



POLICY/PROCEDURE NUMBER: 16-L.E.-017

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SUBJECT: IMMIGRATION ENFORCEMENT

EFFECTIVE DATE: September 1, 2016

REVIEW DATE: September 1, 2017

AMENDS/SUPERSEDES: N/A

IACLEA STANDARDS: N/A

CSU POLICE DEPARTMENTS SYSTEMWIDE OPERATIONAL GUIDELINE – YES

APPROVED: Anne P. Glavin, Chief of Police

I. PURPOSE

The purpose of this policy is to provide guidance and guidelines to CSUN police officers when dealing with situations involving undocumented foreign nationals.

II. POLICY

The U.S. Immigration and Customs Enforcement (ICE) agency has primary jurisdiction for enforcement of federal immigration laws. CSUN police officers shall not contact, detain, question or arrest individuals solely on the basis of known or suspected immigration status.

CSUN does not enter into agreements with local law enforcement, ICE, or any other federal agency for the enforcement of federal immigration law, except as consistent with California Government Code 7282 *et seq.* or as required by law.

III. PROCEDURES

A. Concept

The trust that members of the community enjoy with the CSUN Department of Police Services is of paramount importance. It is incumbent upon all members of this department to make a personal commitment to equal enforcement of the law and equal service to the public regardless of alien status.

B. CSUN Department of Police Services Compliance

The Department of Police Services will not honor ICE immigration hold requests, unless doing so is consistent with California Government Code 7282.5 or as required by law.

C. Arrest and Identification

1. Whenever any individual is reasonably suspected of a criminal violation (infraction, misdemeanor, or felony), the investigating officer shall take the necessary steps to identify the person. This may include valid government issued identification or other reliable sources.
2. Persons taken into custody for a felony shall be booked into Los Angeles County Jail without consideration for the person's immigration status.
3. Persons taken into custody for a misdemeanor who would have otherwise been released on a written promise to appear, shall be given a reasonable opportunity to verify their true identity (e.g., telephone calls, etc.). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of the person's immigration status. If the person's identity is not established, the person shall be taken into custody for the misdemeanor and booked into the Los Angeles County Jail without consideration for the person's immigration status.
4. If an officer discovers an ICE hold request during any contact, the officer will assess the individual based on the criteria stated in Government Code 7282.5(a).
 - a. If the criteria set forth in Government Code 7282.5(a) are NOT met, the officer will release the individual from custody unless the continued detention or arrest is based on a separate violation of law.
 - b. If the criteria set forth in Government Code 7282.5(a) are met, the officer has discretion to honor the ICE hold request.
5. If members of the department arrest an individual who is unable to reasonably establish his or her true identity, the individual may be booked at the appropriate jail (refer to Vehicle Code § 40302a, and Penal Code § 853.6, if applicable).
6. If a person is detained pursuant to the authority of Vehicle Code § 40302a, for an infraction, that person may be detained for a reasonable period, not to exceed two hours, for the purpose of establishing his or her true identity. Regardless of the status of that person's identity at the expiration of two hours, he or she shall be released on his/her signature with a written promise to appear in court for the Vehicle Code infraction involved.