



NEWS RELEASE

HOWARD COUNTY DEPARTMENT OF POLICE OFFICE OF PUBLIC AFFAIRS

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Police formalize immigration practices with release of written policy in Howard County

The Howard County Police Department is reconfirming its commitment to fair treatment for all members of the community, regardless of immigration status, with the release of a written policy that formalizes the department's practices. The General Order, OPS-10, "Foreign-Born Individuals," was written in consultation with the county's Foreign-Born Information and Referral Network (FIRN).

While the directives in the policy are not new, they are now compiled in one official document to clarify the police department's long-standing practices in immigration-related issues, and to assuage any fears or concerns that may exist.

"We know this has been an issue of concern for some in our community," said Police Chief Gary Gardner. "We want to do everything we can to reassure people in Howard County that our police department does not enforce civil violations of federal immigration laws."

County Executive Allan H. Kittleman played a key role in ensuring the policy would reflect the police department's existing practices.

"This review and subsequent written policy once again shows our police department's continued commitment to protect all who live in, work in and visit Howard County," said Kittleman. "I appreciate the steps our police took by communicating our existing practices with the community and, with the community's input, turn those practices into a written policy that can be shared with our residents. We want everyone to know that our police are here to protect everyone who calls Howard County home."

Council Chair Jon Weinstein promoted the effort to clarify the HCPD practices earlier this year. Weinstein says he believes the effort has led to one of the strongest and most clear policies regarding foreign-born individuals in the state.

"I've had many conversations with Chief Gardner and other HCPD personnel and I was confident that a clear, fair and reasonable policy would emerge," said Weinstein. "Constructive dialogue with people representing Howard County's diverse community have contributed to defining this policy. We now have a collaborative policy that reflects the values of our community and reaffirms our commitment to assuring that Howard County is a welcoming and safe community for all of its residents."

The police department also has created a new "Guide for Victims and Witnesses," a brochure that will be handed out by officers to *all* victims, and includes resources for people who are foreign-born. The handout, which will be printed in English, Spanish and Korean, covers issues like domestic violence, sexual assault, crisis intervention, language services, assistance in applying for U Visas, and many other resources that serve victims of crime and their families.

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“We have been working closely with the HCPD and others to be able to develop materials in different languages, to ensure the foreign-born community has access to the correct and useful information,” said Hector Garcia, CEO of FIRN. “The goal is to diminish fears and concerns that are prevalent today in such vulnerable communities. Enhancing outreach, community relations, and communication will result in increasing the trust between the local authorities and our community, creating a safer environment for all individuals.”

The full policy, brochure and frequently asked questions can be found on the police department’s website, www.HCPD.org.

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Frequently Asked Questions HCPD Policy on Foreign Nationals

It is the policy of the Howard County Police Department (HCPD) to treat all individuals with respect, compassion, and courtesy, regardless of citizenship or immigration status.

Does the HCPD ask about immigration status?

Officers do not ask about immigration status; rare exceptions may include investigations of suspected criminal activity, including but not limited to, human trafficking, terrorist activity, and gang violence.

What happens if an officer violates this policy?

A violation of any HCPD policy is referred to the Internal Affairs Division for investigation and may result in appropriate disciplinary action.

Does the HCPD enforce civil violations of federal immigration laws?

HCPD officers have no authority to enforce civil violations of federal immigration laws. Criminal investigations and enforcement are never initiated based solely upon an individual's immigration status.

Does the HCPD call the Immigration-Customs Enforcement Agency (ICE) to pick up someone because he or she is undocumented?

No, the HCPD does not call ICE to arrest someone for civil violations of federal immigration laws.

Will the HCPD assist with access to services and protections?

Yes, the HCPD can offer foreign nationals referral to services and protections, including T or U Visa information, language services, appropriate community organizations, assistance with consular contacts, etc.

Can the HCPD assist with the T Visa or U Visa process?

Yes, under qualifying circumstances, the HCPD will help victims of crime and their family members with the T Visa or U Visa process, which provides immigration benefits to victims and witnesses who are working with law enforcement.

Does the HCPD work on federal task forces with agencies like ICE?

The HCPD participates in task forces when the primary focus does not involve the enforcement of civil violations of federal immigration laws. Officers may be assigned to federal task forces that investigate criminal activity such as human trafficking, terrorist acts, narcotics, child pornography, money laundering, hate crimes, etc.

What protections are afforded to a citizen of another country who is arrested?

When citizens of countries other than the U.S. are arrested for any criminal violations, they may have certain protections afforded to them via international treaties, in particular the Vienna Convention. Therefore, upon arrest, HCPD officers will attempt to determine an individual's country of citizenship as required by law to make notification to the appropriate consulate.

What happens when officers run routine computer checks during standard calls for service?

If during an officer's routine computer check, there are any of the following alerts, officers are directed to do the following:

- **Criminal Arrest Warrants**—If there is an alert that anyone has an outstanding *criminal arrest warrant*, the officer shall follow standard police procedure and make an arrest. Officers will not make an arrest based on an alert for a *civil violation of federal immigration laws*.
- **Alerts to Contact the Law Enforcement Support Center (LESC)**—If there is an alert to contact the LESL, the officer shall make contact to determine or confirm the nature of the alert. Officers shall not detain the individual any longer than is necessary to complete the initial contact or stop. Officers are prohibited from detaining an individual based solely on a civil federal immigration violation.
- **Previously Deported Felons**—If there is an alert that an individual is in the Immigration Violator File (IVF), indicating he/she *has illegally returned to the U.S. after being previously convicted of a felony and deported*, the officer will make an arrest for that criminal violation, after confirming the IVF status.

How can I get more information about the HCPD's policy or access to services and protections?

Please visit www.HCPD.org or contact the HCPD Community Outreach Division at 410-313-2207 or HCPDOutreach@howardcountymd.gov.