



# **Jackson Police Department**

## **Local Immigration Information**

### **FAQ**

#### **As of April 2017**

#### **1. Does the Jackson P.D. enforce federal immigration laws?**

**Answer:** No, the JPD only enforces local city ordinances and Wyoming state statutes.

#### **2. Does the Jackson P.D. communicate with the Federal Immigration-Customs Enforcement Agency (ICE)?**

**Answer:** Yes, the JPD has a good working relationship with ICE, who has promised to keep the JPD informed of their operations when they are working in the Town of Jackson.

#### **3. When does the Jackson P.D. call ICE related to immigration matters?**

**Answer:** Generally the JPD contacts ICE when local law enforcement needs the assistance of ICE in locating an alien fugitive who has committed a crime in Jackson and then fled the area to avoid prosecution. Often ICE can assist in locating this individual who may flee to a national border crossing or relocate to another part of the country. The JPD will also contact ICE on larger drug case investigations where the suspect may be in the country illegally and is bringing and selling narcotics in our community and on human trafficking cases. Often ICE has investigative resources to help locate

where the drugs or human smuggling may be originating from that would be difficult for local law enforcement to accomplish with limited resources.

#### **4. Who are the ICE agents that work in the Jackson area?**

**Answer:** The Wyoming state field office is located at 150 East B Street Rm 1014 Casper Wyoming 82601 and has only a small number of federal agents who work out of that office. They are supervised by the Denver Regional ICE office located at 12484 East Weaver Place Centennial Colorado 80111. The Casper ICE agents are responsible for investigations involving immigration violations in Wyoming and southern Montana.

#### **5. How often does ICE come to the Jackson area?**

**Answer:** ICE agents do not come to Jackson on a set schedule, but rather come to Jackson as often as they need to in relation to the investigations they are conducting. The most common visit from ICE to Jackson is to do a routine transfer of an inmate in the Teton County Jail to the custody of ICE. This involves them driving into town, stopping at the jail to pick up the inmate, and then leaving town. The second most common visit of ICE to Jackson is when they are here to arrest “targeted individuals” who have a warrant for their arrest for having committed criminal offenses while being undocumented that are considered a safety risk to the community. These operations are generally 1-3 days in duration and involved ICE looking for a handful of specific individuals.

#### **6. Does the Jackson P.D. call ICE to come and pick up (arrest) someone who is undocumented and living in Jackson?**

**Answer:** No, the JPD does not call ICE directly to pick up or arrest anyone who is living here undocumented. However, when any person is arrested in Teton County for a criminal offense, either by the police, sheriff or the highway patrol, the Teton County Sheriff’s detention facility (jail) staff will contact ICE if the person is not a U.S. resident. ICE then does a phone interview with the individual to determine their immigration status. Some people may be living in the U.S. and have a Visa to work and others may be undocumented.

## **7. How does ICE decide who they will come and pick up (arrest) from the jail to deport and who they will not?**

**Answer:** ICE has communicated to local law enforcement that their primary focus is on undocumented individuals who commit crimes that are considered a safety concern for the community. This can include, but is not limited to: DUI, drug possession, drug sales, sexual assault, battery, assault, theft, domestic violence, stalking, robbery, murder etc., as well as individuals with prior deportation proceedings against them that have returned to the United States after previously being deported.

## **8. Does ICE deport people arrested for minor traffic offenses?**

**Answer:** Typically no. ICE has communicated to local law enforcement that they do not have the resources to deport individuals for minor traffic violations, such as: (i.e. speeding, no driver's license, no insurance, running stop signs or traffic lights, equipment violations etc.) However, ICE has indicated that they will consider deportation of any individual if they are a habitual offender. Meaning, if the person repeatedly violates traffic laws they will consider the person a risk to the community and the individual could be subject to deportation proceedings based upon the totality of the traffic offenses the person has committed.

## **9. What is the difference in ICE “targeting for arrest” known criminal aliens vs. doing a “general round-up” of undocumented persons?**

**Answer:** ICE has communicated to local law enforcement that they have no intentions of performing a “general round-up” of undocumented people living in Jackson. Meaning, they do not intend to go around the community randomly looking for people who may be living here undocumented and detain them to investigate their immigration status. This is often referred to as a “door-to-door sweep” or a “general round-up”. What ICE **DOES INTEND TO DO** is come to Jackson as often as necessary to do “targeted arrests” of individuals with known criminal backgrounds that meet their criteria for removal for deportation (see #7). Meaning, that ICE will come to Jackson with a list of names of people that they believe may be living in the area; have been arrested for crimes that are considered a safety risk to the community; and lastly, are undocumented. When ICE is doing an operation

of this nature, they will often go to the last known residence of the individual in an attempt to locate them. They may contact people at the residence to inquire about the whereabouts of the person they are seeking or may have a warrant for. Most often ICE will do undercover surveillance of the residence and wait for the person to come out of the residence to contact them. ICE may also go to the last known employer of the individual they are seeking to arrest to see if the person may still be working at that location. The goal of ICE is to locate the “targeted” criminal alien and to take them into custody and for removal from the country through a deportation proceeding.

**10. Will local law enforcement notify the community if they are aware that ICE is planning to come to Jackson?**

**Answer:** It depends. Local law enforcement **WILL NOT** notify the public if ICE is coming to Jackson to arrest specific individuals whom they have identified for arrest and deportation. Many of these individuals have criminal backgrounds and records that would create an officer safety concern for the ICE agents if they did not have the element of surprise, nor would local law enforcement want to impede the ICE agents from being able to do their job of removing individuals from the community that pose a safety risk to it. However, local law enforcement will confirm to the public that ICE is performing arrest operations of criminal aliens after the operations begin, as it becomes not only common knowledge, but public knowledge once their operation is underway. With social media and cell phones everywhere, the word on the street tends to spread quickly when ICE is performing these operations of targeting criminal aliens and local law enforcement believes it is in the best interest of the public to provide accurate information about what ICE is doing here rather than allowing rumors to generate false information. However, local law enforcement **WILL NOT** give specific information that would jeopardize the ICE operation or the safety of the ICE agents.

**11. If ICE contacted local law enforcement and indicated they would be coming to Jackson to do a “general round-up” or a “door-to-door sweep” would local law enforcement notify the public?**

**Answer:** Yes, though ICE has communicated that they have no intentions of doing an operation of this nature. If that were to change and ICE decided to do an operation of this kind, local law enforcement would notify the public, as an operation of this type is administrative in nature and does not inherently have the same officer safety risk involved as when a “targeted criminal alien” operation is taking place with known criminals. Typically, a “general round-up” involves ICE agents going to businesses and talking with managers to determine if anyone working at the location might be undocumented. If individuals are found to be potentially undocumented, ICE agents would interview them to gain further information and only detain them if they believe the individual is undocumented. Again, ICE has indicated to local law enforcement that they **HAVE NO INTENTIONS OF DOING THIS KIND OF OPERATION IN JACKSON.**

**12. Does the Jackson Police Department intend to participate in the 287(g) program that allows local officers to enforce federal immigration laws?**

**Answer:** No, the JPD has no plans to participate in the 287(g) program and does not have the resources or time to investigate criminal activity other than the enforcement of local and state laws.

**13. Is there ever a time when a local law enforcement officer would need to know my immigration status?**

**Answer:** Typically no, nor will JPD officers generally ask you about your immigration status unless it is germane to the investigation. One of the responsibilities of law enforcement when issuing a citation to someone who has committed a traffic offense is to determine the identity of the person and to establish some reasonable assurance that they will show up to court if released with a citation instead of being arrested. This is called a “flight-risk assessment”. Knowing a person’s identity is critical for the officer to consider a citation instead of arrest and by you carrying identification with you can help the officer be assured that you are who you say you are, you live where you say you live, and you have ties to our community that suggest you would show up to court if given a citation instead of being arrested. However, if you attempt to conceal your identity or mislead the officer about who you are or where you live, you are all but assuring

yourself a trip to jail to make certain that you are held accountable for the traffic violation. The bottom line is you should always be honest with the officer about who you are and where you live so the officer can allow you to drive away with a citation instead of being arrested.

**14. Why might an officer arrest me for not having a driver's license instead of issuing me a citation with a future court appearance?**

**Answer:** On a first time offense the officer will typically not arrest you, but instead issue you a citation with a promise to appear in court at a future date and time. However, if you continue to break the same law after either being warned or being issued a citation previously, then you are telling the officer that you don't intend to comply with the law. Since it is the officer's job to gain compliance in the most minimal way possible, you are now causing the officer to have to consider arresting you instead of giving you a citation because the lesser approach is not working by giving you a citation. You might also get arrested (even on the first offense) if you are a flight risk by having no ties to the community that would ensure you will show up to court, or if you lie to the officer about your identify or other personal information that could help locate you if you did not show up to court. The best method is to be honest with the officer and to not commit the same traffic offenses over and over that forces the officer to consider additional steps such as arrest.

**15. If I am living in Jackson and I am undocumented, how can I best avoid being deported?**

**Answer:** The simple answer is to avoid committing criminal offenses that would ultimately lead ICE agents to investigate you. ICE has communicated to local law enforcement that they have no intentions of seeking out undocumented workers who are living a life free of criminal activity if they have not been deported before. Bottom line, stay out of trouble and obey the law and your odds of having an immigration officer contact you are minimal.

**16. If I want further information about ICE and their local operations, who should I contact?**

**Answer:** Local law enforcement can attempt to answer most of your questions, but we encourage you to contact ICE directly and ask them any information that you may be uncertain about. It is always best to get the information directly from the source, and ICE knows best what they intend to do or not do. ICE lists their Casper WY number as (307) 261-6590.