31. Mr. Flores remained in Baldwin Park Police Department custody until
23 approximately 4:30 a.m. on Monday, March 10, 2014. At that time, he was released
24 into the custody of ICE agents.

25 32. Upon Mr. Flores's release, a jail officer gave him a copy of his Booking
26 and Property Record. According to the Booking and Property Record, Mr. Flores's bail
27 had been set at \$1,000.
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Immigration Holds and the California TRUST Act

33. An immigration hold, also known as an immigration detainer or ICE hold, is a fill-in-the-blank form issued by a federal immigration officer to another law enforcement agency (LEA), requesting that the LEA detain an individual in its custody for 48 hours, excluding weekends and holidays, beyond the time when he or she would otherwise be released, in order to provide ICE extra time to assume physical custody of the person and investigate his or her immigration status. *See* Cal. Gov. Code § 7282(5)(c)(describing immigration detainers); *see also* 2013 Cal. Legis. Serv. Ch. 570 (A.B.4) (same).

34. Immigration holds are requests, not binding orders. Immigration holds impose no mandatory obligation on local law enforcement agencies.

35. Unlike criminal detainees, immigration holds are issued on the basis of purely civil immigration violations. Immigration holds are not warrants or court orders, and they are not issued or approved by judicial officers. Instead, they are unsworn documents that may be issued by a wide variety of immigration officers, including immigration enforcement agents and deportation officers. *See* 8 C.F.R. § 287.7(b).

36. On October 5, 2013, California Governor Jerry Brown signed into law the California TRUST Act. The TRUST Act prohibits a law enforcement official from detaining an individual on the basis of a United States Immigration and Customs Enforcement hold after that individual becomes eligible for release from custody, unless, at the time that the individual becomes eligible for release from custody, certain conditions are met, including, among other things, that the individual has been convicted of specified crimes.

37. The TRUST Act was designed to protect Plaintiff Flores, and others like him, from precisely this type of confinement.

1 38. The TRUST Act went into effect on January 1, 2014. Under the TRUST
2 Act, local law enforcement officials in California, including officers, employees, and
3 agents of the Baldwin Park Police Department, are prohibited from detaining a person
4 on the basis of an immigration hold unless two conditions are met. First, local law
5 enforcement officials may only comply with an immigration hold if doing so would
6 not violate another federal, state, or local law, or any local policy. This provision
7 recognizes the existence of federal, state and local laws, ordinances, or policies that
8 limit or, at times, completely prohibit detaining individuals on the basis of immigration
9 holds. Second, local law enforcement officials may only comply with an immigration
10 hold if the individual subject to the hold meets one of the seven enumerated
11 circumstances, including that he: (1) has been convicted of a “serious or violent
12 felony;” (2) has been convicted of a felony punishable by imprisonment in state prison;
13 (3) has been convicted within the past five years of one of a list of enumerated
14 “wobbler” offenses or at any time of one of a list of enumerated felonies; (4) “is a
15 current registrant on the California Sex and Arson Registry;” (5) has been brought
16 before a magistrate judge on felony charges resulting in a finding of probable cause as
17 to that charge Pursuant to Section 872 of the Penal Code; (6) has been convicted of an
18 aggravated felony as defined in 8 U.S.C. § 1101(a)(43), or (7) is the subject of an
19 outstanding federal felony arrest warrant.
20

21 **Plaintiff Sergio Flores and the TRUST Act**

22 39. Prior to his March 7, 2014 arrest, Plaintiff Flores had never been charged
23 with or convicted of any crime. At the time of his detention, Mr. Flores did not appear
24 on the California Sex and Arson Registry, was not the subject of an outstanding federal
25 felony arrest warrant, and had not been taken before a magistrate on felony charges.
26 Mr. Flores did not fall within any of the enumerated conditions in the TRUST Act.
27
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1 40. After jail officers fingerprinted and photographed Mr. Flores on the
2 afternoon of Friday, March 7, 2014, he became eligible for release from criminal
3 custody. Alternatively, Mr. Flores became eligible for release from criminal custody
4 after he attempted to post bail on the afternoon of Friday, March 7, 2014.

5 41. Once Mr. Flores became eligible for release from criminal custody,
6 Defendants lacked any lawful basis for continuing to detain him. However, rather than
7 releasing Mr. Flores, Defendants intentionally continued to detain him for three days
8 on the sole basis of an immigration hold request.

9 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

10 42. Plaintiff Sergio Flores has complied with the jurisdictional prerequisites
11 for filing a tort claim for damages against the Baldwin Park Police Department.

12 43. On June 24, 2014, Plaintiff Sergio Flores filed an administrative tort
13 claim against the Baldwin Park Police Department.

14 44. On August 13, 2014, Baldwin Park rejected his claim.

15 **FIRST CAUSE OF ACTION**

16 **False Imprisonment**

17 **Plaintiff Sergio Flores against all Defendants**

18 45. Plaintiff Sergio Flores realleges and incorporates by reference the
19 allegations of paragraphs 1 through 44 of this complaint.

20 46. The duty of a jailor to release an inmate on bail is mandatory under
21 California law. California courts have held that jailors who failed to release an inmate
22 who satisfied bail requirements act unlawfully and are liable for false imprisonment.

23 47. As set forth above, Defendants refused to allow Plaintiff Sergio Flores to
24 post bail for which he was eligible, and which he was willing and able to pay, thus
25 non-consensually and intentionally confining Mr. Flores without lawful privilege.

26 48. California law limits the conditions under which law enforcement
27 officials may detain an individual on the basis of an immigration hold. Unless
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1 specified conditions are met, law enforcement officials may not detain an individual on
2 the basis of an immigration hold.

3 49. As set forth above, Defendants detained Plaintiff Flores for over three
4 days on the sole basis of an immigration hold. None of the specified conditions
5 identified in Cal. Gov. Code § 7285.5 were present. Defendants' non-consensual and
6 intentional detention of Mr. Flores on an immigration hold violated Plaintiff's personal
7 liberty, was in direct violation of state law, and was without lawful privilege.

8 50. Defendants are therefore liable for the tort of false imprisonment of
9 Plaintiff Sergio Flores.

10 **SECOND CAUSE OF ACTION**

11 **Negligence Per Se**

12 **Plaintiff Sergio Flores against all Defendants**

13 51. Plaintiff Sergio Flores realleges and incorporates by reference the
14 allegations of paragraphs 1 through 50 of this complaint.

15 52. As set forth above, Defendants refused to allow Plaintiff Sergio Flores to
16 post bail for which he was eligible, and which he was willing and able to pay, thus
17 violating their obligations under California law. Defendants' conduct caused injury to
18 Plaintiff Flores in violation of California law regarding the right to post bail.

19 53. Defendants detained Plaintiff Sergio Flores for over two days solely on
20 the basis of an immigration hold, thus violating their obligations under the California
21 TRUST Act. Defendants' conduct caused injury to Plaintiff Flores in violation of the
22 TRUST Act.

23 54. Defendants are therefore liable to Plaintiff Sergio Flores for negligence
24 *Per Se.*

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1 taxpayers' dollars. Evidence such as Plaintiff Sergio Flores's unlawful detention
2 shows that Defendants are detaining individuals in contravention of the TRUST Act.

3 62. Baldwin Park is vicariously liable for the wrongful acts of Defendants
4 under section 815.2(a) of the California Government Code, which provides that a
5 public entity is liable for the injuries caused by the employees within the scope of the
6 employment if the employee's act would subject him or her to liability.

7 **PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiffs pray for relief as follows:

9 63. For entry of a judgment declaring that Defendants' detention of Plaintiff
10 Sergio Flores solely on the basis of the immigration hold was and is unauthorized by
11 state and federal law;

12 64. For injunctive relief against Defendants to cease wasteful and illegal
13 expenditures of public money in detaining individuals on the basis of immigration
14 holds alone;

15 65. For an order permanently enjoining Defendants from honoring
16 immigration detainers in violation of the TRUST Act;

17 66. Any other declaratory or injunctive relief necessary to ensure that
18 Defendants are and remain in compliance with the provisions of the TRUST ACT
19 prohibiting law enforcement from honoring immigration detainers except in specified
20 circumstances;

21 67. For general damages according to proof;

22 68. For special damages according to proof;

23 69. For punitive damages for each cause of action;

24 70. For the cost of suit;

25 71. For interest at the maximum legal rate on all sums awarded;

26 72. For reasonable attorneys' fees and expenses of this litigation; and

27 73. For any additional and further relief this Court deems proper.
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1 Dated: October 8, 2014

2 Respectfully submitted,

3 
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5 Thomas A. Saenz
6 Matthew J. Barragan
7 MEXICAN AMERICAN LEGAL
8 DEFENSE AND EDUCATIONAL
9 FUND

10 Jessica Karp Bansal
11 NATIONAL DAY LABOR
12 ORGANIZING NETWORK

13 *Attorneys for Plaintiffs*
14 SERGIO FLORES and ROXANA
15 GUEVARA
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EXHIBIT A

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID:

Event #: 00182655

File No: 098797172

Date: 03/07/2014

TO: (Name and Title of Institution - OR Any Subsequent Law

Enforcement Agency)

Baldwin Park Police Department
14403 East Pacific Avenue

Baldwin Park, CA 91706

FROM: (Department of Homeland Security Office Address)

Immigration & Customs Enforcement
300 N. Los Angeles StreetLos Angeles, CA 90012
9493802519

MAINTAIN CUSTODY OF ALIEN FOR A PERIOD NOT TO EXCEED 48 HOURS

FLORES, SERGIO ANTONIO FBI:311153HC8

Name of Alien:

Date of Birth: 06101984

Nationality: ELSAL

Sex: M

THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS) HAS TAKEN THE FOLLOWING ACTION RELATED TO THE PERSON IDENTIFIED ABOVE, CURRENTLY IN YOUR CUSTODY:

- ☐ Determined that there is reason to believe the individual is an alien subject to removal from the United States. The individual (*check all that apply*):
- ☐ has a prior a felony conviction or has been charged with a felony offense;
 - ☐ has three or more prior misdemeanor convictions;
 - ☒ has a prior misdemeanor conviction or has been charged with a misdemeanor for an offense that involves violence, threats, or assaults; sexual abuse or exploitation; driving under the influence of alcohol or a controlled substance; unlawful flight from the scene of an accident; the unlawful possession or use of a firearm or other deadly weapon, the distribution or trafficking of a controlled substance; or other significant threat to public safety;
 - ☐ Initiated removal proceedings and served a Notice to Appear or other charging document. A copy of the charging document is attached and was served on _____ (date).
 - ☐ Served a warrant of arrest for removal proceedings. A copy of the warrant is attached and was served on _____ (date).
 - ☒ Obtained an order of deportation or removal from the United States for this person.
- ☐ has been convicted of illegal entry pursuant to 8 U.S.C. § 1325;
- ☐ has illegally re-entered the country after a previous removal or return;
- ☐ has been found by an immigration officer or an immigration judge to have knowingly committed immigration fraud;
- ☐ otherwise poses a significant risk to national security, border security, or public safety; and/or
- ☒ other (specify): OUTSTANDING ICE WARRANT

This action does not limit your discretion to make decisions related to this person's custody classification, work, quarter assignments, or other matters. DHS discourages dismissing criminal charges based on the existence of a detainer.

IT IS REQUESTED THAT YOU:

- ☒ Maintain custody of the subject for a period **NOT TO EXCEED 48 HOURS**, excluding Saturdays, Sundays, and holidays, beyond the time when the subject would have otherwise been released from your custody to allow DHS to take custody of the subject. This request derives from federal regulation 8 C.F.R. § 287.7. For purposes of this immigration detainer, you are not authorized to hold the subject beyond these 48 hours. As early as possible prior to the time you otherwise would release the subject, please notify DHS by calling 9493602519 during business hours or 9494257023 after hours or in an emergency. If you cannot reach a DHS Official at these numbers, please contact the ICE Law Enforcement Support Center in Burlington, Vermont at: (802) 872-6020.
- ☒ Provide a copy to the subject of this detainer.
- ☒ Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- ☒ Notify this office in the event of the inmate's death, hospitalization or transfer to another institution.
- ☐ Consider this request for a detainer operative only upon the subject's conviction.
- ☐ Cancel the detainer previously placed by this Office on _____ (date).

D 6784 Weatherton DO _____ (Date)
(Name and title of Immigration Officer)

D 6784 Weatherton _____ (Signature of Immigration Officer)

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS using the envelope enclosed for your convenience or by faxing a copy to 5625909604. You should maintain a copy for your own records so you may track the case and not hold the subject beyond the 48-hour period.

Local Booking/Inmate #: _____ Latest criminal charge/conviction: _____ (date) Estimated release: _____ (date)

Last criminal charge/conviction: _____

Notice: Once in our custody, the subject of this detainer may be removed from the United States. If the individual may be the victim of a crime, or if you want this individual to remain in the United States for prosecution or other law enforcement purposes, including acting as a witness, please notify the ICE Law Enforcement Support Center at (802) 872-6020.

(Name and title of Officer)

(Signature of Officer)

NOTICE TO THE DETAINEE

The Department of Homeland Security (DHS) has placed an immigration detainer on you. An immigration detainer is a notice from DHS informing law enforcement agencies that DHS intends to assume custody of you after you otherwise would be released from custody. DHS has requested that the law enforcement agency which is currently detaining you maintain custody of you for a period not to exceed 48 hours (excluding Saturdays, Sundays, and holidays) beyond the time when you would have been released by the state or local law enforcement authorities based on your criminal charges or convictions. If DHS does not take you into custody during that additional 48 hour period, not counting weekends or holidays, you should contact your custodian (the law enforcement agency or other entity that is holding you now) to inquire about your release from state or local custody. If you have a complaint regarding this detainer or related to violations of civil rights or civil liberties connected to DHS activities, please contact the ICE Joint Intake Center at 1-877-2INTAKE (877-246-8253). If you believe you are a United States citizen or the victim of a crime, please advise DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

NOTIFICACIÓN A LA PERSONA DETENIDA

El Departamento de Seguridad Nacional (DHS) de EE. UU. ha emitido una orden de detención migratoria en su contra. Mediante esta orden, se notifica a los organismos policiales que el DHS pretende arrestarlo cuando usted cumpla su reclusión actual. El DHS ha solicitado que el organismo policial local o estatal a cargo de su actual detención lo mantenga en custodia por un período no mayor a 48 horas (excluyendo sábados, domingos y días festivos) tras el cese de su reclusión penal. Si el DHS no procede con su arresto migratorio durante este período adicional de 48 horas, excluyendo los fines de semana o días festivos, usted debe comunicarse con la autoridad estatal o local que lo tiene detenido (el organismo policial u otra entidad a cargo de su custodia actual) para obtener mayores detalles sobre el cese de su reclusión. Si tiene alguna queja que se relacione con esta orden de detención o con posibles infracciones a los derechos o libertades civiles en conexión con las actividades del DHS, comuníquese con el Joint Intake Center (Centro de Admisión) del ICE (Servicio de Inmigración y Control de Aduanas) llamando al 1-877-2INTAKE (877-246-8253). Si usted cree que es ciudadano de los Estados Unidos o que ha sido víctima de un delito, infórmele al DHS llamando al Centro de Apoyo a los Organismos Policiales (Law Enforcement Support Center) del ICE, teléfono (855) 448-6903 (llamada gratuita).

Avis au détenu

Le département de la Sécurité Intérieure [Department of Homeland Security (DHS)] a émis, à votre rencontre, un ordre d'incarcération pour des raisons d'immigration. Un ordre d'incarcération pour des raisons d'immigration est un avis du DHS informant les agences des forces de l'ordre que le DHS a l'intention de vous détenir après la date normale de votre remise en liberté. Le DHS a requis que l'agence des forces de l'ordre, qui vous détient actuellement, vous garde en détention pour une période maximum de 48 heures (excluant les samedis, dimanches et jours fériés) au-delà de la période à la fin de laquelle vous auriez été remis en liberté par les autorités policières de l'État ou locales en fonction des inculpations ou condamnations pénales à votre rencontre. Si le DHS ne vous détient pas durant cette période supplémentaire de 48 heures, sans compter les fins de semaines et les jours fériés, vous devez contacter votre gardien (l'agence des forces de l'ordre qui vous détient actuellement) pour vous renseigner à propos de votre libération par l'État ou l'autorité locale. Si vous avez une plainte à formuler au sujet de cet ordre d'incarcération ou en rapport avec des violations de vos droits civils liées à des activités du DHS, veuillez contacter le centre commun d'admissions du Service de l'Immigration et des Douanes [ICE - Immigration and Customs Enforcement] [ICE Joint Intake Center] au 1-877-2INTAKE (877-246-8253). Si vous croyez être un citoyen des États-Unis ou la victime d'un crime, veuillez en aviser le DHS en appelant le centre d'assistance des forces de l'ordre de l'ICE [ICE Law Enforcement Support Center] au numéro gratuit (855) 448-6903.

AVISO AO DETENTO

O Departamento de Segurança Nacional (DHS) emitiu uma ordem de custódia migratória em seu nome. Este documento é um aviso enviado às agências de imposição da lei de que o DHS pretende assumir a custódia da sua pessoa, caso seja liberado. O DHS pediu que a agência de imposição da lei encarregada da sua atual detenção mantenha-o sob custódia durante, no máximo, 48 horas (excluindo-se sábados, domingos e feriados) após o período em que seria liberado pelas autoridades estaduais ou municipais de imposição da lei, de acordo com as respectivas acusações e penas criminais. Se o DHS não assumir a sua custódia durante essas 48 horas adicionais, excluindo-se os fins de semana e feriados, você deverá entrar em contato com o seu custodiante (a agência de imposição da lei ou qualquer outra entidade que esteja detendo-o no momento) para obter informações sobre sua liberação da custódia estadual ou municipal. Caso você tenha alguma reclamação a fazer sobre esta ordem de custódia migratória ou relacionada a violações dos seus direitos ou liberdades civis decorrente das atividades do DHS, entre em contato com o Centro de Entrada Conjunta da Agência de Controle de Imigração e Alfândega (ICE) pelo telefone 1-877-246-8253. Se você acreditar que é um cidadão dos EUA ou está sendo vítima de um crime, informe o DHS ligando para o Centro de Apoio à Imposição da Lei do ICE pelo telefone de ligação gratuita (855) 448-6903.

THÔNG BÁO CHO NGƯỜI BỊ GIAM GIỮ

Bộ Quốc gia (DHS) đã có lệnh giam giữ tạm thời do di trú. Lệnh giữ tạm thời do di trú là thông báo của DHS cho các cơ quan thi hành luật pháp là DHS có ý định bắt giữ quý vị sau khi quý vị được DHS đưa yêu cầu cơ quan thi hành luật pháp bắt giữ tại nơi cư trú của quý vị. Thời gian giữ tạm thời không quá 48 giờ kể từ khi (không kể ngày nghỉ, Chủ nhật và các ngày nghỉ lễ liên tiếp) bắt đầu. Mọi đơn vị bắt giữ phải được cơ quan thi hành luật pháp của DHS đưa yêu cầu bắt giữ và phải được DHS không thả quý vị trong thời gian này. Nếu quý vị không tính các ngày của lệnh bắt giữ, quý vị nên liên lạc với đơn vị giam giữ của cơ quan thi hành luật pháp hoặc các nhà hoạt động xã hội để biết thêm thông tin. Nếu quý vị có khiếu nại về lệnh giam giữ hoặc yêu cầu các trường hợp vụ việc được xem xét lại do công dân liên quan, các nhà hoạt động của DHS, vui lòng liên lạc với ICE Joint Intake Center tại số 1-877-2INTAKE (877-246-8253). Nếu quý vị tin rằng quý vị là công dân Hoa Kỳ hoặc là nạn nhân phân biệt đối xử, hãy báo cho DHS biết bằng cách liên lạc với ICE Law Enforcement Support Center ở địa chỉ email ở phía (855) 448-6903.

对被拘留者的通告

美国国土安全部 (DHS) 已发出对你的移民监禁令。移民监禁令是美国国土安全部用来通告执法当局, 表示美国国土安全部意图在你可能从当前的拘留被释放以后继续拘留你的通知单。美国国土安全部已经向当前拘留你的执法当局要求, 根据你的刑事起诉或判罪的基础, 在本当由州或地方执法当局释放你时, 继续拘留你, 为期不超过 48 小时 (星期六、星期天和假日除外)。如果美国国土安全部未在不计周末或假日的额外 48 小时期限内将你拘留, 你应该联系你的监管单位 (现在拘留你的执法当局或其他单位), 询问关于你从州或地方执法单位被释放的事宜。如果你对于这项拘留或关于美国国土安全部的行动所涉及的违反民权或公民自由权有任何投诉, 请联系美国移民及海关执法局联合接纳中心 (ICE Joint Intake Center), 电话号码是 1-877-2INTAKE (877-246-8253)。如果你相信你是美国公民或犯罪被害人, 请联系美国移民及海关执法局的执法支援中心 (ICE Law Enforcement Support Center), 告知美国国土安全部。该执法支援中心的免费电话号码是 (855) 448-6903。