

COUNTY OF MONROE OFFICE OF THE SHERIFF ROCHESTER, NEW YORK

BULLETIN: PBB #01-2026

DATE: February 10, 2026

SUBJECT: Immigration Guidance

BY: Chief Deputy Michael Fowler

The Monroe County Sheriff's Office is committed to upholding the law and ensuring public safety while recognizing that civil immigration enforcement is the responsibility of federal agencies.

Our authority to arrest or hold individuals is based on a minimum standard of reasonable suspicion for a state or federal criminal offense, including judicial warrants and in accordance with existing state law. **NY State law bars state and local law enforcement officers from arresting or detaining individuals for civil immigration violations alone, even if federal immigration authorities have issued a detainer or administrative arrest warrant.**

MCSO may assist federal agencies when criminal charges or a judicial warrant is in place. MCSO only has the authority to execute warrants that are signed by a judge or magistrate, **NOT** Immigration Detainers or Administrative Warrants.

MCSO will continue to engage in coordination and information sharing with federal law enforcement authorities regarding criminal investigations under our existing policies and protocols, as well as back them up in officer safety situations.

MCSO will avoid being drawn into or becoming part of an immigration 'Round Up' or other proactive mass immigration enforcement effort.

The following directives will be followed to ensure that we are not supporting civil immigration efforts and that command is fully involved in the decision making.

- MCSO will not use the services of federal law enforcement agencies for language interpretation. We have contracts with civilian interpretation services that are to be used specifically for that purpose.
- The appropriate steps will be taken to conduct a thorough investigation and attempt to gain a positive ID of those suspected of criminal activity. At no time will race, ethnic background, immigration status, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable trait be the sole basis for stopping or detaining any person. This prohibition also applies to all traffic contacts, investigative matters, including efforts related to asset seizure and forfeiture activities (refer to **PBGO- 22 Biased Based Profiling**).
- Anytime a deputy concludes during the course of a criminal investigation, that all possible methods of identification have been exhausted and believes it's necessary to request a federal agency to help with identification of an individual, a supervisor must first be notified and will respond to the scene to ensure that all other options have been thoroughly exhausted and that the identification is essential to the overall public interest in the underlying cause. **Prior** to any requests for assistance by Federal LE partners (CBP, ICE, HSI, DEA, etc.) the supervisor will send the request up the chain of command. **The authority to determine if it is appropriate to summon any federal agency in these instances will rest with a Police Bureau Captain or above.**

- The captain must be thoroughly briefed on the incident and the necessity of the identification and that a thorough investigation has been done and there are no alternatives available. It will be the captain's responsibility to determine if MCSO will request assistance from or notify a Federal Agency. In addition, supervisors will make reasonable attempts to notify a member of the individual's immediate family of what has transpired should a federal agency take custody of an individual during an incident we are involved in.
- **Members will not cause an unreasonable delay to release any individual from our custody solely to allow federal agencies to execute a civil Immigration Detainer or Administrative Warrant.**
- Any person living or visiting our community must feel safe reporting crimes to us. Therefore, when dealing with a crime victim or witness of a crime whose immigration status is uncertain, MCSO will NOT make any notification to federal agencies unless a valid federal **criminal** arrest warrant signed by a magistrate or federal judge is determined to exist. In this instance deputies are encouraged to assist victims with obtaining a "U VISA" (A non-immigrant visa for victims of certain crimes who have suffered mental or physical abuse and are willing to assist law enforcement with investigation or prosecution) by referring the victim to the appropriate Crime Victim Specialist to help determine eligibility.
- Should such victims or witnesses prefer to arrange a more confidential or comfortable reporting process than just calling 911, they are encouraged to reach out to our agency liaisons and/or Crime Victim Specialists who will assist in coordinating that.
- In the event that MCSO is requested to assist by providing scene security or public safety during any planned federal immigration enforcement operations, notification shall be made through the chain of command to the Chief Deputy. There must be a criminal nexus to this request. The Chief Deputy will determine what, if any, participation by MCSO is appropriate. This requirement applies to all personnel, including those members assigned to federal task forces.
- Should MCSO become aware of an in-progress public safety issue, or persons injured related to federal immigration activities, we will take appropriate public safety actions. These may include securing and de-escalating the scene, facilitating medical treatment, identifying and securing evidence and witnesses, enforcing the law as appropriate and ensuring notification of appropriate investigative authorities, including but not limited to the FBI, U.S. Attorney's Office, District Attorney's Office, and the NYS Attorney General's Office.
- Anytime MCSO has involvement with a federal agency regarding immigration enforcement, a summary must be provided to the Major of Operations and Chief Deputy advising of the scope of the incident, the basis for federal involvement and final outcome of the encounter.

It is imperative that we recognize that our primary function is maintaining public safety and enforcing applicable criminal laws. We do not get involved in civil immigration enforcement. Abiding by these principles, maintains the trust we have built with our community members and is essential to our success.

PLEASE READ AT THREE (3) CONSECUTIVE ROLL CALLS