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County of Ventura, State of California

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August 5, 2008

The Honorable Colleen Toy White
Presiding Judge of the Superior Court
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009-2120

Ronald J. Zenone, Foreman
Ventura County 2008-2009 Grand Jury
800 South Victoria Avenue
Ventura, CA 93009-3751

Re: **Response to the Ventura County 2007-2008 Grand Jury report entitled, *Ventura County Detention Facilities: Conditions and Management***

Dear Judge White and Mr. Zenone:

As required by California Penal Code section 933.05, this letter is a response to the finding and recommendation of the Ventura County 2007-2008 Grand Jury report entitled, *Ventura County Detention Facilities: Conditions and Management*.

Recommendation R-05:

The VCSD (Ventura County Sheriff's Department), in conjunction with the Ventura County District Attorney and the Superior Court, should give strong consideration to transferring identified undocumented County jail inmates to the ICE (United States Immigration and Customs Enforcement) detention facilities prior to completion of their sentence.

Response to Recommendation R-05:

Regretfully, this cost saving recommendation cannot be implemented. Neither the District Attorney nor the Sheriff has the authority to arrange to transfer inmates sentenced to the Ventura County Jail to ICE detention facilities. Sentenced inmates in the Ventura County Jail receive consideration for accelerated release based on jail population, whether documented or

The Honorable Colleen Toy White

Mr. Ronald J. Zenone

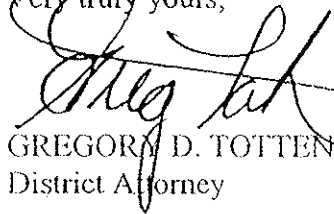
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undocumented. A sentence of the Superior Court of Ventura County is an order of the Courts and thus the District Attorney does not have the authority to violate that order.

Moreover, it is highly unlikely that ICE would house sentenced undocumented inmates until their county imposed sentences were served. Due to a lack of facilities, ICE would probably immediately deport the undocumented individuals placed in ICE custody. This would result in an inequity in punishment. The message to undocumented law breakers would be that they risk no jail time if they are convicted of a crime.

Very truly yours,



GREGORY D. TOTTEN
District Attorney

GDT/ck

pc: The Honorable Bob Brooks, Sheriff
Marty Robinson, County Executive Officer