

OFFICE OF OPERATIONS

OPERATIONS ORDER NO. 3

March 19, 2018

SUBJECT: IMMIGRATION ENFORCEMENT REPORTING PROCEDURES

PURPOSE: The purpose of this Order is to establish procedures to comply with the California Values Act (CVA), effective January 1, 2018. Pursuant to the Office of the Chief of Police Notice, *Immigration Enforcement Procedures*, dated December 29, 2017, the Department is required to prepare semi-annual reports to be approved by the Board of Police Commissioners and transmitted to the California Department of Justice regarding working task forces with federal law enforcement agencies, criminal immigration enforcement actions, and any non-task force joint operations with United States Immigration and Customs Enforcement (US-ICE) or United States Customs and Border Patrol Protection (US-CBP).

PROCEDURES: The Office of Operations (OO) is responsible for tracking and documenting its involvement in participating in the above listed actions. The Office of Operations has created the "Immigration Enforcement Report," which shall be used to document all required criteria.

- I. REPORTING INFORMATION REQUIRED.** The following information is required for inclusion in the semi-annual report;

Task Forces with Federal, State, and Local Law Enforcement Agencies

- The purpose of each task force;
- The federal, state, and local law enforcement agencies involved in each task force;
- The number and type of arrests made during the reporting period for each task force; and,
- The number of people arrested for civil or criminal immigration enforcement purposes by each task force.

Task forces with federal, state, and local law enforcement agencies generally involve a planned task force operation (e.g., Human Trafficking Task Force) where arrests are made for criminal enforcement purposes.

Note: When OO conducts a task force with federal, state, and/or local law enforcement agencies that also involve other Department entities outside of OO (e.g., High Intensity Drug Trafficking Areas-HIDTA, Federal Bureau of Investigation-FBI, Detective Support and Vice Division-DSVD), the primary reporting responsibility for these type of task forces will be the Office of Special Operations (OSO). To avoid duplicate reporting, OO will not report this task force when it is also being documented by OSO.

Non-Task Force Joint Operations with United States Immigration and Customs Enforcement or United States Customs and Border Patrol Protection

- The purpose of each non-task force joint operation with US-ICE or US-CBP;
- The total number of non-task force joint operation arrests; and,
- The number of non-task force joint operation arrests for civil or criminal immigration enforcement purposes.

A non-task force joint operation generally involves US-ICE or US-CBP calling a watch commander at an Area station and requesting officers to standby during an immigration related arrest. This is not considered a formal task force.

Criminal Immigration Enforcement Actions

- The number of people arrested for criminal immigration enforcement purposes pursuant to a judicial arrest warrant or judicial probable cause determination and transferred to federal immigration authorities; and,
- The number of people arrested and transferred to federal immigration authorities for violation of 8 U.S.C. § 1326(a), (b)(2), Illegal Reentry after Conviction of an Aggravated Felony.

Criminal Immigration Enforcement Actions generally involve instances where a stop of a person occurs, a want/warrant check is conducted on this person, and there is an NCIC hit for a judicial warrant or an immigration violator's record indicating the person was a previously deported criminal.

Note: Department personnel shall obtain approval from the Department's Immigration Liaison Officer (DILO) prior to conducting a probable cause arrest for a violation of 8 U.S.C. § 1326(a), (b)(2), or transferring a suspect to federal authorities such as US-ICE or US-CBP based on a probable cause arrest for 8 U.S.C. § 1326(a), (b)(2). The DILO can be contacted via the Department Operations Center at (213) 484-6700.

II. POLICE OFFICER'S RESPONSIBILITIES. All officers are responsible for the following:

- Reading and understanding the Office of the Chief of Police Notice, *Immigration Enforcement Procedures*, dated December 29, 2017;
- When assigned to task forces with federal, state, and/or local law enforcement agencies, officers shall complete the "Los Angeles Police Department Employee Acknowledgement for Working with Outside Agencies Form" prior to working any task force; and,
- Officers shall not participate in a joint law enforcement task force where the primary or direct purpose is to enforce civil immigration laws or when participation in the task force violates local law or policy.

III. TASK FORCE INVESTIGATING OFFICER'S RESPONSIBILITIES. The Task Force Investigating Officer (I/O) for task forces with federal, state, and/or local law enforcement agencies shall ensure the following:

- The execution of the operation will not involve civil immigration enforcement by any participant;
- The tactical or operational plan identifies all agencies to be involved in the execution of the joint operation;
- The joint operation is approved by the corresponding Director of OO or the Director of OSO;
- All task force participants with federal, state, and/or local law enforcement agencies complete the "Los Angeles Police Department Employee Acknowledgement for Working with Outside Agencies Form" prior to working the task force;
- All "Los Angeles Police Department Employee Acknowledgement for Working with Outside Agencies Forms" are on file at the Area office and available for review; and,
- When involved in a task force with federal, state, and/or local law enforcement agencies, an entry is made on the "Immigration Enforcement Report" located in the watch commander's office to document their activity.

Note: When involved in a task force with federal law enforcement agencies, a non-task force joint operation with US-ICE or US-CBP, or a criminal immigration enforcement action, only one entry is required on the "Immigration Enforcement Report" for all personnel involved in each action.

IV. WATCH COMMANDER'S RESPONSIBILITIES. The watch commander shall ensure the following:

- When becoming aware of any Immigration Enforcement Action within their division, ensuring an entry is made and all criteria needed for reporting purposes is entered on the "Immigration Enforcement Report;"
- Each entry on the "Immigration Enforcement Report" is approved and signed by the watch commander; and,
- Prior telephonic approval has been obtained from the DILO for immigration related arrests.

V. AREA IMMIGRATION ENFORCEMENT LIAISON OFFICER'S RESPONSIBILITIES. The Area Immigration Enforcement Liaison Officer shall ensure the following:

- At the end of each Deployment Period (DP), collect the "Immigration Enforcement Report" and related supporting documentation from the watch commander's office and submit it to the Area commanding officer for review and approval; and,
- After the "Immigration Enforcement Report" has been reviewed and approved by the Area commanding officer, forward a copy to the bureau no later than 10 days after the end of the DP.

VI. COMMANDING OFFICER'S RESPONSIBILITIES. Area commanding officer shall ensure the following:

- Establish an Area Immigration Enforcement Liaison Officer;
- Review and approve the "Immigration Enforcement Report" and supporting documentation; and,
- Ensure the "Immigration Enforcement Report" and related supporting documentation is forwarded to the bureau no later than 10 days after the end of the DP.

VII. BUREAU COMMANDING OFFICER'S RESPONSIBILITIES. The bureau commanding officer shall ensure the following:

- At the end of each DP, collect the "Immigration Enforcement Reports" and related supporting documentation from all Areas within the bureau and forward them to the Office of Operations no later than 15 days after the end of the DP.

AUDIT RESPONSIBILITY. The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

If you have any questions regarding this Order, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE, First Assistant Chief
Director, Office of Operations

Distribution "A"

Attachment

Immigration Enforcement Report

Month _____ **Year** _____ **Area** _____

#	Date and Incident No.	Cat. #	Purpose of Operation (Cat. 1 or 2 Only)	Purpose of Initial Law Enforcement Action (Cat. 3 Only)	Outside Agencies Involved (if applicable)	Total # Arrested	# Arrested – Civil Immigration Enforcement Purposes	# Arrested – Judicial Warrant/PCD for Criminal Immigration Offense	# Arrested – Illegal Reentry After Conviction of an Aggravated Felony	# Arrested – Other Criminal Offense (Specify)	Name of DILO Approving Immigration Related Arrests (If Applicable)	WC Approval (Name/Serial/Date)
1												
2												
3												
4												
5												

Area Immigration Enforcement Liaison Officer Name and Serial No.: _____ Date: _____

Bureau Commanding Officer Name and Serial No.: _____ Date: _____

Categories:

1. Task Force with federal, state, and local LE agency
 2. Non-task force joint operation with US-ICE or US-CBP
 3. Criminal Immigration Enforcement Action
- Date Submitted to the Office of Operations: _____

Immigration Enforcement Report Instructions

The form below should be filled out as follows:

- 1) Date and incident number of when the operation occurred.
- 2) Category refers to the type of operation. This could be a formal Task Force, Non-Task Force Joint Operations, or a Criminal Immigration Enforcement Action.
- 3) Indicate the purpose of the operation or initial law enforcement action *[Department personnel are prohibited from participating in a joint law enforcement task force where the primary or direct purpose is to enforce civil immigration laws or when participation in the task force violates local law or policy]*.
- 4) List out the federal, state, and/or local law enforcement agency involved in the operation.
- 5) Indicate the total number of people arrested.
- 6) Indicate the number of people arrested for civil immigration enforcement purposes¹.
- 7) Indicate the number of people arrested for criminal immigration enforcement purposes (Judicial Warrant or PCD).
- 8) Indicate the number of people arrested for illegal reentry after conviction of an aggravated felony [8 U.S.C. § 1326(a), (b)(2)].
- 9) Indicate the number of people arrested for other criminal offenses (specify).
- 10) Include the Department Immigration Liaison Officer (DILIO) who approved the arrest.
- 11) The watch commander should sign and date each entry and include his/her serial number.
- 12) The Area Immigration Liaison Officer shall sign at the end of each DP.
- 13) The Bureau Commanding Officer shall approve prior to forwarding copy to the Office of Operations.
- 14) For any task force entries, attach a copy of the signed task force acknowledgment form. Ensure a copy is also maintained at the Area.

¹ If LAPD personnel were involved in civil immigration enforcement, whether intentional or inadvertently, it should be reported to the Office of Operations immediately.