

INFORMATION BULLETIN



April 22, 2025

IMMIGRATION ENFORCEMENT AND COMPLIANCE WITH CALIFORNIA LAW

GENERAL:

Title 8 of the United States Code (USC) includes the Immigration and Nationality Act and governs federal enforcement of immigration law. Generally, the California Highway Patrol (CHP) is prohibited by state law from using any resources to detect, investigate, interrogate, detain, or arrest people (absent a judicial criminal warrant) for immigration enforcement purposes.

CALIFORNIA LAW:

The California Truth Act (AB 2792) (effective January 1, 2017), amended the California Government Code (GC), creating a mandatory notice and procedural protections for persons in custody, which must be provided in the event immigration officers want to contact them. Refer to Sections 7283 through 7283.2 GC for additional information.

The California Values Act (SB 54) (effective January 1, 2018) amended the GC and the California Health and Safety Code, placing specified restrictions on state and local law enforcement actions related to immigration enforcement. Refer to Sections 7284 through 7284.12 GC for additional information. These restrictions include:

- Inquiring about a person's immigration status.
- Detaining a person in response to an immigration hold or detainer request. Section 7283 GC defines a hold request as, "*a federal Immigration and Customs Enforcement (ICE) request that a local law enforcement agency maintain custody of an individual currently in its custody beyond the time he or she would otherwise be eligible for release in order to facilitate transfer to ICE and includes, but is not limited to, Department of Homeland Security (DHS) Form I-247D.*" Section 7284.4(e) GC expands the definition to include notifications, requests, and transfer requests, made by United States Immigration and Customs Enforcement or United States Customs and Border Protection, or any other immigration authorities.
- Making or participating in arrests based on civil immigration warrants, which means any warrant for a violation of federal civil immigration law.



Section 7284.4(b) GC defines a civil immigration warrant as, “...any warrant for a violation of federal civil immigration law, and includes civil immigration warrants entered in the National Crime Information Center database.”

NOTE: Civil immigration warrants can be entered into the National Crime Information Center (NCIC) database by immigration authorities. These warrants may be labeled as administrative warrants. Officers cannot make arrests based on these warrants.

- Assisting immigration authorities with immigration enforcement activities at the United States Border, or performing the functions of an immigration officer, whether informally or formally (through the 8 USC Section 1357(g) program).

POLICY:

Highway Patrol Manual (HPM) 100.67, Law Enforcement Assistance and Interjurisdictional Operations, Chapter 8, Foreign Nationals: Arrest, Detention, U/T-Visa Certifications, and Consular Notification in the Event of Death or Injury, provides specific direction related to the arrest of foreign nationals, including:

- Officers shall only arrest foreign nationals when there is a valid judicial (criminal) warrant issued for the person’s arrest, and/or if they have violated a federal criminal law, a state criminal law, or a local criminal ordinance.
- Officers shall not stop or detain persons solely for the purpose of determining immigration status.
- Officers shall not arrest or detain foreign nationals solely for alleged illegal presence in the United States.
- Officers shall not detain foreign nationals for illegal presence, nor shall officers prolong the duration of an unrelated lawful detention or criminal arrest to facilitate the response of United States Immigration and Customs Enforcement officials.
- Refer to HPM 100.67, Chapter 8, for additional information.

CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM/NATIONAL CRIME INFORMATION CENTER HITS:

Officers may encounter persons with a positive return in the California Law Enforcement Telecommunications System (CLETS)/National Crime Information Center. Officers must carefully review and confirm any positive returns to determine if the person has a valid judicial (criminal) warrant before making an arrest. Civil and administrative immigration warrants do not indicate a person has committed a criminal offense, nor do they constitute probable cause that a criminal offense has been committed.



Officers are prohibited from making arrests based on civil and/or administrative immigration warrants, detainers, or hold requests.

It should be noted, some returns may be associated with previously deported felons. Officers should always exercise caution.

Example of a Negative Response:

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IL01HEADER
MD1012400

NO NCIC WANT DOB/19510101 NAM/SMITH, JOHN SEX/M RAC/W
***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.
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Example of a Previously Deported Felon (Not Sufficient for Arrest):

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IL01HEADER
MD1012400

***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.
WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 IS A
PREVIOUSLY DEPORTED FELON. CONTACT LESC AT (877) 999-5372 FOR IMMEDIATE
HIT CONFIRMATION AND AVAILABILITY OF BUREAU OF IMMIGRATION AND
CUSTOMS ENFORCEMENT DETAINER.]
MKE/IMMIGRATION VIOLATION - DEPORTED FELON
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W ETN/H POB/FN
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DOB/19510101 HGT/510 WGT/180 EYE/BRO HAI/BRO CTZ/FN
SKN/DRK SMT/SC LF ARM
SOC/777010000
OFF/SUBJECT IS A DEPORTED CRIMINAL/AGGRAVATED FELON
OCA/ASD1234-T SID/MD99999999
MIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT
SUPPORT CENTER (877) 999-5372
NIC/N307770847 DTE/19980605 0000 EDT DLU/19990101 0000 EST
***** THIS RECORD MAY ONLY BE USED BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
***** END OF IMMIGRATION VIOLATOR FILE RESPONSE. *****
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Example of an Absconder (Not Sufficient for Arrest):

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1L01HEADER
MD1012400

***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.
WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 HAS AN
OUTSTANDING ADMINISTRATIVE WARRANT OF REMOVAL FROM THE UNITED STATES.
CONTACT LESC AT (877) 999-5372 FOR IMMEDIATE HIT CONFIRMATION AND
AVAILABILITY OF BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT DETAINER.
MKE/IMMIGRATION VIOLATION - FAILURE TO APPEAR FOR REMOVAL
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W ETN/H POB/FN
DOB/19510101 HGT/510 WGT/180 EYE/BRO HAI/BRO CTZ/FN
SKN/DRK SMT/SC LF ARM
SOC/777010000
OFF/ALIEN UNLAWFULLY PRESENT DUE TO ORDER OF REMOVAL OR EXCLUSION FROM THE USA
OCA/ASD1234-T SID/MD999999999
MIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT
SUPPORT CENTER (877) 999-5372
NIC/N307770847 DTE/19980605 0000 EDT DLU/20090101 0600 EST
***** THIS RECORD MAY ONLY BE USED BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
***** END OF IMMIGRATION VIOLATOR FILE RESPONSE. *****
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**Example of a National Security Entry-Exit Registration System (NSEERS)
(Not Sufficient for Arrest):**

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1L01HEADER
MD1012400

***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.
WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 HAS AN
OUTSTANDING ADMINISTRATIVE WARRANT OF ARREST FOR IMMIGRATION VIOLATIONS
FOR FAILURE TO COMPLY WITH NATIONAL SECURITY REGISTRATION. CONTACT LESC
AT (877) 999-5372 FOR IMMEDIATE HIT CONFIRMATION AND AVAILABILITY OF
BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT DETAINER.

MKE/IMMIGRATION VIOLATION - NATIONAL SECURITY REGISTRATION
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W ETN/H POB/FN
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Questions regarding this Information Bulletin may be directed to the Research and Planning Section, at (916) 843-3340.

OFFICE OF THE COMMISSIONER

OPI: 061

REFERENCES:

- [California Department of Justice, Updated Responsibilities of Law Enforcement Agencies Under the California Values Act, California TRUST Act, and the California TRUTH Act, 2025-DLE-03](#)
- [California Department of Justice, National Crime Information Center Administrative Warrants, 2025-DLE-08](#)
- [California Government Code, Chapter 17.2, Standards for Participation in United State Immigration and Customs Enforcement Programs](#)
- [California Government Code, Chapter 17.25, Cooperation with Immigration Authorities](#)
- [HPM 100.67, Chapter 8](#)
- California Department of Justice, Immigration Violator File, Reference Document

