

**EXHIBIT G**



AMERICAN CIVIL LIBERTIES UNION OF UTAH FOUNDATION, INC  
355 NORTH 300 WEST, SALT LAKE CITY, UT 84103  
(801) 521-9862 PHONE • (801) 532-2850 FAX  
ACLU@ACLUUTAH.ORG • WWW.ACLUUTAH.ORG

July 7, 2011

**BY E-MAIL (RCOOK@SLCO.ORG) AND FIRST-CLASS MAIL**

Chief Rollin Cook  
Jail Commander  
Salt Lake County Metro Jail  
3415 South 900 West  
Salt Lake City, UT 84119

Dear Chief Cook:

The American Civil Liberties Union of Utah Foundation, Inc. ("ACLU of Utah") continues to be concerned about the policy and practice of the Salt Lake County Metro Jail ("SLC Metro") of holding people who it suspects may be undocumented, for 48 hours (or longer) after the time they are eligible for release, e.g., after bail has been posted, so that Immigration and Customs Enforcement ("ICE") has time to determine whether it will place an I-247 detainer on those individuals. As I mentioned to you a few months ago, other ACLU affiliates have litigated cases involving jails detaining individuals for longer than the 48 hours that is arguably permissible (although not required) after an I-247 detainer has been filed. (The most recent of those cases recently settled for \$90,000.) Here, we believe the practice is even worse; SLC Metro is sua sponte determining that it will not release inmates, whom the jail has no lawful authority to detain, for the sole purpose of allowing ICE, which has not filed a detainer, to decide whether it will do so.

We believe SLC Metro has no legitimate or lawful basis to engage in this practice, and that it is unconstitutional. The ACLU of Utah thus submits this request for information pursuant to the Utah Government Records Access and Management Act, Utah Code Ann. § 63G-2-101 *et seq.* ("GRAMA"). We respectfully request expedited treatment of this request, and ask that SLC Metro produce the requested records within the next five (5) business days. *See* Utah Code Ann. § 63G-2-204(3)(a). Throughout this request, the words "record" and "records" are defined as set forth in Utah Code Annotated section 63G-2-104(22)(a)(i)-(ii).

1. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to hold or detain any inmate for any length of time beyond the date and time that he or she has been ordered released.
2. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to hold or detain any inmate

for any length of time beyond the date and time that he or she has tendered, paid, or posted court-authorized bail or bond.

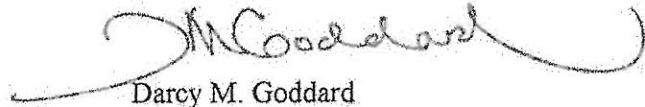
3. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to classify suspected non-citizen inmates as "no bail," "without bail," or otherwise ineligible to tender, pay, or post court-authorized bail or bond.
4. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to hold or detain suspected non-citizen inmates as "no bail," "without bail," or otherwise ineligible to tender, pay, or post court-authorized bail or bond until their immigration status has been verified.
5. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to hold or detain suspected non-citizen inmates as "no bail," "without bail," or otherwise ineligible to tender, pay, or post court-authorized bail or bond until ICE has time or opportunity to decide whether it will file an I-247 detainer.
6. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to verify inmates' immigration status.
7. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to hold or detain inmates who claim to be lawfully present in the United States, but who cannot produce verifying documentation (such as a social security number, passport, or work visa), and to classify those inmates as "no bail," "without bail," or otherwise ineligible to tender, pay, or post court-authorized bail or bond.
8. Copies of all records, rules, policies, or procedures on which SLC Metro or its employees rely as purported justification or authority to treat as "illegal" inmates who claim to be lawfully present in the United States, but who cannot produce verifying documentation (such as a social security number, passport, or work visa), and to hold or detain them as "no bail," "without bail," or otherwise ineligible to tender, pay, or post court-authorized bail or bond.
9. Copies of all records, rules, policies, or procedures instructing, training, or advising SLC Metro officers or employees on the acceptance or processing of bail or bond payments tendered, paid, or posted by or on behalf of inmates.
10. Copies of all records, rules, policies, or procedures instructing, training, or advising SLC Metro officers or employees on the acceptance or processing of bail or bond payments tendered, paid, or posted by or on behalf of inmates who SLC Metro or its officers or employees think may be undocumented.

11. Records sufficient to show the total number of inmates who SLC Metro or its officers or employees have, between May 2008 and the present, classified as “no bail,” “without bail,” or otherwise ineligible to tender, pay, or post court-authorized bail or bond because SLC Metro or its officers or employees believed they might be undocumented.
12. Records sufficient to show the total number of inmates who SLC Metro or its officers or employees have, between May 2008 and the present, held or detained for any length of time as “no bail,” “without bail,” or otherwise ineligible to tender, pay, or post court-authorized bail or bond because SLC Metro or its officers or employees believed they might be undocumented.
13. Records sufficient to show the total number of inmates who SLC Metro or its officers or employees have, between May 2008 and the present, held or detained beyond the date and time that they have been ordered released because SLC Metro or its officers or employees believed they might be undocumented.
14. Records sufficient to show the total number of inmates who SLC Metro or its officers or employees have, between May 2008 and the present, held or detained beyond the date and time that they have tendered, paid, or posted court-authorized bail or bond because SLC Metro or its officers or employees believed they might be undocumented.
15. For each inmate included in or covered by records called for in paragraphs 11-14 above, records sufficient to show: (i) inmate’s first and last name and SO number; (ii) date and time of inmate’s booking; (iii) date and time of inmate’s (a) ordered release or (b) tender, payment, or posting of court-authorized bail or bond; (iv) date and time of SLC Metro’s or its officers’ or employees’ classification, hold, or detention of inmate as “no bail,” “without bail,” or otherwise ineligible to tender, pay, or post court-authorized bail or bond; (v) date and time of I-247 detainer placement (if any) on inmate; (vi) length of inmate’s detention; (vii) length of inmate’s detention pursuant to SLC Metro’s or its officers’ or employees’ classification and hold of inmate as possibly undocumented; (viii) date and time of inmate’s release; and (ix) circumstances of inmate’s release, e.g., transfer to another facility, picked up by ICE, or released on bail, bond, by court-order, or otherwise.
16. Copies of all records, rules, policies, or procedures instructing, training, or advising SLC Metro officers or employees concerning I-247 detainees.

17. Copies of all records, rules, policies, or procedures instructing, training, or advising SLC Metro officers or employees concerning inmates on whom I-247 detainers have already been placed.
18. Copies of all records, rules, policies, or procedures instructing, training, or advising SLC Metro officers or employees concerning inmates on whom I-247 detainers have been placed but whom ICE has not picked up within 48 hours after the inmates are no longer within the lawful custody of SLC Metro.

Thank you in advance for your timely reply to this request. If you have any questions, please do not hesitate to contact me at 801.521.9862 ext. 108 or by e-mail at [dgoddard@acluutah.org](mailto:dgoddard@acluutah.org).

Very truly yours,

A handwritten signature in dark ink, appearing to read "D. M. Goddard", with a large, sweeping flourish extending to the left and underlining the name.

Darcy M. Goddard  
Legal Director  
ACLU of Utah