

	<b>Policy and Procedures</b>		<b>Chapter (55-4)</b>
	<b>Subject:</b>  <h2 style="text-align: center;">Immigration Policy</h2>		
	<b>Issuing Authority:</b> <b>Robert Bongiorno</b> <b>Chief of Police</b>		<b>Effective Date:</b>  <b>August 16, 2018</b>
	<b>Signature:</b>  <p style="text-align: center;">On File</p>		

**General Considerations and Guidelines**

The Bedford Police Department recognizes and values the diversity of the community it serves. Some of its residents have emigrated to this community from other countries and some may not be citizens or legal residents of the United States. The Bedford Police Department is committed to promoting safety and providing proactive community policing services to all who are located in our community. In furtherance of the department’s Community Policing philosophy, all community members and stakeholders should know that they are encouraged to seek and obtain police assistance and protection regardless of their specific immigration and/or documentation status.

The Bedford Police Department relies upon the cooperation of all persons, documented citizens and residents as well as those without a specific documentation status, to achieve our important goals of protecting life and property, investigating and preventing crime, as well as resolving recurring neighborhood issues. Assistance from the many various immigrant populations is especially important when an immigrant, whether documented or not, is the victim or witness to a crime. It is absolutely essential that these individuals do not feel uncomfortable or intimidated in coming forward with the requisite information and general firsthand knowledge to aid in investigating a particular crime. This type of mutual trust and cooperation is absolutely crucial in preventing and solving crime incidents, as well as maintaining public order, safety and security in the entire community.

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**Policy**

All Persons coming into contact with police officers or other personnel of the Department shall be afforded all of the civil and human rights and due process and equal protection safeguards available under the Constitution and laws of the United States and the Commonwealth of Massachusetts and the Town of Bedford and treaties of the United States, as applicable, irrespective of their immigration status.

No police officer or other employee of the Department shall inquire about a person's immigration status, nor shall such officer or employee take any policing action against a person based solely on the person's real or suspected immigration status, except in limited circumstances specifically identified by the Chief, for example for an international driver's license which is valid for persons in the country for a certain amount of time. All persons shall have the right to file police reports and serve as witnesses to crimes, participate in police-community activities, and otherwise benefit from general police services without fear of having their immigration status being used against them or made available to federal or state officials who may use such status against them.

No funds, resources, facilities, property, equipment, or personnel of the Department shall be used for any federal immigration custody or detainment or other enforcement purpose, except incidental use, such as fingerprints, that may be acquired by Immigration and Customs Enforcement or other federal agencies in the ordinary course of the Department's operations.

No police officer or civilian employee of the Department shall make any information in its databases or other record-keeping systems available to any entity for enforcement of any federal statute or program requiring registration of persons on the basis of race, gender, sexual orientation, gender identity, religion, national or ethnic origin, or political or social beliefs.

Any person who is arrested by the Department shall be booked in accordance with current policies and procedures for arrested persons. If, in the course of standard processing procedures, Immigration and Customs Enforcement files an immigration detainer, the arrestee shall be made aware of the detainer and provided a copy. The arrestee shall also be made aware that the Bedford Police Department will not hold them in custody on the Immigration and Customs Enforcement detainer if they post bail or are released on their own recognizance.

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**Policy**  
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No person shall be held in custody by the Department based solely on the existence of an Immigration and Customs Enforcement detainer or any other administrative warrant. The Department shall adhere to policies and procedures pertaining to the arrest of persons.

While the Department is prohibited from detaining persons on ICE detainers, it is not prohibited from detaining an arrestee, regardless of immigration status, for any lawful reason such as a judicial arrest warrant.

The Department shall keep a record of all arrestees who have been the subject of an Immigration and Customs Enforcement detainer after arrest by the Bedford Police Department. Included in the record shall be the following:

- The person's name;
- The charges or other grounds on which the person was arrested;
- Whether a decision was made not to proceed with prosecution and the person was released;
- The amount of bail set by the bail commissioner after arrest;
- Whether the person was released from the Department after booking or whether they were transferred to court.

**Victims /**  
**U-Visa**

The Bedford Police Department will assist immigrant victims of crime with their U-Visa applications when they are found to be cooperating with the detection, investigation or prosecution of criminal activity. For additional information see *Immigration Victims U-Visa Policy (Chapter 55-3)*.

**Immigration Policy Information****History**

August 16, 2018 – New Policy

**Review Date**

This policy is scheduled for review two years and updated as necessary.