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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN
FRANCISCO,

Plaintiff,

vs.

DONALD J. TRUMP, President of the United
States, UNITED STATES OF AMERICA,
JOHN F. KELLY, Secretary of United States
Department of Homeland Security,
JEFFERSON B. SESSIONS, Attorney General
of the United States, DOES 1-100,

Defendants.

Case No. 3:17-cv-00485-WHO

**DECLARATION OF SHERIFF VICKI
HENNESSY IN SUPPORT OF CITY AND
COUNTY OF SAN FRANCISCO'S MOTION
FOR PRELIMINARY INJUNCTION**

Date: April 12, 2017
Time: 2:00 p.m.
Judge: Honorable William H. Orrick
Dept: Courtroom 2

Date Filed: January 31, 2017

Trial Date: Not set

1 I, Vicki Hennessy, declare as follows:

2 1. I am a resident of the State of California. I have personal knowledge of the facts set
3 forth in this declaration and, if called as a witness, could and would testify competently to the matters
4 set forth below.

5 2. I am the Sheriff of the City and County of San Francisco ("San Francisco"). I joined
6 the Sheriff's Department ("Department") in 1975, more than 30 years ago. In 1983, I was promoted to
7 Captain within the Department, becoming the youngest Captain in California law enforcement. In
8 1998, I became Chief Deputy. As Chief Deputy, I managed each of the three divisions of the
9 Department at various times: Custody Division, which was the division responsible for the
10 administration and operation of the jails, Hospital Ward, and Classification Unit; Administration and
11 Support Division which was responsible for planning, personnel, policy formation, and department
12 resources; and Field Operations Division, which was responsible for the Emergency Services Unit,
13 department security operations at the city hospital campuses and City Hall. I also worked with the
14 Department of Emergency Management on preparation, response and recovery for disaster response.

15 3. From mid-2007 to early 2009, while still a Chief Deputy, I was on loan to the
16 Department of Emergency Management as the Deputy Director in charge of Emergency Services.
17 From March of 2009 to the end of 2010, while still a Chief Deputy, I served as the Director of the San
18 Francisco Department of Emergency Management, where I oversaw citywide emergency planning as
19 well as 911 dispatch for police, fire, and medical emergency.

20 4. In March of 2012, I was appointed by Mayor Edwin Lee to serve as interim Sheriff for
21 seven months. I subsequently ran for and was elected to the position of Sheriff in November of 2015
22 and began my term on January 8, 2016.

23 5. As Sheriff, I am responsible for operating the County jail system; enforcing the law;
24 executing orders and legal processes issued by California courts, the San Francisco Board of
25 Supervisors, and other authorized entities; and providing security to courthouses, other public
26 buildings, and public officials.

27 6. I am familiar with San Francisco's Sanctuary City laws, found in San Francisco
28 Administrative Code Sections 12H and 12I. San Francisco Sanctuary City laws encourage individuals

1 to be candid and forthcoming with law enforcement. They facilitate trust between law enforcement
2 and the public. They create an environment where individuals can feel comfortable reporting crimes,
3 serving as witnesses, and assisting with investigations.

4 7. In accordance with those laws, the Department maintains policies that limit notifying
5 immigration officials of an individual's release date.

6 8. I am familiar with Executive Order 13768, dated January 25, 2017, and titled
7 "Enhancing Public Safety in the Interior of the United States" (the "Executive Order").

8 9. Since the issuance of the Executive Order, ICE has significantly increased the number
9 of voluntary requests for notification (Form I-247N), and voluntary requests for transfer and/or (Form
10 I-247X), which may include requests for detention. Since the beginning of the year, these voluntary
11 requests by ICE more than doubled between January and February. In January 2017 we received a
12 total of 12 in 31 days. In February we received a total of 28 in 28 days.

13 10. Presently, the Department does not detain any individual based upon a voluntary
14 request from ICE. The reason for that is in part the risk—identified by the California Attorney
15 General in a June 25, 2014 statewide bulletin to local law enforcement—that such detentions may
16 violate the Fourth Amendment, as well as the Department's need to comply with state and local laws.

17 11. If San Francisco were to begin complying with ICE detainer requests, not only would
18 that result in an increase in detainee shelter, food, and space costs, but it would require additional
19 administration, training, and potentially additional housing.

20 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
21 was executed on March 7, 2017 at San Francisco, California.

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25 SHERIFF VICKI HENNESSY
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