

2018-117 AUDIT SCOPE AND OBJECTIVES

City and County Jails—

Contracts with U.S. Immigration and Customs Enforcement

The audit by the California State Auditor will provide independently developed and verified information related to city, county, or other local government detention centers that contract with the United States Immigration and Customs Enforcement (ICE), collectively referred to as *contract jails*. The audit's scope will include, but not be limited to, the following activities:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Determine the roles and responsibilities, if any, of the California Board of State and Community Corrections or other state or local entities in overseeing contract jails.
3. Identify and evaluate for the past five fiscal years the number of individuals detained in contract jails for reasons of immigration status, the duration and the amount of state and local funding used for these detentions. Determine the extent to which those costs include expenditures to expand contract jail facilities.
4. For a selection of contract jails holding current or recent contracts with ICE to detain individuals for reasons of immigration status, determine the following:
 - a. The amount of federal revenue the contract jails receive in exchange for detaining individuals on ICE's behalf and how that revenue is being used to fund jail operations and services. In addition, if revenue is used to fund inmates programs, identify the programs and determine whether the programs are available to immigration-related detainees.
 - b. The extent to which ICE contracts include monetary limits or caps for any categories of expenses, such as detainee medical care. If the contracts include such limits, determine whether counties and cities provide for such expenditures in excess of those limits.
 - c. Whether the contract jails' actual costs for detaining individuals covered by these contracts have exceeded the federal revenue received in exchange for doing so. Identify the sources of state, local, or other funding that counties and cities have used to cover those extra expenses.
 - d. The extent to which contract provisions and jail protocols include requirements for housing immigration-related detainees in locations other than those used for state criminal detainees and inmates and whether those requirements are met and are consistent with state and federal law.
 - e. To the extent possible, determine whether and to what extent immigration-related detainees contribute to overcrowding in contract jails. Also determine whether contract jails have been forced to displace or release individuals facing or convicted of non-immigration related criminal charges due to overcrowding caused by the detention of individuals for immigration purposes on behalf of ICE.

2018-117 AUDIT SCOPE AND OBJECTIVES

Page 2

5. To the extent possible, identify and summarize age and other demographic information for immigration-related detainees between 2013 and 2018. Determine how many, if any, of such individuals died while in custody and the causes of those deaths. Determine how many of those who died were detained for civil immigration cases.

6. Review and assess any other issues that are significant to the audit.