****B NEVADA SHERIFFS’ & CHIEFS’ ASSOCIATION

**Immigration and Customs Enforcement (ICE)**

**Law Enforcement Model Policy**

**Overview**

The Nevada Sheriffs’ and Chiefs’ Association (NvSCA) has adopted a model U.S. Immigration and Customs Enforcement (ICE) policy for law enforcement agencies within the state. This policy serves as a framework for agencies to develop their own guidelines.

NvSCA recognizes that ICE has primary jurisdiction over the enforcement of federal immigration laws (Title 8, U.S. Code). Nevada peace officers may assist in the enforcement of federal immigration laws as deemed appropriate by the agency’s executive authority, such as when ICE makes a specific request or when suspected criminal violations are discovered because of inquiry or investigation based on probable cause originating from activities other than the isolated violations of Title 8, U.S.C. §§ 1304, 1324, 1325 and 1326. Criminal intelligence related to transnational organized crime and international terrorism will be shared with all law enforcement agencies including ICE.  ***Officers will not obstruct federal law enforcement efforts, and officers will work with ICE upon request.***

Although officers have the authority to assist in enforcing federal laws, it is the role of ICE to actively enforce immigration violations. NvSCA officers will not stop, question, detain, arrest or place an immigration hold on any individual solely on the grounds that they are suspected of being an undocumented immigrant. Citizens who report suspected undocumented immigrants will be referred to the local ICE office.

NvSCA recognizes the dignity of all individuals, regardless of their national origin or immigration status. Our commitment is to serve and protect the communities of Nevada, prioritizing public safety and professionalism. We implement and prioritize community-oriented policing, which emphasizes building relationships with community members regardless of the immigration status of a suspect or victim. NvSCA shares federal law enforcement’s zero tolerance policy for criminals endangering Nevada communities.

**Procedure**

When a foreign-born individual is arrested and charged with a crime:

1. The arrestee’s details will be included in a daily report sent to the local ICE office.
2. If a criminal history check shows that the arrestee is a prior deportee, an agency representative will notify ICE per agency protocol.

It is incumbent upon ICE to provide a detainer or make an arrest on federal statutes and to abide by all current federal mandates regarding arrest (i.e., ensuring they comply with the Laken Riley Act, which specifies arrests for burglary, theft, larceny, shoplifting, assault of a police officer, or any crime that results in death or serious bodily injury to another person).

**Detention Centers/Jail Facilities will:**

1. Honor federal judicial warrants for arrest issued by ICE.
2. Enforce detainer requests from ICE once local charges are resolved.
3. If an ICE detainer is in place (and local charges have been resolved), notify ICE that they may take custody of the inmate.
4. If ICE has not placed a detainer by the time of release and there are no outstanding arrest warrants, the inmate will be released.
5. Allow ICE complete access to detention centers and jail facilities.