428.1 POLICY
Members of this Department will provide, to the best of their ability, equal enforcement of the law and 
equal service to the public, regardless of alien status. It is the policy of the Department that officers 
shall not enforce violations of immigration law/status.

428.1.1 PURPOSE AND SCOPE
Immigration status alone is not a matter for police action. Awareness of this will increase the 
effectiveness of the Department in protecting and serving the entire community.

428.2 JURISDICTION AND ENFORCEMENT
The U.S. Immigration and Customs Enforcement (ICE) has primary jurisdiction for enforcement of the 
provisions of Title 8, United States Code dealing with illegal entry, etc. When assisting ICE at their 
specific request, this Department may assist in the enforcement of any suspected criminal violations 
discovered as a result of inquiries or investigations initiated by ICE.

428.3 SWEEPS
The Fresno Police Department does not independently conduct sweeps or other concentrated efforts to 
detain suspected undocumented aliens.

When enforcement efforts are increased in a particular area, equal consideration should be given to all 
suspected violations and not just those affecting a particular race, ethnicity, age, gender, 
socioeconomic status, or other group.

The disposition of each contact (e.g., warning, citation, arrest, etc.), while discretionary in each case, 
should not be affected by such factors as race, ethnicity, sexual orientation, etc.

428.3.1 BASIS FOR CONTACT
The fact that an individual is suspected of being an undocumented alien shall not be the basis for 
contact, detention, or arrest.

428.4 ICE REQUEST FOR ASSISTANCE
If a specific request is made by ICE or any other federal agency, this Department will provide available 
support services, such as traffic control or keep-the-peace efforts, during the federal operation.

Members of this Department should not participate in such federal operations as part of any detention 
team unless it is in direct response to a request for assistance on a temporary basis or for officer safety. 
Any detention by a member of this Department should be based upon the reasonable belief that an 
individual is involved in criminal activity.

428.5 VALID IDENTIFICATION CARDS/"MATRICULA CONSULAR"
The identification card known as the “Matrícula Consular” is issued by the Mexican Consulate to 
Mexican citizens who have established residency in the United States. This valid form of identification 
includes the person’s photograph, name, address, date of birth, and a serial number. Department 
members shall familiarize themselves with the card’s security features to determine its authenticity. 
Department members shall recognize this card as a valid form of identification when attempting to 
establish a person’s identity during an investigation and/or while issuing a misdemeanor citation. This 
documentation card is not to be considered as a valid driver’s license.
428.6 CONSIDERATIONS PRIOR TO REPORTING TO ICE
The Fresno Police Department is concerned for the safety of local citizens and thus detection of
criminal behavior is of primary interest in dealing with any subject. Race, gender, religion, sexual
orientation, age, occupation or other arbitrary aspects are of no bearing on the decision to arrest.

428.6.1 U-VISA NONIMMIGRANT STATUS
Penal Code section 679.10 mandates that certain state and local agencies and officials complete U-
Visa certifications, upon request, for immigrant crime victims who have been helpful, are being helpful,
or likely to be helpful in the detection, investigation, or prosecution of specified qualifying crimes. A
petition for a U-Visa from the U.S. Citizenship and Immigration Services must be completed on DHS
Form I-918 Supplement B by the U-Visa Coordinator or the assigned prosecutor and must include
information on how the individual can assist in a criminal investigation or prosecution in order for a U-
Visa to be issued.

Any request for assistance in applying for U-Visa status should be forwarded in a timely fashion to the
U-Visa Coordinator. The coordinator should do the following:
   (a) Consult with the assigned investigator to determine the current status of any related case
and whether an update on the case is warranted;
   (b) Review the instructions for completing the certification if necessary. Instructions for
completing Form I-918 Supplement B can be found on the DHS website at
http://www.uscis.gov/i-918
   (c) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the
certification has not already been completed and that certification is warranted;
   (d) Complete the certification within 90 days (or 14 days if the individual is in removal
proceedings); and
   (e) Ensure that any decision to complete or not complete the form is documented in the case
file and forwarded to the appropriate prosecutor. A copy of any completed certification shall
be included in the case file.