

Immigration Enforcement Monitoring and Transparency

A Guide for Local Law Enforcement

Policy

It is the policy of the (*City or County*) police department to preserve order and enforce the law while Immigration and Customs Enforcement (*ICE*) agents conduct lawful operations and to protect the legitimate rights of protesters to exercise their free speech rights and right to assembly under the U.S. Constitution.

Purpose

To collaborate with community members to identify and document ICE operations conducted in (*City or County*) and lawful accompanying protests; to safeguard the constitutional rights of protesters and the ability of ICE to conduct lawful operations; to ensure order is maintained and specifically document physical abuses, acts of violence or threats directed toward protesters, residents of (*City or County*) by or against ICE personnel. When appropriate, make arrests and/or refer for investigation, discipline and possible criminal prosecution.

Procedure

Dispatch

- Two or more officers (*as needed*)
- One supervisor
- One command staff member (*if available*)

Officer responsibilities

- Activate body camera
- Identify any community leaders who are present and explain why local police are present (*Do not document them by name in the incident report*)
 - To keep the peace
 - Make an incident report
 - Record/document all activities

Officer one

- Take an incident report
- Identify witnesses (*where appropriate should there be violations of law and/or policy to be investigated/reported*)

Officer two

- Use phone camera to record events

- Assist in identifying witnesses (*where appropriate should there be violations of law and/or policy to be investigated/reported*)

Supervisor/Commander

- Determine if additional officers are needed to maintain order
- Identify ICE supervisor
- Verify ICE supervisor's ID and get their name and title
- Ask who they are looking for specifically
- Ask if they have a warrant (judicial or civil)
- Document all responses and/or comments from ICE supervisor

Questions to be covered/answered in incident report

Protesters

- Ascertain the number of protesters
- Is the protest organized or organic
- Does the protest conform to legitimate rights to protest and free speech
- Have protesters destroyed private and/or public/government property
- Are protesters armed with weapons or unarmed

ICE actions

- The number of ICE agents
- Is there an ICE supervisor on the scene and are they maintaining control of agents' actions
- Are they targeting individuals they have probable cause to believe are in violation of the law
- Have ICE agents destroyed private and/or public/government property
- Are they using force
 - Legitimate use of force (*explain*)
 - Unnecessary and/or excessive use of force (*explain*)
 - Unnecessary use of chemical agents
 - Unnecessary drawing and pointing of firearms
 - Unnecessary threatened use of firearms

After action procedures

Weekly report

A weekly report will be generated summarizing each reported incident and posted on the department's web page. Links to downloadable PDFs of each report will be provided.

Web page

The department's web page will have a section devoted to the agency's response to ICE operations.

Referrals for procedural and criminal law violations

Referrals will be made to state and/or local prosecutors should there be any observed violations of local ordinances or criminal law by demonstrators.

Referrals will be made to federal prosecutors should there be any observed violations of federal law by protesters.

Referrals will be made to state and/or local prosecutors should there be any observed violations of local ordinances or state law resulting from the collective or individual actions of ICE agents.

Referrals will be made to federal prosecutors should there be any observed violations of federal law resulting from the collective or individual actions of ICE agents.

Referrals will be made to DHS/ICE for any perceived procedural and/or policy violations resulting from the collective or individual actions of ICE agents.