

## **307.9 IMMIGRATION ENFORCEMENT PROGRAM PROCEDURES**

- I. **PURPOSE:** The purpose of this Standard Operating Procedure (SOP) is to establish clear guidelines for the Tampa Police Department's implementation of the Immigration and Nationality Act (INA) 287(g) program, which authorizes certain trained and designated officers to exercise limited authority delegated by U.S. Immigration and Customs Enforcement (ICE) to enforce specific civil immigration laws. This SOP ensures that all immigration-related actions are carried out in compliance with federal law, the department's Memorandum of Agreement (MOA) with ICE, and applicable Florida Statutes, establishes standardized procedures for documenting and reporting suspected unauthorized alien encounters in accordance with FSS 908.1031, and safeguards the constitutional rights and civil liberties of individuals encountered during enforcement actions.
  
- II. **DISCUSSION:** The Immigration and Nationality Act (INA) 287(g) program provides a formal process through which U.S. Immigration and Customs Enforcement (ICE) may delegate certain civil immigration enforcement functions to local law enforcement officers who have successfully completed ICE-approved training and certification, referred to as Designated Immigration Officers (DIOs). Only officers explicitly trained and credentialed as DIOs may exercise these authorities, and the department remains committed to implementing the 287(g) program in a fair and impartial manner consistent with community policing principles. Immigration enforcement decisions shall never be based on race, color, religion, national origin, or other legally protected characteristics. All enforcement actions shall be rooted in objectively verifiable facts, legitimate law enforcement needs, and adherence to constitutional safeguards.
  
- III. **DEFINITIONS:**
  - A. **Designated Immigration Officer (DIO):** A sworn law enforcement officer who has completed U.S. Immigration and Customs Enforcement (ICE) approved 287(g) training, been formally credentialed, and is authorized under the Memorandum of Agreement (MOA) to perform specific immigration functions as listed in the designation of authority.
  
  - B. **Enforcement and Removal Operations (ERO):** The division of U.S. Immigration and Customs Enforcement (ICE) responsible for identifying, apprehending, detaining, and removing individuals who are unlawfully present in the United States.
  
  - C. **Interoperability Response Center (IRC):** The national point of contact for Designated Immigration Officers (DIOs) to verify immigration status, coordinate arrests, and obtain authorization from U.S. Immigration and Customs Enforcement (ICE) supervisors. The IRC can be reached at [REDACTED].
  
  - D. **National Crime Information Center (NCIC):** A national database containing [REDACTED], and other law enforcement records.

- E. Supervisory Detention and Deportation Officer (SDDO): An U.S. Immigration and Customs Enforcement (ICE) supervisor with authority to approve the issuance of administrative warrants and authorize civil immigration arrests.
- F. Form I-200 (Warrant of Arrest): An administrative warrant issued by U.S. Immigration and Customs Enforcement (ICE) for the arrest of an individual subject to removal.
- G. Form I-203 (Booking Form): The U.S. Immigration and Customs Enforcement (ICE) form used to document the booking and detention of an individual in ICE custody.
- H. Form I-205 (Warrant of Removal / Deportation): An administrative warrant issued after an immigration judge's final order of removal.
- I. Form I-247 (Immigration Detainer): A request from U.S. Immigration and Customs Enforcement (ICE) to a local jail or correctional facility to maintain custody of a suspected unauthorized alien for up to 48 hours beyond their scheduled release for immigration enforcement purposes.
- J. Immigration Status Inquiry: The process by which a law enforcement officer lawfully seeks to determine a person's immigration status during a legitimate enforcement action, based on objective and articulable facts indicating criminal activity, a threat to public safety or national security, prior unlawful reentry, a valid final removal order, or a verified database flag.
- K. Law Enforcement Agency Summary Data Form: A Florida Department of Law Enforcement (FDLE) form used by law enforcement agencies to provide aggregate data on the activities of its Designated Immigration Officers (DIOs).
- L. Suspected Unauthorized Alien Contact (SUAC) Form: A Florida Department of Law Enforcement (FDLE) form used by law enforcement officers to document encounters with individuals reasonably believed to be unlawfully present in the United States.

#### IV. STANDARDS & LIMITATIONS FOR IMMIGRATION ENGAGEMENT:

##### A. **Prohibition of Bias-Based Policing:**

1. **Officers shall not, under any circumstances, engage in bias-based policing. Enforcement actions shall never be initiated, influenced, or based upon an individual's race, ethnicity, national origin, religion, or any other legally protected characteristic. The department's guiding philosophy on bias-based policing, along with detailed requirements for the exercise of law enforcement authority in compliance with Florida**

Statutes, is outlined in Standard Operating Procedure 536.1 (Bias-Based Policing).

2. **Immigration status inquiries shall never be initiated solely on the basis of an individual's race, color, ethnicity, accent, manner of speaking, or perceived national origin. Such inquiries shall only be conducted in conjunction with a lawful law enforcement action and must be supported by an independently valid legal basis. Lawful circumstances include, but are not limited to:**

- a. **Traffic stops supported by probable cause or reasonable suspicion;**
- b. **Custodial arrests for state or local criminal offenses;**
- c. **Other lawful detentions authorized under applicable state or federal law.**

**B. Victims, Witnesses, and Individuals Requesting Services:**

1. **Officers are not required to share information with federal immigration authorities regarding victims or witnesses of crime, nor shall they inquire into or investigate the immigration status of cooperative victims, witnesses, or individuals requesting police services.**
2. **These restrictions are intended to foster and preserve trust between the department and immigrant communities, ensuring that individuals feel safe reporting crimes, seeking assistance, and cooperating with law enforcement without fear of reprisal or immigration-related consequences.**

**C. Restrictions on Immigration Enforcement Activities:**

1. **Officers are prohibited from engaging in broad-based immigration enforcement actions (e.g. workplace enforcement operations, traffic checkpoints, area saturation sweeps).**

**V. DESIGNATED IMMIGRATION OFFICERS (DIOs):**

- A. Only officers who have successfully completed the U.S. Immigration and Customs Enforcement (ICE) 287(g) training program and have been credentialed as Designated Immigration Officers (DIOs) under the terms of the Memorandum of Agreement (MOA) may exercise immigration enforcement authority. Officers without this designation shall not attempt to enforce immigration law or act upon administrative immigration warrants.

1. Designated Immigration Officers (DIOs) are authorized to perform only those duties and functions explicitly granted under the terms of the Memorandum of Agreement (MOA) with the U.S. Immigration and Customs Enforcement (ICE) and as outlined in this Standard Operating Procedure (SOP). Activities or actions falling outside the scope of these authorities are strictly prohibited.
2. Under the terms of the Memorandum of Agreement (MOA), participating law enforcement officers designated under the 287(g) program are authorized to exercise specific immigration enforcement functions, consistent with the Immigration and Nationality Act (INA) and corresponding federal regulations. These authorities include, but are not limited to:
  - a. Interrogation and Processing: Authority to question any person believed to be an alien regarding their right to remain in the United States and to process individuals arrested for state or federal offenses for potential immigration violations.
  - b. Arrest Without Warrant: Authority to arrest, without warrant, any alien unlawfully entering or present in the United States when there is reason to believe the individual is in violation of immigration law and likely to flee before a warrant can be obtained.
  - c. Execution of Warrants: Authority to serve and execute warrants of arrest for immigration violations under the Immigration and Nationality Act (INA) 287(a) and Title 8 of the Code of Federal Regulations 287.5(c)(2)
  - d. Evidence Collection and Processing: Authority to administer oaths, collect and consider evidence, and complete alien processing to include fingerprinting, photographing, interviewing, and preparing affidavits or sworn statements for review by officials with the U.S. Immigration and Customs Enforcement (ICE) for aliens in categories established by ICE supervisors.
  - e. Charging Documents: Authority to prepare charging documents for review and signature by officials with the U.S. Immigration and Customs Enforcement (ICE).
  - f. Issuance of Detainers: Authority to issue immigration detainers and complete associated documentation as directed by officials with U.S. Immigration and Customs Enforcement (ICE).
  - g. Custody and Transportation: Authority to assume and maintain custody of aliens arrested by U.S. Immigration and Customs

Enforcement (ICE) and to transport such individuals [REDACTED]

3. All Designated Immigration Officers (DIOs) shall carry their U.S. Immigration and Customs Enforcement (ICE) issued credentials when performing immigration functions.
- B. Designated Immigration Officers (DIOs) shall document all immigration enforcement actions in the Records Management System (RMS) using the designated offense code "DIO Investigation".
- C. [REDACTED]

## VI. PROCEDURES FOR IMMIGRATION STATUS INQUIRIES:

- A. Encounters and Identification:
  1. All law enforcement officers shall have a clear and lawful basis for any enforcement action, investigative stop, or detention. Immigration status inquiries shall never be initiated solely on the basis of a person's race, color, ethnicity, accent, manner of speaking, or presumed national origin.
  2. Immigration status inquiries shall only be conducted during lawful enforcement actions. Examples include, but are not limited to, traffic stops supported by probable cause or reasonable suspicion, custodial arrests for state or local offenses, or other lawful detentions authorized under state or federal law.
  3. Immigration status inquiries may only be conducted when one or more of the following conditions are met:
    - a. The person is suspected of, or observed engaging in, criminal activity;
    - b. The person presents an articulable threat to public safety or national security;
    - c. The officer has reliable information - [REDACTED] that the person has previously been removed or deported and has unlawfully reentered the United States;
    - d. The person is the subject of a valid final removal order (Form I-205); or

e. The person has been flagged in the NCIC [REDACTED] as being unlawfully present in the United States.

4. Officers who initiate an immigration status inquiry shall be able to clearly articulate the objective facts and circumstances that justified the inquiry. These details shall be thoroughly documented in a police report using the designated offense code "Suspected Unauthorized Alien Contact." The report will provide sufficient detail to allow for supervisory review and audit (if necessary).

5. Only officers who have been trained and credentialed as Designated Immigration Officers (DIOs) under the 287(g) program are authorized to access U.S. Immigration and Customs Enforcement (ICE) databases or conduct formal immigration status checks.

B. Immigration Status Inquiry Documentation:

1. Every immigration status inquiry, regardless of outcome, shall be documented in the department's Records Management System (RMS). The designated offense code for such reports shall be "Suspected Unauthorized Alien Contact." This requirement ensures consistent reporting, proper case tracking, and facilitates supervisory review and accountability.

2. The written police report documenting the immigration inquiry shall include, at a minimum, the following information:

a. The lawful basis for the enforcement action (e.g., traffic stop, arrest, field interview) and the specific objective facts that led to the immigration inquiry.

b. If the initiating officer is not a Designated Immigration Officer (DIO), the name of the DIO and/or Supervisory Detention and Deportation Officer (SDDO) who was contacted to conduct or authorize the immigration inquiry.

c. The results of the immigration inquiry, including confirmation of lawful status or determination that the person may be unlawfully present. If the latter is determined, the report shall indicate that a Suspected Unauthorized Alien Contact (SUAC) Form was completed and routed to the department's designated agency reviewer for review.

C. Suspected Unauthorized Alien Contact (SUAC) Form:

1. Officers encounter a suspected unauthorized alien during the normal course of duty must complete the Florida Department of Law Enforcement (FDLE) Suspected Unauthorized Alien Contact (SUAC) Form immediately following the encounter. The form is accessible under the [REDACTED] tab on the [REDACTED].
2. The form must be completed in its entirety. Required information includes, but is not limited to:
  - a. Time, date, and location of the encounter;
  - b. Identifiers for the suspected unauthorized alien [REDACTED]
  - c. [REDACTED]
  - d. Circumstances leading to officer's suspicion of suspected unauthorized alien's unlawful presence in the United States; and/or
  - e. Whether contact was made with U.S. Immigration and Customs Enforcement (ICE) and, if so, the results of that contact.
3. Upon completion of the form, officers shall select "Create Draft" (located in the bottom left corner of the form). When prompted to enter the email address for where the draft submission should be sent, officers shall enter the department's designated address - [REDACTED]
4. The department's designated agency reviewers shall evaluate the draft form that was submitted by the officer:
  - a. If accurate and complete, the reviewer shall select "Approved" and electronically submit the form to the Florida Department of Law Enforcement (FDLE).
  - b. If corrections are required, the reviewer shall select "Returned for Correction" and return the form to the originating officer. The originating officer is responsible for promptly correcting and resubmitting the form.
  - c. The originating officer and designated agency reviewer has no more than seven (7) days from the date of the encounter to ensure the form is finalized and submitted to the Florida Department of Law Enforcement (FDLE), in compliance with statutory requirements.

5. The designated agency reviewer shall attach a copy of the completed form to the associated police report in the Records Management System (RMS) to maintain complete records and ensure compliance with all applicable legal requirements.

D. Detainers and Referrals:

1. Immigration detainers (Form I-247) may only be issued by U.S. Immigration and Customs Enforcement (ICE) or by a Designated Immigration Officer (DIO) acting under ICE direction. Officers who are not credentialed under the 287(g) program are *prohibited* from requesting, obtaining, or issuing detainers under any circumstance.
2. Designated Immigration Officers (DIOs) must coordinate with the Interoperability Response Center (IRC) or a Supervisory Detention and Deportation Officer (SDDO) before issuing, serving, or honoring an immigration detainer. Such coordination is required to ensure compliance with U.S. Immigration and Customs Enforcement (ICE) policy, federal law, and the department's Memorandum of Agreement (MOA). The details of this coordination must be documented in the associated police report to provide a clear record of authorization.

VII. CIVIL IMMIGRATION ARREST WORKFLOW: This section outlines the proper procedures for handling suspected unauthorized aliens encountered during lawful enforcement actions, depending on whether or not an existing administrative warrant is present. The workflow distinguishes between arrests supported by state criminal charges and those limited to civil immigration enforcement under the Immigration and Nationality Act (INA) 287(g) program.

- A. Arrest of Suspected unauthorized alien *with* Existing Administrative Warrant (I-200 or I-205).
  1. If probable cause exists for state criminal charges:
    - a. The officer shall arrest the suspected unauthorized alien on the applicable state charges.
    - b. The officer shall immediately notify the Interoperability Response Center (IRC) of the suspected unauthorized alien's arrest and provide them with [REDACTED] they shall be booked.
    - c. Upon intake, the jail shall follow its established procedures for processing administrative warrants and detainers in coordination with ICE.

d. The arresting officer shall complete a Suspected Unauthorized Alien Contact (SUAC) Form immediately following the encounter and forward the completed form to the designated agency reviewers for review at [REDACTED]

2. If probable cause does not exist for state criminal charges:

a. If the officer is not a Designated Immigration Officer (DIO):

1. The officer shall contact the on-call Designated Immigration Officer (DIO), [REDACTED]

2. If an officer is unable to reach the on-call Designated Immigration Officer (DIO) [REDACTED], the officer shall contact the Interoperability Response Center (IRC) to determine whether a DIO from another agency is available to respond.

3. The officer is authorized to temporarily detain a suspected unauthorized alien pursuant to a confirmed administrative warrant, provided that a Designated Immigration Officer (DIO) is available to respond to the scene within a reasonable period of time. [REDACTED]

4. The responding Designated Immigration Officer (DIO) shall:

i. Confirm the validity of the administrative warrant.

ii. If confirmed, notify the Interoperability Response Center (IRC) of the designated location [REDACTED] where the suspected unauthorized alien shall be transported.

4. The officer shall complete a Suspected Unauthorized Alien Contact (SUAC) Form immediately following the encounter and forward the completed form to the designated agency reviewers for review at S [REDACTED].

b. If the officer is a Designated Immigration Officer (DIO):

1. The Designated Immigration Officer (DIO) shall detain the suspected unauthorized alien and confirm the validity of the administrative warrant.
2. If confirmed, the Designated Immigration Officer (DIO) shall notify the Interoperability Response Center (IRC) of the designated location [REDACTED] where the suspected unauthorized alien shall be transported.
3. The Designated Immigration Officer (DIO) shall complete a Suspected Unauthorized Alien Contact (SUAC) Form immediately following the encounter and forward the completed form to the designated agency reviewers for review at [REDACTED]

B. Detention of Suspected Unauthorized Alien *without* Existing Administrative Warrant:

1. If the officer is not a Designated Immigration Officer (DIO):
  - a. If no administrative warrant exists and the suspected unauthorized alien is not wanted on state charges, officers shall take no further enforcement action.
  - b. If probable cause exists for state charges, the officer shall contact the on-call Designated Immigration Officer (DIO) [REDACTED]. The DIO shall then notify the Interoperability Response Center (IRC) [REDACTED]. The DIO shall also advise the IRC of the jail where the suspected unauthorized alien shall be transported to on the state charges. The jail shall then follow its standard process for serving administrative warrants and detainers.
2. If the officer is a Designated Immigration Officer (DIO):
  - a. If no administrative warrant exists, the Designated Immigration Officer (DIO) may contact the Interoperability Response Center (IRC) to request issuance of an administrative warrant by the on-duty Supervisory Detention and Deportation Officer (SDDO).
  - b. If probable cause exists for state charges, the Designated Immigration Officer (DIO) shall arrest the suspected unauthorized alien on the applicable state charges and notify the Interoperability Response Center (IRC) of the jail where the suspected unauthorized

alien shall be transported. The jail shall then follow its standard process for serving administrative warrants and detainers.

- c. If no probable cause exists for state charges, the Designated Immigration Officer (DIO) shall arrest the suspected unauthorized alien on the administrative warrant and transport the individual [REDACTED]

## VIII. DATA COLLECTION AND REPORTING:

### A. Suspected Unauthorized Alien Contact (SUAC) Form:

1. All officers who encounter a suspected unauthorized alien during the normal course of duty shall complete the Suspected Unauthorized Alien Contact (SUAC) Form immediately following the encounter.
2. Upon completion of the form, the officers shall select [REDACTED] (located in the bottom left corner of the form). When prompted to enter the email address for where the draft submission should be sent, officers shall enter the department's designated address - [REDACTED]. A draft copy of the form will then be automatically routed to one of the department's designated agency reviewers for approval.
3. The department's designated agency reviewers [REDACTED] will either:
  - a. Approve the form and forward it to the Florida Department of Law Enforcement (FDLE); or
  - b. Return the form to the originating officer for correction and resubmission. Once corrected, the officer shall resubmit the form using the same process outlined above.
4. All completed and corrected forms must be finalized and transmitted to the Florida Department of Law Enforcement (FDLE) within seven (7) days of the initial encounter.

### B. Law Enforcement Agency Summary Data Form:

1. [REDACTED] shall prepare the Law Enforcement Agency Summary Data Form, detailing all immigration enforcement activities conducted by Designated Immigration Officers (DIOs) during a calendar month.

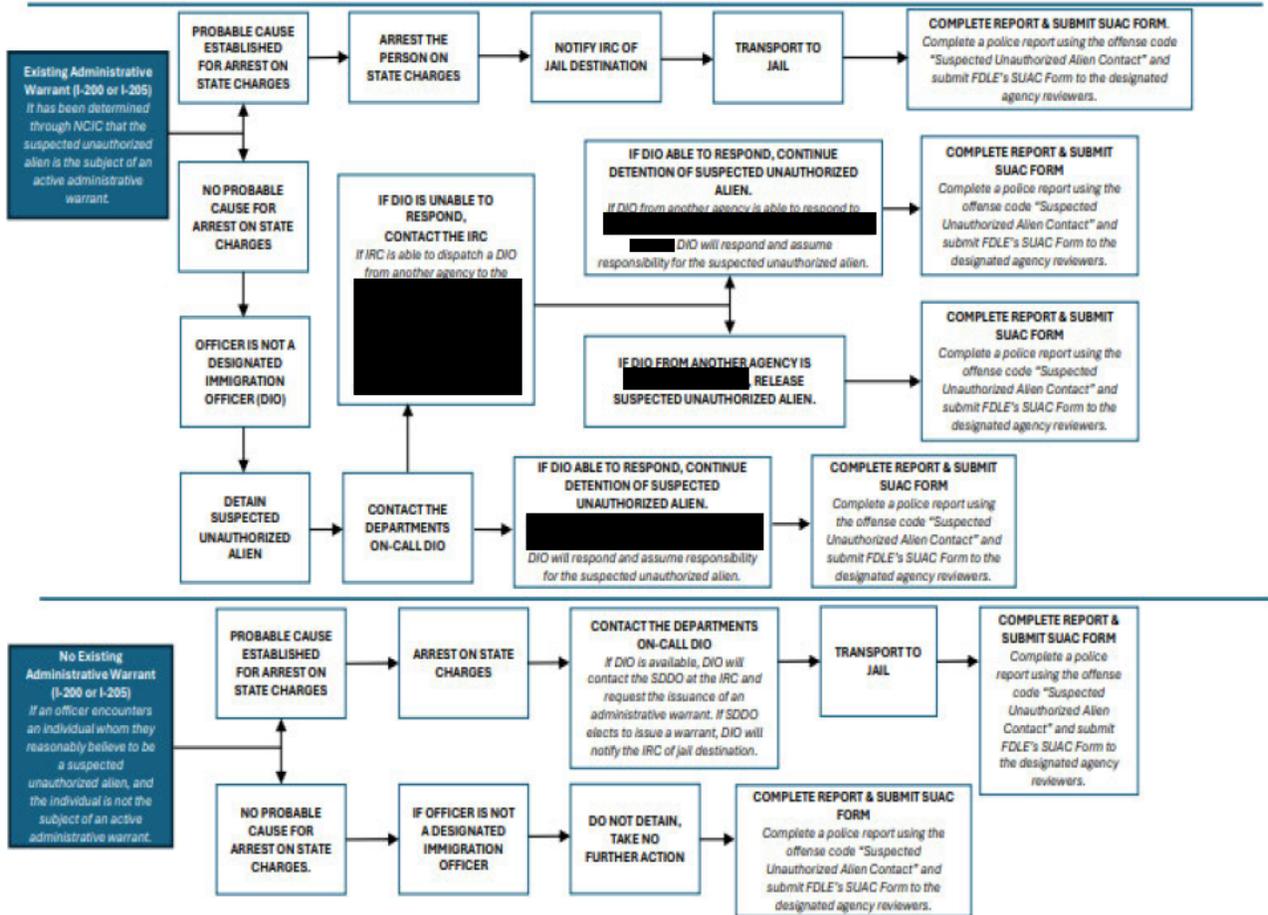
2. The completed Law Enforcement Agency Summary Data Form shall be submitted to the Major of the Criminal Investigations Division (CID) no later than the 10th day of each month.
3. The Major of the Criminal Investigations Division (CID) shall review the form for accuracy and compliance. Once approved, the report shall be submitted to the Florida Department of Law Enforcement (FDLE) no later than the 15th day of each month.

Supersedes SOP 307.9, dated 11/25.

ORIGINAL

# Florida Law Enforcement Officer Civil Immigration Arrest Workflow

A TAMPA POLICE DEPARTMENT OFFICER HAS CONTACT WITH A SUSPECTED UNAUTHORIZED ALIEN



## LIST OF TERMS

DIO - Designated Immigration Officer  
 FDLE - Florida Department of Law Enforcement  
 IRC - Interoperability Response Center

SDDO - Supervisory Detention and Deportation Office  
 SUAC Form - Suspected Unauthorized Alien Contact Form  
 I-200 - Warrant of Arrest  
 I-205 - Warrant of Removal

## IMPORTANT PHONE NUMBERS

DIO Number: [redacted]

IRC Number: [redacted]

