

EXECUTIVE ORDER



DISTRICT OF COLUMBIA

Subject: Administrative Warrants in NCIC
Number EO-17-010
Effective Date March 24, 2017
Related To: GO-PER-201.26 (Duties, Responsibilities and Conduct of Members of the Department) GO-PCA-702.01 (Arrest and Bench Warrants)

I. PURPOSE

The purpose of this executive order is to remind members of our policy on immigration enforcement and the enforcement of immigration warrants contained in the National Crime Information Center (NCIC).

The Metropolitan Police Department (MPD) relies on the cooperation of all the residents of and visitors to the District of Columbia to support our community policing efforts. MPD cannot develop effective partnerships with our community members if a portion of that community fears that we will enforce civil immigration laws. To support the continued development of strong partnerships with all members of our many diverse communities, it has been the longstanding policy of MPD that our members do not make inquiries into the residency status of the people we serve, and we do not enforce civil immigration laws.

Section B, Paragraph 5 of Mayor's Order 2011-174, Disclosure of Status of Individuals: Policies and Procedures of District of Columbia Agencies, reads as follows:

*Law enforcement officers shall not make arrests **solely** based on administrative warrants for arrest of removal entered by the U.S Immigration and Customs Enforcement (ICE) into the NCIC database of the Federal Bureau of Investigation (FBI), including administrative immigration warrants for persons with outstanding removal, deportation, or exclusion orders.*

Consistent with both MPD policy and the above order, members shall not arrest individuals **solely** based on administrative (civil) warrants of removal or arrest entered by ICE into NCIC. Additionally, members shall not assist ICE agents in the arrest or transport of individuals solely based on administrative warrants. Members can identify these administrative warrants based on the language of the "hit" or response resulting from a Washington Area Law Enforcement System (WALES)/NCIC inquiry.

II. IDENTIFYING ICE ADMINISTRATIVE WARRANTS

The member and dispatcher shall review the introductory message at the beginning of the “hit” from NCIC. If it is administrative in nature, it will contain the language:

- SUBJECT HAS AN OUTSTANDING **ADMINISTRATIVE** WARRANT OF REMOVAL

or

- SUBJECT HAS AN OUTSTANDING **ADMINISTRATIVE** WARRANT OF ARREST FOR IMMIGRATION VIOLATIONS

If members encounter either of these types of ICE administrative warrants, **and** the individual does not have a criminal warrant or has not committed any other offense for which he or she would be subject to arrest, **then** the member shall not take action on the administrative warrant.

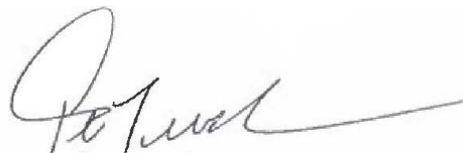
Members shall continue to act upon **criminal** warrants entered by ICE into NCIC pursuant to relevant directives [e.g., GO-SPT-302.06 (The Washington Area Law Enforcement System (WALES))].

Sergeants shall ensure compliance with this executive order when reviewing and signing arrest paperwork.

Examples of the two types of ICE administrative warrants in NCIC are attached. One example of a criminal warrant is also attached in order to provide context.

III. ATTACHMENTS

1. Attachment A: Sample Response from NCIC Inquiry: Administrative (Civil) Warrants
2. Attachment B: Sample Response from NCIC Inquiry: Criminal ICE Warrant



Peter Newsham
Acting Chief of Police

SAMPLE RESPONSE FROM NCIC INQUIRY: ADMINISTRATIVE (CIVIL) WARRANTS

Administrative Warrant of Removal:

WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 HAS AN
OUTSTANDING ADMINISTRATIVE WARRANT OF REMOVAL FROM THE UNITED STATES. CONTACT
LESC
AT (877) 999-5372 FOR IMMEDIATE HIT CONFIRMATION AND AVAILABILITY OF
BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT DETAINER.

MKE/IMMIGRATION VIOLATION - FAILURE TO APPEAR FOR REMOVAL
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W POB/FN DOB/19510101
HGT/510 WGT/180 EYE/BRO HAI/BRO CTZ/FN SKN/DRK
SMT/SC LF ARM
SOC/777010000
OFF/ALIEN UNLAWFULLY PRESENT DUE TO ORDER OF REMOVAL OR EXCLUSION FROM THE USA
OCA/ASD1234-T MIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT SUPPORT
CENTER
(877) 999-5372
NIC/N307770847 DTE/19980605 0000 EDT DLU/20090101 0600 EST
*****THIS RECORD MAY BE USED ONLY BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
*****END OF IMMIGRATION VIOLATOR FILE RESPONSE*****

Administrative Warrant of Arrest:

WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 HAS AN OUTSTANDING
ADMINISTRATIVE WARRANT OF ARREST FOR IMMIGRATION VIOLATIONS FOR FAILURE TO COMPLY
WITH NS REGISTRATION. CONTACT LESC AT (877) 999-5372 FOR IMMEDIATE HIT
CONFIRMATION AND AVAILABILITY OF BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT
DETAINDER.

MKE/IMMIGRATION VIOLATION - NS REGISTRATION
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W POB/FN DOB/19510101
HGT/510 WGT/180 EYE/BRO HAI/BRO CTZ/FN SKN/DRK
SMT/SC LF ARM
SOC/777010000
OFF/SOUGHT FOR VIOLATION OF NS REGISTRATION
OCA/ASD1234-T MIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT SUPPORT
CENTER (877) 999-5372
NIC/N307770847 DTE/19980605 0000 0830 EDT DLU/20090101 0600 EST
*****THIS RECORD MAY BE USED ONLY BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
*****END OF IMMIGRATION VIOLATOR FILE RESPONSE*****

SAMPLE RESPONSE FROM NCIC INQUIRY: CRIMINAL ICE WARRANT

One Example of a Criminal ICE Warrant:

***MESSAGE KEY ZW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS FILES ARE SEARCHED WITHOUT LIMITATIONS.
MKE/WANTED PERSON
EXL/1 - FULL EXTRADITION UNLESS OTHERWISE NOTED IN THE MIS FIELD
ORI/VTICE0900 NAM/TEST, TEST SEX/M RAC/W POB/EY
DOB/19000101 HGT/509 WGT/175 EYE/BRO HAI/BLK
SKN/LGT
MNU/PP-1234567 SOC/123456789
OFF/FRAUD - FALSE STATEMENT
DOW/20090114 OCA/2-M-TEST
VLD/20120411
MIS/CRIMINAL WARRANT IN VIOLATION OF TITLE 18 USC, SECTION 1542, FALSE STATEMENT
MIS/ON A PASSPORT APPLICATION; ISSUED BY THE U S DISTRICT COURT, EASTERN
MIS/DISTRICT OF VIRGINIA
DNA/N
ORI IS ICE LESC 802 872-6020
DOB/19730515
AKA/TESTER, TEST
AKA/ALPHA, BET
MNU/PP-5678943
SOC/9854321
NIC/W123456789 DTE/20090115 1510 EST DLU/20120411 1301 EST
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI