

Washtenaw County Sheriff's Office

General Order

Immigration Enforcement

Reference Number: 1.14 GO



Subject: Immigration Enforcement
Chapter: Professional Standards
Status: Revised
Compliance: Class 2
Supersedes: All Previous Directives
Standards Reference:
Prepared by: Alyshia M. Dyer, Sheriff
Reviewed by: Alyshia M. Dyer, Sheriff
Issued by: Matthew Harshberger, Undersheriff
Issuing Authority: Alyshia M. Dyer, Sheriff
Date of Issue: 01-30-2025

I. PURPOSE

- A. To provide the Sheriff's Office policy position and basic procedures regarding immigration enforcement.

II. SCOPE

- A. This General Order applies to all full and part-time Sheriff's Office employees who make or have investigative, law enforcement, or custodial contact with individuals and the incarcerated population as a part of their assigned duties.

III. POLICY

- A. The Sheriff's Office will comply with all requirements regarding the treatment and rights of foreign nationals. ([See 4.03RR Detention of Foreign Nationals](#))
- B. The enforcement of federal immigration law is a federal law enforcement function. It is not an investigative or law enforcement role or activity of the Sheriff's Office.
- C. Employees shall not profile individuals when deciding to initiate or while conducting investigative or law enforcement activity. Suspicion of undocumented immigration status is not a reason to take investigative action. Employees shall never ask about an individual's immigration status when performing their duties. Any activity regarding law enforcement shall be based upon reasonable suspicion or probable cause supported by clearly articulated facts and circumstances not relating to immigration status. ([See 2.03PG Biased Police Practices](#))

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- D. Metro-Dispatch staff shall not inquire about a caller's immigration status. Metro-Dispatch shall not dispatch a Deputy Sheriff or Police Officer to a location when the complaint is solely based upon the caller's suspicion of an individual's immigration status.
- E. The Sheriff's Office will not detain an individual under the sole justification of an Immigration Detainer or Warrant of Removal/Deportation issued by Immigration and Customs Enforcement ("ICE") and signed by an ICE agent when there is no valid judicial warrant or order by a judge.
- F. Sheriff's Office employees shall not use Sheriff's Office resources to enforce federal immigration law or assist in immigration related matters. Any requests to use resources to assist immigration enforcement shall be immediately reported to the division Commander and Undersheriff.

IV. DEFINITIONS

- A. Judicial Order: An official proclamation signed by a judge that defines the legal relationships between the parties to a hearing, a trial, an appeal, or other court proceedings.
- B. Federal Judicial Warrant (Immigration Law Violation): A warrant based on probable cause for a violation of federal immigration law which is issued and signed by a federal judge or federal magistrate.

V. PROCEDURE

- A. Police Services:
 - 1. Deputy Sheriffs shall not respond to or investigate complaints solely based upon the legal status of an individual, i.e., no other alleged state crime or local ordinance violation within the jurisdiction. Such complaints are federal immigration matters.
 - 2. Police Services staff will not inquire as to the immigration status of individuals encountered in the normal course of investigative or law enforcement activity. ([See 2.03PG Biased Police Practices](#))
 - 3. Police services staff will not accompany or assist ICE agents when taking immigration enforcement action(s) in the County for purposes of immigration related matters. However, if the Sheriff's Office is made aware of ICE activity, police services staff may be directed to respond to the scene in an effort to observe the activity. Any response by police services staff to the scene of ICE activity must be reported to the Division Commander and/or Undersheriff.

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B. Corrections:

1. Department of Homeland Security Immigration Detainers ([DHS Form I-247](#)) and Department of Homeland Security Warrants of Removal/Deportation ([ICE Form I-205](#)) are advisory requests to detain an individual. They are not federal judicial warrants.
2. The Sheriff's Office will not detain an individual under the justification of an Immigration Detainer or Warrant of Removal/Deportation issued by ICE and signed by an ICE agent.
 - a) The Sheriff's Office will only detain an individual if the Immigration Detainer or Warrant of Removal/Deportation is accompanied by a federal court order or warrant signed by a federal magistrate or judge.

C. Agency-Wide:

1. No Substantive Rights Created: This Policy is an exercise of discretion by the Washtenaw County Sheriff's Office. Nothing in this Policy purports to affect the legality or propriety of any sheriff's office employee's actions. Nothing in this Policy shall be interpreted to create substantive or enforceable rights.
2. Exceptions: All cases are different, and this Policy accordingly provides guidance that is presumptive only. Requests for deviations from this Policy shall be made in writing and require the approval of the Sheriff and Undersheriff. A deviation from this Policy will be granted only in exceptional circumstances, and where public safety necessitates such deviation.

VI. EXCEPTIONS

- A. Only the Sheriff and/or Undersheriff may make exceptions to the above policy and procedure in extreme circumstances.

VII. MODIFICATION

- A. The Sheriff or Undersheriff may modify the provisions of this policy and procedure.

VIII. COMPLIANCE

- A. All employees shall comply with all provisions of this procedural guideline. A violation of any section is a Class 2 offense and may result in corrective discipline.

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- B. A violation of this policy and procedure may also be a violation of other Sheriff's Office professional conduct standards which may result in corrective disciplinary action up to and including discharge.