

EXHIBIT E

SB81 PROCEDURE

Requirements- This bill requires all jails to make a "reasonable effort" to verify the legal status of everyone in the United States that have been arrested on a charge or warrant for Driving Under the Influence and all Felony 1, 2, and 3's. Our District Attorneys Office has determined a reasonable effort will be notifying Home Land Security or Immigration and Customs Enforcement (ICE) that a prisoner has been arrested under these circumstances and they are being held in our facility without bail for up to 48 hours from the time of arrest. This bill also obligates the jail to notify all courts that have open cases against the prisoner of their legal status. The jail will not profile based on race or skin color.

Processes

Booking – If is being booked for a DUI, F1, F2, or F3 and they state they were born outside of this country during the booking process ask if they are here in the United States legally. If they do not reply or state no, they will be held without bail until legal or illegal status can be verified or ICE has an opportunity to interview them and place a detainer. If they state they are here legally verify their status with some type of documentation, i.e. Social Security Number, passport, green card, work visa or state issued ID. If some type of identification cannot be verified they will be treated the same as an illegal and be held as a no bail.

- DUI or Felony charge and or warrants.
 - If they are born outside the U.S.A ask if they are here legally. If yes verify a type of ID. If no they are held as a no bail for up to 48 hours.
 - If proof of legal status is verified they will be processed as normal.
 - If no proof of legal status booked as a no bail. (DUI and Felonies only)
 - They will be held without bail for a reasonable amount of time for ICE/Homeland Security to place a detainer. On the charge description line *bail set after 48 hours*.
- (NEW CHARGE)

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SEQ#: 01 COUNTS: 01 STATUTE: 58.07.01.P.1.32 F/M: F1 TYP: CG NCIC: 313200
DESC: POSS CONTROL SUBST/COCAINE *bail set after 48 hours*
JUDGE: CH DIST: 0 DOC: BAIL: no bail DY-CTS: 00
DISP: N ACTN: DATE: PAYMENT: BND/Rcpt: CL: 1
ORI: U10100353 DV: N GI-DATE: TS-DATE: COURT-DATE: AMD?:
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OR

(WARRANT)

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SEQ#: 01 COUNTS: 01 STATUTE: 41.6.04 F/M: RB TYP: UD NCIC: 540400
DESC: DUI RIVERTON JUSTICE *BAIL SET $2,500 AFTER 48 HOURS*
JUDGE: BOJH J DOC: 095000550 BAIL: NO BAIL DY-CTS: 00
DISP: N ACTN: DATE: PAYMENT: 0.00 BND/Rcpt: CL: 1
ORI: U1010041 DV: N GI-DATE: TS-DATE: COURT-DATE: AMD?:
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- Print two booking sheets. One will stay with packet as the original, one will be given to the on duty supervisor to be faxed and turned over to an ICE agent.
- The on duty supervisor will be responsible to fax all immigration no bails to ICE and turn them over to an ICE agent when they are inside the jail.

Court Liaison – All warrants and charges will be worked for court as normal. At the time of bail set on a Felony charge bail will not set be set until the reasonable amount of time (48 hours) has passed. If ICE has placed a detainer before the bail set has been done, then bail can be set. The staff member assigned to bail sets will be responsible to go through the 72 hour bin to ensure bail is set on prisoners after the reasonable amount of time has passed.

- Work warrants and charges for court.
- Complete the court list and fax original booking sheet to court. This fulfills our obligation to notify the court.

- If an ICE agent has seen a prisoner and does not wish to place a detainer the front desk will pull the packet and set bail. A signed copy of the booking sheet (by ICE agent) will be place in the prisoner packet.
- At the time of bail set. Leave immigration no bail as a no bail and write the bail amount on the description line *bail set after 48 hours*.

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SEQ#: 01 COUNTS: 01 STATUTE: 58-37-8.1.B.1.22 F/M: F1 TYP: 06 NCIC: 353209
DESC: POSS. CONTROLLED SUBST/COCAINE *bail set $50,000 after 48 hours*
JUDGE: SL DIST B DOC: BAIL: no bail DY-CTS: 00
DISP: N ACTN: DATE: PAYMENT: BND/RCPY: CL: 1
DRI: UT010050 DV: N GT-DATE: TS-DATE: COURT-DATE: AMD?:
    
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- After bail sets are done go through the 72 hour bin and pull all immigration no bails whose 48 hours have expired and set bail.
- If ICE has placed a detainer then ball can be set at the time the detainer is booked.

When an ICE agent does not come into the jail to interview the supervisor on duty will make an attempt to verify legal status by using the Immigration Inquiry on UCJIS.

- Open UCJIS
- Go to person
- Inquiry
- NLETS
- Immigration inquiry

IMMIGRATION AND NATURALIZATION SERVICE

* = required

*MESSAGE TYPE: IAQ

*FROM:

*TO: AX

PURPOSE:

* ATTN: * PHONE:

*NAM: (last,first middle)

* DOB: (mmddyyyy) * SEX: * POB:

*CUS: * OFF:

*** AND AT LEAST ONE OF THE FOLLOWING ***

ARN: FBI: SID:

OLN:

HGT: WGT: EYE:

MMN: MFN: FLN:

FFN: MNU: SOC:

PPN: BKN:

REM:

*PASSWORD:

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Further distribution or disclosure of this information is controlled by state and federal law.

A broadcast message will be sent on UCJIS 24 to 48 hours after the inquiry. Confirmation to detain a prisoner can be sent through the broadcast message. The on duty supervisor or criminal history will be responsible to check for messages.

There is also 24/7 phone numbers that can be used to contact an ICE agent.

Duty IEA (801) 313-6565 (Salt Lake)

Duty DO (801) 514-2304 (Salt Lake)

Law Enforcement Support Center (1- 802- 872- 6020)