

LEGISLATIVE DIGEST

[Administrative Code - Fentanyl Sales and Immigration and Customs Enforcement (ICE) Notification Requests]

Ordinance amending the Administrative Code to permit law enforcement officials to respond to a federal immigration officer's request for voluntary notification that a person will be released from local custody, for adults who have been convicted of a felony for the sale, possession for sale, or transport for sale, of Fentanyl, and been held to answer for a felony for the sale, possession for sale, or transport for sale, of Fentanyl.

Existing Law

Existing law generally prohibits law enforcement officials' cooperation with a federal immigration officer's request for voluntary notification that a person will be released from local custody. Existing law allows law enforcement officials to cooperate with voluntary notification requests when the subject of the request has a prior conviction for a serious or violent felony and has been held to answer, meaning a court has found evidence sufficient to require the person to stand trial, for a serious or violent felony.

Amendments to Current Law

This ordinance would permit law enforcement officials to also respond to a federal immigration officer's request for voluntary notification that a person will be released from local custody, for adults who have been convicted of a felony for the sale, possession for sale, or transport for sale of Fentanyl, a Schedule II controlled substance under the California Health and Safety Code, and also held to answer for a felony for the sale, possession for sale, or transport for sale of Fentanyl.

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