

MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER



BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: February 26, 2025	DATE EFFECTIVE: February 26, 2025	NUMBER: SO25-004	PAGE: 1 of 3
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 9-401 Police Authority in Immigration Matters			APPROVED BY: <i>Chief O'Hara</i>

MP-8806

Introduction: MPD officers do not have the authority to detain or arrest for administrative ICE warrants and detainers. This policy is being updated to address any possible confusion.

Effective with the issuance of this Special Order, Section 9-401 of the MPD Policy and Procedure Manual shall be amended as follows:

9-401 Police Authority in Immigration Matters
(05/29/02) (04/02/18) (01/16/25) (02/26/25)

I. Purpose

The Minneapolis Police Department (MPD) is committed to fostering trust and collaboration with all people in the city, regardless of race, religion, sexual orientation, national origin, ethnicity, or immigration status. Minneapolis is home to a diverse and vibrant community, and the Department values and celebrates this diversity as a source of strength.

The MPD ensures that immigration status will never impede access to law enforcement services and is dedicated to providing equitable, bias-free service to all members of the community. Protecting the safety and civil rights of every community member remains the core mission of the MPD.

II. Procedures

- A.** The MPD recognizes the fear of deportation prevents some undocumented community members from reporting, interacting, and cooperating with law enforcement. The MPD is dedicated to community policing as a means of reducing crime while building community trust. Therefore, the MPD shall investigate criminal activity without regard to a person's actual or perceived immigration status. Doing otherwise would have a chilling effect on our ability to provide public safety to our community.
- B.** The MPD works cooperatively with all federal agencies, but the MPD does not operate its programs for the purpose of enforcing federal immigration laws.

1. The enforcement of civil and criminal federal immigration laws falls exclusively within the authority of the federal government and not the MPD. The United States Code, 8 U.S.C. §1101, empowers the U.S. Citizenship and Immigration Services (USCIS) and Immigration and Customs Enforcement (ICE), Department of Homeland Security, as the sole authority in immigration matters.
- C. Members shall not initiate actions to determine, verify or detect a person's immigration status, including but not limited to questioning any person about their immigration status, subject to the narrow exception stated below. (City of Minneapolis Ordinance §19.30 (a)(3))
1. Members shall only initiate the actions above when specifically enforcing laws relating to human trafficking and smuggling where immigration status is an element of the crime.
 - a. When questioning, arresting, or detaining any person under this exception, the member shall articulate and document the reason the member believes the exception applies.
 2. Nothing in this policy shall prohibit members from assisting federal law enforcement officers in the investigation of criminal activity involving people present in the United States who may also be in violation of federal civil immigration laws in accordance with City of Minneapolis Ordinance §19.30 (a)(4).
 3. Members are prohibited from stopping, detaining, or taking law enforcement action against a person, vehicle, business, or residence on the sole basis of civil administrative immigration alerts, detainers, or non-criminal warrants.
 - a. Local police do not have the authority to take law enforcement action for federal administrative civil warrants.
 - b. If a person is found to have a National Crime Information Center (NCIC) hit, members shall verify the hit is not solely for an administrative ICE warrant prior to taking any action.
 - c. Members shall not arrest or detain a person solely based on an administrative (ICE) warrant. This does not prevent members from taking law enforcement action on unrelated crimes, detainers, or non-criminal warrants.

Examples of the language seen in NCIC administrative ICE warrants:

Deported Felon

Warning Regarding Following Record- Subject of NIC/N307770847 is a previously deported felon. Contact LESC at (877) 999-5372 for immediate hit confirmation and availability of Bureau of Immigration and Customs Enforcement Detainer.

Absconder

Warning Regarding Follow Record – Subject of NIC/N307770847 has an outstanding administrative warrant of removal from the United States. Contact LESC at (877)

999-5372 removal from the United States. Contact LESC at (877) 999-5372 for immediate hit confirmation and availability of Bureau of Immigration and Customs Enforcement Detainer.

- d. MPD does not have a municipal jail and cannot house undocumented people, even if requested.

D. Identification card of foreign nations may include, but are not limited to:

- Foreign government-issued identification cards, such as passports.
 - Consular identification cards.
 - National ID cards.
1. Members shall take reports for missing, lost or stolen identification cards of foreign nationals in accordance with P&P 4-600 Specific Report Policies and Procedures.