

FAQ: SB 54

HOW THE CALIFORNIA VALUES ACT APPLIES IN PRISONS

What is the California Values Act?

On January 1, 2018, the California Values Act, also known as SB 54, went into effect, limiting the cooperation between local law enforcement and Immigration and Customs Enforcement (ICE) and providing noncitizens with protections when it comes to immigration enforcement.

State prison officials **CANNOT:**

- Restrict your access to educational or rehabilitative programming or a credit-earning opportunity simply due to your immigration status
- Take into account your immigration status when determining your custodial classification level.



If the prison receives a request from ICE

- to hold you beyond your release date,
- to have the prison notify ICE of your release date,
- or to have the prison transfer you to immigration custody,

they must give you and your attorney or a person you trust (“designee”) a copy of that request and tell you whether they will comply with that request or not. If they do not give you a copy, make sure to ask the prison staff for a copy of these documents.

Can an ICE agent interview me while I’m in state prison?



- Yes, but **only if the prison has received your written consent.** The prison must first give you a consent form to read and sign indicating whether you decline or consent to the interview before making you available for questioning by ICE. This form must be available in a number of languages.* ICE conducts these interviews to collect information that may be used against you in your deportation case. **You have the right to decline these interviews.**

*including Spanish, Chinese, Tagalog, Vietnamese, and Korean.

What are my options if an ICE agent wants to interview me?

You can indicate one of the following on the consent form:

- “No, I do not want to be interviewed”
- “Yes, I will do the interview with my attorney present”
- “Yes, I will do the interview alone”

If you were interviewed by an ICE agent:

- Without ever getting a consent form
- After indicating “No” to an interview on the consent form
- After saying you wanted your lawyer present but your lawyer was not called
- After having received a consent form in English when your preferred language is another language, or
- After being pressured or threatened by local law enforcement to agree to the interview

Please write us at the address below describing exactly what happened.

If you believe that your rights were violated under SB 54, please write to:



Jails Project / ACLU SoCal
Attn: SB54
1313 W 8th Street
Los Angeles, CA 90017

ACLU
California