

UNDOCUMENTED PERSONS - JURISDICTION FOR ARREST

POLICY:

It is the policy of the Omaha Police Department (OPD) to only arrest undocumented individuals when there is no other arrestable offense if they have been designated as a U.S. Immigration and Customs Enforcement (ICE) fugitive through the National Criminal Information Center (NCIC). It is not within the jurisdiction of the OPD to determine whether an individual is an undocumented individual.

PROCEDURE:

I. Information Report

- A. Officers who have information concerning an undocumented individual shall:
 - 1. Detail the information on an Information Report (PortalOne/OPD Form 42).
 - 2. Forward, a copy of the Information Report via chain of command to the Criminal Investigations Bureau's Fugitive Squad for investigation.
 - 3. The Fugitive Squad will route the information to ICE.

II. Detainment

- A. When officers perform a records check and NCIC determines the undocumented individual is an ICE fugitive, officers will adhere to the following:
 - 1. If the records check confirms that the undocumented individual is an ICE fugitive, officers shall contact ICE and follow the directives for detainment.
 - a. Officers shall attempt to contact the ICE Duty Officer at the phone number located in [Appendix A](#).
 - b. If the ICE Duty Officer cannot be reached, officers shall contact the ICE Law Enforcement Center at 802-872-6020.
 - 2. Officers shall note the following on the Information Report (PortalOne/ OPD Form 42):
 - a. Name of ICE individual contacted.
 - b. The day, date, and time of contact.
 - 3. Officers shall NOT notify the undocumented individual about their status as an ICE fugitive.

REFERENCES:

I. Previous OPD Orders

- A. Previous OPD General Orders include #78-89 and #23-17.

II. Other

- A. PPM Update #3-2017.