Chicago Police Department

Special Order S06-14-03

RESPONDING TO INCIDENTS INVOLVING CITIZENSHIP STATUS

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RESCINDS:	18 September 2025 Version		
INDEX CATEGORY:	06 - Processing Persons		
CALEA:	Law Enforcement Standards Chapter 1		

I. PURPOSE

This directive:

A. continues the procedures for responding to incidents involving citizenship status delineated in the Welcoming City Ordinance, Title 2-173 of the Municipal Code of Chicago (MCC).

B. continues the Immigration Detainer/Administrative Warrant Log (CPD-31.110).

C. *continues* the Incident Involving Outside Law Enforcement Agency report (CPD-21.340).

D. *introduces additional Department's response procedures for incidents involving federal enforcement of civil immigration law consistent with the "Ice on Notice" Executive Order (2026-01), including:*

1. *documenting the incident on body-worn camera,*
2. *rendering medical aid to injured persons, and*
3. *reporting requirements to document apparent violations of law by members of a federal immigration or other federal law-enforcement agency.*

II. GENERAL INFORMATION

Pursuant to federal law, the enforcement of immigration law generally rests with the U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) and not with the state and local police.

III. DEFINITIONS

For the purpose of this directive, the following definitions apply:

A. "Administrative warrant" means an immigration warrant of arrest, order to detain or release aliens, notice of custody determination, notice to appear, removal order, warrant of removal, or any other document that can form the basis for an individual's arrest or detention for a civil immigration enforcement purpose, non-limiting examples of which include Form I-200 "Warrant for the Arrest of Alien," Form I-205 "Warrant of Removal/Deportation," any predecessor or successor form, and all wants, hits, or requests contained in the "Immigration Violator File" of the FBI's National Crime Information Center database. This definition does not include a criminal warrant issued upon a judicial determination of probable cause, and in compliance with the requirements of the Fourth Amendment to the U.S. Constitution and Article I, Section 6, of the Illinois Constitution.

B. "Immigration detainer" means a request by ICE to a federal, state, or local law enforcement agency to provide notice of release or maintain custody of an individual based on an alleged violation of a civil immigration law, non-limiting examples of which include detainers issued pursuant to Sections 1226 or 1357 of Title 8 of the United States Code or Sections 287.7 or 236.1 of Title 8 of the Code of Federal Regulations, Form I-247A "Immigration Detainer - Notice of Action" and any predecessor or successor form.

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C. The United States Department of Homeland Security (DHS) protects the United States against threats. Its wide-ranging duties include aviation security, border control, emergency response, and cyber security. Agencies within DHS include the U.S. Immigration and Customs Enforcement Agency (ICE) and U.S. Customs and Border Patrol (CBP). Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO) are components of ICE.

D. "Immigration agent" means any person tasked with the enforcement of civil immigration law employed by ICE ERO, HSI, CBP, or any successor agencies.

E. "Immigration agency" means an agency tasked with enforcement of federal civil immigration laws including ICE ERO, HSI, CBP, or any successor agencies.

F. "Contact information" means any information that assists in contacting an individual, including, but not limited to, telephone numbers, social media identifiers, electronic mail addresses, or home or work addresses.

IV. POLICY

A. Department members will provide police service to all persons in the City of Chicago, regardless of their citizenship or immigration status.

B. Department members will not utilize threats of deportation, or engage in verbal abuse of any person based upon the person's or the person's family members' actual or perceived citizenship or immigration status.

C. Department members will **not** participate in civil immigration enforcement operations or assist the civil enforcement of federal immigration law.

EXCEPTION: This does **not** preclude Department members from responding and taking police action should a contemporaneous public safety concern arise or in response to alleged violations of the Illinois Compiled Statutes or Municipal Code of Chicago.

D. The Department will **not** enter into an agreement under Section 1357(g) of Title 8 of the United States Code or any other provision of federal law that permits state or local governmental entities to enforce federal civil immigration law.

E. The Department will **not** enter into or renew any agreement providing direct access to any electronic database or other data-sharing platform maintained by the Department or otherwise provide direct access to such database, to any federal agency if the Department determines that the purpose of such access is for the enforcement of civil immigration law.

F. Department members will **not** stop, arrest, detain, or continue to detain a person:

1. solely on the belief that the person has committed a civil immigration violation or is not legally present in the United States.

2. based upon an administrative warrant, including but not limited to, those entered into the Federal Bureau of Investigation's National Crime Information Center (NCIC) database, successor database, or similar database maintained by the United States.

3. based upon an immigration detainer.

G. Department members will **not** :

1. permit immigration agents access to a person being detained by, or in custody of, the Department or a Department member, including by telephone.

2. permit immigration agents to use Department facilities for investigative interviews or other investigative purpose.

3. while on duty, expend time responding to an immigration agency's inquiry or communicating with an immigration agency regarding a person's custody status, release date, or contact information.

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NOTE: Department members are only authorized to communicate with immigration agencies to clarify whether any matter involves enforcement based solely on a violation of a civil immigration law (MCC 2-173-020(a)(3)). Department members will **not** participate in civil immigration enforcement operations or assist the civil enforcement of federal immigration law.

4. transfer any person into ICE custody for the sole purpose of civil immigration enforcement.

5. request, maintain, or share the citizenship or immigration status of any person unless such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or guardian.

   NOTE: The prohibition in Item IV-G-5 does not apply when required by statute, federal regulation, court order, or a lawfully issued judicial warrant (MCC 2-173-030(a)).

6. set up a traffic perimeter or provide on-site support to assist a civil immigration enforcement operation.

   NOTE: This does not preclude Department members from responding and taking police action should a contemporaneous public safety concern arise or in response to alleged violations of the Illinois Compiled Statutes or Municipal Code of Chicago.

H. The Department will cooperate with those who report crimes, regardless of whether such report is made by a witness or a victim, and regardless of the citizenship or nation of origin of the reporter. Upon receiving a request for completion of a law enforcement certification form or statement required by federal immigration law certifying that a person is a victim of qualifying criminal activity, Department members will follow the procedures delineated in the Department directive titled "T Visa and U Visa Nonimmigrant Status Certification."

I. Where presentation of an Illinois driver's license or identification card is accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document) will be accepted and will not subject the person to a higher level of scrutiny or different treatment than if the person had provided an Illinois driver's license or identification card (MCC 2-173-040(b)).

V. PROCEDURES

A. If the Department receives a call for service or responds to an incident that indicates or includes a request from an immigration or other law enforcement agency to provide assistance with a civil immigration enforcement operation, the responding Department member will:

1. request a supervisor from the district of occurrence to respond to the scene.

2. *consistent with the Department directive titled* "Body Worn Cameras":

   a. *activate their Body-Worn Camera to record the incident and any other law-enforcement-related activities, and*

   b. *flag the BWC recording of the incident for retention in Evidence.com, including any use of force, detentions, injuries, or other federal law-enforcement activity.*

3. *relay any information on observed federal enforcement activities to the on-scene Street Deputy or WOL, who will ensure that the information is documented by the district commander of the district of occurrence in the Incident Involving Outside Law Enforcement Agency report* (CPD-21.340) *completed for the incident.*

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4. *consistent with the Department directive titled* "Preliminary Investigations," *once the scene is safe and as soon as reasonably practical, whenever a person is determined to be injured, complains of injury, or requests medical attention:*

   a. *request appropriate medical aid for the injured person by contacting emergency medical services from the Chicago Fire Department via the Office of Emergency Management and Communications (OEMC).*

   b. *render medical aid to injured persons consistent with their Department training, including Law Enforcement Medical and Rescue Training (LEMART).*

B. The notified supervisor from the district of occurrence will respond to the scene, assume command and oversight of the incident, and will notify:

1. the watch operations lieutenant (WOL) of the district of occurence, who will respond to the scene,

2. the district commander of the district of occurence, and

3. CPIC, who will immediately notify the on-duty Street Deputy to respond to the scene.

REMINDER: The responding supervisor will assume command and oversight of the scene until relieved by a higher-ranking supervisor from district law enforcement or the Street Deputy.

C. The notified Street Deputy and WOL **will respond to the scene** and:

1. determine the appropriate on-scene police actions and Department response.

2. determine if the request is to assist in the enforcement of civil immigration law.

3. *identify the federal supervisory officer on the scene. If no supervisory officer is present, request the on-scene response by a federal supervisory officer.*

4. *activate their Body-Worn Camera to record the identification of the federal supervisory officer on the scene, including any refusals or requests for supervisory verification.*

NOTE: *The on-scene Street Deputy and WOL will ensure all on-scene Department members are complying with the Department directive titled* "Body Worn Cameras," *including recording law-enforcement-related activities.*

5. *ensure that any information on the identification of the federal supervisory officer on the scene and observed federal enforcement activities are documented by the district commander of the district of occurrence in the Incident Involving Outside Law Enforcement Agency report* (CPD-21.340) *completed for the incident.*

D. If the WOL or Street Deputy determines that the request is to assist in the enforcement of civil immigration law, the WOL or Street Deputy will decline the request and notify the Office of Emergency Management and Communications (OEMC) of the request for assistance with civil immigration enforcement and the declination.

E. If the WOL or Street Deputy determines that the request is not to assist in the enforcement of civil immigration law, the responding on-scene supervisor will ensure that appropriate police action is taken.

F. If an investigation reveals an individual is the subject of:

1. an administrative warrant or immigration detainer that is based solely on a violation of an administrative immigration law and:

   a. is not in custody, Department members will **NOT** take the subject into custody for the administrative warrant.

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b. is in custody for an unrelated charge, Department members will:

(1) **NOT** enforce the administrative warrant.

(2) indicate the presence and non-enforcement of the administrative warrant in the narrative of the Arrest Report.

2. a criminal warrant, Department members will take the individual into custody and process him or her in accordance with the procedures outlined in the Department directives titled "Non-Traffic Arrest Warrant Procedures" and "Processing Persons Under Department Control."

VI. REPORTING REQUIREMENTS

A. A Department member receiving a request from an immigration agency via OEMC will follow the procedures outlined in Item V of this directive.

B. ***Immigration Detainers and Administrative Warrants***

1. Members of the Administrative Support Division who receive an immigration detainer or administrative warrant will note the receipt on the Immigration Detainer/Administrative Warrant Log (CPD-31.110). The Director, Administrative Support Division, will ensure that this Log is forwarded to the commanding officer, Strategic Initiatives Division, on a quarterly basis.

2. Any other Department member receiving an immigration detainer or administrative warrant from an immigration agency will submit an Information Report via the Automated Information Report System, *consistent with the Department directive titled* "Information Reporting System" *with the category of "Receipt of Immigration Detainer/Administrative Warrant." The Information Report will include:*

a. the date that the immigration detainer or administrative warrant was received; and

b. the file number and subject's information including name, date of birth, and sex.

C. ***Reporting Conduct of Members of a Federal Immigration or Other Federal Law-Enforcement Agency.***

1. *Any Department member receiving information from a member of the public regarding conduct by members of a federal immigration or other federal law-enforcement agency* ***during a civil immigration enforcement or other law-enforcement operation*** *that constitutes apparent violations of state or local law will:*

a. *notify their immediate supervisor of the incident.*

b. *preserve any identified evidence consistent with the Department directive titled* "Processing Property Under Department Control."

c. *complete an Information Report via the Automated Information Report System consistent with the Department directive titled* "Information Reporting System" *with the category of* ***"Apparent Violation of Law by Federal Law Enforcement."*** *The Information Report will include:*

(1) *the date, time, and location of the apparent violation of law by federal law enforcement incident;*

(2) *any identifiers of the involved federal law enforcement agency or personnel;*

(3) *any complainant and witness information, including contact information; and*

(4) *a description of the allegation or information provided by the complainant or witnesses.*

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NOTE: *Department members will continue to respond and document incidents consistent with the Department directive titled* "Preliminary Investigations" *when there is an allegation of criminal activity or other violations of the law by a member of a federal immigration or other federal law-enforcement agency that occurs outside of their law-enforcement responsibilities or a civil immigration enforcement operation.*

d. *immediately upon the submission of the Information Report as outlined above in Item VI-C-1-c of this directive:*

(1) *provide the Information Report number to the member of the public reporting the conduct of members of a federal immigration or other federal law-enforcement agency.*

(2) *notify the watch operations lieutenant (WOL) of the district of occurrence to review and approve the submitted Information Report.*

e. *when directed by the watch operations lieutenant of the district of occurrence, complete the appropriate Case: Incident Report consistent with the Incident Reporting Guide* (CPD-63.451) *and any other applicable Department directives, and:*

(1) *provide the Case Report number (RD number) and a completed Victim Information Notice* (CPD-11.383) *consistent with the Department directive titled* "Preliminary Investigations" *to the member of the public reporting the conduct of members of a federal immigration or other federal law-enforcement agency, and*

(2) *make the appropriate immediate notifications consistent with the Department directive titled* "Preliminary Investigations: Required Immediate Notifications."

2. *Upon the notification of the submitted Information Report as outlined in Item VI-C-1-d of this directive, the WOL of the district of occurrence will immediately review the submitted Information Report to make a determination of whether the facts and evidence related to the incident require any further immediate actions by the Department.*

a. *If the incident described involved a death, shooting, act of violence, felony offense, or any other incident that requires immediate Department action or a notification for follow-up investigation by Bureau of Detectives personnel, ensure the appropriate Case: Incident Report is completed consistent with the Incident Reporting Guide (CPD-63.451) and any other applicable Department directives.*

(1) *The WOL of the district of occurrence will review and, when appropriate, approve the submitted Case: Incident Report consistent with the existing Department directives.*

(2) *Incidents reported on a Case: Incident Report will continue to be investigated and referred to the Cook County States Attorney consistent with the existing Department directives.*

b. *If the incident described involved any other offense, ensure that the information is evaluated and, when appropriate, acted upon consistent with the Department directive titled* "Information Reporting System."

3. *The notified Department supervisor will:*

a. *respond to the scene if it is determined that on-scene supervisory response is necessary.*

b. *ensure that any appropriate reports are completed and any notifications are made consistent with the requirements of this directive and any other applicable Department directives.*

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c. *ensure collection and preservation of evidence relating to the incident consistent with the Department directive titled* "Processing Property Under Department Control."

4. *Information Reports completed for* ***"Apparent Violation of Law by Federal Law Enforcement"*** *will be reviewed by the Crime Prevention and Information Center (CPIC) consistent with the Department directive titled* "Information Reporting System" *and forwarded to the district of occurrence Review Office. The assigned district review officer will:*

a. *review the forwarded Information Report and, when appropriate, ensure the information acted upon consistent with the Department directive titled* "Information Reporting System."

b. *submit their review of the Information Report, and when applicable any other completed Department report, to the watch operations lieutenant (WOL) in the district of occurrence for review and approval.*

5. *The notified Bureau of Detectives personnel will continue to respond to incident notifications and investigate incidents reported on a Case: Incident Report consistent with existing Department and Bureau of Detectives directives, including but not limited to the Department directive titled* "Felony Review by Cook County State's Attorney."

D. ***Reporting Incidents Involving Outside Law Enforcement Agencies***. The district commander of the district of occurrence will complete an Incident Involving Outside Law Enforcement Agency report (CPD-21.340) at the conclusion of the incident.

1. The report will be completed and submitted for review by the end of the tour of duty following the day of the incident.

2. The report will include a summary of the incident, including but not limited to the outside law enforcement agency and contact information, the Department's response to the incident, and any guidance or recommendations provided to responding members to improve future responses to similar incidents.

3. In the absence of an on-scene response from the district commander of the district of occurrence, the on-duty Street Deputy who responded to the scene will complete the report.

E. The Strategic Initiatives Division will:

1. issue a quarterly report consistent with the reporting requirement of the Welcoming City Ordinance (MCC 2-173-069).

2. *to the extent permitted by law, publicly report aggregated data regarding incidents in which Department members completed an Information Report with the category of* ***"Apparent Violation of Law by Federal Law Enforcement"*** *to document receiving information from a member of the public regarding conduct by members of a federal immigration or other federal law-enforcement agency* ***during a civil immigration enforcement or other law-enforcement operation*** *that constitutes apparent violations of state or local law.*

(Items indicated by *italics/double underline* were added or revised.)

Authenticated by MWK

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Interim Superintendent of Police

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