



CALIFORNIA

L.A. County to pay out \$14 million over unlawful immigration holds



British filmmaker Duncan Roy, right, in 2012 announces a lawsuit by the American Civil Liberties Union on behalf of arrestees who said they were improperly denied bail because of federal immigration holds. (Reed Saxon / Associated Press)

BY ALENE TCHEKMEDYIAN | STAFF WRITER

OCT. 13, 2020 12:57 PM PT



Los Angeles County on Tuesday agreed to pay out \$14 million to settle a class-action lawsuit alleging that the Sheriff's Department routinely held people in jail beyond their

release dates solely because of pending immigration investigations.

More than 18,500 people who were held illegally for days, weeks or months from October 2010 to June 2014 because of requests from Immigration and Customs Enforcement could qualify for a share of the settlement, attorneys for the plaintiffs said. The Sheriff's Department agreed to stop honoring detainer requests in 2014.

“It should send a very strong message to law enforcement agencies around the country who continue to blindly comply with ICE's requests that are patently unlawful,” said Jennie Pasquarella, an attorney with the American Civil Liberties Union who represented the plaintiffs.

Lindsay Battles, another attorney for the plaintiffs, said the case is significant because it establishes that for years, the Sheriff's Department “callously denied immigrants constitutional protections that universally apply to all other jail detainees — including the right to post bail and the right to be released from custody under the same terms as any other arrestee or jail detainee.”

The ACLU said that each class member is eligible to receive from \$250 to \$25,000, depending in part on how long they were held. Any leftover money will go toward programs that provide legal aid to people in L.A. County facing immigration consequences because of an arrest or conviction, plaintiffs' attorneys said.

The lawsuit was filed against former Sheriff Lee Baca in 2012 by British filmmaker Duncan Roy, who said he [spent nearly three months in L.A. County jails without a chance to post bail](#) after his 2011 arrest. Roy said that the Sheriff's Department denied his requests to post \$35,000 bail because of an ICE hold.

A federal judge concluded in 2018 that holding inmates beyond their release dates under civil immigration detainers violated their 4th Amendment rights. A judge still

needs to sign off on the settlement agreement, which was unanimously approved by the Board of Supervisors on Tuesday.

The Sheriff's Department's policies and practices have changed significantly since the lawsuit was filed.

Sheriff Alex Villanueva said Tuesday that the settlement should be paid by the county's general fund, not out of the Sheriff's Department budget, arguing that it's not fair to slap his department for the mistakes of previous sheriffs when he has been proactive about keeping ICE out of the jails.

"Both sheriffs, Baca and [Jim] McDonnell, they cooperated with ICE, ICE was in the facilities, they facilitated the transfers of inmates to ICE's custody," Villanueva told the board. "I kicked ICE out of the jails and I banned all transfers of inmates to custody of ICE."

Villanueva stopped the Sheriff's Department's participation in a federal grant that required sending federal officials personal information about inmates who were in the country illegally. In April, he put a moratorium on ICE transfers over concerns about conditions at immigration detention facilities during the COVID-19 pandemic. He made the moratorium permanent in August, banning inmate transfers to ICE unless the federal agency obtained a judicial warrant.

CALIFORNIA



Alene Tchekmedyian



Twitter



Instagram



Email



Facebook

Alene Tchekmedyian covers the Los Angeles County Sheriff's Department. She previously wrote about the county's criminal courts and breaking news throughout California. Before joining The Times in 2016, she reported on crime and policing for the Glendale News-Press and Burbank Leader. She grew up in Huntington Beach and graduated from UCLA.

SUBSCRIBERS ARE READING

MOVIES

Concerns about Bruce Willis' declining cognitive state swirled around sets in recent years

BUSINESS

FOR SUBSCRIBERS

Buying a house? Here's an open secret: You don't need to put 20% down

BUSINESS

FOR SUBSCRIBERS

What to consider before starting the home hunt

CALIFORNIA

L.A.'s homelessness crisis boils over: Pain, confusion, anger and a congressional F-bomb

SUBSCRIBERS ARE READING >

MOVIES

Concerns about Bruce Willis' declining cognitive state swirled around sets in recent years

BUSINESS

[FOR SUBSCRIBERS](#)

Buying a house? Here's an open secret: You don't need to put 20% down

BUSINESS

[FOR SUBSCRIBERS](#)

What to consider before starting the home hunt

CALIFORNIA

L.A.'s homelessness crisis boils over: Pain, confusion, anger and a congressional F-bomb

CALIFORNIA

[FOR SUBSCRIBERS](#)

How a man's death in Beverly Hills exposed a sprawling Hollywood drug delivery business

LATEST CALIFORNIA >

CALIFORNIA

L.A. County workers rally for higher wages and less outsourcing, with contract expiring at midnight

43 minutes ago

CALIFORNIA

Lt. Gov. Kounalakis becomes first woman to sign bill into state law in California

1 hour ago

CALIFORNIA

Sports gambling ring that drew bets from professional athletes busted

1 hour ago

MUSIC

Nipsey Hussle died three years ago. His memory looms large for protégé Pacman da Gunman

March 31, 2022

CALIFORNIA

Most Californians favor COVID vaccine requirements even as they're lifted, poll finds

March 31, 2022

Subscribe for unlimited access

Follow Us



eNewspaper

Coupons

Find/Post Jobs

Place an Ad

Media Kit: Why the
L.A. Times?

Bestcovery

Copyright © 2022, Los Angeles Times | Terms of Service | Privacy Policy | CA Notice of Collection | Do Not Sell My Personal Information