



GEORGE GASCÓN  
District Attorney

January 22, 2019

Via E-Mail

Mr. Norman Foy  
Homeland Security Investigations  
Acting Unit Chief, Parole and Law Enforcement Program  
Washington, D.C.

RE: Parole Entry of Mohamed Ben Azaza

Dear Mr. Foy:

Mr. Mohamed Ben Azaza, a citizen of Tunisia, is wanted to stand trial in the Superior Court of the State of California on the following charges:

Count I: Rape of an intoxicated person, in violation of California Penal Code Section 261(a)(3); and

Count II: Rape of an unconscious person, in violation of California Penal Code Section 261(a)(4)(A).

On June 29., 2018, a warrant of arrest was issued for Mr. Ben Azaza on a no bail basis. Since the issuance of the warrant, Mr. Ben Azaza has fled to Canada where he is being held on this warrant pending extradition by the Canadian Ministry of Justice. I am informed and believe that Mr. Ben Azaza is not opposed to this extradition.

If paroled to the United States, Mr. Ben Azaza will be housed at the San Francisco County Jail in San Francisco, California. The San Francisco Sheriff's Department is the law enforcement agency which runs the jail and will oversee Mr. Ben Azaza's custody there until the case is concluded. My office, the San Francisco District Attorney's Office, will prosecute Mr. Ben Azaza on the above-referenced charges.

The San Francisco Sheriff and the San Francisco District Attorney hereby assure the Department of Homeland Security, Immigrations and Customs Enforcement [ICE], of the following:

1. If a Detainer is issued by ICE, the Detainer will follow Mr. Ben Azaza and be part of his legal documents no matter which jurisdiction he is transferred to.

2. Pursuant to California law, Senate Bill 54, following a finding of probable cause made by a magistrate, the San Francisco Sheriff's Department assures ICE that they will honor the terms of the Detainer by notifying ICE immediately should Mr. Ben Azaza post bail or otherwise be scheduled to be released from custody.
3. The parties understand that if Mr. Ben Azaza posts bail, ICE will take immediate action to affect the removal of Mr. Ben Azaza which may result in him being removed from the U.S. before the criminal case is adjudicated.
4. The parties also provide an assurance that if Mr. Ben Azaza is acquitted or if no probable cause is found, they will immediately notify ICE.

The undersigned certify that they have the full power and authority to make the above stated assurances.

Very truly yours,

GEORGE GASCÓN  
DISTRICT ATTORNEY  
CITY AND COUNTY OF SAN FRANCISCO

By: \_\_\_\_\_

SHARON L. WOO  
Chief Assistant  
San Francisco District Attorney

VICKI HENESSEY  
SHERIFF  
CITY AND COUNTY OF SAN FRANCISCO

By: \_\_\_\_\_

Mark Nicco  
Chief Counsel  
San Francisco Sheriff's Department