

APD's Response to SB4

April 23, 2024

SB 4 Summary

- ▶ Creates 3 new offenses:
 - ▶ Illegal Entry from Foreign Nation
 - ▶ Illegal Reentry
 - ▶ Refusal to Comply with Order to Return to Foreign Nation
- ▶ Safe Harbors
 - ▶ Public, private, primary or secondary school
 - ▶ Church, synagogue or other established place of worship
 - ▶ Healthcare facility
 - ▶ SAFE-ready facility

Summary continued...

- ▶ Not in effect at this time
- ▶ No current or anticipated changes to APD's internal policies



APD's Existing Policy General Order 330 Overview

Interactions with Foreign Nationals

- ▶ APD will not consider race, color, religion, language or national origin when deciding whether to inquire into status
- ▶ APD will not inquire into status of a person who is a victim or witness to a crime, except under special circumstances
- ▶ All inquiries are documented and include the officer's reason for asking, including in follow up investigations

Overview continued...

- ▶ APD must inform detainee or arrestee that they are not compelled to respond to the inquiry and will not be subjected to additional action if they do not respond
- ▶ APD must comply with orders and requests for assistance from ICE and federal officials. This includes notification to an APD supervisor and confirmation of validity of detainer

APD's Response to the Community on SB4

- ▶ Statements to the public regarding updates on status of SB4
- ▶ Explanation to public that APD is unlikely to have probable cause to make warrantless arrests under SB4
- ▶ Encouragement to victims and witnesses of crime to continue reporting to APD

APD's Response to the Community on SB4

- ▶ Commitment to monitor ongoing litigation and keep community informed
- ▶ Continued engagement with immigrant communities while maintaining awareness of and sensitivity to SB4's impact

Questions...

