

GENERAL ORDER 2.5.1

Enforcement of Federal Immigration Laws

GENERAL ORDER CROSS-REFERENCE: None.

SUMMARY

Establishes policy to ensure compliance with ORS 181A.820A.820, Enforcement of federal immigration laws.

DISCUSSION

ORS 181A.820 prohibits Oregon law enforcement agencies from using agency monies, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship residing in the United States in violation of federal immigration laws.

ORS 181A.820 allows officers to arrest and or assist federal agents in the apprehension of any person pursuant to an arrest warrant issued by a federal magistrate charging a criminal violation of federal immigration laws under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1433 to 1429 or 1505.

Agencies may exchange information with the United States Immigration and Naturalization Services (INS) and those federal agencies specifically listed in ORS 181A.820 in order to:

1. Verify the immigration status of a person if the person is arrested for any criminal offense; or
2. Request criminal investigation information with reference to persons named in INS records.

POLICY

I

Officer shall not violate the provisions of ORS 181A.820.

II

Any department member who receives, or intends to initiate, a request for assistance and/or information from the INS shall refer the request to their supervisor who shall determine the proper course of action.

Richard Lewis
Chief of Police