



Minneapolis Police Department Policy and Procedure Manual

Number:
9-100

Volume Nine – Enforcement Policies

Adult Citations and Arrests

9-111 Police Authority in Immigration Matters

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- A. 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.
- 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. In addition, City of Minneapolis Ordinance §19.30 prohibits undertaking “any law enforcement action for the purpose of detecting the presence of undocumented persons, or to verify immigration status,” except for a narrow exception for enforcing criminal laws such as laws relating to human trafficking and smuggling where immigration status is an element of the crime.
- C. Members shall not undertake any law enforcement action for the purpose of detecting the presence of undocumented persons, or to verify immigration status, including but not limited to questioning any person about their immigration status.
 - 1. The **only** exception to this prohibition is when immigration status is an element of a crime. This is a very limited exception and applies only to the types of federal crimes prohibited under 8 U.S.C. §1324, that relate to the crimes of human trafficking and smuggling.
 - 2. When questioning, arresting, or detaining any person under this exception, the member must articulate and document the reason the member believes the exception applies.
- D. Members will take reports for missing, lost, or stolen identification cards of foreign nationals in accordance with P&P 4-600 Specific Report Policies and Procedures.