

DEPARTMENT GENERAL ORDER 08-12

OFFICE of the CHIEF OF POLICE
AMENDS/RESCINDS: None

DATE: December 23, 2008

ILLEGAL IMMIGRATION AND SANCTUARY POLICIES

I. PURPOSE.

To serve the dual purpose of providing official notification of Missouri State statute RSMo 67.307.1 relative to immigration issues, while concurrently establishing compliance with the statute in question.

II. DEFINITIONS.

- (1) Law Enforcement Officer: A sheriff or peace officer of a municipality with the duty and power of arrest for violation of the general criminal laws of the state or for violations of municipal ordinances.
- (2) Municipality: Any county, city, town, or village.
- (3) Municipal Official: Any elected or appointed official or any law enforcement officer serving the municipality.
- (4) Sanctuary Policy: Any municipal order or ordinance that:
 - (a) Limits or prohibits any municipal official or person employed by the municipality from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien within such municipality, or
 - (b) Grants to illegal aliens the right to lawful presence or status within the municipality in violation of federal law.

III. NON-SANCTUARY POLICY.

No municipality shall enact or adopt any sanctuary policy. Any municipal government that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or no longer in effect. Upon the complaint of any state resident regarding a specific government entity, agency, or political subdivision of this state or prior to the provision of funds or the award of any grant to a government entity, agency, or political subdivision of this state, any member of the general assembly may request that the attorney general of the state of Missouri issue an opinion stating whether the government entity, agency, or political subdivision has current policies in contravention of the statute.

IV. OFFICIAL COOPERATION REQUIRED.

Each governing body, sheriff, chief of police, and/or individual law enforcement officer has a duty to cooperate with state and federal agencies and officials on matters pertaining to the enforcement of state and federal laws governing immigration. As such, officers of this command will cooperate fully with state and federal investigators relative to immigration issues and will notify the United States Immigration and Customs Enforcement (ICE) of situations involving illegal immigration as appropriate.

BY ORDER OF:

THOMAS J. BYRNE
Chief of Police

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