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April 28, 2006

RECEIVED
APR 28 2006
BOARD OF
COMMISSIONERS

Honorable Marvin H. Shoob
United States District Court
United States Courthouse
75 Spring Street, S.W.
Atlanta, Georgia 30303-3361

Re: Jail Space at the Atlanta Detention Center

Dear Judge Shoob:

This letter serves as an update on Fulton County's efforts to obtain additional jail bed space from the City of Atlanta and to ask for your assistance in our endeavors.

As you know, the City of Atlanta expressed an interest in purchasing the Bellwood Quarry. At the Fulton County Board of Commissioners' meeting on April 19, 2006, a motion was passed to sell the property to the City for a purchase price of $15.2 million. The motion also included: 1) that the County transfer appropriate leases related to Vulcan (the Quarry operator) to the City of Atlanta to coincide with closing; 2) that a minimum of 175 beds in the Atlanta Detention Center be available to the Fulton County Sheriff at the current rate of $68.00 a day; 3) that Fulton County will ask the City to commit to aggressively and proactively urging Immigration and Customs Enforcement Service (ICE) to seek alternative space for its inmates within the next 90 days, and should those beds become available, the City of Atlanta will give Fulton County the right of first refusal to those beds and/or any other beds, at the same rate currently being paid by Fulton County; 4) that these points be conveyed in a letter addressed to the Mayor and each member of the City Council; 5) that the letter indicate that Fulton County encourages the City Council and Mayor to continue working with the County regarding jail overcrowding in recognition of the fact that jail overcrowding is a serious concern to all jurisdictions; and 6) that Fulton County urges the City Council and the Mayor to implement Article V of the City's agreement with the United States Marshal's Service (USMS) to terminate its bed allocation with that agency within 90 days, and enter into an agreement with Fulton County for approximately the same number of beds, at the same amount, thus ensuring that the City will have continued revenue.

On April 18, 2006 Mayor Franklin wrote to Mr. Mata with ICE, at the County's request, asking that ICE consider a review of its needs and possibly find alternate space for some or all of its inmates currently allocated to the City Detention Center. (See attached letter). Michael Robinson, in his April 19, 2006 email, expressed your willingness to contact ICE and encourage them to find alternative bed space and to speak to Marshal Mecum regarding the number of beds the USMS currently needs. In this regard, the Fulton County Board of Commissioners has specifically requested your help in encouraging ICE and USMS to find alternative jail bed space. Any assistance you can provide in this regard is greatly appreciated.

As always, I am available to discuss these matters with you.

Sincerely,

Overtis Hicks Brantley
County Attorney

OVB:cmh
Attachment

cc: Board of Commissioners
Thomas Andrews, County Manager

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CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

55 TRINITY AVENUE, S.W.
ATLANTA, GEORGIA 30335-0300
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April 18, 2006

Mr. John Mata
Field Office Director
Department of Homeland Security
U.S. Immigration and Customs Enforcement
77 Forsyth Street, SW
Atlanta, GA 30303

Re: Immigration and Customs Enforcement's Use of City Detention Center

Dear Director Mata:

Thank you for your recent meeting with Chief Tom Pocock, Linda DiSantis, and David Edwards to discuss the utilization of the City's Detention Facility by the Immigration and Customs Enforcement Service (ICE). I respect the relationship that the City of Atlanta has with ICE and greatly appreciate the cooperative efforts we undertake in addressing public safety in the City and the region. Our longstanding relationship and cooperative efforts are critical to reducing crime and enhancing the quality of life for our citizens.

We know from our meeting with you that ICE has a continuing need for beds in the City Detention Center and have confirmed that understanding in a recent letter to you. As you are aware, Fulton County is in need of additional beds and has requested that the City determine how much of its bed space we could provide to the County. The County has requested that we ask ICE to consider whether it has any alternatives to its use of our jail. After serious consideration of the County's request, I am writing to ask you to consider a review of ICE's needs and the possibility of finding alternate space for some or all its allocation within the City Detention Center. I would appreciate it if you would consider this request, and let me know if you have any flexibility.

I appreciate your willingness to consider such a review. I look forward to hearing from you.

Yours for Atlanta,

Shirley Franklin