

Las Vegas Metropolitan Police Department

Office of Public Information

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Joseph Lombardo, Sheriff

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FOR IMMEDIATE RELEASE

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LVMPD Will No Longer Detain Persons on Federal Immigration Holds 287(g) Program Suspended

On September 27, 2019, the Central District for California ruled that (1) ICE is enjoined from issuing detainers to state and local law enforcement agencies in states where there is no explicit state statute authorizing civil immigration arrests on detainers and (2) ICE is enjoined from issuing detainers based on probable cause, when the investigation of immigration status and removability consists of only a database search. Nevada does not have a statute authorizing an arrest for a civil immigration violations. LVMPD has analyzed the Court's decision and concluded that it will no longer honor Federal immigration detainers for civil immigration violations. This decision also affects LVMPD's jail-based Memorandum of Agreement with ICE (287(g)). On October 22, 2019, LVMPD gave notice to ICE that it was suspending the Agreement.

The Court's decision is likely to be appealed to the Ninth Circuit Court of Appeals. LVMPD awaits further direction from the appeals court; however, until the uncertainty in the law is clarified, it must cease honoring ICE detainers. LVMPD will continue to work with ICE at the Clark County Detention Center in removing persons without legal status who have committed violent crimes.

"I am optimistic that this change will not hinder LVMPD's ability to fight violent crime" said Sheriff Joseph Lombardo. "While the ruling can be seen as a setback, I am determined that through cooperation with our federal partners the goal of removing the worst of the worst can still be accomplished."

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