



A
17-016
1/19/17

Prohibition on the Enforcement of Administrative Immigration Warrants
(Supersedes DB 16-048)

Members are reminded that it is the policy of the San Francisco Police Department to foster respect and trust between law enforcement and residents, to protect limited local resources, to encourage cooperation between residents and City officials, including especially law enforcement and public health officers and employees, and to ensure community security. It is also Department policy (DGO 5.15 and reminder DB 17-015), consistent with its obligations under state and federal law, to adhere to the City of Refuge Ordinance, pursuant to SF Administrative Code §12H.2. This ordinance prohibits the use of City resources to assist in the enforcement of federal immigration laws or to gather or disseminate information regarding release status of individuals or any such other such "personal information" or as defined in 12I unless required by Federal or State statute, regulation or court decision. Personal information is defined as "any confidential, identifying information about an individual, including, but not limited to home or work contact information, and family or emergency contact information unless required by Federal or State statute, regulation or court decision (Admin. Code 12I.2).

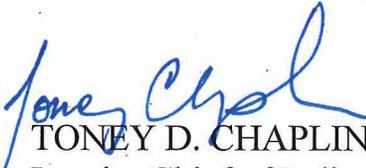
One of those limited circumstances allows members of the SFPD to enforce federal criminal warrants for arrest. Federal administrative (civil) warrants are not to be enforced and persons detained under such civil warrants will not be accepted by San Francisco Sheriff's Department personnel at CJ1. NCIC warrant responses will make clear whether the warrant is civil or criminal.

"Federal Immigration Administrative Warrant of Removal" warrants **shall not** be enforced.

"Federal Immigration Administrative Warrant of Arrest" warrants **shall not** be enforced.

"Federal Criminal Warrant issued for violation of Title 18 USC, Section XXX" **may** be enforced (see DGO 6.18).

Attached are samples of NCIC print-outs of both administrative (civil) and criminal warrants that were provided for your reference by the SFSD.


TONEY D. CHAPLIN
Interim Chief of Police

Per DB 15-141, both sworn and non-sworn members are required to electronically acknowledge this Department Bulletin in HRMS. Please review Department Bulletin 17-015.

**SAMPLE RESPONSE FROM NCIC INQUIRY: ADMINISTRATIVE (CIVIL)
WARRANTS**

Administrative Warrant of Removal:

~~WARNING REGARDING FOLLOWING RECORDS~~ SUBJECT OF NIC/0307770847 HAS AN
OUTSTANDING ADMINISTRATIVE WARRANT OF 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.

MKE/IMMIGRATION VIOLATION - FAILURE TO APPEAR FOR REMOVE
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W DOB/FN DOB/19510101
HGT/510 WGT/180 EYE/BRO HAIR/BRO CTZ/FN SKN/DRK
SMT/SC LF ARM
SOC/777010000
OFF/ALIEN UNLAWFULLY PRESENT DUE TO ORDER OF REMOVAL OR EXCLUSION FROM
THE USA
OCA/ASD1234-T HIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT
SUPPORT CENTER
(877) 999-5372
NIC/0307770847 DTE/19980605 0000 HIT DLG/20090101 0600 EST
*****THIS RECORD MAY BE USED ONLY BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
*****END OF IMMIGRATION VIOLATOR FILE RESPONSE*****

Administrative Warrant of Arrest:

~~WARNING REGARDING FOLLOWING RECORDS~~ SUBJECT OF NIC/0307770847 HAS AN
OUTSTANDING ADMINISTRATIVE WARRANT OF ARREST FOR IMMIGRATION VIOLATIONS
FOR FAILURE TO COMPLY WITH NATIONAL SECURITY REGISTRATION. CONTACT LESC
AT (877) 999-5372 FOR IMMEDIATE HIT CONFIRMATION AND AVAILABILITY OF
BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT DETAINER.

MKE/IMMIGRATION VIOLATION - NATIONAL SECURITY REGISTRATION
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W DOB/FN DOB/19510101
HGT/510 WGT/180 EYE/BRO HAIR/BRO CTZ/FN SKN/DRK
SMT/SC LF ARM
SOC/777010000
OFF/BOUGHT FOR VIOLATION OF NATIONAL SECURITY REGISTRATION
OCA/ASD1234-T HIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT
SUPPORT CENTER (877) 999-5372
NIC/0307770847 DTE/19980605 0000 HIT DLG/20090101 0600 EST
*****THIS RECORD MAY BE USED ONLY BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
*****END OF IMMIGRATION VIOLATOR FILE RESPONSE*****

SAMPLE RESPONSE FROM NCIC INQUIRY: CRIMINAL ICE WARRANT

One Example of a Criminal Warrant

***MESSAGE KEY ZW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.
MRE/WANTED PERSON
EXL/1 - FULL EXTRADITION UNLESS OTHERWISE NOTED IN THE MIS FIELD
ORI/VTICE0900 NAM/TEST, TEST SEX/M RAC/W POB/EY
DOB/19000101 HGT/509 WGT/175 EYE/BRO HAI/BLK
SKN/LGT
MNU/PP-1234567 SOC/123456789
OFF/FRAUD - FALSE STATEMENT
DOW/20090114 OCA/2-M-TEST
VLD/20120411
MKS/CRIMINAL WARRANT IN VIOLATION OF TITLE 18 USC, SECTION 1542, FALSE
STATEMENT
MIS/ON A PASSPORT APPLICATION, ISSUED BY THE U S DISTRICT COURT, EASTERN
MIS/DISTRICT OF VIRGINIA
DNA/N
ORI IS ICE LESG 802 872-6020
DOB/19730515
AKA/TESTER, TEST
AKA/ALPHA, BET
MNU/PP-5678943
SOC/9854321
NIC/W123456789 DTE/20090115 1510 EST DLU/20120411 1301 EST
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

Again, members shall continue to act upon criminal warrants entered by ICE into NCIC pursuant to relevant directives (e.g., G.O. 302.06, WALES).