

# General Order Houston Police Department



ISSUE DATE:

June 25, 1992

NO.

500-5

REFERENCE:

Supersedes General  
Order 500-5, dated  
January 3, 1990

SUBJECT: IMMIGRATION

## PURPOSE

The purpose of this General Order is to establish the policy of the Houston Police Department regarding illegal aliens.

### 1 BACKGROUND

The City of Houston has attracted many residents from countries outside the United States. A number of these residents are not citizens, are undocumented and live in Houston without legal sanction. The Houston Police Department is committed to the principle that effective law enforcement depends upon good relationships between the Department and the community it serves. As police officers, we must rely upon the cooperation of all persons, including citizens, documented aliens, and undocumented aliens, in our effort to maintain public order and combat crime.

### 2 POLICY

Undocumented alien status is not, in itself, a matter for local police action. Unlawful entry into the United States is not to be treated as an on-going offense occurring in the presence of a local police officer. Houston police officers may not stop or apprehend individuals solely on the belief that they are in this country illegally.

### 3 PROCEDURES

Officers shall not make inquiries as to the citizenship status of any person, nor will officers detain or arrest persons solely on the belief that they are in this country illegally. Officers will contact the Immigration and Naturalization Service (INS) regarding a person only if that person is arrested on a separate criminal charge (other than a class C misdemeanor) and the officer knows the prisoner is an illegal alien.

In keeping with this policy, officers are prohibited from participating in INS raids where the primary purpose is the arrest of persons for their undocumented status. Houston police officers will assist INS agents on criminal matters of mutual concern, but only when requested and only in situations in which the involved Houston police officers will be clearly exercising their police powers under the laws of the State of Texas. Even in these limited circumstances officers shall obtain authorization from an Assistant Chief prior to participation.

Sam Nuchia  
Chief of Police