

To: Kamala Harris[Kamala.Harris@doj.ca.gov]
Cc: Monty Wilkinson (US Attorney, Director)[Monty.Wilkinson@usdoj.gov]; President Barack Obama[president@whitehouse.gov]; Eileen Decker US Attorney USACAC[Eileen.Decker@usdoj.gov]; Gov. Jerry Brown[governor@governor.ca.gov]; PIU[PIU.PIU@doj.ca.gov]
From: John Acton[REDACTED]
Sent: Tue 8/18/2015 9:14:47 AM (UTC-07:00)
Subject: ILLEGAL IMMIGRATION ISSUE: More news on Sheriff Ian Parkinson & Paso Robles Police Chief Robert Burton who failed to set bond for \$1 million for brutal child assault. Man never showed for hearing.
[Surveillance taken by Police Chief Robert Burton for Sheriff Parkinson operation to illegally raid citizen's home at \[REDACTED\].pdf](#)

Kamala Harris

Kamala,

Sheriff Ian Parkinson is corrupt and should be relieved of his duties and *replaced*. Plenty of news about corruption:
<https://plus.google.com/110149834187224289194/posts>

further Bad Judgment (Sheriff promotes his personal agenda by blaming release due to laws): Sheriff Ian Parkinson & Paso Robles Police Chief Robert Burton *could have* set \$1 million bail for Chavez for a charge of assault of child under the age of 8 with force likely to cause great bodily injury. Failed to do so. Man no show at hearing.

Brewing now: is issue of collusion where on April 19, 2012 Sheriff Ian Parkinson, Paso Robles Police Chief Robert Burton, AJ Santana (who was just indicted by Attorney General:
<https://plus.google.com/110149834187224289194/posts/2U13HA6FFMh>) involved other agencies to engaged in an illegal Sheriff Ian Parkinson operation to raid a man's home in violations of his 4th amendment rights. Later they conspired and revamped internal reports to cover-up the extent of their operation and crime. Paso Robles Mayor Steve Martin (smartin@prcity.com) has details, including the surveillance pictures (attached) that Police Chief Robert Burton took to plan multiple entry points for Parkinson's operation. Mayor was asked to investigate and obtain further details from Police Chief Robert Burton of his involvement with Sheriff's operation, and to then turn this over to the the victim and DA. Police Chief keeps stonewalling.

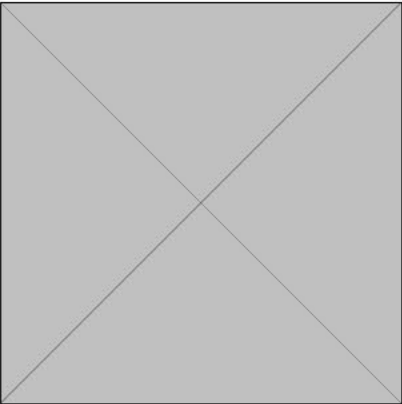
Local corruption inside San Luis Obispo County has been rampant. Sheriff Ian Parkinson has cultivated a bad culture within his department where two officers on loan to him have gone bad. Evidence is overwhelming that Attorney General should relieve him of his duty and replace him.

-John

<http://calcoastnews.com/2015/08/illegal-immigrant-a-no-show-in-court/>

Illegal immigrant a **no-show in court**

August 17, 2015



Francisco Javier Chavez

An illegal immigrant whom the San Luis Obispo County Sheriff's Office recently let out of jail did not appear Thursday at his first court appearance for the alleged near-fatal beating of a 2-year-old girl.

Francisco Chavez, 27, is accused of nearly beating to death the young daughter of his live-in girlfriend. The two-year-old reportedly suffered a broken leg, two broken arms, a compressed spine, bruises and a urinary tract infection. She was in the hospital with a 107-degree fever days following the beating.

On Thursday, after Chavez failed to appear, Judge Dodie Harman ordered a warrant for his arrest with bail set at \$600,000.

Chavez is a Mexican national with an extensive criminal history that includes convictions for drug trafficking and assault with a deadly weapon. He was deported from the United States last year following a drunk driving conviction in San Luis Obispo County.

Paso Robles police arrested Chavez on July 30 and booked him in San Luis Obispo County Jail. Immigration and Customs Enforcement (ICE) then issued a detainer request.

But, on the following day, Chavez posted \$100,000 bail, the required amount for a charge of willful harm or injury to a child likely to produce great bodily injury. The sheriff's office then released him from jail.

Following Chavez's release, Sheriff Ian Parkinson said the law prohibits sheriffs from holding inmates on ICE detainers unless federal authorities issue warrants for them. Parkinson appeared on a Fox News broadcast last week in which the interviewer reported that Parkinson said he would have gotten sued by the ACLU had he honored the ICE detainer for Chavez.

Nonetheless, Chavez's bail *could have* been set for \$1 million had he been charged with a similar, yet more serious crime. The *bail schedule* is \$1 million *for a charge of assault of child under the age of 8 with force likely to cause great bodily injury*.

Prosecutors have now charged Chavez with two counts of corporal punishment or injury of a child and five counts of willful harm or injury to a child likely to produce great bodily injury.



Victor Aureliano Martinez Ramirez

A Fox News article accompanying the television interview states Parkinson said he suspects Chavez may have already fled the country.

A similar case in Santa Barbara County is also receiving national exposure. Victor Aureliano Martinez Ramirez, also an illegal immigrant with an extensive criminal history, is charged with the rape, torture and murder of 64-year-old Santa Maria woman Marilyn Pharis.

Ramirez allegedly broke into Pharis's home and attacked her on July 25. Ramirez was released from custody just five days prior to the alleged murder.

From: [John Acton](#)

Sent: Thursday, August 13, 2015 8:13 PM

To: [Gov. Jerry Brown](#)

Cc: [Kamala Harris \(Attorney General of California\)](#) ; [Monty Wilkinson \(US Attorney, Director\)](#) ; [President Barack Obama](#) ; [Eileen Decker](#) [US Attorney USACAC](#)

Subject: Escalating Still: TODAY San Luis Obispo County Sheriff Ian Parkinson goes on FOX News; Paso Robles, CA also not a Sanctuary city. Grounds to fire, as Sheriff Ian Parkinson engaged in 4th amendment rights evidence in 2012.

Escalating Still: TODAY **August 12, 2015 San Luis Obispo County Sheriff Ian Parkinson** goes on FOX News.

Paso Robles, CA is also **not a Sanctuary** city, so Police Chief and **Sheriff (Ian Parkinson)** have *greater freedom* to detain dangerous felons and work closer with ICE (than if in a sanctuary city) , but they have failed to do so (playing politics with the issues to the harm of citizens and citizen's rights that are based on their personal (Republican) agenda.)

Local Law enforcement (Paso Robles, CA Police chief Robert Burton and Sheriff Ian Parkinson) playing politics have failed to work together and do their jobs to the best of their abilities to protect the citizens within their county.

FYI: Today's evidence of conspiracy and crimes was placed in the hands of Paso Robles, CA Mayor (Steven Martin) to establish that Sheriff Ian Parkinson and Paso Robles Police Chief Robert Burton engaged in an illegal house invasion in violations of individuals' 4th amendment rights and ADA rights *and then "revamped" the reports to cover it up.* Detective AJ Santana was also involved in this case/matter. Recently the Attorney General indicted Detective AJ Santana for perjury – lying to a judge to obtain an illegal search warrant:

<https://plus.google.com/110149834187224289194/posts/3M5LzE5x4CV> This has been a practice by the Sheriff Department and detectives for years (that just came into the full light.) Mayor has details.

Conspiracy and crimes within San Luis Obispo County under the leadership of Sheriff Ian Parkinson (and former DA Gerald Shea) that have gone on for years: <https://plus.google.com/110149834187224289194/posts> **Enough evidence exists where it is time for Attorney General Kamala Harris to replace Sheriff Ian Parkinson as the Sheriff. He's corrupt and lost the trust and confidence of the citizens.**

-John

FOX NEWS Aug 13, 2015: : Police chiefs [Santa Maria Police Chief Ralph Martins & Paso Robles Police Chief Robert Burton], sheriffs [Santa Barbara Sheriff & San Luis Obispo Sheriff Ian Parkinson] blast ICE over policy they say frees violent illegal immigrants

<http://www.foxnews.com/us/2015/08/13/police-chiefs-sheriffs-blast-ice-over-policy-say-frees-violent-illegal/>

From: [John Acton](#)

Sent: Tuesday, August 11, 2015 9:07 PM

To: [Gov. Jerry Brown](#)

Cc: [Kamala Harris \(Attorney General of California\)](#) ; [President Barack Obama](#) ; [Monty Wilkinson \(US Attorney, Director\)](#)

Subject: FYI: Escalating: Republican Senator Chuck Grassley is involved: Senate Judiciary Committee Pushing For Answers After Death of Santa Maria Woman

FYI: This matter is escalating. Republican Senator Chuck Grassley is involved: Senate Judiciary Committee Pushing For Answers After Death of Santa Maria Woman.

Leaders need to get in front of this.

As stated in an earlier email

Santa Maria ***IS NOT*** a Sanctuary City (see: <http://www.ksby.com/story/29754636/sanctuary-cities-under-scrutiny-as-immigration-discussion-gains-national-momentum>). So for

Santa Barbara DA Joyce Dudley and Santa Maria, CA Police Chief Ralph Martin to stand together in a live news conference *and THROW BLAME (for not doing their jobs)* onto President Obama and Governor Jerry Brown for what is clearly the Santa Barbara's DA Joyce Dudley and local law enforcements *fault is most appalling and shocking*.

<http://www.keyt.com/news/Senate-Judiciary-Committee-Pushing-For-Answers-After-Death-of-Santa-Maria-Woman/34662332>

Senate Judiciary Committee Pushing For Answers After Death of Santa Maria Woman

Oscar Flores, KEYT-KCOY-KKFX Digital Journalist, oscar.flores@keyt.com

POSTED: 04:58 PM PDT Aug 11, 2015 UPDATED: 05:02 PM PDT Aug 11, 2015

SANTA MARIA, Calif. -

The Senate Judiciary Committee chairman is pushing for answers after the brutal death of Santa Maria resident, Marilyn Pharis.

Pharis died eight days after she was brutally attacked with a hammer when two men broke into her Northwest side home and raped her.

One of those arrested was 29-year-old Victor Aureliano Martinez Ramirez, who was in the country illegally. He had been arrested by police on several other occasions.

Last week, Santa Maria Police Chief Ralph Martin blamed federal and state officials for policies that make it difficult for his officers to deal with undocumented immigrants committing violent crimes.

In a letter sent to the U.S. Department of Homeland Security on Tuesday, Senator Chuck Grassley demands answers from the head of Homeland Security, Jeh Johnson. You may [read the full letter here](#).

Homeland Security oversees the nation's immigration service, commonly known as ICE. Senator Grassley wants to know why ICE didn't track Martinez more closely and deport him. In the letter, he also wrote that part of the reason Martinez got out of jail in his previous arrests was due to Santa Maria being a "sanctuary city."

Mark Van De Kamp, with the Manager's Office for the City of Santa Maria, said that Santa Maria has never been a sanctuary city. He noted that back in 2008, a website operator in the State of Ohio placed Santa Maria

on a list of sanctuary cities after receiving erroneous information from a local activist. That website operator "has refused to de-list Santa Maria despite repeated requests to do so," said De Kamp.

Martinez and the other man accused of attacking Pharis, 20-year-old Jose Villagomez, face murder charges in connection with Pharis' death.

From: [John Acton](#)

Sent: Tuesday, August 11, 2015 9:18 AM

To: [Gov. Jerry Brown](#)

Cc: [Kamala Harris \(Attorney General of California\)](#) ; [President Barack Obama](#) ; [Department of Justice \(PIU\)](#) ; [Monty Wilkinson \(US Attorney, Director\)](#)

Subject: ICE Issue: Santa Barbara DA Joyce Dudley & Police Chief Ralph Martin shamefully blame Presedent Obama & Jerry Brown: 'blood trail' leads to Santa Maria woman's murder.

Santa Maria ***IS NOT*** a Sanctuary City (see: <http://www.ksby.com/story/29754636/sanctuary-cities-under-scrutiny-as-immigration-discussion-gains-national-momentum>). So for

Santa Barbara DA Joyce Dudley and Santa Maria, CA Police Chief Ralph Martin to stand together in a live news conference and THROW BLAME (for not doing their jobs) onto President Obama and Governor Jerry Brown for what is clearly the Santa Barbara's DA Joyce Dudley and local law enforcements fault *is most appalling and shocking*. According to news articles local officials are adamant that Santa Maria ***IS NOT*** a sanctuary city therefore DA Dudley, Santa Barbara Sheriff Brown, and Santa Maria Police Chief Ralph Martin *have greater freedom* to detain dangerous felons and work closer with ICE, but they failed to do so. News articles establish clearly that DA Dudley and the court reduced felony charges to misdemeanors (creating the situation) and all local law enforcement *failed* to communicate with ICE (acting as a Sanctuary City, but not being a Sanctuary City, as they appear to be play politics with the Republican agenda, which in this case backfired and allowed a citizen to be murdered.) These public officials should be held fully accountable for not enforcing the laws to the best of their ability which resulted in the death of a citizen. Also they should be held fully accountable for blaming others (President Obama & Brown) for what is clearly their dereliction of duty to protect the citizens from dangerous felons.

News article (below) yesterday dated Aug 10, 2015 states: "a police chief wasted little time blaming *top officials of his state and the United States*" "He was picked up again on May 22, 2014, initially for felony drug and sexual assault charges, police said. The assault charge was later modified to misdemeanor battery. U.S. Immigration and Customs Enforcement filed an "immigration detainer — notice of action," but the sheriff's office determined the request did not meet its "immigration detention requirements," police said. Martinez posted bail and was released June 4." "

And during the methamphetamine arrest Martin referenced, Martinez was arrested July 17 on charges of possessing drug paraphernalia and felony possession of a "concealed dirk or dagger." The paraphernalia charge was dismissed, and Martinez pleaded no contest to the weapons charge and the 2014 drug charge." "Though the weapons charge earned him 30 days in jail..." "In a statement, ICE said it lodged an immigration detainer on Martinez after the May 2014 incident and asked that ICE "be notified prior to Mr. Martinez's release to enable the agency to take custody to pursue possible administrative immigration enforcement action. Available records indicate that Mr. Martinez was released by local authorities a week later without ICE receiving the requested notification."

<http://www.ksby.com/story/29754636/sanctuary-cities-under-scrutiny-as-immigration-discussion-gains-national-momentum>

KCOY & KSBY showed the live news Video. Police Chief Ralph Martin was fierce in tone and adamant in his statement against Washington, Governor Jerry Brown, etc. It was shocking and most inappropriate for a public official to express his views like this, distorting the intent of the change in law to throw blame elsewhere, and it revealed his prejudice and hatred, where he wants to lock up anyone not guilty of a violent crime instead of working within the confines of the law.

Fox video (https://www.youtube.com/watch?v=Uv_JUD1ATKE) is more a toned down version of Chief of Police Ralph Martin & Santa Barbara DA Joyce Dudley's LIVE news conference, but Martin says he stands by his earlier statements in the LIVE news conference.

He was very adamant in blaming Washington (President Barack Obama's policies) and then California Governor Jerry Brown for this murder. He had one of the men in custody a week earlier, but because they are playing politics locally as a protest against the Governor's and Washington's policies they have been intentionally misinterpreted the laws reducing felony charges to misdemeanors and letting people go and in this case the man ended up murdering someone. This police chief, DA, and Sheriff should be held accountable and accept responsibility.

Police Chief Ralph Martin went on Fox news essentially to chastise the President and Governor instead of local law

enforcement doing their job and working within the confines of the law.

For this public official (Ralph Martin) to turn on those who are in the leadership roles and try to incite the public against them is shameful and most inappropriate.

-John

From: John Acton
Sent: Saturday, August 08, 2015 8:52 AM
To: Gov. Jerry Brown
Cc: Kamala Harris (Attorney General of California)
Subject: Police Chief blames Jerry Brown: 'blood trail' of bad laws led to Santa Maria woman's murder

This is most inappropriate for Santa Maria Police Chief Ralph Martin to do.

He was very adamant in blaming Washington (Barack Obama) and then California Jerry Brown for this murder. He had one of the men in custody a week earlier but because he is playing politics as a protest against the Governor and Washington he intentionally misinterpreted the laws and let him go and the man ended up murdering someone. This police chief should be held responsible.

He went on Fox news to chastise the President and Governor further.

For this public official (Ralph Martin) to turn on those who are in the leadership roles and try to incite the public against them is most inappropriate.

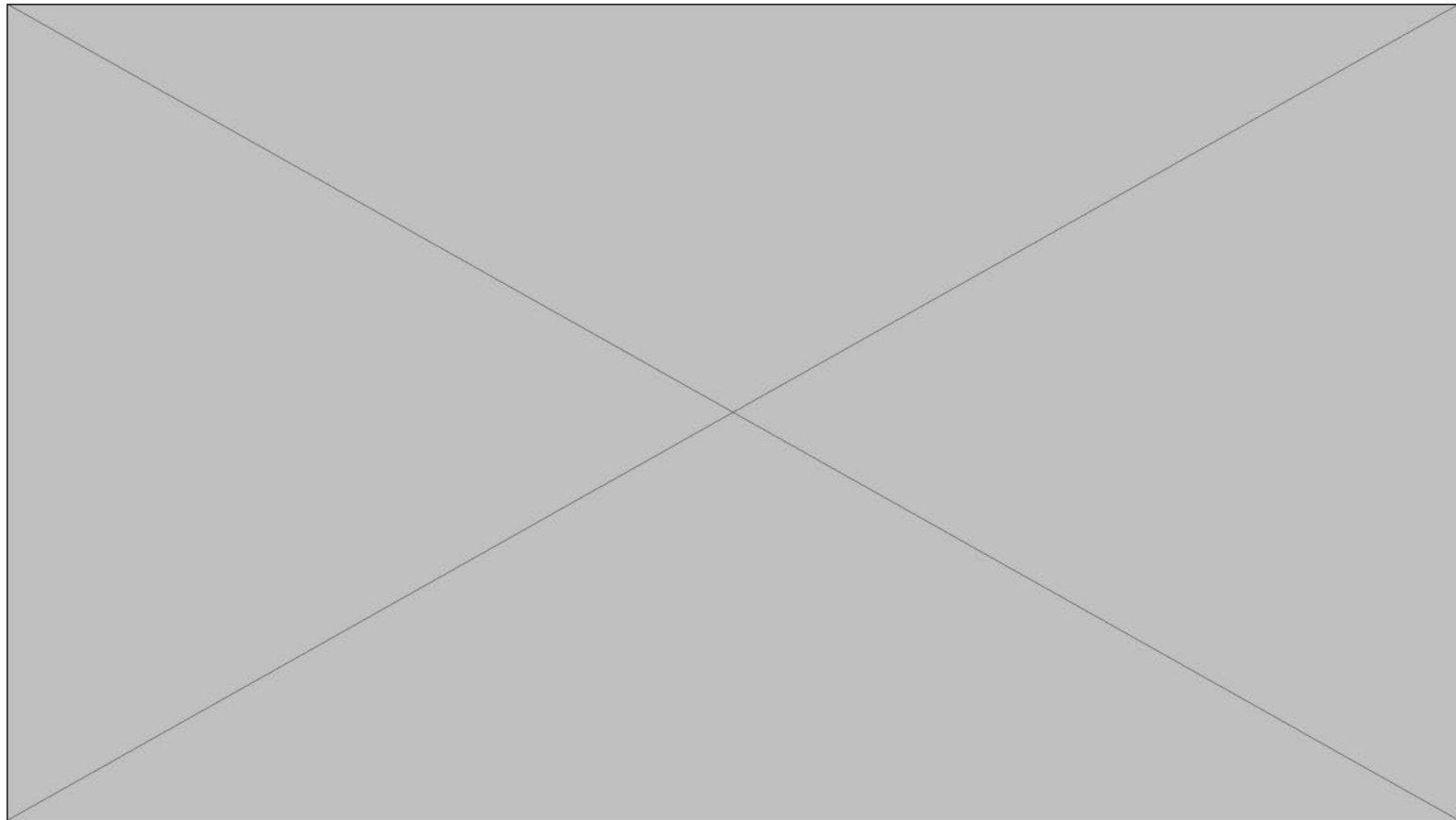
-John

<http://ktla.com/2015/08/10/police-chief-blames-immigration-crime-policies-in-death-of-santa-maria-woman/>

August 10, 2015

[Santa Maria, CA] Police Chief [Ralph Martin] Blames Immigration, Crime Policies in Death of Santa Maria Woman

Police Chief Blames Immigration, Crime Policies in Death of Santa Maria Woman

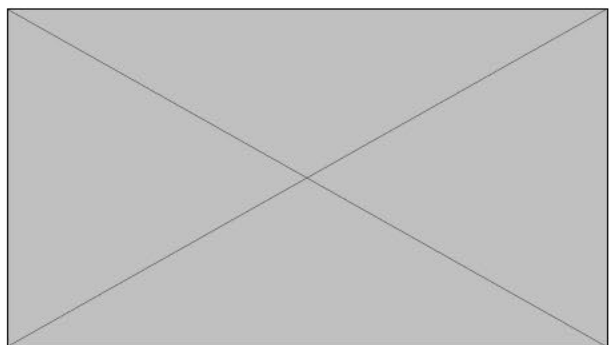


Victor Aureliano Martinez, 29 and Jose Fernando Villagomez, 20, were pictured in booking photos released by the Santa Barbara County Sheriff's Office.

When a California woman died after an undocumented immigrant and another man allegedly sexually assaulted her and beat her with a hammer, a police chief wasted little time **blaming top officials of his state and the United States**.

"I think it starts in Washington, D.C., with this administration that we see and their policies. I think you can draw a direct line over to Sacramento with the policies of, I'm going to say, this governor [Jerry Brown] and the Legislature," Santa Maria Police Chief Ralph Martin told reporters. "And I am not remiss to say that from Washington, D.C., to Sacramento, there's a blood trail into the bedroom of Marilyn Pharis."

Pharis was sleeping at her home just before 10 a.m. on July 24 when Victor Aureliano Martinez, 29, and Jose Fernando Villagomez, 20, allegedly broke into her home and assaulted her, Santa Maria police said in a news release.



A photograph shows 64-year-old Marilyn Pharis. (Credit: KEYT via CNN)

The victim, who worked for the Air Force as a civilian contractor, called police and when officers arrived, dogs led them to a nearby home where they found Martinez, who had allegedly broken into the home in an attempt to evade police, the statement said. Martinez, who was in the country illegally, according to Martin, was arrested without incident and charged with attempted murder, sexual assault and residential burglary, it said.

Villagomez was arrested five days later — on a probation violation — and he was charged August 4 in the attack on Pharis, according to police.

Pharis, 64, died in the hospital August 1. Her family said she was “much loved,” while her employer — the Air Force’s 50th Space Wing — called her death a “tragic loss” in a statement from the commander.

Arrested weeks prior

Public defender Lori Pedego’s office was closed Sunday, and she couldn’t be immediately reached for comment. But last month, Martinez had pleaded not guilty to attempted murder, first-degree burglary with person present, assault with intent to commit rape, sexual penetration by foreign object and resisting a peace officer, according to the Santa Maria Times.

Following Pharis’ death — which family members told CNN affiliate KEYT resulted from a coronary embolism — police upgraded the charges to first-degree murder for both men, with the special circumstances of burglary, mayhem and rape, KEYT reported. Martinez faced an additional special circumstance of torture, the station said.

“These charges carry the possibility of the death penalty or life without possibility of parole,” Santa Barbara County District Attorney Joyce Dudley told reporters, saying she did not yet know which sentence she would pursue.

Police say Martinez has had numerous run-ins with the law, including an incident shortly before the attack on Pharis.

“**Two weeks before this murder, Santa Maria police officers arrested him for possession of meth,** and you know what we had to do? We had to cite him out. That’s the problem with this system. This is not just in Santa Maria. This is all over the state of California and all over the United States,” Martin said.

The chief singled out California’s Assembly Bill 109 — an effort to comply with the U.S. Supreme Court’s mandate to reduce the prison populations in state prisons — and Prop 47, which makes most nonviolent drug and property crimes misdemeanors, as the reasons that Martinez was able to commit the crimes of which he’s accused.

No immigration requests?

Martin said although Martinez — originally from the state of Durango, Mexico — was in the United States illegally and even though he’d been booked in Santa Barbara County at least four times since 2009, local police received no formal requests from federal immigration authorities.

The county first booked Martinez on November 19, 2009, for driving without a valid license. He was released 19 days later, police said.

He was picked up again on May 22, 2014, initially for felony drug and sexual assault charges, police said. The assault charge was later modified to misdemeanor battery. U.S. Immigration and Customs Enforcement filed an “immigration detainer — notice of action,” but the sheriff’s office determined the request did not meet its “immigration detention requirements,” police said. Martinez posted bail and was released June 4.

And during the methamphetamine arrest Martin referenced, Martinez was arrested July 17 on charges of possessing drug paraphernalia and felony possession of a “concealed dirk or dagger.” The paraphernalia charge was dismissed, and Martinez pleaded no contest to the weapons charge and the 2014 drug charge.

Though the weapons charge earned him 30 days in jail, which would have begun October 31, Martinez was ordered released on July 20, five days before Pharis was attacked, police said. He was supposed to return to court August 24.

In a statement, ICE said it lodged an immigration detainer on Martinez after the May 2014 incident and asked that ICE “be notified prior to Mr. Martinez’s release to enable the agency to take custody to pursue possible administrative immigration enforcement action. Available records indicate that Mr. Martinez was released by local authorities a week later without ICE receiving the requested notification.”

The agency did not issue a detainer after his most recent arrest because there were no deportations or felony convictions in his case history, its statement said.

Villagomez, who was born in San Francisco, had been arrested at least twice before he was charged in Pharis’ killing. In May, he was charged with misdemeanor drug use and battery, the latter of which was dropped. He pleaded no contest to misdemeanor use/under the influence of a controlled substance, received probation and was released June 17, police said.

He was picked up again July 29 on an unspecified probation violation.

Police: 'Remedy this conflict'

In a statement accompanying the timeline of Martinez's and Villagomez's arrests and releases, the sheriff's office said that in response to questions about the suspects' incarceration histories and immigration statuses, it was releasing the suspects' data to set the record straight.

State law, the statement said, dictates when police can detain someone based on a U.S. Immigration and Customs Enforcement detainer request, while a federal court has ruled that placing someone in custody based only on an ICE detainer request may leave a local law enforcement outlet liable for violating that person's constitutional rights.

"Based upon the constraints created by the above noted laws, it is the *policy of the Santa Barbara County Sheriff's Office*, that DHS/ICE must obtain a court order or arrest warrant signed by a Federal judge or magistrate, before we will continue to maintain custody of an individual who does not have local charges that require the individual to be held in our custody," the statement said

It continued, "The impact of these two laws causes a significant legal and moral conflict for California Sheriffs when handling ICE immigration detainer requests. It is imperative that the Federal government work to remedy this conflict and provide clear guidance to California Sheriffs."

Santa Barbara authorities have received a detainer request for Martinez, but no court order signed by a federal judge, police said in a statement.

ICE said it "is monitoring the case closely and has lodged a formal request with the custodial law enforcement agency seeking notification in advance of his release or transfer from local custody."

In order to deport someone, that person must have committed a "crime of moral turpitude," must have multiple criminal convictions or must be guilty of an aggravated felony, according to federal law.

U.S. immigration policy relating to criminals came under new scrutiny when Juan Francisco Lopez-Sanchez, a felon who had been deported to Mexico five times, was accused of killing Kate Steinle of San Francisco on July 1. Lopez-Sanchez has pleaded not guilty to murder and weapons charges and is being held on \$5 million bail.

<http://www.ksby.com/story/29739052/police-chief-blood-trail-of-bad-laws-led-to-santa-maria-womans-murder>

Police chief: 'blood trail' of bad laws led to Santa Maria woman's murder

By Matt Van Slyke

Email

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Santa Maria Police Chief Ralph Martin (KSBY)

A photo of Marilyn Pharis is displayed at Friday's news conference. (KSBY)

Local law enforcement leaders expressed frustration Friday with federal and state laws they say have hindered their departments and indirectly led to the deadly sexual assault of 64-year-old Santa Maria resident Marilyn Pharis.

At a news conference announcing murder charges against Jose Villagomez and undocumented immigrant Victor Martinez, Santa Maria Police Chief Ralph Martin decried two state laws and also national immigration policy he says have handcuffed local law enforcement.

"I think this is a national issue," said Chief Martin. "I think it starts in *Washington D.C. with this administration* that we see and their policies. I think you can draw a direct line over to Sacramento with the policies of... I'm going to say *this governor* and *the legislature*."

"We've seen AB 109 pass. We've seen Prop 47 pass. And I am not remiss to say that, *from Washington D.C. to Sacramento, there is a blood trail into the bedroom of Marilyn Pharis.*"

AB 109 is a California law that states non-violent, non-serious offenders are to be supervised at the local level after they are released from prison, rather than reporting to state parole officers. California Proposition 47 reduced most non-serious and non-violent property and drug crimes from a felony to a misdemeanor.

"There is a frustration," added Chief Martin. "You've got the state of California that passed AB 109. So what happens is, the state prisons have now emptied out and are forcing all the local sheriffs to take their prisoners."

"So two weeks before this murder, Santa Maria police officers arrested (Martinez) for possession of meth. And you know what we had to do? We had to sign him out," said Chief Martin. "That's the problem with this system. And it is not just in Santa Maria. This is all over the state of California and all over the United States."

When asked on Friday why Martinez was allowed to leave custody, the chief said the sheriff can't keep people in jail on misdemeanors as they had in the past.

"We can all point fingers locally at each other. ICE (Immigration and Customs Enforcement) can point the finger at the sheriff, they can point it everywhere else. But the reality is, it starts at the very top and it is not going to get fixed until it gets started at the top and reaches the lower levels," said Chief Martin. "When the federal government and the state governments fail to do their job, it falls on the shoulders of local government. We're not equipped to handle it financially, we're not equipped to handle it in our jail system or anywhere else."

Santa Barbara County Undersheriff Barney Melekian was upset about having to release Martinez last year.

"In 2014, what the request was... was that individual with ICE detainers was to be held until ICE could come and pick them up," said Undersheriff Melekian. "The Sheriff's Department had historically done that until the Trust Act was passed, and until the Clackamas County, Oregon, decision came down, both of which indicated it was a violation of constitutional rights to hold a person beyond their locally mandated time."

"In Mr. Martinez's case, in May of 2014, there was no decision to be made. The law was very clear. His charges had been reduced, he had been ordered released on bail, and we obeyed the law and did so."

Under California's Trust Act, *undocumented immigrants must be charged with or convicted of a serious offense* to be eligible for a 48-hour hold and a transfer to ICE for possible deportation. In Martinez's case, *his priors were low-level misdemeanor drug offenses, so he was released*.

In the 2014 federal court decision in Oregon mentioned by the undersheriff, a judge found that an undocumented woman's constitutional rights had been violated after being held past her release date and without probable cause.
