

Police Department Policy and Procedure Manual

Chapter 4 — Operations

Section Number: 4-5-8
Section Title: Immigration Law
Most Recent Update: 12/25/18

I. Policy

- A. It is the policy of the Clive Police Department to fully comply with Iowa Code section 825.5(2.) which relates to Immigration Laws.

II. Procedures

- A. Any lawful immigration detainer request shall be fully complied with, including any lawful instructions made in the detainer request and in any other legal document provided by a federal agency.
- B. All Clive police department employees shall fully comply with Chapter 825 of the Iowa Code and shall not prevent any employee from such full compliance. (Reference IA Code section 825.5(2.)
- C. The policies of the Clive police department shall not be interpreted to prohibit or discourage the enforcement of immigration laws. (reference IA Code section 825.4(1))
- D. A member of the Clive Police Department or other city official shall not be prohibited or discouraged from doing any of the following: (reference IA Code section 825.4(2.)
 - 1. Inquiring about the immigration status of a person under lawful detention or under arrest.
 - 2. Information sharing relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest, including information regarding the person's place of birth:
 - a. Sending the information to or requesting or receiving the information from the United States Citizenship and Immigration services, United States Immigration and Customs Enforcement or another relevant federal agency.

- b. Maintaining the information
 - c. Exchanging the information with another local, state or federal entity.
 - 3. Assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance.
 - 4. Permitting a federal immigration officer to enter and conduct enforcement activities at a jail or other detention facility in the performance of his/her lawful duties.
- E. A member of the Clive Police Department shall not request or inquire from a victim, reporter or witness of a public offense their national origin unless such information is pertinent to the investigation. (reference IA Code Section 825.7)



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Chief of Police