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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

THE STATE OF CALIFORNIA; EDMUND G.
BROWN, JR., GOVERNOR OF
CALIFORNIA, IN HIS OFFICIAL
CAPACITY; AND XAVIER BECERRA,
ATTORNEY GENERAL OF CALIFORNIA,
IN HIS OFFICIAL CAPACITY,

Defendants.

CASE NO. 18-CV-490

DECLARATION OF ASSISTANT FIELD OFFICE
DIRECTOR DOUGLAS B. ZIEGLER

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I, Douglas B. Ziegler, hereby declare and state as follows:

1. I am currently an Assistant Field Office Director with U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), U.S. Enforcement and Removal Operations (ERO). I have held this position since November 26, 2017. I started working in the immigration field as a United States Border Patrol Agent on July 20, 1997 and have just under 21 years working in this field as a law enforcement agent and officer. On January 6, 2006, I became a Deportation Officer in Richmond, VA. In March 2013, I was promoted to Supervisory Detention and Deportation Officer. In the year 2013, I transferred to San Diego. I have worked in many ERO units including Prosecutions, Criminal Alien Program (CAP), Fugitive Operations (FOU), Intake, Travel, Juvenile, Family Unit, Detention, and Detained. I currently supervise the FOU as a second line supervisor.
2. The statements contained in this declaration are based upon my personal knowledge or upon information provided to me in my official capacity.

- 1 3. As part of my duties, electronic data bases are used to identify and apprehend aliens illegally
2 present in the United States with a primary focus upon individuals who pose a danger to
3 public safety or who are fugitives.
- 4 4. As a supervisor over the FOU and CAP Units, officers under my supervision work to arrest
5 at-large illegal aliens and lodge immigration detainers on illegal aliens who are in local, state,
6 and federal custody who have prior criminal records, pending criminal charges, or those who
7 have otherwise violated immigration law.
- 8 5. The criminal alien unit monitors all arrests and book-ins within San Diego County. When a
9 person in County custody is identified as being in the country illegally or is otherwise
10 deportable from the United States, ERO issues a detainer to the San Diego County Sherriff's
11 Department (SDSO). The detainer is reviewed by them to determine if the prior or pending
12 criminality qualifies for ERO notification within the requirements of SB 54.
- 13 6. If a detainee does not meet the specifications identified in SB 54 for ICE notification, the
14 SDSO releases the detainee, to the street, without notifying ERO. When ERO becomes
15 aware of the release without notification of release, the case is referred to the FOU for
16 targeting and arrest. Conducting unnecessary at large arrests puts communities and law
17 enforcement personnel in unnecessary danger, due to the uncertainty of an uncontrolled
18 environment. Data collected from January 1, 2018 to June 3, 2018 by ERO San Diego
19 reveals that 622 detainers have been filed, 273 detainers have been accepted, and 349
20 detainers have been declined by SDSO.
- 21 7. If an illegal alien meets the requirement of SB 54, the SDSO notifies ERO by email and fax
22 of the location, date, and time of release. The notification allows ERO to respond
23 accordingly, i.e. receive the alien directly from the law enforcement agency within the
24 controlled detention area, with no risk to the community wellbeing.
- 25 8. Absent SDSO notification of pending release; ERO is required to monitor an SDSO public
26 website, "Who's In Jail" <https://apps.sdsheriff.net/wij/pendrelease.aspx>. This website
27 provides public information concerning the initiation of the SDSO release process, there is no
28 information concerning the actual release time.

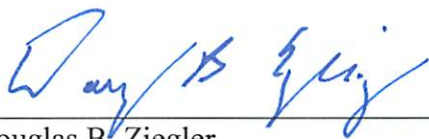
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9. ERO doesn't have direct access to CLETS; information received from CLETS is obtained through other systems, which probes CLETS for related information.

10. ERO San Diego is not aware of any database that provides a projected release date and time. The time and date of the release can be queried after the release has been finalized.

I declare, under penalty of perjury under 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed in San Diego, California on this 8th day of June 2018,



Douglas B. Ziegler
Assistant Field Office Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security