

PALMER POLICE DEPARTMENT
Standard Operating Procedures

SUBJECT: Immigration Warrants and Detainers

The Palmer Police Department is committed to preserving public safety by enforcing local, state, and federal criminal statutes. While doing so, care must always be taken to respect and defend the Constitutional rights of every individual an officer may interact with. The Palmer Police Department values the diverse population of the community it serves. It must be remembered that certain Federal immigration statutes are administrative in nature and not actually criminal offenses. As such, the following standard operating procedure is to be followed:

PROCEDURE

A. Immigration (ICE) Detainers and Warrants:

1. As part of routine patrol operations, officers generally shall not inquire as to the immigration status of individuals they contact. Officers shall not stop or detain an individual based solely on the knowledge or suspicion that the person is in the United States without authorization.
2. If an officer encounters a detainer or warrant issued by Immigration and Customs Enforcement (ICE), the officer will determine if the detainer or warrant is criminal or administrative. Resources to consider in making this decision include, but are not limited to: Contact numbers provided for ICE on the detainer or warrant, calling officer's immediate supervisor, inquiring of the on-call district attorney, or calling the commander or chief of police.
3. A warrant issued by ICE shall be treated as administrative and not criminal unless the warrant is signed by a neutral magistrate or judge. Current ICE detainer and hold warrants that are administrative and not criminal include, but are not limited to, I-247 (immigration detainer), I-203 (order to detain), I-200 (warrant for arrest of alien), and I-205 (warrant for removal/deportation).
4. If the ICE detainer or warrant is determined to be administrative or otherwise non-criminal, officers will not detain or arrest the subject on the basis of the ICE detainer or warrant alone. Unless the subject of the ICE administrative action has committed a crime or is the subject of a criminal warrant, officers shall release them and inform ICE officials of the circumstances of the contact.
5. Enforcement of civil violations of unlawful presence is reserved for ICE. Officers are still expected to enforce criminal warrants or act on criminal activity in accordance with department policy, city code, Alaska statute, or federal law.