

5.05.000 HANDLING IMMIGRATION CONTACTS

5.05.005

INTRODUCTION: 03/08

United States Immigration Customs Enforcement (ICE) investigate criminal cases involving suspected illegal aliens. Local and state agencies do not have the authority to investigate, detain, or arrest persons suspected of violating Immigration laws. There are even significant limitations when asking for Federal identification.

5.05.010

LOCAL AGENCY RESTRICTIONS: 09/92

Requesting adequate identification as part of a criminal investigation is necessary and appropriate. However, **deputies shall not:**

1. Request **specific** documents relating to someone's **civil** immigration status (i.e., Passport, Alien Registration card, "green card," etc.).
 - Deputies may use immigration documents if the documents are offered by the person upon a general, non-specific request (i.e., "May I see some identification?").
2. Initiate any inquiry or enforcement action based solely on a person's:
 - a. Civil immigration status; or
 - b. Race; or
 - c. Inability to speak English; or
 - d. Inability to understand the deputy.
3. Use stops for minor offenses or requests for voluntary information as an excuse for discovering a person's immigration status.

5.05.015

HANDLING IMMIGRATION DOCUMENTS: 03/08

Immigration documents are often needed for day to day living by residents in this country and are difficult to have reissued. The consequences of not having these documents can create a substantial problem for these persons. Therefore, deputies shall:

1. Treat any ICE document offered as identification with care and promptly return them in the same condition as received.
 - a. Forged or altered documents shall be entered into evidence under a properly titled incident report (i.e., Forgery, Fraud, etc.).
 - b. Deputies shall immediately contact ICE to discuss the case.
2. Not send ICE documents to ICE for subsequent release to the person under investigation.