

MISSOULA POLICE

Missoula Police Department Immigration Law Compliance FAQ

This document is intended to provide accurate, fact-based information in response to frequently asked questions concerning Missoula Police Department (MPD) operation standards on immigration-related matters.

1. Are there sanctuary laws or policies in Missoula?

No. The City of Missoula and MPD do not have sanctuary laws or policies. These are prohibited in state law laid out in HB200 and codified in 2-1-602 MCA.

2. Does MPD assist in immigration enforcement without evidence of illegal activity?

MPD will provide information to other law enforcement agencies as allowed by state law on request but does not otherwise coordinate or collaborate with Immigration and Customs Enforcement (ICE).

3. Can ICE agents operate in Missoula without identifying uniforms or vehicles?

Federal agents operate under federal authority and may operate within city limits without identifiable uniforms or vehicles. MPD and the City of Missoula do not grant authority to federal agents, nor can MPD or the City restrict how federal agencies operate within the scope of their federal authority.

4. Are MPD officers allowed to cover their faces within the scope of their duties?

MPD officers are generally not allowed to cover their faces. Exceptions can and have been made in the case of extreme weather conditions and to prevent the spread of communicable diseases. MPD officers will uncover their faces upon request to be identified. Uniformed MPD officers have their names displayed on their outermost garments.



5. How does MPD handle peaceful protests related to immigration enforcement?

MPD personnel are well-trained and have experience maintaining public safety in and around peaceful protests. MPD personnel support constitutional rights for all parties.

6. What should I do if I see a large police presence within the city?

Incidents that require a large police presence are often dangerous, unpredictable, and rapidly evolving. Please keep a safe distance and do not interfere with officers responding to or leaving the incident scene. It is within all people's rights to record officers' actions, but please make sure to do that from a safe distance.

MPD operations will be easily identifiable, as we will have marked cars, uniformed officers, and be using lights, sirens and public address systems so there is no question about who we are.

If you find yourself confronted by individuals who don't reasonably appear to be law enforcement, please call 911.

7. What is the 287(g) program?

The 287(g) program is a U.S. Immigration and Customs Enforcement (ICE) initiative that allows state and local law enforcement agencies to partner with ICE to enforce immigration laws. Participating officers may be deputized to perform immigration enforcement duties under ICE supervision.

8. Does MPD participate in the 287(g) program?

No. The Missoula Police Department does not participate in the 287(g) program and does not intend to do so.

9. What is MPD's policy on sharing data with ICE?

Individuals are not detained solely to determine immigration status.

MPD may notify ICE if a detained individual is reasonably suspected of a criminal immigration violation.

In accordance with 8 U.S.C. section 1373, MPD cannot restrict the exchange of immigration status information with other government entities.

10. Does CJIN show immigration status?

When a person's identity is checked through the Criminal Justice Information Network (CJIN), immigration status is typically not shown. Officers receive personal identifiers, driving status, criminal history, and warrant information.

11. What is MPD's policy regarding ICE administrative warrants?

MPD does not enforce ICE administrative warrants. MPD will follow department directives, in addition to local, state, and federal laws as follows:

- Individuals will not be held on a federal immigration detainer under 8 CFR 287.7, unless:
 - They are charged with a federal crime, or
 - The detainer includes a judicial warrant, affidavit of probable cause, or removal order.
- MPD will notify the issuing federal authority prior to release

12. How does MPD handle ICE detainer requests and release notifications?

In accordance with 27-16-801 MCA:

- MPD complies with lawful ICE detainer requests for individuals already in custody, unless credible evidence shows lawful status or U.S. citizenship.
- Individuals are informed if held under a federal immigration detainer.
- Detention under a detainer will not exceed 48 hours (excluding weekends and holidays) beyond scheduled release time.

13. Has the City of Missoula received federal grant funding tied to immigration enforcement?

- No. The City of Missoula has not received federal grant funding tied to immigration enforcement cooperation.

14. Does MPD collaborate with ICE or federal prosecutors on nonviolent undocumented cases?

MPD may provide records to federal prosecutors upon request, following standard interagency procedure.

15. Has MPD been listed in ICE cooperation reports or executive orders?

No. MPD is not named in any ICE cooperation reports or executive orders and does not participate in the 287(g) program.

16. What should I do if I am confronted by a masked individual who is not displaying identifying information or is not clearly law enforcement?

If you find yourself confronted by individual(s) who don't reasonably appear to be law enforcement, please call 911