

# Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 10.1
	Effective Date: 02/18/04 Prv. Rev. Date: 04/10/17 Revised Date: 10/02/17
	Accreditation Standards: CALEA: 1.2.1, 1.2.5, 1.2.6, 61.1.2, 61.1.4, 61.1.5, 61.1.11, 74.3.1, 74.3.2 KACP: 1.6, 4.4, 19.6, 22.4, 23.1, 26.3, 30.1, 30.4
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## 10.1 ENFORCEMENT (CALEA 1.2.1)

### 10.1.1 DEFINITIONS

**Criminal Citation:** Issuing a Kentucky Uniform Citation to a person for criminal charges based upon a criminal summons or, with probable cause, on open criminal charges.

**Felony:** A felony is defined as an offense that is punishable by death or by confinement in a penitentiary, whether or not a fine or other penalty may also be assessed.

**Misdemeanor:** A misdemeanor is defined as an offense that is punishable by confinement, other than in a penitentiary, whether or not a fine or other penalty may also be assessed.

**Physical Arrest:** Taking a person into police custody based upon a warrant or, with probable cause, on open criminal charges in accordance with law and this policy.

**Traffic Citation:** Issuing a Kentucky Uniform Citation to a person for traffic charges.

**Violation:** A violation is defined as an offense that is punishable by a fine or other penalty less than confinement in a jail or penitentiary.

### 10.1.2 JURISDICTION (KACP 1.6)

Officers of the Louisville Metro Police Department (LMPD) may issue citations, and under certain circumstances, make a physical arrest, anywhere within Jefferson County for violations of state statutes and Louisville Metro ordinances, pursuant to Kentucky Revised Statutes (KRS) chapter 431. Sworn members possess law enforcement authority any time they are within the boundaries of Jefferson County. Officers are authorized to enforce all applicable laws and ordinances within the boundaries of Jefferson County, both on-duty and off-duty.

Officers are authorized to carry concealed deadly weapons under Kentucky Revised Statute (KRS) 527.020(3) and Louisville Metro Code of Ordinances (LMCO) 41.03 and 135.06 (CALEA 1.2.2). This authorization allows both on-duty and off-duty officers to carry an authorized weapon within their jurisdiction (refer to SOP 5.1).

Officers who enter Indiana in fresh pursuit of an individual in order to arrest him/her on grounds that he/she is believed to have committed a felony in Kentucky have the same authority to arrest, and hold such person in custody, as any law enforcement officer in Indiana. The arrested person shall be turned over to the appropriate Indiana police department having jurisdiction and taken, without unnecessary delay, before a judge of the county in which the arrest is made. If the judge determines the arrest to be lawful, the person will be held for a reasonable time until an extradition warrant can be obtained. If the arrested person voluntarily signs an Indiana extradition waiver, the officer may return to Kentucky with the prisoner, without taking the prisoner before a judge in Indiana.

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## 10.1.2 JURISDICTION (CONTIUED)

If an officer intends to arrest a subject on a Jefferson County warrant elsewhere in the Commonwealth, he/she shall first notify the law enforcement agency of that jurisdiction to affect the arrest. He/she may then transport the prisoner back to Jefferson County.

Officers, while in Jefferson County, shall make arrests on warrants issued by another county in the Commonwealth of Kentucky. The verification shall be made in a manner defined in SOP 10.1.4. Once arrested, the individual will be placed at the Louisville Metro Department of Corrections (LMDC), who will then arrange for the pickup of the individual by the originating jurisdiction.

## 10.1.3 CITATIONS (CALEA 1.2.6)

For the purposes of this section, a violation is defined as an offense that is punishable by a fine or other penalty less than confinement in a jail or penitentiary. A misdemeanor is defined as an offense that is punishable by confinement, other than in a penitentiary, whether or not a fine or other penalty may also be assessed.

An officer may issue verbal warnings or Kentucky Uniform Citations for violations committed in his/her presence (CALEA 61.1.2b-c).

An officer may also make a physical arrest instead of issuing a citation for:

- Any offense in which the defendant poses a risk of danger to himself, herself or another person. The arrest citation narrative must contain specific language indicating how the arrestee posed the risk of danger.
- Any offense in which the defendant refuses to follow the officer's reasonable instructions. The arrest citation narrative must contain specific language indicating how the defendant failed to follow the officer's reasonable instructions.
- Any offense where there are reasonable grounds to believe that the defendant, if cited, will not appear in court at the designated time. The arrest citation narrative must contain specific language indicating why there are reasonable grounds to believe that the defendant will not appear in court.

When making an arrest or issuing a citation on open charges, without a warrant, the officer shall specify the offense(s) being charged and enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation (CALEA 1.2.5a). The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause or meeting the elements of the offense (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]. Victim/witness name(s) and address information shall be entered in the appropriate blocks on the Kentucky Uniform Citation.

Failure to meet the elements of the offense and adequately describe the probable cause for the arrest or citation may result in the dismissal of the charges in court.

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## 10.1.3 CITATIONS (CONTINUED)

KRS 431.015 specifies that an officer shall issue a citation instead of making a physical arrest for misdemeanors committed in his/her presence, except for the examples cited above, and offenses within the statutes covered by the following KRS chapters, where the option to issue a citation or make a physical arrest is at the discretion of the officer:

### **KRS Chapter 508 (Assault and Related Offenses)**

- Menacing (KRS 508.050)
- Wanton Endangerment 2<sup>nd</sup> Degree (KRS 508.070)
- Terroristic Threatening 3<sup>rd</sup> Degree (KRS 508.080)
- Criminal Abuse 3<sup>rd</sup> Degree (KRS 508.120)
- Stalking 2<sup>nd</sup> Degree (KRS 508.150)
- Violation of a Stalking Restraining Order (KRS 508.155)

### **KRS Chapter 510 (Sexual Offenses)**

- Sexual Abuse 2<sup>nd</sup> Degree (KRS 510.120)
- Sexual Abuse 3<sup>rd</sup> Degree (KRS 510.130)
- Sexual Misconduct (KRS 510.140)
- Indecent Exposure 1<sup>st</sup> Degree (1<sup>st</sup> or 2<sup>nd</sup> offense) (KRS 510.148)
- Indecent Exposure 2<sup>nd</sup> Degree (KRS 510.150)

### **KRS Chapter 527 (Offenses relating to Firearms and Weapons)**

- Carrying a concealed deadly weapon (KRS 527.020)
- Defacing a firearm (KRS 527.030)
- Possession of a defaced firearm (KRS 527.050)
- Possession of handgun by a minor (1<sup>st</sup> offense) (KRS 527.100)

### **KRS Chapter 189 (Traffic Offenses)**

- Driving Under the Influence (DUI) of a motor vehicle (KRS 189A.010), either committed in the officer's presence or not committed in the officer's presence with probable cause (the issuance of a citation, in lieu of a physical arrest, requires the approval of a commanding officer) (refer to SOP 7.12) (CALEA 61.1.5a, 61.1.11, KACP 23.1d)
- Measurement/Weight violation of a motor truck, semi-truck or trailer (KRS 189.223)
- Reckless/Careless driving (KRS 189.290)
- Failure to comply with a traffic officer's signal (KRS 189.393)
- DUI of a non-motorized vehicle (KRS 189.520)
- Accident-related responsibilities (e.g. leaving the scene, failure to report) (KRS 189.580)

An officer may also make a physical arrest instead of issuing a citation for certain misdemeanors and violations which fall outside of the arrest authority conferred by KRS 431.015, including:

- Violating motor carrier regulations (federal or state) (KRS 281.600)
- Criminal Trespass 3<sup>rd</sup> Degree (KRS 511.080)
- Harassment (KRS 525.070) (KACP 30.4)

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### 10.1.3 CITATIONS (CONTINUED)

- The authority of an officer, in uniform, to arrest for all offenses during a declared emergency (KRS 39A.190)
- Violating motor vehicle and boating offenses (except for offenses that only carry a fine as punishment) (KRS 281.765)
- Shoplifting (KRS 433.236(3)) either committed in the officer's presence or not committed in the officer's presence with probable cause
- Cruelty, mistreatment or torture of animals (KRS 436.605(2)) (refer to SOP 8.33)
- Violating the terms/conditions of probation, parole or conditional release (KRS 533.050)
- DUI of a boat (KRS 235.240)
- The authority of Kentucky Department of Fish and Wildlife Resources (KDFWR) Conservation Officers and all other peace officers to arrest for violating any statute in KRS Chapter 235 (KRS 235.310)
- The authority of KDFWR Conservation Officers to arrest or cite persons hunting on private land without permission, at their discretion (KRS 150.092(3))

If in doubt about whether to issue a citation or make a physical arrest, officers should contact a commanding officer for guidance. During normal business hours, officers may also contact the Jefferson County Attorney's Office.

When issuing a citation, officers shall explain the following to the violator, prior to his/her release:

- The reason for the citation
- The date of court appearance (CALEA 61.1.4a)
- The optional or mandatory nature of the court appearance (CALEA 61.1.4b)
- The option of prepaying a fine or satisfying the citation without going to court (CALEA 61.1.4c)
- The option of traffic school (if applicable) for the offense (CALEA 61.1.4d)

Officers may not issue a citation for the following misdemeanors. Officers shall make a physical arrest for:

- Assault 4<sup>th</sup> Degree (Domestic Violence) (KRS 508.030) (KACP 30.1)
- Violating any order of protection (e.g. Emergency Protective Order (EPO), Domestic Violence Order (DVO), Interpersonal Protective Order (IPO), Foreign Protective Order (FPO), etc.) issued pursuant to KRS 403.715 to 403.785
- Violating pretrial release conditions, imposed by the court, for offenses involving assault, sexual offenses or violation of an order of protection
- Alcohol Intoxication (KRS 222.202, KRS 222.203)

Officers must have the approval of a commanding officer before issuing a citation for a felony offense. The commanding officer granting this approval shall notify the appropriate division/section/unit commander as soon as practicable and be able to articulate the reason why a citation was issued rather than making a physical arrest. For the purposes of this section of the policy only, an acting sergeant is not considered a commanding officer.

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## 10.1.3 CITATIONS (CONTINUED)

All officers must sign the Citation Accountability Log (LMPD #06-0017) for all paper citations issued to them. Any voided paper citations must be turned in to the division/section/unit and logged on the Voided Citation Log (LMPD #06-0048) (KACP 22.4a). Accountability for issued eCitations and voided eCitations is controlled by the Kentucky State Police (KSP). However, officers must be able to account for all unused citations issued to them.

If an eCitation is voided, a separate electronic version of the Vehicle Stop Reporting form must be submitted in lieu of the Kentucky Open Portal Solution (KYOPS) version (refer to SOP 8.8).

Officers shall assign court dates six (6) weeks out, based on the court assignment calendar and Jefferson County Office of the Circuit Court Clerk (OCCC) guidelines, with the exception of juvenile citations. Juveniles are not assigned court dates at the time that citations are issued (refer to SOP 10.7 and SOP 10.8). Officers shall forward all original handwritten paper citations (traffic, criminal, and juvenile) to their commanding officer by the end of their tour of duty. If the officer is off-duty, the original citations must be forwarded by the end of his/her next tour of duty. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau, explaining the reason for the delay. Copies of eCitations do not need to be forwarded.

## 10.1.4 ARRESTS WITHOUT A WARRANT (KACP 1.6)

An officer may make an arrest without a warrant under the following circumstances:

- A felony committed in the officer's presence or with probable cause to believe that a felony has been committed and that the person being arrested committed it.
- Any misdemeanor committed in the officer's presence that meets the statutory guidelines allowing a physical arrest in lieu of a citation.
- A misdemeanor not committed in the officer's presence, when probable cause exists to believe that a subject has committed:
  - Theft by Unlawful Taking (TBUT) (Shoplifting)
  - Assault 4<sup>th</sup> Degree (Domestic Violence) (KRS 508.030) (KACP 30.1)
  - DUI of Intoxicants (the issuance of a citation, in lieu of a physical arrest, requires the approval of a commanding officer) (refer to SOP 7.12) (CALEA 61.1.5a, 61.1.11, KACP 23.1d)
  - Violation of an EPO, DVO, IPO, or FPO
  - Violation of Pretrial Release Conditions
- A violation of Assault 4<sup>th</sup> Degree (KRS 508.030) on property that is owned or used by a hospital (including a parking lot or parking garage), which was not committed in the officer's presence and the officer has probable cause to believe that the person being arrested committed it (KRS 431.005(f)).

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## 10.1.4 ARRESTS WITHOUT A WARRANT (CONTINUED)

- A violation committed in the officer's presence, involving:
  - Criminal Trespass 3<sup>rd</sup> Degree
  - Harassment
  - Reckless Driving
  - Failure to Comply with a Traffic Officer Signal
  - Leaving the Scene of an Accident
  - DUI of Intoxicants/Non-Motor Vehicle
- A violation committed in the officer's presence, if there are reasonable grounds to believe that the person being cited will not appear to answer the charge in court (CALEA 61.1.2a).

When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation (CALEA 1.2.5a). The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]. Victim/witness name(s) and address information shall be entered in the appropriate blocks on the Kentucky Uniform Citation.

Failure to meet the elements of the offense and adequately describe the probable cause for the arrest or citation may result in the dismissal of the charges in court.

## 10.1.5 ARRESTS WITH A WARRANT (CALEA 74.3.1, KACP 1.6)

Only a sworn officer may make an arrest in obedience to a warrant issued by a court of competent jurisdiction within the Commonwealth of Kentucky (CALEA 74.3.2).

When executing a warrant, an officer must be especially diligent in identifying the person to be arrested as the person named on the warrant. This is particularly important when the suspect claims not to be the person named. The officer shall also determine if the warrant is valid on its face. The warrant shall be verified through:

- The National Crime Information Center (NCIC) (KACP 26.3)
- The Law Information Network of Kentucky (LINK) (KACP 26.3)
- eWarrants
- Calling the county clerk of the originating jurisdiction (the full name, title, and phone number of the person verifying the warrant must be legibly written on the warrant or the citation if the officer does not have a copy of the warrant)

If an officer is in possession of a printed eWarrant with an unserved watermark, he/she shall validate the warrant, at the time of service, in eWarrants. Any paper copies of warrants with an unserved watermark, that have been served, shall be destroyed.

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## 10.1.5 ARRESTS WITH A WARRANT (CONTINUED)

NCIC hits for wanted or Circuit Court warrants shall be verified through the NCIC Unit by phone or radio prior to service.

When making an arrest in obedience to a valid warrant, the officer shall list, at a minimum, the issuing court, the warrant number, and the offense(s) as listed on the warrant, in the narrative section of the Kentucky Uniform Citation (CALEA 1.2.5a).

## 10.1.6 eWARRANTS/WANTED CHECK

eWarrants is a statewide database of all circuit and district court warrants and/or summonses issued in participating counties in the Commonwealth of Kentucky. Checking an individual in eWarrants does not eliminate the necessity of performing a LINK/NCIC warrant check for other statewide or nationwide offenses (KACP 26.3).

Outstanding warrants and summonses that are found in the eWarrants database are valid and no further verification is needed. The eWarrants system is only used for:

- Adult criminal complaints
- Arrest warrants and summonses resulting from adult criminal complaints
- Bench warrants
- EPO, DVO, IPO, FPO notifications

The eWarrants system is NOT used for:

- Mental Inquest Warrants (MIWs) (refer to SOP 10.6)
- Juvenile petitions (refer to SOP 10.7)

**Prior to the service of Circuit Court warrants, officers shall notify the NCIC Unit by phone or radio.**

If an officer is serving a warrant originating from Jefferson County, through eWarrants, it is considered verified and may be executed immediately. Officers will use their Mobile Data Terminal (MDT) or desktop computer to perform a records check through the LINK/NCIC and eWarrants of arrested subjects prior to booking. Officers may request that MetroSafe perform these records checks. Should outstanding charges be present on the subject, MetroSafe will attempt to verify and confirm with the entering agency any "hit" or outstanding warrant, except outstanding warrants and summonses found in eWarrants, which are valid and need no further verification. All verifications will be performed in accordance with current LINK/NCIC and eWarrants protocols (KACP 26.3).

Once the arrested individual has been delivered to the LMDC, the officer shall enter the arrest information into eWarrants, print a copy of the warrant and click the "SERVED" button. This can be done from the officer's MDT or from one (1) of the computers located in the LMDC sally port.

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## 10.1.6 eWARRANTS/WANTED CHECK (CONTINUED)

Warrant service is prioritized based on the severity of the offense. Warrants involving violent crimes and felony offenses will be served first.

## 10.1.7 CRIMINAL SUMMONS (CALEA 74.3.1)

When an officer determines that an individual has an outstanding summons, he/she is not required to have the summons in his/her possession in order to serve it (refer to Kentucky Rules of Criminal Procedure [(RCr) 2.10]. In such cases, the officer may serve the summons by issuing a citation containing the following information:

- The charges, as listed on the summons
- The assigned court case number
- The date, time, and location where the subject has been ordered to appear

The officer serving the summons shall check eWarrants to enter the summons as served, if appropriate.

If using a MDT or desktop computer, the officer shall enter the service in eWarrants and print, sign, and turn in the summons with the citation. If a MDT or computer is unavailable, the officer shall simply issue a paper citation. eWarrants shall be updated as soon as possible, but no later than the end of the officer's tour of duty.

## 10.1.8 EXECUTING AN ARREST (KACP 1.6)

An officer not in uniform shall display his/her badge, identify himself/herself as a police officer, and communicate the reason for the arrest. If, during an arrest, identifying oneself as a police officer could unnecessarily increase the risk to the officer or other parties, the announcement can be delayed until practical. An officer making an arrest in the field shall advise MetroSafe that an arrest has occurred once the individual is safely in custody.

Officers needing to enter a home for the purpose of serving an arrest/bench warrant shall complete a Risk Assessment Matrix Warrant Service form (LMPD #05-0016) whenever they have credible information that an arrest by normal means would prove dangerous to the officers involved (refer to SOP 8.1). Examples of credible information could include, but are not limited to, knowledge of weapons in the home and the suspect's violent criminal history.

All completed matrices shall be forwarded, through the appropriate chain of command, to the Support Bureau Commander or Patrol Bureau Commander. A copy of the completed matrix shall be forwarded to the Special Weapons and Tactics (SWAT) Team Commander (KACP 19.6d).

Nothing in this section prohibits a commanding officer from consulting the SWAT Team Commander, even if the matrix requirements for a call-out are not met.

Officers are reminded that they may only enter a home for the purpose of serving an arrest/bench warrant under the following circumstances:

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## 10.1.8 EXECUTING AN ARREST (CONTINUED)

- The officers have consent to enter the home, or
- The officers have a warrant for a serious felony, and
- The officers have a reasonable belief that the person named on the warrant lives in the home, and
- The officers have a reasonable belief that the person named on the warrant is in the home at the time of service.

An arrest warrant does not justify entry into a third person's home to search for the subject of an arrest warrant.

## 10.1.9 TRANSACTIONS WITH PRISONERS

Members are prohibited from accepting, or buying, any article from any suspect, prisoner, or associate of any suspect or prisoner.

### 10.1.10 DOCUMENTATION (CALEA 1.2.5a, KACP 22.4a-b)

Officers shall complete a Kentucky Uniform Citation when making a physical arrest of a subject. When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation. The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s).

Merely restating the charges or making a reference to an incident report number is not sufficient for establishing probable cause (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]).

Victim/witness name(s) and address information shall be entered in the appropriate blocks on the Kentucky Uniform Citation. The primary officer establishing probable cause for the arrest should be listed at the bottom of the citation (e.g. officer initiating arrest, investigating detective).

Assisting officers who were also responsible for establishing probable cause should be listed on the front of the citation, either in the Witness box or the Narrative box, with their rank, code number, and "LMPD" as the address. Division/section/unit or individual addresses should not be used.

All Kentucky Uniform Citations will be reviewed by the issuing officer's immediate supervisor (KACP 4.4).

### 10.1.11 POSTHUMOUS CHARGES

Posthumous charges may be placed against an individual when an investigation reveals that a deceased person has committed a crime and such charges are necessary in order to clear the case. A clearance by exception may be used to clear a case where the identified perpetrator has died.

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## 10.1.11 POSTHUMOUS CHARGES (CONTINUED)

Posthumous charges must have prior approval of an Assistant Chief of Police. In all cases, probable cause must be shown that would be sufficient to charge the individual if he/she were still alive.

## 10.1.12 SUPERVISORY REVIEW

Commanding officers will review paper citations and arrest slips of those officers under their direct supervision. The commanding officer will place his/her code number on the upper right hand corner of the citation indicating that he/she has reviewed the citation. The citation review should include, but is not limited to, the following:

- Missing/incomplete personal information of the offender
- The Vehicle Stop Reporting form control number (if applicable)
- The appropriate charges
- The arrest or citation date, time, and location
- The arrest or citation narrative, statement of probable cause, and elements of the crime
- The valid court date, time and location
- The report number, if the citation or arrest is related to clearing a reported incident
- Language indicating how the defendant posed a risk of danger (if applicable) (refer to SOP 10.1.2)
- Language describing how the defendant failed to follow the officer's reasonable instructions (if applicable) (refer to SOP 10.1.2)
- Language indicating why there are reasonable grounds to believe that the defendant will not appear in court (if applicable) (refer to SOP 10.1.2)
- Legible handwriting

## 10.1.13 IMMIGRATION ENFORCEMENT

Immigration enforcement is not a local law enforcement matter. It falls under the jurisdiction of the United States Immigration and Customs Enforcement (ICE). LMPD officers lack the jurisdiction to enforce federal immigration law. However, there are situations where ICE may request the assistance of the LMPD. To ensure that officers are only responding to situations in which they have legal authority to act, the following measures will be implemented when receiving a call for service to assist ICE with immigration-related matters:

- MetroSafe will obtain a contact phone number for the ICE employee who is requesting assistance.
- If a member receives a request directly from an ICE employee, he/she will immediately contact his/her commanding officer for guidance prior to providing any assistance.
- A commanding officer will contact the requesting ICE employee, using a recorded line transferred through MetroSafe, and determine if the situation is one in which the LMPD should be involved. Generally, if the situation involves a criminal or safety matter, the LMPD will respond, as the LMPD would respond for any other public safety agency.

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### 10.1.13 IMMIGRATION ENFORCEMENT (CONTINUED)

- If it is determined that the LMPD will provide support in any way, a commanding officer will respond to the scene prior to any assistance being rendered.
- If there are reasonable grounds to believe that the individual may be armed, has a history of violence, or presents a danger to ICE agents or to other members of the public, the LMPD may respond as backup only. LMPD members will assume non-contact positions, such as securing the perimeter or observational positions, unless a public safety situation occurs.
- Under no circumstances will a LMPD member be the primary contact on a civil or administrative immigration matter.
- In order for members of the LMPD to detain, arrest, or transport an individual, they must be wanted on a criminal warrant issued by a court or there must be underlying probable cause for Kentucky criminal charges.
- Validity of warrants will be verified by the commanding officer prior to a service attempt.
- LMPD members will not initiate contact with an individual for the sole purpose of assisting ICE in making contact. One of the above criteria must be met prior to an attempt at making contact.

In emergency situations (e.g. 10-30/Officer in Distress), MetroSafe will immediately dispatch officers to the location and notify their commanding officer, who will immediately respond to the scene.

When an officer is requested to go to the ICE office to arrest a person wanted on outstanding criminal warrant(s) and transport him/her to the LMDC, MetroSafe will directly dispatch officers and notify their commanding officers.

ICE may issue civil detainers or administrative warrants for people believed to be in violation of United States immigration laws. Even when assisting ICE, officers may not detain, arrest, or transport a person solely based on a civil immigration detainer or administrative warrant. The individual must have a criminal warrant issued by a court or underlying probable cause for Kentucky criminal charges in order to be detained, arrested, or transported by a LMPD officer.

Through routine patrol, officers may also encounter individuals with immigration warrants. To verify if an immigration warrant is civil, administrative, or criminal in nature, LMPD officers will have MetroSafe contact the ICE Law Enforcement Support Center at the phone number listed on the NCIC hit or by calling (802) 872-6050. The ICE Law Enforcement Support Center is available 24 hours a day, seven (7) days a week, and 365 days a year. If the immigration warrant is for a criminal violation and has been issued by a federal judge or magistrate, officers will honor this warrant and handle it in the same manner as any other criminal warrant.

A commanding officer will complete an Immigration and Customs Enforcement (ICE) Assistance Form (LMPD #17-0004) at the conclusion of the contact, response, or phone call.