

EXECUTIVE ORDER 2017-01
CREATION OF CITY POLICY WITH RESPECT TO IMMIGRANTS AND REFUGEES

TO: ALL OFFICERS, EMPLOYEES, AGENCIES, BOARDS, AUTHORITIES, AND DEPARTMENTS OF THE CITY OF LANSING

SUBJECT: CITY POLICY WITH RESPECT TO IMMIGRANTS AND REFUGEES

The City of Lansing has a rich and diverse population, which includes immigrants and refugees who make substantial economic, social, and cultural contributions to our community. The City also has a long history of commitment to preserving civil rights and liberties, regardless of one's immigration or refugee status. And as such, Lansing shares the company of a growing number of cities, townships, counties and states who celebrate diversity and provide equal protection for all residents, immigrant and refugee, documented and undocumented.

To ensure these protections, and to reflect its commitment to both the equal enforcement of the law and service to the public, the Lansing Police Department has for many years instituted policies that would not only assist it with respect to crime reporting and investigation, but also encourage community participation in both. Furthermore, the fear of any reprisal that might follow the revelation of one's immigration status should not give cause for failing to assist law enforcement in their efforts to make Lansing a safe community.

It is the policy of the Lansing Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of the Department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

The Lansing Police Department Administration will work with the City of Lansing Board of Police Commissioners, a citizen task force of immigration advocates, and the Office of the City Attorney to develop a policy that will provide guidelines to members of the Department to act in accordance with this order. The policy language will clarify and solidify a public safety position that engenders trust within the community, not fear.

However, given the current political environment, I believe it is necessary to reaffirm the City of Lansing's long-standing commitments and policies referenced above for the personal safety and dignity of its residents and visitors.

Accordingly, pursuant to the powers vested in me by the Lansing City Charter, I am issuing the following executive order which shall have immediate effect:

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LANSING CITY CLERK

EXECUTIVE ORDER 2017-01

1. CREATION OF CITY POLICY WITH RESPECT TO IMMIGRANTS AND REFUGEES

Lansing officials, officers and employees will not ask about, nor record information on, any person's immigration status, except as required by federal or state statute or court decision.

Lansing Police Department personnel will not, independently or in assisting other law enforcement agencies, stop, pursue, interrogate, investigate, arrest or otherwise detain a person based solely on their immigration status or suspected violations of immigration law.

Lansing Police Department personnel are prohibited from soliciting information regarding immigration status from persons who are seeking police services or are the victims of, or witness to, a crime.

Individuals in the custody of the Lansing Police Department shall be subject to the same booking, processing, release, and transfer procedures, policies, and practices of the Department, regardless of actual or suspected citizenship or immigration status.

Lansing Police Department shall not continue to detain an individual beyond their initial release time pursuant to an immigration detainer request without a valid judicial warrant. In addition, officers shall not arrest or detain individuals based on administrative immigration warrants, including those entered in Michigan Law Enforcement Information Network (LEIN) or National Crime Information Center (NCIC) database.

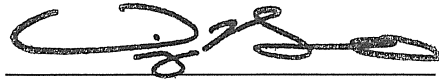
Lansing Police Department personnel will not enter into any agreement or Memoranda of Agreement to perform the functions of federal immigration agents for the Department of Homeland Security (DHS) under Section 287(g) of the Immigration and Nationality Act (INA).

When dealing with persons who lack a State identification card or a driver's license, the methods used for establishing identification shall be uniform. Acceptable forms of identification, which must include a photograph of the individual, include, but are not limited to, current or previous driver's licenses from any U.S. state or foreign country, government-issued IDs by a U.S. jurisdiction, foreign passports, and consular ID cards. Individuals should not be stopped or detained solely for the purpose of establishing their identity.

Lack of government-issued identification or limited English ability shall not be used as a pretext to contact federal immigration authorities. Enlisting the assistance of the Immigration Customs and Enforcement Division of the Department of Homeland Security should only be utilized when crimes of a serious nature are being investigated.

Nothing in the Executive Order is intended to, or should be construed to, limit communication with federal immigration authorities about an individual's citizenship or immigration status as prohibited by 8 USC § 1373.

This Executive Order, is signed on this 3rd day of April, 2017 shall remain in effect until is it rescinded or superseded.

A handwritten signature in black ink, appearing to read 'Virg Bernero', written over a horizontal line.

VIRG BERNERO

Mayor of the City of Lansing, Michigan