

1 **PMAN**

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CASE NO: A-25-922734-W
Department 9

8 **EIGHTH JUDICIAL DISTRICT COURT**

9 **CLARK COUNTY NEVADA**

10
11 AMERICAN CIVIL LIBERTIES UNION OF
12 NEVADA,

13 Petitioner,

14 vs.

15 LAS VEGAS METROPOLITAN POLICE
16 DEPARTMENT, a governmental entity,

Respondent.

Case No.:

Department:

**Petition for Writ of Mandamus
pursuant to NRS 239.001 et seq.**

**Expedited Matter Pursuant to
NRS 239.011**

Hearing requested

17 Petitioner, American Civil Liberties Union (ACLU) of Nevada hereby submits this Petition
18 for Writ of Mandamus pursuant to the Nevada Public Records Act (NPRA). NRS 239.001.
19 Petitioner requests this Court order Respondent, Las Vegas Metropolitan Police Department
20 (LVMPD), to provide ACLU of Nevada with the public records detailed in this petition without
21 delay, an award for all fees and costs associated with efforts to obtain the withheld public records
22 pursuant to NRS 239.011(2), and statutory penalties pursuant to NRS 239.340 against LVMPD for
23 each willful violation of the NPRA as detailed in the petition. Petitioner requests the Court expedite
24 this matter pursuant to NRS 239.011(2).

This Petition is supported by the pleadings and papers filed with this Court, and any attached exhibits.

NATURE OF THE ACTION

1. ACLU of Nevada brings this Petition pursuant to NRS 239.011 which states: “[i]f a request for inspection, copying or copies of a public book or record open to inspection and copying is denied or unreasonably delayed... the requester may apply to the district court in the county in which the book or record is located for an order: (a) Permitting the requester to inspect or copy the book or record; (b) Requiring the person who has legal custody or control of the public book or record to provide a copy to the requester; or (c) providing relief relating to the amount of the fee.”

2. This Petition for a Writ of Mandamus is the proper means to secure compliance with the NPRA. NRS 239.011; *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 884, 266 P.3d 623, 630 n.4 (2011); *see also DR Partners v. Bd. of Cty. Comm’rs of Clark Cty.*, 116 Nev. 616, 621, 6 P.3d 465, 468 (2000) (citing *Donrey of Nev. v. Bradshaw*, 106 Nev. 630, 798 P.2d 144 (1990) (writ of mandamus is the appropriate procedural remedy to compel compliance with the NPRA)).

3. ACLU of Nevada is entitled to an expedited hearing on this matter. NRS 239.011(2) (“the court shall give this matter priority over other civil matters to which priority is not given by other statutes.”)

4. Should ACLU of Nevada prevail in this matter, it is entitled to an award of fees and costs associated with pursuing this matter. NRS 239.011(2) (“If the requester prevails, the requester is entitled to recover from the governmental entity that has legal custody or control of the record his or her costs and reasonable attorney’s fees in the proceeding.”)

5. Should this Court find that LVMPD willfully failed to comply with the NPRA, this Court should impose the requisite civil penalty. NRS 239.340.

PARTIES

6. Petitioner, ACLU of Nevada is a domestic Nevada based nonprofit entity that works to defend and advance the civil liberties and civil rights of all Nevadans.

7. Respondent, Las Vegas Metropolitan Police Department, is a governmental entity within the State of Nevada and subject to the Nevada Public Records Act. NRS 239.005(5)(b).

JURISDICTION AND VENUE

8. This Court has jurisdiction to issue writs of mandamus. Nev. Const. art. VI, § 6; NRS 34.160; NRS 34.330.

9. This Court has jurisdiction as the court of Clark County where all relevant public records sought are held. NRS 239.011.

10. Venue is proper in the Eighth Judicial District Court of Nevada as all relevant actions to this matter were and are in Clark County, Nevada. NRS 239.011.

STANDING

11. ACLU of Nevada has standing to pursue this Petition as public records requested by ACLU of Nevada have been unjustly withheld. NRS 239.011.

STATEMENT OF FACTS

12. ACLU of Nevada made two submissions for public records to LVMPD via LVMPD's online "Public Records Center" portal located at <https://www.lvmpd.com/i-want-to/file/public-request-portal>.

13. As discussed below, the respective requests were submitted on January 22, 2025 (“January 22 Request”), and June 4, 2025 (“June 4 Request”).

1 14. To date, LVMPD has produced only a portion of the records requested in the
2 January 22 Request.

3 15. To date, LVMPD has not produced documents responsive to the June 4 Request.

4 16. Time is of the essence in this matter.

5 **January 22, 2025 Request**

6 17. On January 22, 2025, ACLU of Nevada submitted a request for public records to
7 LVMPD. Exhibit 1.

8 18. In this request, ACLU of Nevada sought any and all records in LVMPD's custody
9 or control relating to LVMPD and immigration enforcement from the period of January 1, 2022,
10 through the date of the request (January 22, 2025). *Id.*

11 19. The request provided examples of the information sought, including:

12 • “All DOCUMENTS, whether formal or informal, between ICE and
13 LVMPD regarding LVMPD providing information to ICE about “foreign
born” or “deportable” individuals in its custody.

14 • POLICIES AND PROCEDURES, and other DOCUMENTS,
15 effective between January 1, 2022 and the present, setting out LVMPD
16 policy with respect to “foreign born” or “deportable” individuals in its
custody.

17 • POLICIES AND PROCEDURES, and other DOCUMENTS,
18 effective between January 1, 2022 and the present, setting out LVMPD
policy with respect to an arrestee’s suspected residency status.

19 • POLICIES AND PROCEDURES, and other DOCUMENTS,
20 effective between January 1, 2022 and the present, setting out LVMPD
21 policy with respect to holding individuals in the legal custody of other
agencies (such as ICE or the U.S. Marshals Service) in LVMPD facilities.

22 • POLICIES AND PROCEDURES, and other DOCUMENTS,
23 effective between January 1, 2022 and the present, setting out LVMPD
policy with respect to serving and executing administrative warrants on
noncitizens in LVMPD facilities.

24 • POLICIES AND PROCEDURES, effective between January 1,
2022 and the present, containing “ICE” and “detainer.”

1 • POLICIES AND PROCEDURES, effective between January 1,
2 2022 and the present, containing “287(g) Program” or “287(g) Program
3 Staff.”

4 • POLICIES AND PROCEDURES, effective between January 1,
5 2022 and the present, containing “Field Interview Cards” and “Immigration
6 Violations.”

7 20. LVMPD’s public records portal sent an automatically generated email that
8 confirmed receipt of the request and assigned a reference number of NPR2025-0071865. Ex. 2.

9 21. On January 31, 2025, LVMPD sent an email to ACLU of Nevada stating that more
10 time was needed to review the request and determine if responsive records existed. Ex. 3.

11 22. In its email, LVMPD indicated that it would have an update on or before February
12 14, 2025, and if records exist, they would be produced on or before February 28, 2025. *Id.*

13 23. On February 14, 2025, LVMPD sent another email to ACLU of Nevada stating
14 additional time is needed to compile any responsive records. Ex. 4.

15 24. In the email, LVMPD indicated that it would have an update on or before February
16 21, 2025, and if records exist, it hoped to provide them on or before February 28, 2025. *Id.*

17 25. On February 25, 2025, a representative from the LVMPD public records unit called
18 Sadmira Ramic (“Ms. Ramic”), an attorney with ACLU of Nevada.

19 26. The LVMPD representative informed Ms. Ramic that LVMPD needed additional
20 time to review the request and the request had been forwarded to LVMPD’s Office of General
21 Counsel.

22 27. Later that day, the LVMPD representative sent an email to Ms. Ramic
23 memorializing this conversation and stated that the request was sent to Matt Christian, an attorney
24 in LVMPD’s Office of General Counsel. Ex. 5.

1 28. In this email, the representative also stated that LVMPD would not be able to meet
2 the February 28, 2025 deadline it previously provided and ACLU of Nevada could expect an
3 update on or before March 7, 2025. *Id.*

4 29. On March 7, 2025, LVMPD sent another email to ACLU of Nevada stating an
5 additional two weeks were needed to complete the process and ACLU of Nevada could expect an
6 update on or before March 21, 2025. Ex. 6.

7 30. That same day, ACLU of Nevada sent an email to LVMPD requesting that LVMPD
8 comply with NRS 239.0107(1)(c) and provide the date the records would be provided, and an
9 explanation of why additional time was needed. Ex. 7.

10 31. In its email, ACLU of Nevada also requested that LVMPD inform ACLU of
11 Nevada if the request could be narrowed to ensure a response as expeditiously as possible pursuant
12 to NRS 239.0107(2). *Id.*

13 32. On March 12, 2025, LVMPD's counsel responded to ACLU of Nevada's March 7,
14 2025, email. Ex. 8.

15 33. LVMPD's counsel informed ACLU of Nevada that it was taking longer than usual
16 to respond to the request due to increasing workloads in the Public Records Unit and his office, as
17 well as the scope and phrasing of the request. *Id.*

18 34. In his email, LVMPD's counsel did not specify which phrase(s) of the request
19 caused the response time to be delayed. *Id.*

20 35. In his email LVMPD's counsel did not ask ACLU of Nevada to clarify or narrow
21 its request. *Id.*

22 36. In his email, LVMPD's counsel stated that he asked LVMPD's public records unit
23 to provide Policy 4.166, which he believed is the primary policy being sought by ACLU of Nevada,
24 despite it "being published widely in recent months." *Id.*

1 37. LVMPD's counsel also stated that he was working with the public records unit on
2 the remaining requests and reasonably expected to have additional information no later than close
3 of business on March 20, 2025. *Id.*

4 38. LVMPD's counsel did not provide a date the records would be provided.

5 39. LVMPD sent an email with a copy of Policy 4.166 on March 12, 2025. Ex. 9.

6 40. No other records were provided to ACLU of Nevada by LVMPD.

7 41. On March 20, 2025, LVMPD's counsel sent another email to ACLU of Nevada.
8 Ex. 10.

9 42. That email did not contain any responsive records to the January 22 Request.

10 43. The email contained a summary of Policy 4.166 and the procedures related to it:

11 “Again, we have provided Policy 4.166. Pursuant to the policy, CCDC
12 provides notice to ICE when a foreign-born individual is booked on various
13 identified charges (which have expanded upon the passage of the Laken
14 Riley Act). ICE may then provide notice to CCDC that the individual is, or
15 may be, in violation of immigration law. These communications between
16 CCDC and ICE are kept in individual inmate files. There is no central file
17 or database. Therefore, we cannot readily compile all records between
18 CCDC and ICE.” *Id.*

19 44. In the email, LVMPD's counsel outlined his legal framework for the request which
20 included citations concerning responses to unreasonably burdensome requests, production of
21 records that are not readily available, and federal immigration regulations making information
22 about deportable aliens who are detained confidential. *Id.*

23 45. LVMPD's counsel indicated that LVMPD would provide ACLU of Nevada only
24 two documents with possible redactions: Standard Operating Procedure 12.214 which addresses
special or unusual bookings and Policy 6.260 concerning terrorism investigations. *Id.*

1 46. For the remaining documents requested by ACLU of Nevada, LVMPD's counsel
2 cited the legal framework discussed above to justify LVMPD's withholding of records in their
3 entirety or stated that the records do not exist. *Id.*

4 47. LVMPD's counsel did not provide the procedures associated with Policy 4.166.

5 48. LVMPD's counsel did not provide redacted, concealed, or separated records as
6 required under NRS 239.010(3).

7 49. On March 21, 2025, ACLU of Nevada responded to LVMPD's counsel's March
8 20, 2025, email to seek clarification. Ex. 11.

9 50. In this email, ACLU of Nevada asked LVMPD's counsel to confirm whether
10 procedures for Policy 4.166 exist, and if so, whether LVMPD was withholding the records
11 pursuant to a privilege recognized under Nevada law. *Id.*

12 51. In this email, ACLU of Nevada also provided clarification on the request to aid
13 LVMPD in locating responsive records based on LVMPD's counsel's March 20, 2025, email,
14 including identifying specific policies ACLU of Nevada used from other LVMPD documents for
15 the search terms in the request and qualifiers to help narrow down the scope and search of the
16 request. *Id.*

17 52. In this email, ACLU of Nevada also asked LVMPD's counsel to elaborate on what
18 the phrase, "if local charges exist, the local charges will be booked, and a detainer may be placed"
19 as used in SOP 12.214 means if the term did not apply to placing immigration detainees. *Id.*

20 53. On March 22, 2025, LVMPD's counsel responded that he would get back to ACLU
21 of Nevada as soon as he can. Ex. 12.

22 54. By April 1, 2025, no email correspondence came from LVMPD or LVMPD's
23 Office of General Counsel, and ACLU of Nevada sent an email to LVMPD's counsel asking for
24 an update. Ex. 13.

1 55. The next day LVMPD's counsel responded to ACLU of Nevada's April 1, 2025,
2 email. Ex. 14.

3 56. LVMPD's counsel did not produce any records in the email. *Id.*

4 57. In the email, LVMPD's counsel stated that LVMPD had located Clark County
5 Detention Center's (CCDC) procedures for Policy 4.166 and they would be provided through the
6 PRU portal after they were redacted. *Id.*

7 58. In the email, LVMPD's counsel asked ACLU of Nevada to provide the policies that
8 ACLU of Nevada relied on for the term searches in the January 22 Request if they mentioned
9 immigration. *Id.*

10 59. On April 14, 2025, ACLU of Nevada responded to LVMPD's counsel's April 2,
11 2025, email. Ex. 15.

12 60. In this email, ACLU of Nevada relayed that the procedures related to Policy 4.166
13 have not been uploaded to the portal and requested that he provide a date when they would be
14 turned over. *Id.*

15 61. ACLU of Nevada also provided the policies it relied on with direct quotations
16 mentioning immigration as requested by LVMPD. *Id.*

17 62. ACLU of Nevada asked LVMPD to provide the updated policies mentioned in the
18 April 2, 2025, email. *Id.*

19 63. ACLU of Nevada also asked LVMPD follow-up questions about search results and
20 LVMPD honoring warrants. *Id.*

21 64. On April 28, 2025, Ms. Ramic called the LVMPD public records unit because the
22 portal indicated that the January 22 Request had been completed and closed.

23 65. A representative for the public records unit answered the call.

1 66. The representative was able to locate the request for records but was unable to
2 provide information on why the request was closed because another public records unit
3 representative handled the request and she was out of the office.

4 67. The representative on the phone reopened the request and stated that she made a
5 note in the portal for a different representative to contact the ACLU of Nevada.

6 68. ACLU of Nevada never received a call from an LVMPD representative.

7 69. By May 8, 2025, ACLU of Nevada still had not received a response from LVMPD's
8 counsel or LVMPD to its April 14, 2025, email.

9 70. ACLU of Nevada sent a follow-up email requesting a response and a copy of the
10 procedures associated with Policy 4.166. Ex. 16.

11 71. By June 3, 2025, LVMPD's counsel had not responded to ACLU of Nevada's April
12 14, 2025, or May 8, 2025, emails, and ACLU of Nevada sent an email requesting an update. Ex.
13 17.

14 72. That same day, LVMPD's counsel responded that he would "follow-up asap." Ex.
15 18.

16 73. On June 5, 2025, LVMPD sent redacted records of the procedures for Policy 4.166
17 through a "do not reply" email. Ex. 19.

18 74. At the end of each record, LVMPD blanketly asserted the "law enforcement" and
19 "immigration records" privileges without identifying which portion of the records the privileges
20 were being invoked. Ex. 20.

21 75. On June 16, 2025, ACLU of Nevada responded to LVMPD's June 5, 2025 email
22 and included LVMPD's counsel. Ex. 21.

23 76. In this email, ACLU of Nevada asked LVMPD to clarify what records are being
24 withheld pursuant to the "immigration records" privilege and the "law enforcement privilege." *Id.*

1 77. ACLU of Nevada sent the email for clarification because it was unclear whether
2 the privileges applied to the redactions in the documents or if entire records were being withheld.

3 78. To date, LVMPD's counsel and LVMPD have not responded.

4 79. On June 24, 2025, ACLU of Nevada emailed LVMPD's counsel to again request
5 that the remaining records be produced and for him to provide answers to the remaining questions
6 that were sent on April 14, 2025. Ex. 22.

7 80. In the email, ACLU of Nevada also informed LVMPD's counsel that ACLU of
8 Nevada's counsel had reviewed the procedures regarding Policy 4.166 and based on that policy,
9 the invoked exceptions concerning the request being overly burdensome would not apply. *Id.*

10 81. To date, ACLU of Nevada has not received a response to the email.

11 82. Through its correspondence with ACLU of Nevada, LVMPD and LVMPD's
12 counsel did not identify what, if any, records LVMPD had in its possession which were being used
13 for "investigation purposes."

14 83. LVMPD and LVMPD's counsel did not identify what, if any, records LVMPD had
15 in its possession which were covered as "immigration records."

16 84. The legal authority cited by LVMPD and LVMPD's counsel as a basis to withhold
17 responsive records pursuant to NRS 239.0107(1)(d) is not applicable to the January 22 Request.

18 85. LVMPD did not provide redacted, concealed, or separated records as required
19 under NRS 239.010(3).

20 **June 4, 2025 Request**

21 86. On June 4, 2025, the ACLU of Nevada submitted another request for public records
22 to LVMPD ("June 4 Request"). Ex. 23.

1 87. The request sought any communications between LVMPD and ICE between May
2 1, 2025, through the date of the request regarding agreements between LVMPD and ICE
3 authorizing LVMPD personnel to conduct immigration officer functions. *Id.*

4 88. LVMPD's public records portal sent an automatically generated email confirming
5 receipt of the request and assigned the reference number NPR2025-0078642. Ex. 24.

6 89. On June 11, 2025, LVMPD sent an email to ACLU of Nevada which stated that the
7 request had been completed and directed ACLU of Nevada to log in to the public records portal to
8 collect the records that were requested. Ex. 25.

9 90. The portal did not contain any responsive records to the June 4 Request. *Id.*

10 91. The portal contained a page blanketly invoking the "immigration records"
11 privilege. Ex. 26.

12 92. LVMPD did not explain in this email whether it had responsive documentation. Ex.
13 25.

14 93. LVMPD did not identify what, if any, records it had in its possession which were
15 covered as "immigration records." *Id.*

16 94. LVMPD did not provide redacted, concealed, or separated records as required
17 under NRS 239.010(3). *Id.*

18 95. On June 11, 2025, ACLU of Nevada emailed LVMPD to: 1) ask LVMPD to reopen
19 the request; 2) clarify that ACLU of Nevada was not seeking information of detainees and therefore
20 8 C.F.R. § 236.6 is not a sufficient basis for withholding the records; and 3) clarify that, although
21 this request may also be made under FOIA, that does not exempt LVMPD from its obligation to
22 respond to public records requests about its own records as required by NRS § 239 *et seq.* Ex. 27.

23
24

1 96. On June 16, 2025, LVMPD's counsel sent a formal letter that addressed the public
2 records request to ACLU of Nevada via email. Ex. 28.¹

3 97. LVMPD's counsel did not produce responsive records with the letter. *Id.*

4 98. The letter informed ACLU of Nevada that the correspondence concerning the
5 public records request was forwarded to him by the public records unit. *Id.*

6 99. Addressing ACLU of Nevada's request for communications between LVMPD and
7 ICE directly, the letter stated that a search for the communications had been run but LVMPD had
8 to determine whether any communications exist. *Id.*

9 100. The letter incorrectly stated that communications from ACLU of Nevada to
10 LVMPD did not address the authority cited by the public records unit. *Id.*

11 101. The letter also asserted that a federal regulation, comprised of multiple subsections,
12 appears to control disclosure of communications with ICE, and the contract between ICE and
13 LVMPD requires LVMPD to confer with ICE prior to disclosing any records. *Id.*

14 102. The letter did not cite to a specific statute or other legal authority making
15 communications with ICE confidential as required under NRS 239.0107(1)(d). *Id.*

16 103. On June 17, 2025, ACLU of Nevada sent a letter via email to LVMPD as a response
17 to the June 16, 2025, letter. Ex. 29.

18 104. In the letter, ACLU of Nevada reiterated why the invoked privileges cited by
19 LVMPD in its June 16, 2025, letter did not apply to the June 4 Request and requested that all
20 documents be produced by June 24, 2025. Ex. 30.

21 105. On June 24, 2025, LVMPD's counsel responded via email. Ex. 31.

22
23 1 The letter also addressed another public records request sent by ACLU of Nevada seeking a copy
24 of an agreement between LVMPD and ICE, however, after multiple correspondences between
ACLU of Nevada and LVMPD, the documents were eventually produced by LVMPD three weeks
after the request was made.

106. The email stated that LVMPD's counsel was out of the office last week and he would not be able to fully respond to the June 17, 2025, letter. *Id.*

107. ACLU of Nevada responded via email the next day requesting that the information be provided by the end of the week. Ex. 32.

108. On June 26, 2025, LVMPD's counsel responded via email stating that he doesn't know if any communications exist, that the search was underway, and that he expects to have an update no later than July 2, 2025. Ex 33.

109. Since June 26, 2025, ACLU of Nevada has not received any correspondence from LVMPD's counsel.

110. The representations made by LVMPD's counsel in the June 16, 2025, letter and the June 25, 2025, email that he does not know if any communications exist came after LVMPD and LVMPD's counsel already denied the public records request and asserted that the information was confidential in LVMPD's response via its portal on June 11, 2025 and in multiple communications thereafter.

LEGAL STANDARD AND AUTHORITY

111. The NPRA sets forth that records of governmental entities belong to the public. Nevada Revised Statute § 239.010(1) mandates that, unless a record is confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied[.]”

112. The purpose of the NPRA "is to foster democratic principles by providing members of the public with access to inspect and copy public books and records to the extent permitted by law." NRS 239.001.

113. The provisions mandating access to public records "must be construed liberally to carry out this important purpose[.]" NRS 239.001(1) and (2).

1 114. “Any exemption, exception or balancing of interests which limits or restricts access
2 to public books and records by members of the public must be construed narrowly.” NRS
3 239.001(3).

4 115. When a government agency claims confidentiality of a record or a portion of a
5 record, they must provide notice of the denial of the request and “a citation to the specific statute
6 or other legal authority that makes . . . the records, or part thereof, confidential.” *Gibbons*, 127
7 Nev. 873 at 885; NRS 239.0107(1)(d).

8 116. Only if the entirety of the record contains confidential information can a record be
9 withheld entirely rather than redacted. *See Republican Att'y's Gen. Ass'n v. Las Vegas Metro. Police*
10 *Dep't*, 136 Nev. 28, 36, 458 P.3d 328, 335 (2020) (stating that redaction of records should be
11 favored over withholding records unless all portions of the record is confidential).

12 117. Any “analysis of claims of confidentiality under the Act” begins “with a
13 presumption in favor of disclosure.” *PERS v. Reno Newspapers Inc.*, 129 Nev. 833, 837, 313 P.3d
14 221, 223–24 (2013).

15 118. The burden of proving that a record is confidential is on the government agency.
16 *Gibbons*, 127 Nev. 873 at 880; NRS 239.0113.

17 119. A government agency must prove the confidentiality of records by a preponderance
18 of the evidence. NRS 239.0113(2).

19 120. If a governmental entity seeks to withhold or redact a public record in its control
20 under the balancing test, it must first prove by a preponderance of the evidence that the record or
21 portion thereof that it seeks to redact is of a type that entitles the governmental entity to a balancing
22 test. *See* Nev. Rev. Stat. § 239.0113; *see also* *Gibbons*, 127 Nev. at 880, 266 P.3d at 629; *accord*
23 *Nevada Policy Research Inst., Inc. v. Clark Cty. Sch. Dist.*, No. 64040, 2015 WL 3489473, at *2
24 (D. Nev. May 29, 2015).

121. Even if the governmental entity meets this initial burden to show that a balancing test applies, the entity must then establish that the interest in withholding records or portions thereof in question “clearly outweighs the public’s right to access. *Gibbons*, 127 Nev. at 880, 266 P.3d at 628 (citation omitted) *see also id.* at 127 Nev. 873, 879, 266 P.3d 623, 627 (holding there is, under the NPRA, a “general policy in favor of open government”); *Pub. Employees’ Ret. Sys. of Nevada v. Nevada Policy Research Inst., Inc.*, 134 Nev. 669, 676, 429 P.3d 280, 286 (2018) (noting “the strong presumption in favor of disclosure” of public records in Nevada).

122. A government agency's failure to comply with the Nevada Public Records Act allows the requesting party to recover attorney's fees and costs from the government agency. NRS 239.011.

123. A government agency's willful failure to adhere to the Nevada Public Records Act imposes penalties upon that agency. NRS 239.340.

FIRST CLAIM FOR RELIEF
Violation of Nev. Rev. Stat. § 239.0107(1)(c)
(failure to timely respond to the public records request)

124. ACLU of Nevada re-alleges and incorporates by reference each and every allegation contained in the paragraphs above as if fully set forth herein.

125. LVMPD is required to respond to any “written or oral request” for public records within five (5) business days. Nev. Rev. Stat. § 239.0107(1).

126. The Nevada Supreme Court has held that “a rule is mandatory and requires strict compliance when its language states a ‘specific time and manner for performance.’” *Markowitz v. Saxon Special Servicing*, 129 Nev. 660, 664, 310 P.3d 569, 572 (2013) (quoting *Leven v. Frey*, 123 Nev. 399, 407 n. 27, 408, 168 P.3d 712, 717 n. 27 (2007)); *see also Einhorn v. BAC Home Loans Servicing, LP*, 128 Nev. 689, 696, 290 P.3d 249, 254 (2012) (“In general, ‘time and manner’ requirements are strictly construed”).

1 127. The plain language of Nev. Rev. Stat. § 239.0107(1) sets forth strict time and
2 manner requirements a governmental entity must follow in responding to a records request. These
3 strict time and manner requirements are intended to facilitate the NPRA's purpose of "further[ing]
4 the democratic ideal of an accountable government by ensuring that public records are broadly
5 accessible." *Gibbons*, 127 Nev. 877–78, 266 P.3d at 626.

6 128. ACLU of Nevada submitted a request for public records to LVMPD on January 22,
7 2025.

8 129. LVMPD responded on January 31, 2025, two days past the five-day deadline
9 imposed by the NPRA.

10 130. While a relatively minor violation in itself, this initial delay was a bellwether for
11 the repeated tardiness and unresponsiveness to come.

12 131. On January 31, 2025, LVMPD stated that if any records existed, they would be
13 provided on or before February 28, 2025. Ex. 3.

14 132. LVMPD did not produce any records by February 28, 2025.

15 133. After February 28, 2025, LVMPD sent periodic emails stating that additional time
16 was needed to complete the request.

17 134. Unlike in previous emails which contained the date LVMPD reasonably believed
18 the documents would be available, these emails simply stated the date by which ACLU of Nevada
19 "can expect an update." Ex. 5-6.

20 135. By not providing the earliest date and time it reasonably believed the public book
21 or record would be available, LVMPD violated NRS 239.0107(1)(c)(1).

22 136. In these emails, LVMPD did not explain the reason the public book or record was
23 not available as required by NRS 239.0107(1)(c)(1). *Id.*

1 137. LVMPD stated that ACLU of Nevada could expect an update on March 7, 2025.
2 Ex. 5.

3 138. No records were produced on March 7, 2025.
4 139. On March 7, 2025, ACLU of Nevada sent an email to LVMPD requesting that
5 LVMPD provide the date the records would be available pursuant to NRS 239.0107(1)(c). Ex. 7.

6 140. In its email, ACLU of Nevada also requested that LVMPD inform ACLU of
7 Nevada if the request could be narrowed to ensure a response as expeditiously as possible pursuant
8 to NRS 239.0107(2). *Id.*

9 141. LVMPD did not provide ACLU of Nevada any responsive records to its January
10 22 Request from the initial 5-day deadline on January 29, 2025, to March 12, 2025.

11 142. On March 12, 2025, LVMPD's counsel responded to ACLU of Nevada's March 7,
12 2025, email. Ex. 8.

13 143. No records were produced with the response. *Id.*
14 144. LVMPD's counsel did not provide the date the records would be available. *Id.*
15 145. That same day, LVMPD sent an email with a copy of Policy 4.166, which was only
16 partially responsive to the January 22 Request. Ex. 9.

17 146. No other records were provided. *Id.*
18 147. ACLU of Nevada sent a follow-up email on March 21, 2025 and asked LVMPD
19 for an update on the status of the requests. Ex. 11.

20 148. LVMPD's counsel responded that he would respond as soon as he can. Ex. 12.
21 149. By April 1, 2025, LVMPD's counsel did not respond, and ACLU of Nevada sent
22 another email that requested an update. Ex. 13.

23 150. On April 2, 2025, LVMPD's counsel responded to ACLU of Nevada's March 21,
24 2025, email. Ex. 14.

1 151. In the email, LVMPD’s counsel informed ACLU of Nevada that LVMPD had
2 located CCDC’s procedures for Policy 4.166 (“procedures”), despite previous assertions that no
3 such records existed, and they would be provided through the Public Records Unit Portal (“portal”)
4 after they are redacted. *Id.*

5 152. LVMPD’s counsel did not provide the date the procedures would be available.

6 153. By April 14, 2025, the procedures were not uploaded to the portal.

7 154. ACLU of Nevada sent an email to LVMPD’s counsel requesting that LVMPD
8 provide a date the procedures would be uploaded to the portal. Ex. 15.

9 155. The email also requested updated copies of policies LVMPD identified in its April
10 2, 2025, email. *Id.*

11 156. By May 8, 2025, ACLU of Nevada had not received a response from LVMPD’s
12 counsel.

13 157. ACLU of Nevada sent a follow-up email to LVMPD’s counsel and requested a
14 response alongside a copy of the procedures for Policy 4.166. Ex. 16.

15 158. LVMPD’s counsel did not respond to the email.

16 159. On June 3, 2025, ACLU of Nevada sent another email to LVMPD’s counsel
17 requesting an update on when the procedures would be uploaded to the portal. Ex. 17.

18 160. On June 5, 2025, months after the initial request was submitted and two months
19 after LVMPD stated that it had located the documents, a total of 15 pages of redacted procedures
20 were provided to ACLU of Nevada. Ex. 19.

21 161. On June 16, 2025, ACLU of Nevada sent an email to LVMPD and LVMPD’s
22 counsel to clarify what records were being withheld pursuant to the “immigration records”
23 privilege and the “law enforcement privilege” as invoked by LVMPD concerning the procedures.
24 Ex. 21.

1 162. To date, neither has responded.

2 163. On June 24, 2025, ACLU of Nevada emailed LVMPD's counsel to again request
3 that the remaining records be produced and to provide answers to the remaining questions that
4 were sent on April 14, 2025. Ex. 22.

5 164. To date, LVMPD's counsel has not responded.

6 165. LVMPD's failure to respond timely and provide relevant records is a violation of
7 the NPRA.

8 166. If a court determines that a governmental entity willfully failed to comply with the
9 provisions of this chapter concerning a request to inspect, copy or receive a copy of a public book
10 or record, the court must impose on the governmental entity a civil penalty" for each violation.
11 NRS 239.340.

12 167. A \$1,000 penalty is imposed for the first willful violation of the Nevada Public
13 Records Act within a 10-year period; a \$5,000 penalty is imposed for the second willful violation
14 of the Nevada Public Records Act within a 10-year period; and, after the second willful violation
15 of the Nevada Public records within a 10-year period, a \$10,000 penalty is imposed for each
16 subsequent willful violation within a 10-year period.

17 168. LVMPD's failure to respond timely months after it had located relevant documents
18 and after repeatedly representing that records would be provided by a certain date is a willful
19 violation of the NPRA that warrants civil penalties against LVMPD.

20 **SECOND CLAIM FOR RELIEF**

21 **Violation of Nev. Rev. Stat. § 239.0107(1)(d) and § 239.0107(1)(c)(2)
(failure to identify records and failure to assist the requester)**

22 169. ACLU of Nevada re-alleges and incorporates by reference each and every
23 allegation contained in the paragraphs above as if fully set forth herein.

1 170. Pursuant to NRS 239.0107(1)(d), if a governmental entity denies a request for
2 public records on the grounds that the records or some part thereof are confidential, the
3 governmental entity must provide the requester written notice of that fact along with citation to
4 the specific statute or other legal authority.

5 171. LVMPD failed to comply with the requirements in NRS 239.0107(1)(d).

6 172. As to the January 22 Request for all documents between ICE and LVMPD
7 regarding LVMPD providing information to ICE about “foreign born” or “deportable” individuals
8 in its custody, LVMPD has not produced any records.

9 173. LVMPD’s counsel stated that it would be unduly burdensome to locate the records
10 and even if it was not, they are confidential per 8 C.F.R. § 236.6. Ex. 10.

11 174. In its correspondence with ACLU of Nevada, LVMPD and LVMPD’s counsel have
12 not clarified whether LVMPD has in its possession documents responsive to the January 22
13 Request as required under NRS 239.0107(d) – they only stated, “to the extent records received
14 from ICE *may* exist in individual inmate files, they are not readily available.” *Id.* (emphasis added).

15 175. As to the June 4 Request, LVMPD blanketly asserted the “immigration records”
16 privilege to withhold all records. Ex. 26

17 176. LVMPD did not identify what, if any, records it had in its possession which were
18 covered as “immigration records.”

19 177. Instead, per LVMPD’s counsel, the request for records was denied and
20 confidentiality privileges were invoked without LVMPD even conducting a search to determine if
21 the records exist. Ex. 28, 33.

22 178. After receiving the public record requests from ACLU of Nevada, LVMPD was
23 required to assist ACLU of Nevada in narrowing or rewording the request in a way that would
24 allow disclosure as expeditiously as possible.

179. Despite ACLU of Nevada repeatedly asking LMVPD to indicate whether its requests could be narrowed, LVMPD failed to do so for both the January 22 and June 4 Requests in violation of NRS 239.0107(c)(2).

THIRD CLAIM FOR RELIEF

**Violation of Nev. Rev. Stat. § 239.0107(1)(d) and 239.010(3)
(assertion of inapplicable confidentiality provisions and failure to redact)**

180. ACLU of Nevada re-alleges and incorporates by reference each and every allegation contained in the paragraphs above as if fully set forth herein.

181. NRS. 239.0107(1)(d) provides that if a governmental entity must deny the person's request because the public book or record, or a part thereof, is confidential, it must provide to the person, in writing (1) notice of that fact; and (2) a citation to the specific statute or other legal authority that makes the public book or record, or a part thereof, confidential.

182. LVMPD failed to meet the requirements outlined in NRS 239.0107(d)(1) and cited confidentiality provisions which are inapplicable to the requested records.

183. As to the January 22 Request for documents regarding LVMPD providing information to ICE about “foreign born” or “deportable” individuals in its custody, LVMPD’s counsel asserted two purported reasons for withholding the records in their entirety.

184. LVMPD’s counsel claimed that if records ACLU of Nevada was seeking did exist, LVMPD did not need to produce them because “it would be unduly burdensome to open and inspect every inmate file to determine whether it contains communications with ICE.” Ex. 10.

185. LVMPD’s counsel did not cite Nevada case law or statutes to support LVMPD’s position that it did not have to produce the records – only out of state cases that are inapplicable to the NPRA. *Id.*

1 186. On June 24, 2025, ACLU of Nevada sent an email to LVMPD and again requested
2 that the records be provided because a search for emails could be conducted to obtain the
3 responding documents. Ex. 22.

4 187. As noted in this correspondence, LVMPD's procedures for providing information
5 to ICE about a "foreign born" individual in its custody requires LVMPD to send an email to ICE.
6 *Id.*

7 188. To date, LVMPD has not responded to ACLU of Nevada's June 24, 2025, email.

8 189. LVMPD also claimed that the records ACLU of Nevada was seeking were
9 confidential per 8 C.F.R. § 236.6.

10 190. 8 C.F.R. § 236.6. states:

11 "No person, including any state or local government entity or any privately
12 operated detention facility, that houses, maintains, provides services to, or
13 otherwise holds any detainee on behalf of the Service (whether by contract
14 or otherwise), and no other person who by virtue of any official or
15 contractual relationship with such person obtains information relating to
16 any detainee, shall disclose or otherwise permit to be made public the name
17 of, or other information relating to, such detainee. Such information shall
18 be under the control of the Service and shall be subject to public disclosure
19 only pursuant to the provisions of applicable federal laws, regulations and
20 executive orders. Insofar as any documents or other records contain such
21 information, such documents shall not be public records."

22 191. However, the Nevada Supreme Court has found that agencies cannot rely on agency
23 regulations to claim that public records are confidential. *See Clark Cty. Sch. Dist. v. Las Vegas*
24 *Review-Journal*, 134 Nev. 700, 704, 429 P.3d 313, 318 (2018).

25 192. As the Court noted, permitting an agency to do so would create an opportunity for
26 government organizations to make an end run around the NPRA by drafting internal regulations
27 that render documents confidential by law. *Id.*

28 193. Even if LVMPD could rely on federal agency regulations to render documents
29 confidential or privileged, 8 C.F.R. § 236.6 is inapplicable to the requested records.

1 194. 8 C.F.R. § 236.6 applies to *personal* information of detainees who are being held
2 by a local or state agency *on behalf of* the federal government.

3 195. The January 22 Request did not seek personal information of detainees in
4 LVMPD's custody.

5 196. Additionally, LVMPD is not a local government covered by 8 C.F.R. § 236.6
6 because, as stated in LVMPD Policy 4.166, it did not house, maintain, provide services to, or
7 otherwise hold any detainee on behalf of ICE. Ex. 34.

8 197. Even if the requested information fell within the purview of 8 C.F.R. § 236.6, the
9 production of a redacted copy of the records is warranted per NRS 239.010(3).

10 198. NRS 239.010(3) prohibits LVMPD from denying a request for records on the basis
11 that the requested public book or record contains information that is confidential if it can redact,
12 delete, conceal or separate the confidential information from the information included in the public
13 book or record that is not otherwise confidential.

14 199. LVMPD has not provided redacted records and is thereby in violation of NRS
15 239.010(3).

16 200. As to the June 4 Request seeking communications between LVMPD and ICE
17 regarding agreements authorizing LVMPD personnel to conduct immigration officer functions,
18 LVMPD blanketly asserted the "immigration records" privilege with a string of citations to
19 withhold all records. Ex. 26.

20 201. LVMPD provided no explanation as to why the cases cited supported its position
21 that the records were confidential or could otherwise be withheld from disclosure, in violation of
22 NRS 239.0107(d)(2). *See Gibbons*, 127 Nev. 873 at 885 ("[w]e cannot conclude that merely
23 pinning a string of citations to a boilerplate declaration of confidentiality satisfies the State's

1 prelitigation obligation under NRS 239.0107(1)(d)(2) to cite to ‘specific’ authority ‘that makes the
2 public book or record, or a part thereof, confidential’”).

3 202. Additionally, there is no “immigration records” privilege that justifies
4 nondisclosure in any Nevada statute, regulation, or case law.

5 203. LVMPD cited to 8 C.F.R. § 236.6 to justify withholding the communications. Ex.
6 26.

7 204. LVMPD cannot rely on federal agency regulations to render documents
8 confidential or privileged. *Clark Cty. Sch. Dist.*, 134 Nev. 700 at 704.

9 205. Even if LVMPD could rely on federal agency regulations, 8 C.F.R. § 236.6 is not
10 applicable to the June 4 Request because, as described above, ACLU of Nevada is not seeking
11 personal information of detainees.

12 206. Even if an “immigration records” privilege existed and applied under Nevada law,
13 the production of a redacted copy of the records is warranted per NRS 239.010(3).

14 207. LVMPD has not provided redacted records and is thereby in violation of NRS
15 239.010(3).

16 208. When denying the June 4 Request, LVMPD directed ACLU of Nevada to submit a
17 Freedom of Information Act (FOIA) request pursuant to 6 C.F.R Part 5. Ex. 26.

18 209. However, LVMPD is a governmental entity in Nevada that is subject to the NPRA,
19 and that a request for records can be made under federal law does not exempt LVMPD from its
20 obligation to disclose records in its possession under the NPRA.

21 210. After this was relayed to LMVPD by ACLU of Nevada via email on June 11, 2025
22 Ex. 27, LVMPD’s counsel sent a letter to ACLU of Nevada on June 16, 2025 stating that 6 C.F.R
23 Part 5 appears to control disclosure of communications with ICE and the contract between
24 LVMPD and ICE requires coordination with ICE prior to disclosing any records. Ex. 28.

211. Like LVMPD's email, the June 16, 2025, letter did not cite a specific provision within 6 C.F.R Part 5 that discusses confidentiality of ICE communications or a Nevada law that renders such communications confidential as required under NRS 239.0107(1)(d)(2). *Id.*

212. There are limited instances in which some records, or at least portions of them, can be withheld if a government entity meets its burden under a balancing test.

213. LVMPD has not met this burden because it has not asserted to ACLU of Nevada that it has any interest justifying non-disclosure of the requested records which clearly outweighs the public's right to access.

214. LVMPD's actions are a clear violation of the NPRA, and its responses were inadequate pursuant to *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 885 (2011).

215. Even after ACLU of Nevada provided reasons why the privileges invoked by LVMPD did not apply and reminded LVMPD of its obligations under the NPRA, LVMPD still provided no relevant legal authority warranting denial of the records requests and produced no redacted records.

216. For those reasons, LVMPD's actions are a willful violation of the NPRA that warrant a civil penalty being levied.

PRAYER FOR RELIEF

Petitioner requests the following relief:

1. That the Court resolve this matter on an expedited basis as mandated by Nev. Rev. Stat. § 239.011.
2. Injunctive relief ordering the Las Vegas Metro Police Department to make available all documents requested by ACLU of Nevada on 1/22/2025 and 6/4/2025;
3. Declaratory relief;

1 4. An order finding that Las Vegas Metro Police Department willfully violated the
2 Nevada Public Records Act and therefore must pay the mandated civil penalties for
3 each and every violation as outlined in Nev. Rev. Stat. § 239.340;
4 5. Reasonable costs and attorney's fees pursuant to 239.011(2);
5 6. All relief necessary to secure ACLU of Nevada's access to records and Las Vegas
6 Metro Police Department's compliance with the Nevada Public Records Act; and
7 7. Any further relief the Court deems appropriate.

8

9 Dated this 9th day of July, 2025.

10

11 Pursuant to NRS 53.045, I declare under
12 penalty of perjury that the foregoing is true
13 and correct.

14 **AMERICAN CIVIL LIBERTIES
15 UNION OF NEVADA**

16 
17 _____
18 SADMIRA RAMIC (15984)
19 CHRISTOPHER M. PETERSON (13932)
20 4362 W. Cheyenne Ave.
21 North Las Vegas, NV 89032
22 Telephone: (702) 366-1226
23 Facsimile: (702) 366-1331
24 Email: ramic@aclunv.org
 Attorneys for Petitioner

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DATED this 8th day of July 2025

EXHIBIT 1

January 22, 2025

Las Vegas Metropolitan Police Department
400 S. Martin L. King Blvd.
Las Vegas, NV 89106

Submitted via online portal

To whom it may concern:



4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

This letter serves as a request under the Nevada Public Records Act, NRS § 239 *et seq*, by the American Civil Liberties Union of Nevada (ACLUNV) for public records held by Las Vegas Metropolitan Police Department (LVMPD) as detailed below.

A. The Requester

The ACLUNV is a statewide affiliate of the American Civil Liberties Union, a national organization whose work protects the civil liberties and civil rights of all people. Our mission includes safeguarding the basic constitutional rights to due process, equal protection, and the civil rights of marginalized communities, including treatment of noncitizens by government entities. One of ACLUNV's main functions is disseminating information to the public about issues of concern to ACLUNV and its members.

B. Definitions

For the purpose of this Request, the following definitions shall apply:

- 1) "POLICIES AND PROCEDURES" means any guideline, policy, practice, or procedure, including formal and informal, whether written or oral, implemented to carry out the work of LVMPD.
- 2) The term "RECORDS" includes documents in addition to communications, such as memoranda, minutes, meeting agendas, working papers, notes (including raw notes), and audio and video recordings.
- 3) The term "DOCUMENTS" means, without limiting the generality of their meaning, all written, printed, recorded, electronic, digital, video, or graphic matter, photographic matter or sound reproductions, however produced, reproduced, or maintained. "DOCUMENTS" specifically include but are not limited to communication, correspondence, letters, notes, minutes of meetings, memoranda, interoffice communications, database files, facsimile transmissions, email messages and files.

- 4) "ICE" means Immigration and Customs Enforcement, and any components, subcomponents, offices, or personnel therein.

C. Request

The ACLUNV requests, in electronic format where available and pursuant to NRS 239.010(3-5), any and all RECORDS in your custody or under your control relating to LVMPD and immigration enforcement from the period of January 1, 2022 through the present. This request includes but is not limited to:



Nevada

4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

- 1) All DOCUMENTS, whether formal or informal, between ICE and LVMPD regarding LVMPD providing information to ICE about "foreign born" or "deportable" individuals in its custody.
- 2) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to "foreign born" or "deportable" individuals in its custody.
- 3) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to an arrestee's suspected residency status.
- 4) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to holding individuals in the legal custody of other agencies (such as ICE or the U.S. Marshals Service) in LVMPD facilities.
- 5) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to serving and executing administrative warrants on noncitizens in LVMPD facilities.
- 6) POLICIES AND PROCEDURES, effective between January 1, 2022 and the present, containing "ICE" and "detainer."
- 7) POLICIES AND PROCEDURES, effective between January 1, 2022 and the present, containing "287(g) Program" or "287(g) Program Staff."
- 8) POLICIES AND PROCEDURES, effective between January 1, 2022 and the present, containing "Field Interview Cards" and "Immigration Violations."

D. Waiver of Fees

The ACLUNV requests a waiver of any and all fees associated with this request.

In relation to both federal and state public records requests, fees are generally waived for nonprofit organizations seeking copies of materials without commercial interest and for the purpose of contributing to public understanding and education. See *Friends of the Coast Fork v. U.S. Dep't of the Interior*, 110 F.3d 53 (9th Cir. 1997); *Friends of Oceano Dunes, Inc. v. Salazar*, No. C-11-1476 EMC, 2011 WL 6748575 (N.D. Cal. Dec. 22, 2011); *North Cnty. Parents Org. for Children with Special Needs v. Dep't of Educ.*, 23 Cal. App. 4th 144 (Cal. Ct. App. 1994).



4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

Here, the documents requested benefit the public's knowledge and provide oversight on the use of state run facilities for immigration detention and are not sought for commercial interest. As a nonprofit 501(c)(3) organization, ACLUNV is well situated to disseminate information it gains from this request to the general public as well as to other targeted communities. Dissemination of information to the public is a critical and substantial component of ACLUNV's mission and work.

E. Fulfillment of Request

The State of Nevada mandates that all state agency records are public unless declared confidential by law. NRS § 239.010. Recent changes to the Public Records Act reaffirm the state's commitment to transparency and maximizing the public's right of access to agency records. NRS § 239.001.

If all or any part of this request is denied, Nevada law requires that you provide the ACLUNV a written statement of the grounds for the denial, citing the law or regulations under which you believe you may deny access for each document. NRS 239.0107. Furthermore, if you determine that some portions of the requested records are exempt from disclosure, we expect that you provide us with any reasonable severable portion of the records sought.

Please be advised that if any refusal to disclose is based on confidentiality, then "[t]he public official or agency bears the burden of establishing the existence of privilege based upon confidentiality. It is settled that privileges, whether creatures of statute or the common law, should be interpreted and applied narrowly." *D.R Partners v. Board of County Com'rs of Clark County*, 116 Nev. 616, 622 (2000).

Pursuant to state law, we request copies and/or access to these public records be forwarded to the ACLUNV within five (5) business days of this letter, by January 29, 2025. NRS 239.0107(1). If you are unable to make the records available by this date, you are statutorily required to state that fact in writing explaining why the book or record is unavailable and a date and time when the record will be available. NRS 239.0107(1)(c)(1).

The updated Public Records Act imposes a duty on governmental entities to "make a reasonable effort to assist the requester to focus the request in such a manner as to maximize the likelihood the requestor will be able to [access] the public book or record as expeditiously as possible." NRS 239.0107(1)(c)(2). Please contact the ACLUNV within the five (5) day statutory time frame if, for some reason, this request requires clarification.

Please forward copies of documents as they are identified to ramic@aclunv.org, even if production is not fully complete. We appreciate your assistance with this request.

You may contact me directly at 702-550-9324 or ramic@aclunv.org.

Sincerely,



Sadmira Ramic
Senior Staff Attorney
American Civil Liberties Union of Nevada



4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

EXHIBIT 2

From: [Do Not Reply](#)
To: [Sadmira Ramic](#)
Subject: Public Record Request Submitted for Public Record Request - Sadmira Ramic
Date: Wednesday, January 22, 2025 4:52:03 PM

This Message Is From an External Sender

This message came from outside your organization.

Hello Sadmira Ramic,

Public Record Request Title	Public Record Request - Sadmira Ramic
Public Record Request #	NPR2025-0071865
Name of Requestor	Sadmira Ramic
Status	Submitted
Request Submitted Date	1/23/2025 5:00 PM

Your Public Record Service Request has been successfully submitted. You will be notified by email if more information or payment is required and when your request is completed. The Las Vegas Metropolitan Police Department - Public Records Unit hours of operation are 8 a.m. to 5 p.m., Monday through Friday, excluding holidays, Juneteenth, Nevada Day, the day after Thanksgiving and December 24th. Any public record requests made outside of normal business hours will be deemed received the next business day. At any time, you may monitor the status of your request by logging into your Public Records portal account.

***Please note that holidays that fall on a Saturday or Sunday will be observed the preceding Friday or the following Monday. There are 13 holidays that LVMPD observes throughout the year. Based on this information, adjust your request accordingly.

[Public Request Portal | Las Vegas Metropolitan Police Department \(lvmpd.com\)](#)

Thank you,

Las Vegas Metropolitan Police Department
400 S. Martin L. King Boulevard
Las Vegas, Nevada 89106
702-828-7489
Monday-Friday 8am to 5pm

EXHIBIT 3

From: [Do Not Reply](#)
To: [Sadmir Ramic](#)
Subject: NPR2025-0071865 - Update
Date: Friday, January 31, 2025 11:28:31 AM

This Message Is From an External Sender

This message came from outside your organization.

Good afternoon,

This correspondence is an update to your LVMPD Public Records Request NPR2025-0071865. More time is needed to review your request to determine if we have any records responsive. I intend to have an update to you on or before February 14, 2025. If records exist, I should have those to you on or before February 28, 2025.

Thank you for your patience,

LVMPD Public Records Unit

EXHIBIT 4

From: [Do Not Reply](#)
To: [Sadmir Ramic](#)
Subject: NPR2025-0071865 - Update
Date: Friday, February 14, 2025 10:37:53 AM

This Message Is From an External Sender

This message came from outside your organization.

Good morning,

This is a follow-up regarding your LVMPD Public Records Request NPR2025-0071865. Unfortunately, we have not yet completed your request and require additional time to compile any responsive records. I will provide you with an update on or before February 21, 2025. Should records be found, I hope to have them to you by February 28, 2025.

We appreciate your understanding and patience as we continue this process.

Sincerely,

LVMPD Public Records Unit

EXHIBIT 5

From: [Do Not Reply](#)
To: [Sadmira Ramic](#)
Subject: NPR2025-0071865- Update
Date: Tuesday, February 25, 2025 4:09:33 PM

This Message Is From an External Sender

This message came from outside your organization.

Dear Sadmira Ramic,

Thank you for taking my call. I have forwarded your request to our Office of General Counsel, specifically to Assistant Counsel Matt Christian. More time is required to process your request.

While I did initially indicate that you would receive a response by February 28th, 2025, I have just received confirmation that we will not be able to meet that deadline. You can expect an update from us on or before March 7th, 2025.

We appreciate your understanding and patience as we continue to work on your request.

Sincerely,
LVMPD Public Records Unit

EXHIBIT 6

From: [Do Not Reply](#)
To: [Sadmira Ramic](#)
Subject: NPR2025-0071865 - Update
Date: Friday, March 7, 2025 12:05:40 PM

This Message Is From an External Sender

This message came from outside your organization.

Dear Sadmira Ramic,

I am writing to follow up on our previous correspondence regarding your request. As we continue to review and process the information you've requested, additional time is required to complete your request.

We will need an additional two weeks to complete this process, and you can expect an update from us on or before March 21th, 2025.

Thank you for your patience and understanding as we continue to work on fulfilling your request.

Sincerely,

LVMPD Public Records Unit

EXHIBIT 7

From: [Sadmira Ramic](#)
To: ["Do Not Reply"](#)
Cc: ["PIO@lvmpd.com"](#)
Subject: RE: NPR2025-0071865 - Update
Date: Friday, March 7, 2025 1:00:00 PM

Good afternoon,

Can you please provide a date for when the records will be available and an explanation of why additional time is needed?

Per NRS 239.0107(1)(c), if you are unable to make the public book or record available by the end of the fifth business day after the date you received the request, you must provide the earliest date and time you reasonably believe the public book or record will be provided.

If the public book or record is not available by that date and time, you must provide, in writing, an explanation of the reason the public book or record is not available and a date and time after which you reasonably believe the public book or record will be provided.

The request was made on January 22, 2025. On January 31, 2025, an update was provided by LVMPD via email that if the records exist, they would be provided on or before February 28, 2025. On February 14, 2025, another email was sent indicating that additional time was needed and if the records exist, they would be provided on or before February 28, 2025. On February 25, 2025, another email was sent stating that the request was forwarded to the Office of General Counsel, additional time was needed to review the request, and LVMPD would not be able to provide the records on February 28, 2025, as previously stated. No date was given for when the records would be available, and no explanation was given of why they are not available. The email update below also does not indicate when the records will be available, nor does it provide the reason why additional time is needed.

Please let us know if the request can be narrowed to ensure we receive a response as expeditiously as possible. *See NRS 239.0107(2)*, the governmental entity must “make a reasonable effort to assist the requester to focus the request in such a manner as to maximize the likelihood the requester will be able to inspect, copy or receive a copy of the public book or record as expeditiously as possible.”

Thank you,
Sadmira Ramic

From: Do Not Reply <DoNotReply@LVMPD.COM>
Sent: Friday, March 7, 2025 12:05 PM
To: Sadmira Ramic <ramic@aclunv.org>
Subject: NPR2025-0071865 - Update

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EXHIBIT 8

From: [Matthew Christian](#)
To: [Sadmir Ramic](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Wednesday, March 12, 2025 3:39:12 PM
Attachments: [image001.png](#)

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This message came from outside your organization.

Dear Ms. Ramic,

Thank you for the email. It was forwarded to me for response.

My understanding is that the Public Records Unit gave reasonable estimates of the response time based on information available to them at the time. Regardless, please know we have been working diligently to respond to your request. It has taken longer than it usually would have due to increasing workloads in both the Public Records Unit and my office, as well as the scope and phrasing of the requests.

Nevertheless, it's clear that the primary policy you are seeking is 4.166 (*U.S. Immigration and Customs Enforcement*). That policy has been published widely in recent months. It has also been widely reported that LVMPD modified the policy after the Laken Riley Act passed. I have asked PRU to provide that policy to you in case you have not seen it.

In the meantime, I am working with PRU to respond to the remainder of your requests, and I reasonably expect to have additional information to you no later than close of business March 20, 2025. Feel free to contact me in the interim if you wish to discuss anything further.

Regards,

Matt

Matthew J. Christian, Esq.
Assistant General Counsel
Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 828-3310

EXHIBIT 9

From: [Do Not Reply](#)
To: [Sadmira Ramic](#)
Subject: LVMPD Policy 4.166
Date: Wednesday, March 12, 2025 4:05:55 PM
Attachments: [4.166 U.S. Immigration and Customs Enforcement \(ICE\) Notifications.pdf](#)
[4.166 US Imm & Customs Enforcement.pdf](#)

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Good afternoon Sadmira,

We have been instructed by LVMPD Assistant General Counsel Matt Christian to provide you with LVMPD Policy 4.166 U.S. Immigration & Customs Enforcement. Please see attached. Thank you for your patience.

Sincerely,

LVMPD Public Records Unit

EXHIBIT 10

From: [Matthew Christian](#)
To: [Sadmir Ramic](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Thursday, March 20, 2025 11:08:46 AM
Attachments: [image001.png](#)

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This message came from outside your organization.

Good morning,

Again, thank you for your patience. As previously stated, responding fully to your request took longer than usual due to increasing workloads and the breadth and phrasing of your requests.

We have collectively spent many hours working on this request. This has included a diligent search using your search criteria. As my previous email stated, I have determined that the primary policy you are interested in is 4.166, which PRU has provided to you.

Beyond this, I have determined that the best way to respond is to first further elaborate on Policy 4.166, then outline the legal framework that governs your request, then finally go on to address your specific requests.

Policy and Procedure Explained

Again, we have provided Policy 4.166. Pursuant to the policy, CCDC provides notice to ICE when a foreign-born individual is booked on various identified charges (which have expanded upon the passage of the Laken Riley Act). ICE may then provide notice to CCDC that the individual is, or may be, in violation of immigration law. These communications between CCDC and ICE are kept in individual inmate files. There is no central file or database. Therefore, we cannot readily compile all records between CCDC and ICE.

Importantly, CCDC can determine whether an individual is “foreign born,” but not their “residency status” or whether they are “deportable.” Those are ICE functions, and LVMPD does not enforce immigration law.

As the Policy further states, CCDC will not delay the release of an inmate, but will honor a warrant (just like it would honor any warrant).

Legal Framework

A public entity need not produce records that are not readily available and would require research, compilation and redaction to produce. *See Lunney v. State*, 418 P.3d 943, 954 (Ariz. Ct. App. 2017) (recognizing that the agency was not required to respond to the burdensome request); *Shehadeh v. Madigan*, 996 N.E.2d 1243, 1249 (Ill. App. Ct. 2013) (holding that the Attorney General satisfied its burden by explaining that its staff members would have to go through all of the 9,200 potentially responsive documents by hand); *Beckett v. Serpas*, 112 So.3d 348, 353 (La. App. Ct. 2013) (determining that segregating 10-years worth of files is unreasonably burdensome); *Community Youth Athletic Ctr. v. City of Nat'l City*, 164 Cal.Rptr.3d 644, 676, 220 Cal.App.4th 1385, 1425 (2013) (generally, an agency is not required to undertake extraordinarily extensive or intrusive searches, and in general, the scope of an agency's search for public records need only be reasonably calculated to locate responsive documents).

To determine if producing documents “poses an unreasonable administrative burden,” courts consider whether the general presumption in favor of disclosure is overcome by: “(1) the resources and time it will take to locate, compile, and redact the requested materials; (2) the volume of materials requested; and, (3) the extent to which compliance with the request will disrupt the agency's ability to perform its core functions.” *Lunney*, 418 P.3d at 954; *cf. NAC 239.860* (defining “readily available” for purposes of State agencies as records that are “easily retrievable,” “not confidential,” and having a “nature...such that an officer, employee or agent of the agency...is not required to review the record to determine whether the record includes confidential information”).

The Nevada Supreme Court has held that a public entity need not produce records where the databases it utilizes cannot “readily compile the requested information.” *See Public Employees Retirement System of Nevada v. Nevada Policy Research Inst., Inc.*, --- Nev. ---, 429 P.3d 280, 288 (2018), quoting *Las Vegas Metro. Police Dep’t v. Blackjack Bonding, Inc.*, 131 Nev. 80, 87, 343 P.3d 608, 613 (2015).

Federal immigration regulations make information about deportable aliens who are detained confidential. 8 C.F.R. § 236.6; *see also City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003) (applying federal law to render records confidential under the Nevada Public Records Act). *See also*

Voces de la Frontera, Inc. v. Clarke, 891 N.W.2d 803 (Wisc. 2017) (concluding that I-247 detainer forms sent from ICE to a local sheriff are confidential, and outlining the policy rationales that underpin the regulation, including privacy and law enforcement concerns); *Comm'r of Corr. v. Freedom of Info. Comm'n*, 52 A.3d 636 (Conn. 2012) (concluding that § 236.6 renders information in the possession of local law enforcement about a detainee to be confidential, even after the detainee is no longer in the custody of the local agency); *Owino v. CoreCivic, Inc.*, 2019 WL 11770626 (S.D. Cal. 2019) (agreeing with *Voces de la Frontera* and *Comm'r of Corr.* that § 236.6 “is not temporally limited” and then sealing information that would reveal the identity of detainees).

Response to Individual Requests

Given the factual and legal context, I provide the following responses to your individual requests:

1) All DOCUMENTS, whether formal or informal, between ICE and LVMPD regarding LVMPD providing information to ICE about “foreign born” or “deportable” individuals in its custody.

Again, LVMPD cannot determine whether someone is “deportable” because this is an ICE function. Regardless, to the extent records received from ICE may exist in individual inmate files, they are not readily available. It would be unduly burdensome to open and inspect every inmate file to determine whether it contains communications with ICE. There are thousands of inmates at any given time. I’m told there were 56,000 bookings last year alone. Moreover, even if the law required LVMPD to go through each file, the records you are seeking are confidential per 8 C.F.R. § 236.6.

2) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to “foreign born” or “deportable” individuals in its custody.

We have already provided Policy 4.166. See also the explanation above.

3) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to an arrestee’s suspected residency status.

No records exist. See explanation above.

4) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to holding individuals in the legal custody of other agencies (such as ICE or the U.S. Marshals Service) in LVMPD facilities.

See Policy 4.166 and the explanation above. Beyond this, we have located Standard Operating Procedure 12.214 (Booking Operations – Special or Unusual Bookings). You will see a section at pp. 6-7 about immigration violations. Please do not be confused by the statement that “If local charges exist, the local charges will be booked, and a detainer may be placed.” As already explained, and as stated in Policy 4.166, ICE may send CCDC notices (“detainers”), but CCDC’s interactions with ICE are governed by Policy 4.166.

PRU will provide SOP 12.214 to you, with possible redactions.

5) POLICIES AND PROCEDURES, and other DOCUMENTS, effective between January 1, 2022 and the present, setting out LVMPD policy with respect to serving and executing administrative warrants on noncitizens in LVMPD facilities.

This request does not contain search terms *per se*. But after considerable deliberation, we have determined that you are seeking information about a 287(g) program. As is well documented, LVMPD ended its 287(g) program with ICE in October 2019. If I am misunderstanding something, please feel free to reach out.

6) POLICIES AND PROCEDURES, effective between January 1, 2022 and the present, containing “ICE” and “detainer.”

After diligent search, no records were found containing both these terms. Please note if you resubmit a request for policies with only “ICE,” you will end up receiving policies about “ice” (frozen water). Also, if you submit a request for policies with only “detainer,” you will receive policies that have nothing to do with immigration.

7) POLICIES AND PROCEDURES, effective between January 1, 2022 and the

present, containing “287(g) Program” or “287(g) Program Staff.”

See response to #5. (Note: ACLU sent a similar request about 287(g) in January and received a response that the program was discontinued.)

8) POLICIES AND PROCEDURES, effective between January 1, 2022 and the present, containing “Field Interview Cards” and “Immigration Violations.”

After diligent search, we located only one policy with these search terms, Policy 6.260 (Terrorism Investigations...) PRU will provide this to you, with possible redactions.

Should you have any questions or concerns, feel free to contact me.

Matthew J. Christian, Esq.
Assistant General Counsel
Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 828-3310



From: Matthew Christian
Sent: Wednesday, March 12, 2025 3:39 PM
To: ramic@aclunv.org
Subject: RE: ACLU FW: NPR2025-0071865 - Update

Dear Ms. Ramic,

Thank you for the email. It was forwarded to me for response.

My understanding is that the Public Records Unit gave reasonable estimates of the response time based on information available to them at the time. Regardless, please know we have been working diligently to respond to your request. It has taken longer than it usually would have due to increasing workloads in both the Public Records Unit and my office, as well as the scope

EXHIBIT 11

From: [Sadmira Ramic](#)
To: [Matthew Christian](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Friday, March 21, 2025 5:16:00 PM
Attachments: [image001.png](#)

Mr. Christian,

Thank you for providing this information.

I have a few concerns regarding your responses, but I think it would be helpful to clarify a few points before addressing the specifics:

1. It is our understanding that in addition to LVMPD policies, there are procedures that outline how to implement those policies, such as SOP 12.214 that was provided yesterday regarding special or unusual bookings. No procedures in relation to policy 4.166 were turned over. Can you please confirm whether these records exist, and if so, are you claiming that they are privileged?
2. The specific terminology, such as “deportable”, “287(g) program”, and “residency status”, were based on other sources that I have received. This includes sections 5/106.24 (“Immigration Violations”), 5/205.18 (“OR Release from Custody”), and 5/206.23 (“Field Interviews”) from a 2023 LVMPD Procedure manual. I am trying to verify if these policies are current, and if not, whether they have been updated. Do you have a current version of these policies?
3. As to your response to request #6 (“After diligent search, no records were found containing both these terms. Please note if you resubmit a request for policies with only “ICE,” you will end up receiving policies about “ice” [frozen water]. Also, if you submit a request for policies with only “detainer,” you will receive policies that have nothing to do with immigration.”), I used the qualifier “and” between the two term to signal that I was seeking policies and procedures that have both terms, not just one or the other. I believe this would eliminate the concerns you flagged.
4. As to your response to request #4 concerning Standard Operating Procedure 12.214, can you elaborate on what “if local charges exist, the local charges will be booked, and a detainer may be placed” means if it doesn’t apply to placing immigration detainees?

I appreciate you taking the time to respond. Happy to hop on a call if it is easier.

From: Matthew Christian <M16091C@LVMPD.COM>
Sent: Thursday, March 20, 2025 11:09 AM
To: Sadmira Ramic <ramic@aclunv.org>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

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EXHIBIT 12

From: [Matthew Christian](#)
To: [Sadmir Ramic](#)
Cc: [Shandell Auten](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Saturday, March 22, 2025 10:57:58 AM
Attachments: [image001.png](#)

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Dear Ms. Ramic,

Thanks for the email. I will get back to you as soon as I can.

Matthew J. Christian, Esq.
Assistant General Counsel
Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 828-3310



From: Sadmir Ramic <ramic@aclunv.org>
Sent: Friday, March 21, 2025 5:17 PM
To: Matthew Christian <M16091C@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

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Mr. Christian,

Thank you for providing this information.

I have a few concerns regarding your responses, but I think it would be helpful to clarify a few points before addressing the specifics:

1. It is our understanding that in addition to LVMPD policies, there are procedures that outline how to implement those policies, such as SOP 12.214 that was provided yesterday regarding special or unusual bookings. No procedures in relation to policy 4.166 were turned over. Can

EXHIBIT 13

From: [Sadmira Ramic](#)
To: [Matthew Christian](#)
Cc: [Shandell Auten](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Tuesday, April 1, 2025 3:08:00 PM
Attachments: [image001.png](#)

Mr. Christian,

I am following up on the email below. Are there updates?

Please let me know if there is something I can do on my end to clarify my concerns.

From: Matthew Christian <M16091C@LVMPD.COM>
Sent: Saturday, March 22, 2025 10:58 AM
To: Sadmira Ramic <ramic@aclunv.org>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

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Dear Ms. Ramic,

Thanks for the email. I will get back to you as soon as I can.

Matthew J. Christian, Esq.
Assistant General Counsel
Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 828-3310



From: Sadmira Ramic <[ramic@aclunv.org](#)>
Sent: Friday, March 21, 2025 5:17 PM
To: Matthew Christian <[M16091C@LVMPD.COM](#)>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

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EXHIBIT 14

From: [Matthew Christian](#)
To: [Sadmir Ramic](#)
Cc: [Shandell Auten](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Wednesday, April 2, 2025 4:44:27 PM
Attachments: [image001.png](#)

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Good afternoon,

In response to your questions:

1. We have located CCDC procedures. They are being redacted and will be provided through the PRU portal.
2. 5/106.24 (“Immigration Violations”) is now numbered 4.166. You have the current 4.166, if not the prior version if I’m recalling correctly. The policies on “OR Release from Custody” and “Field Interviews” have not changed since 2010 and 1999 respectively (except being renumbered). I would add that I don’t see any reference to immigration in these, so I’m not sure I follow your question about these policies. If you have some version of these policies that mention immigration, please forward them to me.
3. Thanks for the clarification. So my original response is full and complete because it’s based off the assumption that you were seeking records containing both terms.
4. I’m not sure I follow this question either. The term “detainer” is not limited to the immigration context. It is used even in SOP 12.214 in a non-immigration context (fugitives). Does that help you? Also, I would just reemphasize that Policy 4.166 controls. ICE “may” “place” a “detainer,” but per 4.166, CCDC will not delay the release of an inmate for ICE, but will honor a warrant.

Please let me know if you have any additional questions/concerns.

Matt

EXHIBIT 15

From: [Sadmira Ramic](#)
To: [Matthew Christian](#)
Cc: [Shandell Auten](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Monday, April 14, 2025 10:14:00 AM
Attachments: [image001.png](#)

Thank you for the clarification. I apologize for the delay in my response. For whatever reason, your email did not show up in my inbox until I searched it to send an email for an update.

I will respond with the same numbering as before so there is no confusion.

1. I checked the portal and do not see a response with the procedures. Can you please provide a date that they will be turned over?
2. As to this section:
 - a. I do have policy 4.166.
 - b. "OR Release from Custody"
 - i. Please provide the copy of the policy with the new number.
 - ii. The policy from 2023 does reference immigration. Specifically, it states: "An "OR" release shall NOT be granted for persons arrested on "FTA", "Bench" or "No Bail" Warrants, or who have **immigration detainees**, except upon the direct verbal order of a judge." (emphasis added).
 - c. "Field Interview"
 - i. Please provide the copy of the policy with the new number.
 - ii. The policy from 2023 does reference immigration. Specifically, it states: "Other uses and distributions of the Field Interview Cards are described in LVMPD 5/106.24, **Immigration Violations**". (emphasis added).
3. Just to be clear, you completed a search using the terms "ICE" and "detainer", and there were no responsive documents?
4. I understand that "detainer" may not be limited to the immigration context. However, the statement you referenced ("If local charges exist, the local charges will be booked, and a detainer may be placed.") is directly under a subheading titled "immigration violations" in SOP 12.214. When you say that CCDC will honor a warrant, are you referring to judicial warrant (criminal warrant) only or any type of warrant?

Thanks again.

From: Matthew Christian <M16091C@LVMPD.COM>
Sent: Wednesday, April 2, 2025 4:44 PM
To: Sadmira Ramic <ramic@aclunv.org>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

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EXHIBIT 16

From: [Sadmira Ramic](#)
To: [Matthew Christian](#)
Cc: [Shandell Auten](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Thursday, May 8, 2025 9:51:00 AM
Attachments: [image001.png](#)

Hi Matt,

You mentioned below that the procedures for policy 4.166 would be uploaded to the portal. I checked a few times but didn't see it.

The request was closed at one point, but I spoke to someone from LVMPD on 4/28 and they reopened it.

I checked to see if those documents were uploaded on 4/28 and today but still don't see them. Can you please send them?

From: Sadmira Ramic
Sent: Monday, April 14, 2025 10:14 AM
To: Matthew Christian <M16091C@LVMPD.COM>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

Thank you for the clarification. I apologize for the delay in my response. For whatever reason, your email did not show up in my inbox until I searched it to send an email for an update.

I will respond with the same numbering as before so there is no confusion.

1. I checked the portal and do not see a response with the procedures. Can you please provide a date that they will be turned over?
2. As to this section:
 - a. I do have policy 4.166.
 - b. "OR Release from Custody"
 - i. Please provide the copy of the policy with the new number.
 - ii. The policy from 2023 does reference immigration. Specifically, it states: "An "OR" release shall NOT be granted for persons arrested on "FTA", "Bench" or "No Bail" Warrants, or who have **immigration detainees**, except upon the direct verbal order of a judge." (emphasis added).
 - c. "Field Interview"
 - i. Please provide the copy of the policy with the new number.
 - ii. The policy from 2023 does reference immigration. Specifically, it states: "Other uses and distributions of the Field Interview Cards are described in LVMPD 5/106.24, **Immigration Violations**". (emphasis added).
3. Just to be clear, you completed a search using the terms "ICE" and "detainer", and there were no responsive documents?
4. I understand that "detainer" may not be limited to the immigration context. However, the statement you referenced ("If local charges exist, the local charges will be booked, and a detainer may be placed.") is directly under a subheading titled "immigration violations" in SOP

EXHIBIT 17

From: [Sadmira Ramic](#)
To: [Matthew Christian](#)
Cc: [Shandell Auten](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Tuesday, June 3, 2025 3:09:00 PM
Attachments: [image001.png](#)

Good afternoon,

I am reaching out again concerning the public records request discussed below. I have not received the documents and do not see them uploaded to the portal.

From: Sadmira Ramic
Sent: Thursday, May 8, 2025 9:52 AM
To: Matthew Christian <M16091C@LVMPD.COM>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

Hi Matt,

You mentioned below that the procedures for policy 4.166 would be uploaded to the portal. I checked a few times but didn't see it.

The request was closed at one point, but I spoke to someone from LVMPD on 4/28 and they reopened it.

I checked to see if those documents were uploaded on 4/28 and today but still don't see them. Can you please send them?

From: Sadmira Ramic
Sent: Monday, April 14, 2025 10:14 AM
To: Matthew Christian <[M16091C@LVMPD.COM](#)>
Cc: Shandell Auten <[S5496A@LVMPD.COM](#)>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

Thank you for the clarification. I apologize for the delay in my response. For whatever reason, your email did not show up in my inbox until I searched it to send an email for an update.

I will respond with the same numbering as before so there is no confusion.

1. I checked the portal and do not see a response with the procedures. Can you please provide a date that they will be turned over?
2. As to this section:
 - a. I do have policy 4.166.
 - b. "OR Release from Custody"
 - i. Please provide the copy of the policy with the new number.
 - ii. The policy from 2023 does reference immigration. Specifically, it states: "An "OR" release shall NOT be granted for persons arrested on "FTA", "Bench" or "No Bail" Warrants, or who have **immigration detainees**, except upon the direct verbal order of a judge." (emphasis added).

EXHIBIT 18

From: [Matthew Christian](#)
To: [Sadmira Ramic](#)
Cc: [Shandell Auten](#)
Subject: Re: ACLU FW: NPR2025-0071865 - Update
Date: Tuesday, June 3, 2025 3:22:06 PM
Attachments: [image001.png](#)

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Good afternoon,

I will follow up asap

Matt

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From: Sadmira Ramic <ramic@aclunv.org>
Sent: Tuesday, June 3, 2025 3:09:50 PM
To: Matthew Christian <M16091C@LVMPD.COM>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

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Good afternoon,

I am reaching out again concerning the public records request discussed below. I have not received the documents and do not see them uploaded to the portal.

From: Sadmira Ramic
Sent: Thursday, May 8, 2025 9:52 AM
To: Matthew Christian <M16091C@LVMPD.COM>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

Hi Matt,

You mentioned below that the procedures for policy 4.166 would be uploaded to the portal. I checked a few times but didn't see it.

The request was closed at one point, but I spoke to someone from LVMPD on 4/28 and they reopened it.

I checked to see if those documents were uploaded on 4/28 and today but still don't see them. Can you please send them?

From: Sadmira Ramic

EXHIBIT 19

From: [Do Not Reply](#)
To: [Sadmira Ramic](#)
Subject: Immigration Procedures NPR2025-0071865
Date: Thursday, June 5, 2025 3:16:40 PM
Attachments: [Misc Procedure Immigration.pdf](#)
[Releasing Immigration.pdf](#)
[Document Distribution Immigration.pdf](#)

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Sadmira Ramic,

Please see attached CCDC Immigration Procedures. Thank you for your patience.

Sincerely,
LVMPD Public Records Unit

EXHIBIT 20

JUSTICE & DISTRICT COURT BONDS or BAIL RECEIPTS WITH IMMIGRATION DETAINER

Per District Court Administrative Order 18-11, dated October 8, 2018, District Court WILL accept the posting of bail bonds or cash bail without regard for a person's United States immigration status. This gives the Clark County Detention Center authority to accept bail on District Court cases for inmates with an active Immigration Detainer.

The Las Vegas Justice Court Order, dated February 2, 2001, has been rescinded by LVJC Administrative Order #18-03, dated October 19, 2018. Bail bond or cash bail WILL be accepted or posted on a Justice Court case for inmates that have a hold placed against him or her by Immigration.

IMMIGRATION NOTIFICATIONS

Effective 01/30/2025, Records will email IMM TCRs for any foreign-born inmate who is booked on any qualifying charges referenced in LVMPD Department Policy, 4.166.

TCR's will **NOT** be emailed for those inmates who do not meet **BOTH** requirements of foreign-born **and** qualifying charges. This also applies to Notices/Detainer/Warrants (I247 A/G, I200, and I205) transferred from other agencies (NLV, Hend, etc.) If the charges do not meet the requirements, annotate on the document "NO ACTION NECESSARY" and place in inmate file.

The Document Distribution Post will give all IMM TCR's to the Senior/Supervisors for emailing and processing.

- Scan the TCR's to the DSD Records Senior/Supervisor email
- Send email from the DSD Records Senior/Supervisor email to the below IMM email addresses
 - LEP & LEP
- Enter Interested Party
 - NOTE TYPE: ARREST
 - NOTE SUBTYPE: IMMIGRATION
 - CASE NOTE: TCR EMAILED ON (TODAYS DATE/TIME) P#

Once Immigration receives the TCR, they may choose to send an Immigration Detainer/Warrant for Arrest of Alien, Form I-200, or an Immigration Detainer/Warrant of Removal Deportation, Form I-205, to the Supervisor's email, the Offender Alert will be entered to contact Immigration at time of release.

SENIOR/SUPERVISOR IMMIGRATION PROCEDURES PG 15 AND 81

All Immigration Forms are accepted for any and Immigration will be contacted prior to time of release for pickup arrangements.

When an **IMM Notification/ I247A or G, IMM Detainer/Warrant for Arrest of Alien Form I-200 or IMM Detainer/Warrant of Removal Deportation I-205** is received for an inmate that is currently on EMP/HA, **DO NOT** notify the HA Sgts. Inform IMM that the subject is on HA and not in custody at CCDC. Inform the IMM officer that he/she needs to bring the inmate back into CCDC Custody to have the detainer placed.

RECEIPT OF IMMIGRATION DETAINERS

If IMM sends a IMM Notification/ I247A (DHS Form) I247G (Interim Form), Detainer/Warrant for Arrest of Alien, Form I-200, or a Detainer/Warrant of Removal Deportation, Form I-205, to the DSD Records Supervisor email group, complete the following:

▪ Immigration Notification – I247A (DHS Form) or I247G (Interim Form)

DEPARTMENT OF HOMELAND SECURITY IMMIGRATION DETAINER - NOTICE OF ACTION Subject ID: IMM Event #: IMM TO: Name and Title of Institution - OR Any Subsequent Law Enforcement Agency: CASEY'S CASTING OFFICE CENTER 330 S. CASTING CENTER LAS VEGAS, NV 89101 FROM: (Department of Homeland Security Office Address) DHS - DOCKET CONTROL OFFICE 1200 3rd Street, SW 3rd floor, LAS VEGAS, NV 89101 File No: IMM Date: February 27, 2025 Name of Alien: IMM Date of Birth: PII 1982 Citizenship: MEXICO Sex: M 1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON Complete box 1 or 2. <input type="checkbox"/> A final order of removal against the alien; <input type="checkbox"/> The alien is subject to removal proceedings against the alien; <input type="checkbox"/> Genetic confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or <input type="checkbox"/> Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law. 2. DHS TRANSFERS THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2). <input type="checkbox"/> Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an administrative determination. IT IS THEREFORE REQUESTED THAT YOU: <input type="checkbox"/> Notify DHS as early as practicable (at least 48 hours, if possible) before the subject is released from your custody. Please notify DHS by calling LEP or U.S. Immigration and Customs Enforcement (ICE) or <input type="checkbox"/> U.S. Customs and Border Protection (CBP) at LEP if you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at LEP . <input type="checkbox"/> Maintain custody of the alien for a period NOT TO EXCEED 48 HOURS beyond the time when he/she would otherwise have been released from your custody to DHS or to another agency. The alien's release from your custody of this form for the purpose of law enforcement detention, arrest, or DHS authorities does not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, court assignments, or other matters. <input type="checkbox"/> Notify this agency to any other law enforcement agency to which you transfer custody of the alien. <input type="checkbox"/> Notify this office in the event of the alien's death, hospitalization or transfer. <input type="checkbox"/> If checked: please cancel the detainer related to this alien previously submitted by LEP . LEP _____ (Name and title of Immigration Officer) _____ (Signature of Officer) _____ <small>Notice: If the alien may be the victim of a crime or you request a subject to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at LEP. You may also call this number if you have any other questions or concerns about this matter.</small> TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE: Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____. Local Booking/Inmate #: _____ Estimated release date/time: _____ Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____ This form was served upon the alien on _____, in the following manner: <input type="checkbox"/> In person <input type="checkbox"/> by inmate mail delivery <input type="checkbox"/> other (please specify): _____ <small>(Name and title of Officer) _____ (Signature of Officer) _____ Page 1 of 3</small>	DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement REQUEST FOR ADVANCE NOTIFICATION OF RELEASE Subject ID: IMM Event #: IMM TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency) CLAS - LAS VEGAS 330 S. CASTING CENTER LAS VEGAS, NV 89101 FROM: (Department of Homeland Security Office Address) EDO - Pacific Enforcement Response Center 1200 3rd Street, SW 3rd floor Santa Ana, CA 92707 File No: IMM Date: February 28, 2025 Name of Subject: IMM Date of Birth: PII 1981 Suspected Citizenship: CLAS Sex: M DHS SUSPECTS THAT THE SUBJECT IS A REMOVABLE ALIEN AND SEEKS AN OPPORTUNITY TO DETERMINE WHETHER THERE IS PROBABLE CAUSE TO BELIEVE THAT THE SUBJECT IS A REMOVABLE ALIEN. LEP _____ (Name and title of Immigration Officer) _____ (Signature of Immigration Officer) _____ <small>Notice: If the subject may be the victim of a crime or you request a subject to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at LEP. You may also call this number if you have any other questions or concerns about this matter.</small> TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE: Please provide the information below, sign, and return to DHS by mailing, emailing, or faxing a copy to _____. Local Booking/Inmate #: _____ Est. release date/time: _____ Date of latest criminal charge/conviction: _____ Last offense charged/convicted: _____ <small>(Name and title of Officer) _____ (Signature of Officer) _____</small>
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- Enter Offender Alert
 - ALERT TYPE: Records

SENIOR/SUPERVISOR IMMIGRATION PROCEDURES PG 15 AND 81

- ALERT: I247A/G
- Comment: Immigration NOTIFICATION - please notify Immigration prior to release
- **DO NOT ENTER** as a detainer/charge into ELITE
- Staple the Detainer/Warrant of Removal Deportation to the left side of the folder
- Make sure the file is placed in a RED folder and filed on the In-custody wall

NOTE: If you receive a I247G/A and it is accompanied by an I200/I205 notification, the offender alert will be entered as the I200/I205 only. DO NOT enter an offender alert for the I247G/A.

IMMIGRATION NOTIFICATIONS – WARRANT FOR ARREST OF ALIEN FORM I-200

DEPARTMENT OF HOMELAND SECURITY /
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: **IMM** Event #: **IMM**

File No: **IMM** Date: **March 10, 2023**

TO: (Name and Title of Institution - Or Any Subsequent Law Enforcement Agency) **U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**
1305 N. LAS VEGAS BLVD.
NORTH LAS VEGAS, NV 890300000

FROM: (Department of Homeland Security Office Address)
U.S. CUSTOMS AND BORDER PROTECTION
1301 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89101

Name of Alien: **IMM**

Date of Birth: **01/01/1984** Citizenship: **MEXICO** Sex: **M**

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2).

A final order of removal against the alien;
 Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
 Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).

Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete proceedings and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

* Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by email. U.S. Immigration and Customs Enforcement (ICE) U.S. Customs and Border Protection (CBP) at Center at **LEP**. If you cannot reach an official at the numbers provided, please contact the Law Enforcement Support Center at **LEP**.
* Maintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detention, parole, release, diversion, custody classification, work, quarter assignments, or other matters.
* Notify this detainer to any other law enforcement agency to which you transfer custody of the alien.
* Notify this office in the event of the alien's death, hospitalization or transfer to another facility.

If checked: please cancel the detainer related to this alien previously submitted.
LEP **Reportant Officer** **LEP** (date)
(Name and title of Immigration Officer) **LEP** (Signature of Officer) (Sign in ink)

Notice: If the alien may be the victim of a crime or if you want him to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at **LEP**. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to **LEP**.
Local Booking/Inmate #: **1234567890** Estimated release date/time: **03/10/2023**
Date of latest criminal charge/conviction: **01/01/2023** Last offense charged/conviction: **felony**
This form was served upon the alien on **03/10/2023**, in the following manner:
 in person by inmate mail delivery other (please specify): **LEP**

(Name and title of Officer) **LEP** (Signature of Officer) (Sign in ink)

DHS Form I-247A (3/17)

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

File No. **IMM** Date: **03/10/2023**

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that **IMM** is removable from the United States. This determination is based upon:

the execution of a charging document to initiate removal proceedings against the subject;
 the pendency of ongoing removal proceedings against the subject;
 the failure to establish admissibility subsequent to deferred inspection;
 biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
 statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody the alien named above in accordance with the Immigration and Nationality Act, the above-named

LEP
(P) (R)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at **LEP** (Location) on **IMM** (Name of Alien) on **03/10/2023** (Date of Service), and the contents of this notice were read to him or her in the **English** language.

Name and Signature of Officer **LEP** Name or Number of Interpreter (if applicable) **LEP**

- Enter Offender Alert
 - ALERT TYPE: Records
 - ALERT: DIMM

SENIOR/SUPERVISOR IMMIGRATION PROCEDURES PG 15 AND 81

- Comment: Immigration NOTIFICATION - please notify Immigration prior to release
- **DO NOT ENTER** as a detainer/charge into ELITE
- Manually Enter a Detainer as a charge into the Legal Cases screen – Cases block
- Staple the Detainer/Warrant of Removal Deportation to the left side of the folder.
- Make sure the file is placed in a RED folder and filed on the In-custody wall

IMMIGRATION HOLD – WARRANT OF REMOVAL/DEPORTATION FORM I-205

DEPARTMENT OF HOMELAND SECURITY IMMIGRATION DETAINER - NOTICE OF ACTION	
Subject ID: IMM Event #: IMM, PII TO: Name and Title of Institution - OR Any Subsidiary Law Enforcement Agency KORES LAS VEGAS CORRECTO 2332 LAS VEGAS ROAD # 200 KORES LAS VEGAS, NV 89109000	File No: IMM Date: March 11, 2023 FROM: (Department of Homeland Security Office Address) DO - Washmaster, CH Sub Office 2020 DO DO LAS VEGAS 24000 AVILA RD NV 89152 LASVEAS, NV 89152
Name of Alien IMM Date of Birth: PII, IMM996 Citizenship: MEXICO Sex: M 3. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2). 3. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2). IMM, PII	
<input checked="" type="checkbox"/> A final order of removal against the alien; <input type="checkbox"/> The pendency of ongoing removal proceedings against the alien; <input type="checkbox"/> Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law, or <input type="checkbox"/> Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.	
2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2). <input type="checkbox"/> Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete proceeding and/or make an admissibility determination.	
IT IS THEREFORE REQUESTED THAT YOU: <input checked="" type="checkbox"/> Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling <input checked="" type="checkbox"/> U.S. Immigration and Customs Enforcement (ICE) or <input type="checkbox"/> U.S. Customs and Border Protection (CBP) at LEP . If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at LEP . <input type="checkbox"/> Detain the alien in your custody for a period NOT TO EXCEED 48 HOURS beyond the time when habeas would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detainee to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters. <input type="checkbox"/> Notify ICE detainer to any other law enforcement agency to which you transfer custody of the alien. <input type="checkbox"/> Notify this office in the event of the alien's death, hospitalization or transfer to another institution. <input type="checkbox"/> If checked, please cancel the detainer related to this alien previously issued to you on LEP (date). LEP Detention Officer LEP (Signature of Immigration Officer) (Sign in ink) <small>(Name and title of Immigration Officer)</small>	
<small>Notice: If the alien may be the victim of a crime or you need the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at LEP. You may also call this number if you have any other questions or concerns about this matter.</small>	
<small>TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:</small> Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____. Local Booking/Inmate #: _____ Estimated release date/time: _____ Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____ This form was served upon the alien on _____, in the following manner: <input type="checkbox"/> In person <input type="checkbox"/> by inmate mail delivery <input type="checkbox"/> other (please specify): _____	
<small>(Name and title of Officer)</small> <small>DHS Form I-247A (3/17)</small>	<small>(Signature of Officer) (Sign in ink)</small> <small>Page 1 of 3</small>
<small>ICE Form I-205 (8/07)</small>	
<small>FOR: LEP <small>(Signature of immigration officer)</small></small> <small>Field Office Director <small>(Title of immigration officer)</small></small> <small>March 11, 2023, Salt Lake City, UT <small>(Date and office location)</small></small>	
<small>Page 1 of 2</small>	

- Enter Offender Alert
 - ALERT TYPE: Records
 - ALERT: WIMM
 - Comment: Immigration WARRANT - please notify Immigration prior release to arrange pickup
 - **ENTER** as a detainer/charge into ELITE
- Manually Enter a Detainer as a charge into the Legal Cases screen – Cases block
- Staple the Detainer/Warrant of Removal Deportation to the left side of the folder.
- Make sure the file is placed in a RED folder and filed on the In-custody wall

SENIOR/SUPERVISOR IMMIGRATION PROCEDURES PG 15 AND 81

IMM

Immigration Records

Information about immigration detainees is pursuant to federal law. 8 C.F.R. § 236.6 (making information about deportable aliens who are detained confidential); see also *City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003) (applying federal law to render records confidential under the Nevada Public Records Act). See also *Voces de la Frontera, Inc. v. Clarke*, 891 N.W.2d 803 (Wisc. 2017) (concluding that I-247 detainer forms sent from ICE to a local sheriff are confidential, and outlining the policy rationales that underpin the regulation, including privacy and law enforcement concerns); *Comm'r of Corr. v. Freedom of Info. Comm'n*, 52 A.3d 636 (Conn. 2012) (concluding that § 236.6 renders information in the possession of local law enforcement about a detainee to be confidential, even after the detainee is no longer in the custody of the local agency); *Owino v. CoreCivic, Inc.*, 2019 WL 11770626 (S.D. Cal. 2019) (agreeing with *Voces de la Frontera* and *Comm'r of Corr.* that § 236.6 “is not temporally limited” and then sealing information that would reveal the identity of detainees).

Also, any record pertaining to the Department of Homeland Security’s Immigration and Customs Enforcement (“ICE”), including email communications between state or local government entities and ICE officials, are subject to the Freedom of Information Act (“FOIA”) and the Privacy Act. See 6 C.F.R. Part 5; 8 C.F.R. § 236.6. As such, please direct your request to the Department of Homeland Security, following the requirements set forth in 6 C.F.R. § 5.3.

LEP

Law Enforcement Privilege

The record(s) you seek are law enforcement records that contain sensitive information.

A law enforcement agency may withhold records under the Nevada Public Records Act when its interest in nondisclosure clearly outweighs the public's presumed right to access. *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 880, 266 P.3d 623, 628 (2011). There is a presumption that records are not confidential, that exceptions must be narrowly construed, that redactions are preferred over withholding, and that the purpose of the Nevada Public Records Act is to facilitate government transparency. However, Nevada law and public policy recognize the importance of maintaining the integrity of certain information possessed by law enforcement agencies. See, for example:

- NRS 179A.070 – 179A.100 (strictly regulating the dissemination of records of criminal history; in particular, there is no requirement to disseminate records of criminal history to the general public; moreover, records of criminal history are not public records pursuant to NRS 239.010(1) (listing statutes that are exempted from the Nevada Public Records Act, including NRS 179A.070).
- *Donrey v. Bradshaw*, 106 Nev. 630, 636, 798 P.2d 144, 148 (1990) (in a public records case, recognizing that law enforcement files could be confidential when pertaining to a “pending or anticipated criminal proceeding” or if there is a danger of “denying someone a fair trial” and concluding that records could be made public because there was “no pending or anticipated criminal proceeding; there [were] no confidential sources or investigative techniques to protect; there was no possibility of denying someone a fair trial; and there was no potential jeopardy to law enforcement personnel.” *Id.* at 636, 798 P.2d at 148.
- *Reno Newspapers v. Gibbons*, 127 Nev. 873, 878, 266 P.3d 623, 627 (2011) (recognizing that the balancing test first announced in *Donrey* had been modified by legislative changes to the Nevada Public Records Act, but nonetheless noting that the result in *Donrey* was “based on the facts that no criminal proceeding was pending or anticipated, no confidential sources or investigative techniques were contained in the report, there was no possibility of denying anyone a fair trial, and disclosure did not jeopardize law enforcement personnel”).
- NRS 49.335 – 49.355 (making the identity of informants who provide information to law enforcement confidential until they testify).
- *Las Vegas Metro. Police Dep't v. Anderson (In re 12067 Oakland Hills, Las Vegas)*, 134 Nev. 799, 806, 435 P.3d 672, 678 (Nev. Ct. App. 2018) (noting that, generally, the

police do not need to return evidence seized from its owner if the “property [is] related to an ongoing criminal investigation”).

- Att. Gen. Op. 83-3 (recognizing the “legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports”). AGO 83-3 further provides: “The legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports includes the protection of the elements of an investigation of a crime from premature disclosures, the avoidance of prejudice to the later trial of the defendant from harmful pretrial publicity, the protection of the privacy of persons who are arrested from the stigma of being singled out as a criminal suspect, and the protection of the identity of informants.”
- Nev. Const., art. I, § 8A (Marsy’s Law, constitutionalizing victims’ rights to privacy, safety, and a diligent pursuit of justice).
- NRS 174.235 (making the disclosure of police files and evidence collected subject to strict discovery rules in open criminal prosecutions); see also *Tennessean v. Metro. Gov’t of Nashville & Davidson Cty.*, 485 S.W.3d 857 (Tenn. 2016) (interpreting criminal rule of procedure similar to NRS 174.235 and holding that discovery of materials gathered by state for use in criminal prosecution may be obtained by defendant pursuant to rules of discovery, not by newspaper through a public records request); *Wilson v. Layne*, 526 U.S. 603, 119 S. Ct. 1692 (1999) (holding that when balancing a person’s Fourth Amendment right to be secure in their persons, houses, papers, and effects, probable cause may justify a *police* entry and seizure but it does not justify the *media*’s entry and/or seizure).
- NRS 179.045(4) (making search warrant applications, which regularly contain detailed facts gathered in open criminal investigations, confidential upon a showing of good cause).
- *In re Search Warrants Regarding Seizure of Documents*, 2023 WL 2861201 (Nev. Ct. App. 2023) (unpublished) (holding that good cause existed to keep search warrant application under seal because dissemination would threaten the integrity of an active and ongoing criminal investigation).
- NRS 172.245. Evidence and information obtained by grand juries during their investigations are confidential. The purposes of confidentiality include: (1) To prevent the escape of those whose indictment may be contemplated. (2) To insure the utmost freedom to the grand jury in its deliberations and to prevent persons subject to indictment, or their friends, from importuning the grand jurors. (3) To prevent subornation of perjury or tampering with the witnesses who may testify before the grand jury and later appear at the trial of those indicted by it. (4) To encourage free and untrammeled disclosures by persons who have information with respect to the commission of crimes. (5) To protect an innocent accused, who is exonerated, from disclosure of the fact that he has been under investigation. *Shelby v. Sixth Judicial Dist. Court*, 82 Nev. 204, 210, 414 P.2d 942, 945 (1966).
- *Houston v. County of Maricopa*, -- F.4th --, 2024 U.S. App. LEXIS 22564, 2024 WL 4048897 (9th Cir. Sep. 5, 2024) (holding that dissemination of a pretrial detainees’ booking photo to the public is generally unconstitutional under the substantive due process clause of the 14th Amendment because it constitutes punishment without due process).

Given the totality of the law governing the disclosure of information in the possession of law enforcement, the following non-exclusive factors are considered in evaluating whether law enforcement interests in confidentiality clearly outweigh the public's presumed interest in access:

- Whether premature disclosure of information about the open investigation may allow individuals to ascertain that they are or were the subject of the investigation, as well as the focus of the investigation. This may lead an individual to alter behavior, conceal evidence of wrongdoing, delete or destroy evidence, or attempt to influence witnesses or adjust communication methods or content to avoid further collection of evidence or to avoid apprehension.
- Whether premature disclosure of information may provide bad actors with the ability to falsify or misrepresent information, such as encounters, activities, or associations that pose evidence. This may impact testimony and representations of future witnesses and/or suspects, which would disable or hinder the ability to fully evaluate such evidence and, therefore, obstruct enforcement, implementation, and application of the law.
- Whether protecting the integrity of the investigation better enables detectives and prosecutors to evaluate the credibility of any information that may come in the future. If a future witness were to know what other witnesses have said, or what other evidence has revealed, the future witness' statements will not be as reliable.
- Whether witnesses and informants have provided information that, if disclosed, could create danger or at least embarrassment to them.
- Whether any privacy interests and/or constitutional rights of any victims, witnesses, or subjects would be impacted by disclosure.
- Whether premature disclosure would have a chilling effect on future witnesses coming forward to provide information in this or other cases.
- Whether law enforcement officers have acted in an undercover capacity, or whether any witnesses have provided information as confidential informants.
- Whether premature disclosure poses a risk to any future prosecution. Criminal defendants have significant constitutional rights, like the right to receive exculpatory and impeachment material and the right to a fair trial. A criminal defendant should generally obtain information against them before the public or any third party.
- Whether disclosure would reveal confidential techniques or tactics that would risk enabling subjects to circumvent the law in the future.

In this case, after a careful examination of all factors, there are law enforcement interests in nondisclosure that clearly outweigh the public's presumed interest in access. Therefore, the records and/or the information in the records you seek are confidential, at least at this time, and must be redacted.

PII

Personal Identifying Information

The record(s) you seek contain personal identifying information.

NRS 239.001 provides that public records are open to inspection. However, NRS 239.010(1) expressly creates exemptions to the disclosure of records falling under various statutes, including NRS 239B.030. NRS 239B.030 makes “personal information” confidential. NRS 603A.040 defines “personal information” to include social security numbers, driver’s license numbers, account numbers, and the like.

Here, because the record(s) you seek contain confidential personal identifying information, they have been redacted.

RELEASING PROCEDURES PG 19 AND 98

Per District Court Administrative Order 18-11, dated October 8, 2018, District Court will accept the posting of bail bonds or cash bail without regard for a person's United States immigration status. This gives the Clark County Detention Center authority to accept bail on District Court cases for inmates with an active Immigration Detainer.

The Las Vegas Justice Court Order, dated February 2, 2001, has been rescinded by LVJC Administrative Order #18-03, dated October 19, 2018. Bail bond or cash bail WILL be accepted or posted on a Justice Court case for inmates that have a hold placed against him or her by Immigration.

IMMIGRATION (IMM) RELEASES

Effective 01/30/2025, Records will email IMM TCRs for any foreign-born inmate who is booked on any qualifying charges referenced in LVMPD Department Policy, 4.166.

TCR's will **NOT** be emailed for those inmates who do not meet **BOTH** requirements of foreign-born **and** qualifying charges. This also applies to Notices/Detainer/Warrants (I247 A/G, I200, and I205) transferred from other agencies (NLV, Hend, etc.) If the charges do not meet the requirements, annotate on the document "NO ACTION NECESSARY" and place in inmate file.

- Once Immigration receives the TCR, they may choose to send an Immigration Detainer/Warrant for Arrest of Alien, Form I-200, or an Immigration Detainer/Warrant of Removal Deportation, Form I-205, to the Supervisor's email. The Offender Alert will be entered to contact Immigration at time of release.
- Immigration Detainers/Warrants for Removal Deportation, Form I-205, are accepted for all qualifying charges and Immigration will be contacted at time of release for pickup arrangements.
- Immigration is aware that they will be receiving various calls 24/7. Use the following contact numbers for those inmates that have an active warrant or notification in Offender Alert:
 - Monday – Friday 0600-1600 -- **LEP**
 - Monday – Friday 1600-0600, weekends & Holidays – **LEP**

RELEASING PROCEDURES PG 19 AND 98

- **Immigration Notification – I247A (DHS Form) or I247G (Interim Form)**

**DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION**

Subject ID: **IMM**

Event #:

File No: **IMM**

Date: **February 27, 2023**

TO: (Name and Title of Institution OR Any Subsequent Law Enforcement Agency) **CLARK COUNTY COURT**

535 S. CARING CENTER
LAS VEGAS, NV 89101

FROM: (Name of Homeland Security Office Address)

LAS VEGAS, NV, ROCKET CONTROL OFFICE
1000 LAS VEGAS BLVD.
501 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89101

Name of Alien: **IMM**

Date of Birth: **IMM, 1942**

Citizenship: _____

MEXICO

Sex: **M**

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2).

- A reasonable period of removal against the alien;
- Biometric comparison of the alien's identity and a records check of federal databases that affirmatively indicates, by themselves or in addition to other relevant information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).

- Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

- * Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify **ICE at LEP** [REDACTED] or **CBP at LEP** [REDACTED] if you do not reach an official at the number(s) provided, please contact the Law Enforcement Support Center at **LEP** [REDACTED].
- * Maintain custody of the alien for a period of **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detainee to take to DHS. This period of custody will not impact proceedings or other matters on the alien's bail, whether he or she is held in custody, remanded, custody classification, work, court, or other matters.
- * Notify this detainee to any other law enforcement agency to which you transfer custody of the alien.
- * Notify this office in the event of the alien's death, hospitalization or transfer.

- If checked: please cancel the detainor related to this alien previously

LEP [REDACTED] _____ (date)
(Name and title of Immigration Officer)

Officer (Sign in ink)

Notices: If the alien may be the victim of a crime or you need the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at **LEP** [REDACTED]. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign and return to DHS by mailing, emailing or faxing a copy to _____.

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____, in the following manner:

in person by inmate mail delivery other (please specify): _____

(Name and title of Officer)

(Signature of Officer) (Sign in ink)

DHS Form I-247A (3/17)

Page 1 of 3

- Contact IMM using the provided number above
- Inform the IMM Officer the following:
 - “They are being notified, per the Immigration notification, that Inmate (Name & ID#) is being processed for release.”
 - DO NOT provide an approximate time of release, nor delay the release for pickup
- Expire Offender Alert
- Create a new Interested Party line with who you spoke to along with the date/time
 - The IMM Officer may tell you at that time they will not pick up, if so, also enter this info in Interested Party
 - Enter Interested Party
 - NOTE TYPE: Release
 - NOTE SUBTYPE: Final Note
 - CASE NOTE: IMM to pick up @ DATE/TIME P# or
 - CASE NOTE: IMM will not pick up per IMM Officer (name) @ date/time P#
- Annotate “IMM notified @ (date/time)” on the Releasing Checklist

RELEASING PROCEDURES PG 19 AND 98

- Annotate “IMM notified @ (date/time)” on the Releasing Log
- Place the inmate file in a **RED** folder if Immigration is picking up.

IMMIGRATION NOTIFICATIONS – WARRANT FOR ARREST OF ALIEN FORM I-200

**DEPARTMENT OF HOMELAND SECURITY /
IMMIGRATION DETAINER - NOTICE OF ACTION**

Subject ID: **IMM**

Event #:

File No: **IMM**

Date: **March 10, 2023**

TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency) **110TH DISTRICT LAW ENFORCEMENT AUTHORITY, LAS VEGAS, NV**
110TH DISTRICT LAW ENFORCEMENT AUTHORITY, LAS VEGAS, NV 891020000

FROM: (Department of Homeland Security Office Address)
**ICE/ERO
110TH DISTRICT LAW ENFORCEMENT AUTHORITY, LAS VEGAS, NV 89102**

Name of Alien:

Date of Birth: MM, P, **1984**

Citizenship: **MEXICO**

Sex:

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2).

- A final order of removal against the alien;
- The pendency of ongoing removal proceedings against the alien;
- Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).

- Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

- Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling: **U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) at LEP**. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at **LEP**.
- Maintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detainee to take effect. This detainee arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters.
- Relay this detainee to any other law enforcement agency to which you transfer custody of the alien.
- Notify this office in the event of the alien's death, hospitalization or transfer.

- If checked: please cancel the detainee related to this alien previously served at **LEP**.

LEP **Immigration Office**

(Name and title of Immigration Officer)

LEP

(date)

(Signature of Officer) (Sign in ink)

NOTICE: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at **LEP**. You may also call this number if you have any other questions or concerns about this matter.

THIS FORM IS TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE.

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to
Physical Booking/Officer #: Estimated release date/time:

Date of latest criminal charge/conviction: Last offense charged/conviction:

This form was served upon the alien on , in the following manner:

In person by inmate mail delivery other (please specify):

(Name and title of Officer)

(Signature of Officer) (Sign in ink)

Form I-247A (3/17)

Page 1 of 3

U.S. DEPARTMENT OF HOMELAND SECURITY	Warrant for Arrest of Alien
File No. [REDACTED] IMM	
Date: 03/10/2023	
<p>To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations</p> <p>I have determined that there is probable cause to believe that [REDACTED] IMM is removable from the United States. This determination is based upon:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the execution of a charging document to initiate removal proceedings against the subject; <input type="checkbox"/> the pendency of ongoing removal proceedings against the subject; <input type="checkbox"/> the failure to establish admissibility subsequent to deferred inspection; <input checked="" type="checkbox"/> biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or <input checked="" type="checkbox"/> statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law. <p>YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named [REDACTED] LEP <small>(Name and Title of Authorized Immigration Officer)</small></p> <p style="text-align: center;">LEP <small>(Signature of Authorized Immigration Officer)</small></p> <p style="text-align: center;">LEP <small>(Printed Name and Title of Authorized Immigration Officer)</small></p> <p>Certificate of Service</p> <p>by certify that the Warrant for Arrest of Alien was served by me at _____ <small>(Location)</small></p> <p>[REDACTED] IMM <small>(Name of Alien)</small> on _____, and the contents of this</p> <p>we were read to him or her in the _____ language. <small>(Language)</small></p> <p>Name and Signature of Officer _____ Name or Number of Interpreter (if applicable) _____</p>	

- Contact IMM using the provided number above
- Inform the IMM Officer the following:
 - “They are being notified, per the Immigration notification, that Inmate (Name & ID#) is being processed for release.”
 - DO NOT provide an approximate time of release, nor delay the release for pickup
- Expire Offender Alert
- Create a new Interested Party line with who you spoke to along with the date/time
 - The IMM Officer may tell you at that time they will not pick up, if so, also enter this info in Interested Party
 - Enter Interested Party
 - NOTE TYPE: Release
 - NOTE SUBTYPE: Final Note
 - CASE NOTE: IMM to pick up @ DATE/TIME P# or

RELEASING PROCEDURES PG 19 AND 98

- CASE NOTE: IMM will not pick up per IMM Officer (name) @ date/time P#
- Annotate "IMM notified @ (date/time)" on the Releasing Checklist
- Annotate "IMM notified @ (date/time)" on the Releasing Log
- Place the inmate file in a **RED** folder if Immigration is picking up.

IMMIGRATION WARRANTS – WARRANT OF REMOVAL/DEPORTATION FORM I-205

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: IMM	FBI PII, IMM	File No: IMM
Event #: 	Date: March 13, 2023	
TO: Name and File of Inmate: Any Subjective Law Enforcement Agency 2332 LAS VEGAS HIGH R ST B 200 ROCKS LAS VEGAS, NV 891300000		
FROM: (Department of Homeland Security Office Address) ICE - Westinstate, Ok Bob office ICE - LAGUNA NIGUEL 24000 AVILA RD RM# 1502 LAGUNA NIGUEL, CA 92677		

Name of Alien: **IMM**

Date of Birth: **MM, PII, 1994** Citizenship: **MEXICO** Sex: **M**

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 7 or 9).

A final order of removal or deportation proceedings against the alien.

Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; or

Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 7 or 9).

Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

* Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) at **LEP**. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at **LEP**.

* Maintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to DHS or another agency. The alien must be provided with a copy of this form for the removal proceeding. This form is an alien's DHS authority to hold and not to release the alien about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters.

* Relay this detainer to any other law enforcement agency to which you transfer custody of the alien.

* Notify this office in the event of the alien's death, hospitalization or transfer to another institution.

If checked: please cancel the detainer related to this alien previously submitted to you on **LEP** (Signature of Immigration Officer) **LEP** (date) **LEP** (Name and title of Immigration Officer)

Notice: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at **LEP**. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____.

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____, in the following manner:

In person by inmate mail delivery other (please specify): _____

(Name and title of Officer) _____ (Signature of Officer) (Sign in ink) _____

DHS Form I-247A (3/17)

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

Subject: IMM	File No:
Event: 	Date: March 11, 2023

To any immigration officer of the United States Department of Homeland Security: **IMM** (Full name of alien)

who entered the United States at **Unknown Place** on **Unknown Date** (Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

an immigration judge in exclusion, deportation, or removal proceedings

a designated official

the Board of Immigration Appeals

a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act: 243(a) (5)

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of: **Salaries and Expenses, Department of Homeland Security 2023**

LEP (Signature of immigration officer)
FOR _____
Field Office Director _____
March 11, 2023, Salt Lake City, UT
(Date and office location)

ICE Form I-205 (8/07) Page 1 of 2

- Contact IMM using the provided number above.
- Inform the IMM Officer the following:
 - "They are being notified that Inmate (Name & ID#) has an Immigration Warrant and is being processed for release."
 - Inquire when IMM can pick up the subject.
 - If picking up, update Detainer Charge Status to "REL TO IMMIGRATION" & Add AOK line to final released County charge.
 - If NOT picking up, update Detainer Charge Status to "Fail to Pick-up" & Add AOK line to the final released County charge.
 - Expire Offender Alert

RELEASING PROCEDURES PG 19 AND 98

- Create a new Interested Party line with who you spoke to along with the date/time
- The IMM Officer may tell you at that time they will not pick up, if so, also enter this info in Interested Party
 - Enter Interested Party
 - NOTE TYPE: Release
 - NOTE SUBTYPE: Final Note
 - CASE NOTE: IMM to pick up @ DATE/TIME P# or
 - CASE NOTE: IMM will not pick up per IMM Officer (name) @ date/time P#
- Annotate “IMM WARRANT @ (pick up date/time)” on the Releasing Checklist
- Annotate “IMM WARRANT @ (pick up date/time)” on the Releasing Log
- Place the inmate file in a **RED** folder if Immigration is picking up.

If releasing to SCRAM, OPTIONS or a Treatment Facility, **Notify** IMM for the Immigration Notices.

- Inmates with Immigration Warrants (I205) would not qualify for these types of releases.

If releasing to EMP

- Inmates with Immigration Warrants (I205)/Notifications (I200) would not qualify for these types of releases. Remove them from the EMP release list and notify HAEC.

If releasing to another jurisdiction, contact IMM at the above number to inform them where the inmate is being released to

KICK-OUT POST

- **IMMIGRATION WARRANTS – I247A (DHS Form) I247G (Interim Form)**
 - If IMM has not arrived to pick up, once the inmate has been fully dressed out, proceed with releasing of the inmate from CCDC
 - If IMM picks up, **DO** have the officer sign the TCR
 - Release Lodging as “RIMM”
- **IMMIGRATION NOTIFICATIONS – WARRANT FOR ARREST OF ALIEN FORM I-200**
 - If IMM has not arrived to pick up, once the inmate has been fully dressed out, proceed with releasing of the inmate from CCDC
 - If IMM picks up, **DO** have the officer sign the TCR
 - Release Lodging as “DIMM”
- **IMMIGRATION WARRANTS – WARRANT OF REMOVAL/DEPORTATION FORM 1-205**

RELEASING PROCEDURES PG 19 AND 98

- If IMM has not arrived to pick up in four hours from confirmation, proceed with releasing of the inmate from CCDC
- If IMM picks up, **DO** have the officer sign the TCR
- Release Lodging as “WIMM”

IMM

Immigration Records

Information about immigration detainees is pursuant to federal law. 8 C.F.R. § 236.6 (making information about deportable aliens who are detained confidential); see also *City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003) (applying federal law to render records confidential under the Nevada Public Records Act). See also *Voces de la Frontera, Inc. v. Clarke*, 891 N.W.2d 803 (Wisc. 2017) (concluding that I-247 detainer forms sent from ICE to a local sheriff are confidential, and outlining the policy rationales that underpin the regulation, including privacy and law enforcement concerns); *Comm'r of Corr. v. Freedom of Info. Comm'n*, 52 A.3d 636 (Conn. 2012) (concluding that § 236.6 renders information in the possession of local law enforcement about a detainee to be confidential, even after the detainee is no longer in the custody of the local agency); *Owino v. CoreCivic, Inc.*, 2019 WL 11770626 (S.D. Cal. 2019) (agreeing with *Voces de la Frontera* and *Comm'r of Corr.* that § 236.6 “is not temporally limited” and then sealing information that would reveal the identity of detainees).

Also, any record pertaining to the Department of Homeland Security’s Immigration and Customs Enforcement (“ICE”), including email communications between state or local government entities and ICE officials, are subject to the Freedom of Information Act (“FOIA”) and the Privacy Act. See 6 C.F.R. Part 5; 8 C.F.R. § 236.6. As such, please direct your request to the Department of Homeland Security, following the requirements set forth in 6 C.F.R. § 5.3.

LEP

Law Enforcement Privilege

The record(s) you seek are law enforcement records that contain sensitive information.

A law enforcement agency may withhold records under the Nevada Public Records Act when its interest in nondisclosure clearly outweighs the public's presumed right to access. *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 880, 266 P.3d 623, 628 (2011). There is a presumption that records are not confidential, that exceptions must be narrowly construed, that redactions are preferred over withholding, and that the purpose of the Nevada Public Records Act is to facilitate government transparency. However, Nevada law and public policy recognize the importance of maintaining the integrity of certain information possessed by law enforcement agencies. See, for example:

- NRS 179A.070 – 179A.100 (strictly regulating the dissemination of records of criminal history; in particular, there is no requirement to disseminate records of criminal history to the general public; moreover, records of criminal history are not public records pursuant to NRS 239.010(1) (listing statutes that are exempted from the Nevada Public Records Act, including NRS 179A.070).
- *Donrey v. Bradshaw*, 106 Nev. 630, 636, 798 P.2d 144, 148 (1990) (in a public records case, recognizing that law enforcement files could be confidential when pertaining to a “pending or anticipated criminal proceeding” or if there is a danger of “denying someone a fair trial” and concluding that records could be made public because there was “no pending or anticipated criminal proceeding; there [were] no confidential sources or investigative techniques to protect; there was no possibility of denying someone a fair trial; and there was no potential jeopardy to law enforcement personnel.” *Id.* at 636, 798 P.2d at 148.
- *Reno Newspapers v. Gibbons*, 127 Nev. 873, 878, 266 P.3d 623, 627 (2011) (recognizing that the balancing test first announced in *Donrey* had been modified by legislative changes to the Nevada Public Records Act, but nonetheless noting that the result in *Donrey* was “based on the facts that no criminal proceeding was pending or anticipated, no confidential sources or investigative techniques were contained in the report, there was no possibility of denying anyone a fair trial, and disclosure did not jeopardize law enforcement personnel”).
- NRS 49.335 – 49.355 (making the identity of informants who provide information to law enforcement confidential until they testify).
- *Las Vegas Metro. Police Dep't v. Anderson (In re 12067 Oakland Hills, Las Vegas)*, 134 Nev. 799, 806, 435 P.3d 672, 678 (Nev. Ct. App. 2018) (noting that, generally, the

police do not need to return evidence seized from its owner if the “property [is] related to an ongoing criminal investigation”).

- Att. Gen. Op. 83-3 (recognizing the “legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports”). AGO 83-3 further provides: “The legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports includes the protection of the elements of an investigation of a crime from premature disclosures, the avoidance of prejudice to the later trial of the defendant from harmful pretrial publicity, the protection of the privacy of persons who are arrested from the stigma of being singled out as a criminal suspect, and the protection of the identity of informants.”
- Nev. Const., art. I, § 8A (Marsy’s Law, constitutionalizing victims’ rights to privacy, safety, and a diligent pursuit of justice).
- NRS 174.235 (making the disclosure of police files and evidence collected subject to strict discovery rules in open criminal prosecutions); see also *Tennessean v. Metro. Gov’t of Nashville & Davidson Cty.*, 485 S.W.3d 857 (Tenn. 2016) (interpreting criminal rule of procedure similar to NRS 174.235 and holding that discovery of materials gathered by state for use in criminal prosecution may be obtained by defendant pursuant to rules of discovery, not by newspaper through a public records request); *Wilson v. Layne*, 526 U.S. 603, 119 S. Ct. 1692 (1999) (holding that when balancing a person’s Fourth Amendment right to be secure in their persons, houses, papers, and effects, probable cause may justify a *police* entry and seizure but it does not justify the *media*’s entry and/or seizure).
- NRS 179.045(4) (making search warrant applications, which regularly contain detailed facts gathered in open criminal investigations, confidential upon a showing of good cause).
- *In re Search Warrants Regarding Seizure of Documents*, 2023 WL 2861201 (Nev. Ct. App. 2023) (unpublished) (holding that good cause existed to keep search warrant application under seal because dissemination would threaten the integrity of an active and ongoing criminal investigation).
- NRS 172.245. Evidence and information obtained by grand juries during their investigations are confidential. The purposes of confidentiality include: (1) To prevent the escape of those whose indictment may be contemplated. (2) To insure the utmost freedom to the grand jury in its deliberations and to prevent persons subject to indictment, or their friends, from importuning the grand jurors. (3) To prevent subornation of perjury or tampering with the witnesses who may testify before the grand jury and later appear at the trial of those indicted by it. (4) To encourage free and untrammeled disclosures by persons who have information with respect to the commission of crimes. (5) To protect an innocent accused, who is exonerated, from disclosure of the fact that he has been under investigation. *Shelby v. Sixth Judicial Dist. Court*, 82 Nev. 204, 210, 414 P.2d 942, 945 (1966).
- *Houston v. County of Maricopa*, -- F.4th --, 2024 U.S. App. LEXIS 22564, 2024 WL 4048897 (9th Cir. Sep. 5, 2024) (holding that dissemination of a pretrial detainees’ booking photo to the public is generally unconstitutional under the substantive due process clause of the 14th Amendment because it constitutes punishment without due process).

Given the totality of the law governing the disclosure of information in the possession of law enforcement, the following non-exclusive factors are considered in evaluating whether law enforcement interests in confidentiality clearly outweigh the public's presumed interest in access:

- Whether premature disclosure of information about the open investigation may allow individuals to ascertain that they are or were the subject of the investigation, as well as the focus of the investigation. This may lead an individual to alter behavior, conceal evidence of wrongdoing, delete or destroy evidence, or attempt to influence witnesses or adjust communication methods or content to avoid further collection of evidence or to avoid apprehension.
- Whether premature disclosure of information may provide bad actors with the ability to falsify or misrepresent information, such as encounters, activities, or associations that pose evidence. This may impact testimony and representations of future witnesses and/or suspects, which would disable or hinder the ability to fully evaluate such evidence and, therefore, obstruct enforcement, implementation, and application of the law.
- Whether protecting the integrity of the investigation better enables detectives and prosecutors to evaluate the credibility of any information that may come in the future. If a future witness were to know what other witnesses have said, or what other evidence has revealed, the future witness' statements will not be as reliable.
- Whether witnesses and informants have provided information that, if disclosed, could create danger or at least embarrassment to them.
- Whether any privacy interests and/or constitutional rights of any victims, witnesses, or subjects would be impacted by disclosure.
- Whether premature disclosure would have a chilling effect on future witnesses coming forward to provide information in this or other cases.
- Whether law enforcement officers have acted in an undercover capacity, or whether any witnesses have provided information as confidential informants.
- Whether premature disclosure poses a risk to any future prosecution. Criminal defendants have significant constitutional rights, like the right to receive exculpatory and impeachment material and the right to a fair trial. A criminal defendant should generally obtain information against them before the public or any third party.
- Whether disclosure would reveal confidential techniques or tactics that would risk enabling subjects to circumvent the law in the future.

In this case, after a careful examination of all factors, there are law enforcement interests in nondisclosure that clearly outweigh the public's presumed interest in access. Therefore, the records and/or the information in the records you seek are confidential, at least at this time, and must be redacted.

PII

Personal Identifying Information

The record(s) you seek contain personal identifying information.

NRS 239.001 provides that public records are open to inspection. However, NRS 239.010(1) expressly creates exemptions to the disclosure of records falling under various statutes, including NRS 239B.030. NRS 239B.030 makes “personal information” confidential. NRS 603A.040 defines “personal information” to include social security numbers, driver’s license numbers, account numbers, and the like.

Here, because the record(s) you seek contain confidential personal identifying information, they have been redacted.

Immigration Notifications

Effective (1/30/2025), Document Distribution will provide IMM TCRs for any foreign-born inmate who is booked on any qualifying charge referenced in LVMPD Department Policy, 4.166 to the on duty senior or supervisor

TCR's will **NOT** be emailed for those inmates who do not meet **BOTH** requirements of foreign-born **and** qualifying charges. This also applies to Notices/Detainer/Warrants (I247 A/G, I200, and I205) transferred from other agencies (NLV, Hend, etc.) If the charges do not meet the requirements, annotate on the document "NO ACTION NECESSARY" and place in inmate file.

Guam; Puerto Rico; US Virgin Islands, Northern Mariana Islands, American Samoa, Midway Atoll, Palmyra Atoll, Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Wake Island & Navassa Island are US Territories and not considered "foreign-born".

- Stamp the TCR with the dissemination stamp.
- Give TCR to on-Duty Senior or Supervisor.
- Once Immigration receives the TCR, they may choose to send an Immigration I247A (DHS Form), an Immigration I247G (Interim Form), an Immigration Detainer/Warrant for Arrest of Alien, Form I-200, or an Immigration Detainer/Warrant of Removal Deportation, Form I-205, to the Supervisor's email, the corresponding Offender Alert will be entered to contact Immigration at time of release.
- Immigration Detainers/Warrants for Removal Deportation, Form I-205, are accepted for all qualifying charges and Immigration will be contacted at time of release for pickup arrangements.

When an IMM Detainer/ I247A or G, IMM Detainer/Warrant for Arrest of Alien Form I-200 or IMM Detainer/Warrant of Removal Deportation I-205 is received for an inmate that is currently on EMP/HA, **DO NOT** notify the HA Sgts. Inform IMM that the subject is on HA and not in custody at CCDC. Inform the IMM officer that he/she needs to bring the inmate back into CCDC Custody to have the detainer placed.

RECEIPT OF IMMIGRATION DETAINERS

If IMM Detainer/ I247A/G, IMM sends a Detainer/Warrant for Arrest of Alien, Form I-200, or a Detainer/Warrant of Removal Deportation, Form I-205, to the DSD Records Supervisor email group, complete the following if given to DD for entry:

DOCUMENT DISTRIBUTION

▪ Immigration Notification – I247A (DHS Form) or I247G (Interim Form)

<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">DEPARTMENT OF HOMELAND SECURITY IMMIGRATION DETAINER - NOTICE OF ACTION</p> <p>Subject ID: IMM File No: IMM Event #: Date: February 27, 2025</p> <p>TO: Name and Title of Institution - OR Any Subsequent Law Enforcement Agency: CLARK COUNTY JAIL 330 S. CASTING CENTER LAS VEGAS, NV 89101</p> <p>FROM: (Department of Homeland Security Office Address) U.S. Immigration and Customs Enforcement 200 BUREAU CENTER DRIVE 330 S. CASTING CENTER LAS VEGAS, NV 89101</p> <p>Name of Alien: IMM Date of Birth: PII, 1982 Citizenship: MEXICO Sex: M</p> <p>1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON complete box 1 or 2.</p> <p><input type="checkbox"/> A final order of removal against the alien; <input type="checkbox"/> The pendency of ongoing removal proceedings against the alien; <input type="checkbox"/> Bookend confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in combination with other information, that the alien either lacks immigration status or immigration law, and/or <input type="checkbox"/> Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or</p> <p>2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).</p> <p><input type="checkbox"/> Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete proceeding and/or make an administrative determination.</p> <p>IT IS THEREFORE REQUESTED THAT YOU:</p> <p>* Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify LEP [] at (800) 872-6020 or fax an official at the number(s) provided, please contact the Law Enforcement Support Center at LEP [].</p> <p>* Maintain custody of the alien for a period NOT TO EXCEED 48 HOURS beyond the time when he/she would otherwise have been released from your custody to DHS or another agency. The alien must be released with a copy of this form for the detainer to take effect. This detainer notice does not impinge decisions about the alien's bail, remand, release, immigration, diversion, custody classification, work, court assignments, or other matters.</p> <p>* Notify this office to any other law enforcement agency to which you transfer custody of the alien.</p> <p>* Notify this office in the event of the alien's death, hospitalization or transfer to another institution.</p> <p><input type="checkbox"/> If checked: please cancel the detainer related to this alien previously issued by LEP []. LEP [] Deportation Officer (Name and title of Immigration Officer) LEP [] Deportation Officer (Signature of Officer) (Sign in ink)</p> <p>Notice: If the alien may be the victim of a crime or if you need the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at LEP []. You may also call this number if you have any other questions or concerns about this matter.</p> <p>TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:</p> <p>Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____.</p> <p>Local Booking/Inmate #: _____ Estimated release date/time: _____</p> <p>Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____</p> <p>This form was served upon the alien on _____, in the following manner: _____</p> <p><input type="checkbox"/> In person <input type="checkbox"/> by inmate mail delivery <input type="checkbox"/> other (please specify): _____</p> <p>(Name and title of Officer) _____ (Signature of Officer) (Sign in ink) _____ DHS Form I-247A (3/17)</p> </div>	<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement</p> <p style="text-align: center;">REQUEST FOR ADVANCE NOTIFICATION OF RELEASE</p> <p>Subject ID: IMM File No: IMM Event #: Date: February 28, 2025</p> <p>TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency) CLARK COUNTY JAIL 330 S. CASTING CENTER LAS VEGAS, NV 89101</p> <p>FROM: (Department of Homeland Security Office Address) U.S. Immigration and Customs Enforcement 200 BUREAU CENTER DRIVE 3rd Floor Santa Ana, CA 92707</p> <p>Name of Subject: IMM Date of Birth: IMM, 1982 Suspected Citizenship: CITA Sex: M</p> <p>DHS SUSPECTS THAT THE SUBJECT IS A REMOVABLE ALIEN AND SEEKS AN OPPORTUNITY TO DETERMINE WHETHER THERE IS PROBABLE CAUSE TO DETERMINE THAT THE SUBJECT IS A REMOVABLE ALIEN. STB #: PII, IMM</p> <p>IT IS THEREFORE REQUESTED THAT YOU:</p> <p>* Notify DHS as early as practicable (at least 48 hours, if possible) before the subject is released from your custody to allow DHS an opportunity to determine whether there is probable cause to conclude that he or she is a removable alien. Please notify DHS by calling <input checked="" type="checkbox"/> U.S. Immigration and Customs Enforcement (ICE) or <input type="checkbox"/> U.S. Customs and Border Protection (CBP) at LEP []. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at LEP [].</p> <p>* This request for notification does not request or authorize that you detain the subject beyond the time he or she is currently scheduled for release from your custody.</p> <p>* This request should not impact decisions about the subject's bail, rehabilitation, parole, release, diversion, custody classification, work, court assignments, or other matters.</p> <p>* Notify this request to any other law enforcement agency to which you transfer custody of the subject.</p> <p>* Notify this office in the event of the subject's death, hospitalization or transfer to another institution.</p> <p><input type="checkbox"/> If checked: Please cancel the detainer related to this alien previously submitted to you by LEP []. LEP [] Deportation Officer (Name and title of Immigration Officer) LEP [] Deportation Officer (Signature of Officer) (Sign in ink) _____ Notice: If the subject may be the victim of a crime or you want the subject to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at (800) 872-6020. You may also call this number if you have any other questions or concerns about this matter.</p> <p>TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE SUBJECT OF THIS NOTICE:</p> <p>Please provide the information below, sign, and return to DHS by mailing, emailing, or faxing a copy to _____.</p> <p>Local Booking/Inmate #: _____ Est. release date/time: _____</p> <p>Date of latest criminal charge/conviction: _____</p> <p>Latest offense charged/convicted: _____</p> <p>(Name and title of Officer) _____ (Signature of Officer) _____ Interim Form I-247G (1/2020)</p> </div>
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- Enter Offender Alert
 - ALERT TYPE: Records
 - ALERT: I247A/G
 - Comment: Immigration NOTIFICATION - please notify Immigration prior to release
 - **DO NOT ENTER** as a detainer/charge into ELITE
- Staple the Detainer/Warrant of Removal Deportation to the left side of the folder
- Make sure the file is placed in a RED folder and filed on the In-custody wall

NOTE: If you receive a I247G/A and it is accompanied by an I200/I205 notification, the offender alert will be entered as the I200/I205 only. DO NOT enter an offender alert for the I247G/A.

IMMIGRATION NOTIFICATIONS – WARRANT FOR ARREST OF ALIEN FORM I-200

DOCUMENT DISTRIBUTION

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: **IMM** [REDACTED]
Event #: [REDACTED]

TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency) **LEP** [REDACTED]
1305 E. LAKE MEADE BLVD, DB
NORTH LAS VEGAS, NV 890300000

FROM: (Department of Homeland Security Office Address)
2001 LAS VEGAS, NV, DOCKET CONTROL OFFICE
1201 E. LAS VEGAS BLVD.
LAS VEGAS, NV 89101

File No: **IMM** [REDACTED]
Date: **March 10, 2023**

Name of Alien: **IMM** [REDACTED]

Date of Birth: **1984** Citizenship: **MEXICO** Sex: **x**

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2).

A final order of removal against the alien;
 The pendency of ongoing removal proceedings against the alien;
 Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
 Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).

Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU

* Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling **LEP** [REDACTED]. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at **LEP** [REDACTED].

* Maintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detainer to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters.

* Relay this detainer to any other law enforcement agency to which you transfer custody of the alien.

* Notify this office in the event of the alien's death, hospitalization or transfer to another facility.

If checked: please cancel the detainer related to this alien previously submitted by **LEP** [REDACTED] (date).

LEP [REDACTED] Deportation Officer [REDACTED] (Sign) [REDACTED] (Sign in ink)

Notice: If the alien may be the victim of a crime or if you need the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at **LEP** [REDACTED]. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____
Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____, in the following manner:
 in person by inmate mail delivery other (please specify): _____

(Name and title of Officer) _____ (Signature of Officer) (Sign in ink) _____
Page 1 of 3

DHS Form I-247A (3/17)

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. **IMM** [REDACTED]
Date: **03/10/2023**

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that **IMM** [REDACTED] is removable from the United States. This determination is based upon:

the execution of a charging document to initiate removal proceedings against the subject;
 the pendency of ongoing removal proceedings against the subject;
 the failure to establish admissibility subsequent to deferred inspection;
 biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
 statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

LEP [REDACTED]
(Signature of Authorized Immigration Officer)
LEP [REDACTED]
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)
on **IMM** [REDACTED] on _____ (Date of Service), and the contents of this
notice were read to him or her in the _____ language.

Name and Signature of Officer Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

- Enter Offender Alert
 - ALERT TYPE: Records
 - ALERT: DIMM
 - Comment: Immigration NOTIFICATION - please notify Immigration prior to release
 - **DO NOT ENTER** as a detainer/charge into ELITE
- Manually Enter a Detainer as a charge into the Legal Cases screen – Cases block
- Staple the Detainer/Warrant of Removal Deportation to the left side of the folder.
- Make sure the file is placed in a RED folder and filed on the In-custody wall

IMMIGRATION HOLD – WARRANT OF REMOVAL/DEPORTATION FORM I-205

DOCUMENT DISTRIBUTION

DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION DETAINER - NOTICE OF ACTION

Subject ID: IMM	FBI: IMM, PII	File No: IMM
Event #: 	Date: March 11, 2023	
TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency) KOREN, LIA, AGENT KOREN, LIA, AGENT FROM: (Department of Homeland Security Office Address) DHS - Headquarters, CA & SW Offices 200 NORTH VENICE BOULEVARD # 200 24000 AVIATION ROAD, SUITE 100 LAURENCE MURKIN, CA 92377		

Name of Alien: **IMM**
Date of Birth: **01/01/1996** Citizenship: **MEXICO** Sex: **M**

1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2). **IMM, PII**

A final order of removal against the alien;
 The pendency of ongoing removal proceedings against the alien;
 Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law, ender

Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2). **IMM, PII**

Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.

IT IS THEREFORE REQUESTED THAT YOU:

* Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) at **LEP**. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at **LEP**.
* Maintain custody of the alien for a period **NOT TO EXCEED 48 HOURS** beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detainer to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters.
* Relay this detainer to any other law enforcement agency to which you transfer custody of the alien.
* Notify this office in the event of the alien's death, hospitalization or transfer to another institution.

If checked, please cancel the detainer related to this alien previously submitted to you on **LEP** (date). **LEP**
Depatation Officer **LEP** **(Signature of Immigration Officer) (Sign in ink)**

Notice: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at **LEP**. You may also call this number if you have any other questions or concerns about this matter.

TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:

Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____.

Local Booking/Inmate #: _____ Estimated release date/time: _____

Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____

This form was served upon the alien on _____, in the following manner:

In person by inmate mail delivery other (please specify): _____

(Name and title of Officer) **(Signature of Officer) (Sign in ink)**
 DHS Form I-247A (3/17) Page 1 of 3

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

Subject: **IMM**
File No: _____
Event: **March 11, 2023**

To any immigration officer of the United States Department of Homeland Security: **IMM**

(Full name of alien)

who entered the United States at **Unknown Place** on **Unknown Date**

(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

an immigration judge in exclusion, deportation, or removal proceedings
 a designated official
 the Board of Immigration Appeals
 a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

245(a)(1) (5)

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of: **Salaries and Expenses, Department of Homeland Security 2023**

LEP

FOR (Signature of immigration officer)

Field Office Director (Title of immigration officer)

March 11, 2023, Salt Lake City, UT (Date and office location)

Page 1 of 2

ICE Form I-205 (8/07)

- Enter Offender Alert
 - ALERT TYPE: Records
 - ALERT: WIMM
 - Comment: Immigration WARRANT - please notify Immigration prior release to arrange pickup
 - ENTER as a detainer/charge into ELITE
- Manually Enter a Detainer as a charge into the Legal Cases screen – Cases block
- Staple the Detainer/Warrant of Removal Deportation to the left side of the folder.
- Make sure the file is placed in a RED folder and filed on the In-custody wall

IMM

Immigration Records

Information about immigration detainees is pursuant to federal law. 8 C.F.R. § 236.6 (making information about deportable aliens who are detained confidential); see also *City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003) (applying federal law to render records confidential under the Nevada Public Records Act). See also *Voces de la Frontera, Inc. v. Clarke*, 891 N.W.2d 803 (Wisc. 2017) (concluding that I-247 detainer forms sent from ICE to a local sheriff are confidential, and outlining the policy rationales that underpin the regulation, including privacy and law enforcement concerns); *Comm'r of Corr. v. Freedom of Info. Comm'n*, 52 A.3d 636 (Conn. 2012) (concluding that § 236.6 renders information in the possession of local law enforcement about a detainee to be confidential, even after the detainee is no longer in the custody of the local agency); *Owino v. CoreCivic, Inc.*, 2019 WL 11770626 (S.D. Cal. 2019) (agreeing with *Voces de la Frontera* and *Comm'r of Corr.* that § 236.6 “is not temporally limited” and then sealing information that would reveal the identity of detainees).

Also, any record pertaining to the Department of Homeland Security’s Immigration and Customs Enforcement (“ICE”), including email communications between state or local government entities and ICE officials, are subject to the Freedom of Information Act (“FOIA”) and the Privacy Act. See 6 C.F.R. Part 5; 8 C.F.R. § 236.6. As such, please direct your request to the Department of Homeland Security, following the requirements set forth in 6 C.F.R. § 5.3.

LEP

Law Enforcement Privilege

The record(s) you seek are law enforcement records that contain sensitive information.

A law enforcement agency may withhold records under the Nevada Public Records Act when its interest in nondisclosure clearly outweighs the public's presumed right to access. *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 880, 266 P.3d 623, 628 (2011). There is a presumption that records are not confidential, that exceptions must be narrowly construed, that redactions are preferred over withholding, and that the purpose of the Nevada Public Records Act is to facilitate government transparency. However, Nevada law and public policy recognize the importance of maintaining the integrity of certain information possessed by law enforcement agencies. See, for example:

- NRS 179A.070 – 179A.100 (strictly regulating the dissemination of records of criminal history; in particular, there is no requirement to disseminate records of criminal history to the general public; moreover, records of criminal history are not public records pursuant to NRS 239.010(1) (listing statutes that are exempted from the Nevada Public Records Act, including NRS 179A.070).
- *Donrey v. Bradshaw*, 106 Nev. 630, 636, 798 P.2d 144, 148 (1990) (in a public records case, recognizing that law enforcement files could be confidential when pertaining to a “pending or anticipated criminal proceeding” or if there is a danger of “denying someone a fair trial” and concluding that records could be made public because there was “no pending or anticipated criminal proceeding; there [were] no confidential sources or investigative techniques to protect; there was no possibility of denying someone a fair trial; and there was no potential jeopardy to law enforcement personnel.” *Id.* at 636, 798 P.2d at 148.
- *Reno Newspapers v. Gibbons*, 127 Nev. 873, 878, 266 P.3d 623, 627 (2011) (recognizing that the balancing test first announced in *Donrey* had been modified by legislative changes to the Nevada Public Records Act, but nonetheless noting that the result in *Donrey* was “based on the facts that no criminal proceeding was pending or anticipated, no confidential sources or investigative techniques were contained in the report, there was no possibility of denying anyone a fair trial, and disclosure did not jeopardize law enforcement personnel”).
- NRS 49.335 – 49.355 (making the identity of informants who provide information to law enforcement confidential until they testify).
- *Las Vegas Metro. Police Dep't v. Anderson (In re 12067 Oakland Hills, Las Vegas)*, 134 Nev. 799, 806, 435 P.3d 672, 678 (Nev. Ct. App. 2018) (noting that, generally, the

police do not need to return evidence seized from its owner if the “property [is] related to an ongoing criminal investigation”).

- Att. Gen. Op. 83-3 (recognizing the “legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports”). AGO 83-3 further provides: “The legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports includes the protection of the elements of an investigation of a crime from premature disclosures, the avoidance of prejudice to the later trial of the defendant from harmful pretrial publicity, the protection of the privacy of persons who are arrested from the stigma of being singled out as a criminal suspect, and the protection of the identity of informants.”
- Nev. Const., art. I, § 8A (Marsy’s Law, constitutionalizing victims’ rights to privacy, safety, and a diligent pursuit of justice).
- NRS 174.235 (making the disclosure of police files and evidence collected subject to strict discovery rules in open criminal prosecutions); see also *Tennessean v. Metro. Gov’t of Nashville & Davidson Cty.*, 485 S.W.3d 857 (Tenn. 2016) (interpreting criminal rule of procedure similar to NRS 174.235 and holding that discovery of materials gathered by state for use in criminal prosecution may be obtained by defendant pursuant to rules of discovery, not by newspaper through a public records request); *Wilson v. Layne*, 526 U.S. 603, 119 S. Ct. 1692 (1999) (holding that when balancing a person’s Fourth Amendment right to be secure in their persons, houses, papers, and effects, probable cause may justify a *police* entry and seizure but it does not justify the *media*’s entry and/or seizure).
- NRS 179.045(4) (making search warrant applications, which regularly contain detailed facts gathered in open criminal investigations, confidential upon a showing of good cause).
- *In re Search Warrants Regarding Seizure of Documents*, 2023 WL 2861201 (Nev. Ct. App. 2023) (unpublished) (holding that good cause existed to keep search warrant application under seal because dissemination would threaten the integrity of an active and ongoing criminal investigation).
- NRS 172.245. Evidence and information obtained by grand juries during their investigations are confidential. The purposes of confidentiality include: (1) To prevent the escape of those whose indictment may be contemplated. (2) To insure the utmost freedom to the grand jury in its deliberations and to prevent persons subject to indictment, or their friends, from importuning the grand jurors. (3) To prevent subornation of perjury or tampering with the witnesses who may testify before the grand jury and later appear at the trial of those indicted by it. (4) To encourage free and untrammeled disclosures by persons who have information with respect to the commission of crimes. (5) To protect an innocent accused, who is exonerated, from disclosure of the fact that he has been under investigation. *Shelby v. Sixth Judicial Dist. Court*, 82 Nev. 204, 210, 414 P.2d 942, 945 (1966).
- *Houston v. County of Maricopa*, -- F.4th --, 2024 U.S. App. LEXIS 22564, 2024 WL 4048897 (9th Cir. Sep. 5, 2024) (holding that dissemination of a pretrial detainees’ booking photo to the public is generally unconstitutional under the substantive due process clause of the 14th Amendment because it constitutes punishment without due process).

Given the totality of the law governing the disclosure of information in the possession of law enforcement, the following non-exclusive factors are considered in evaluating whether law enforcement interests in confidentiality clearly outweigh the public's presumed interest in access:

- Whether premature disclosure of information about the open investigation may allow individuals to ascertain that they are or were the subject of the investigation, as well as the focus of the investigation. This may lead an individual to alter behavior, conceal evidence of wrongdoing, delete or destroy evidence, or attempt to influence witnesses or adjust communication methods or content to avoid further collection of evidence or to avoid apprehension.
- Whether premature disclosure of information may provide bad actors with the ability to falsify or misrepresent information, such as encounters, activities, or associations that pose evidence. This may impact testimony and representations of future witnesses and/or suspects, which would disable or hinder the ability to fully evaluate such evidence and, therefore, obstruct enforcement, implementation, and application of the law.
- Whether protecting the integrity of the investigation better enables detectives and prosecutors to evaluate the credibility of any information that may come in the future. If a future witness were to know what other witnesses have said, or what other evidence has revealed, the future witness' statements will not be as reliable.
- Whether witnesses and informants have provided information that, if disclosed, could create danger or at least embarrassment to them.
- Whether any privacy interests and/or constitutional rights of any victims, witnesses, or subjects would be impacted by disclosure.
- Whether premature disclosure would have a chilling effect on future witnesses coming forward to provide information in this or other cases.
- Whether law enforcement officers have acted in an undercover capacity, or whether any witnesses have provided information as confidential informants.
- Whether premature disclosure poses a risk to any future prosecution. Criminal defendants have significant constitutional rights, like the right to receive exculpatory and impeachment material and the right to a fair trial. A criminal defendant should generally obtain information against them before the public or any third party.
- Whether disclosure would reveal confidential techniques or tactics that would risk enabling subjects to circumvent the law in the future.

In this case, after a careful examination of all factors, there are law enforcement interests in nondisclosure that clearly outweigh the public's presumed interest in access. Therefore, the records and/or the information in the records you seek are confidential, at least at this time, and must be redacted.

PII

Personal Identifying Information

The record(s) you seek contain personal identifying information.

NRS 239.001 provides that public records are open to inspection. However, NRS 239.010(1) expressly creates exemptions to the disclosure of records falling under various statutes, including NRS 239B.030. NRS 239B.030 makes “personal information” confidential. NRS 603A.040 defines “personal information” to include social security numbers, driver’s license numbers, account numbers, and the like.

Here, because the record(s) you seek contain confidential personal identifying information, they have been redacted.

EXHIBIT 21

From: [Sadmira Ramic](#)
To: [Do Not Reply](#)
Cc: [Matthew Christian](#)
Subject: RE: Immigration Procedures NPR2025-0071865
Date: Monday, June 16, 2025 9:05:00 AM

Good morning,

Thank you for providing the documents outlining the procedures for policy 4.166.

Can you please clarify what records are being withheld pursuant to the "immigration records" privilege and the "law enforcement privilege"?

The "immigration records" privilege cites to case law concerning personal information of a federal detainee. The "law enforcement" privilege cites to case law concerning "records of criminal history", records pertaining to "pending or anticipated criminal proceeding", "criminal investigation reports", "police files and evidence collected", "search warrant applications", "evidence and information obtained by grand juries", and "pre-trial detainee booking photos".

As invoked, it is unclear how these privileges would apply to general procedures for effectuating an LVMPD policy.

Thank you,

Sadmira Ramic

From: Do Not Reply <DoNotReply@LVMPD.COM>
Sent: Thursday, June 5, 2025 3:16 PM
To: Sadmira Ramic <ramic@aclunv.org>
Subject: Immigration Procedures NPR2025-0071865

This Message Is From an External Sender

This message came from outside your organization.

Sadmira Ramic,

Please see attached CCDC Immigration Procedures. Thank you for your patience.

Sincerely,
LVMPD Public Records Unit

EXHIBIT 22

From: [Sadmira Ramic](#)
To: ["Matthew Christian"](#)
Cc: ["Shandell Auten"](#)
Subject: RE: ACLU FW: NPR2025-0071865 - Update
Date: Tuesday, June 24, 2025 9:52:00 AM
Attachments: [image001.png](#)

Good morning,

I am following up on the email below.

We had several emails going back and forth concerning the procedures for policy 4.166 so I am not sure if the remaining concerns got lost in the shuffle. Can you please respond/provide documents from 2-4?

Also, during our previous email exchange you stated the following concerning the request for "All DOCUMENTS, whether formal or informal, between ICE and LVMPD regarding LVMPD providing information to ICE about "foreign born" or "deportable" individuals in its custody":

"Again, LVMPD cannot determine whether someone is "deportable" because this is an ICE function. Regardless, to the extent records received from ICE may exist in individual inmate files, they are not readily available. It would be unduly burdensome to open and inspect every inmate file to determine whether it contains communications with ICE. There are thousands of inmates at any given time. I'm told there were 56,000 bookings last year alone. Moreover, even if the law required LVMPD to go through each file, the records you are seeking are confidential per 8 C.F.R. § 236.6."

After reviewing the information provided by the public records unit, it would not be necessary to open and inspect every inmate file to access the documents. Per LVMPD releasing procedures, "[r]ecords will email IMM TCRs for any foreign-born inmate who is booked on any qualifying charges referenced in LVMPD Department Policy, 4.166." As such, a search of the emails could be conducted.

8 C.F.R. § 236.6 is inapplicable. The regulation applies to personal information of detainees held on behalf of the federal government. Policy 4.166 states that LVMPD will not hold or delay the release of an inmate for ICE. Even if it was applicable, the information of the detainee can be redacted as required by NRS 239.010(3).

Please provide the requested records, and if anything needs clarification, please let me know.

From: Sadmira Ramic
Sent: Monday, April 14, 2025 10:14 AM
To: Matthew Christian <M16091C@LVMPD.COM>
Cc: Shandell Auten <S5496A@LVMPD.COM>
Subject: RE: ACLU FW: NPR2025-0071865 - Update

EXHIBIT 23

June 4, 2025

Las Vegas Metropolitan Police Department
400 S. Martin L. King Blvd.
Las Vegas, NV 89106

Submitted partially via online portal

To whom it may concern:



This letter serves as a request under the Nevada Public Records Act, NRS § 239 *et seq*, by the American Civil Liberties Union of Nevada (ACLUNV) for public records held by the Las Vegas Metropolitan Police Department as detailed below.

4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

A. Definitions

For the purpose of this Request, the following definitions shall apply:

- 1) The term “COMMUNICATIONS” includes, but is not limited to email, text messages, voicemail, electronic chat records, Signal messages, letters, memorandum, electronic file sharing and file transfer records, and any other records of transmission of information by any method.
- 2) The term “AGREEMENTS” means contracts, arrangements or an understanding, formal or informal, including but not limited to memorandums of agreement.
- 3) “LVMPD” means Las Vegas Metropolitan Police Department, and any components, subcomponents, offices, or personnel therein.
- 4) “ICE” means Immigration and Customs Enforcement, and any components, subcomponents, offices, or personnel therein.

B. Request

The ACLUNV requests, in electronic format where available and pursuant to NRS 239.010(3-5), any COMMUNICATIONS between LVMPD and ICE between May 1, 2025 through present regarding AGREEMENTS between LVMPD and ICE authorizing LVMPD personnel to conduct immigration officer functions. This includes, but is not limited to COMMUNICATIONS concerning any memorandum of agreement which would authorize LVMPD to engage in immigration enforcement under any of the following:

- 1) Warrant Service Officer Model;
- 2) Task Force Model; or
- 3) Jail Enforcement Model.



4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

EXHIBIT 24



Public Record Request Submitted for Public Record Request - Samantha Kroner

From Do Not Reply <DoNotReply@LVMPD.COM>

Date Wed 6/4/2025 3:31 PM

To Samantha Kroner <SKroner@aclunv.org>

This Message Is From an External Sender

This message came from outside your organization.

Hello Samantha Kroner,

Public Record Request Title	Public Record Request - Samantha Kroner
Public Record Request #	NPR2025-0078642
Name of Requestor	Samantha Kroner
Status	Submitted
Request Submitted Date	6/4/2025 5:00 PM

Your Public Record Service Request has been successfully submitted. You will be notified by email if more information or payment is required and when your request is completed. The Las Vegas Metropolitan Police Department - Public Records Unit hours of operation are 8 a.m. to 5 p.m., Monday through Friday, excluding holidays, Juneteenth, Nevada Day, the day after Thanksgiving and December 24th. Any public record requests made outside of normal business hours will be deemed received the next business day. At any time, you may monitor the status of your request by logging into your Public Records portal account.

***Please note that holidays that fall on a Saturday or Sunday will be observed the preceding Friday or the following Monday. There are 13 holidays that LVMPD observes throughout the year. Based on this information, adjust your request accordingly.

[Public Request Portal | Las Vegas Metropolitan Police Department \(lvmpd.com\)](#)

Thank you,

Las Vegas Metropolitan Police Department
400 S. Martin L. King Boulevard
Las Vegas, Nevada 89106
702-828-7489
Monday-Friday 8am to 5pm

EXHIBIT 25



Public Record Request Processed for Public Record Request - Samantha Kroner

From Do Not Reply <DoNotReply@LVMPD.COM>

Date Wed 6/11/2025 9:44 AM

To Samantha Kroner <SKroner@aclunv.org>

This Message Is From an External Sender

This message came from outside your organization.

Hello Samantha Kroner,

Public Record Request Title	Public Record Request - Samantha Kroner
Public Record Request #	NPR2025-0078642
Name of Requestor	Samantha Kroner
Status	Complete
Request Submitted Date	6/4/2025 5:00 PM

Your Public Record Service Request has been completed. Please login to our Public Records portal at the link below to collect the records you've requested. Records will be available for 14 days. If you have requested Body Camera Video, you may be contacted with additional instructions for downloading.

[Public Request Portal | Las Vegas Metropolitan Police Department \(lvmpd.com\)](https://lvmpd.com).

Thank you,

Las Vegas Metropolitan Police Department
400 S. Martin L. King Boulevard
Las Vegas, Nevada 89106
702-828-7489
Monday-Friday 8am to 5pm

EXHIBIT 26

IMM

Immigration Records

Information about immigration detainees is pursuant to federal law. 8 C.F.R. § 236.6 (making information about deportable aliens who are detained confidential); see also *City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003) (applying federal law to render records confidential under the Nevada Public Records Act). See also *Voces de la Frontera, Inc. v. Clarke*, 891 N.W.2d 803 (Wisc. 2017) (concluding that I-247 detainer forms sent from ICE to a local sheriff are confidential, and outlining the policy rationales that underpin the regulation, including privacy and law enforcement concerns); *Comm'r of Corr. v. Freedom of Info. Comm'n*, 52 A.3d 636 (Conn. 2012) (concluding that § 236.6 renders information in the possession of local law enforcement about a detainee to be confidential, even after the detainee is no longer in the custody of the local agency); *Owino v. CoreCivic, Inc.*, 2019 WL 11770626 (S.D. Cal. 2019) (agreeing with *Voces de la Frontera* and *Comm'r of Corr.* that § 236.6 “is not temporally limited” and then sealing information that would reveal the identity of detainees).

Also, any record pertaining to the Department of Homeland Security’s Immigration and Customs Enforcement (“ICE”), including email communications between state or local government entities and ICE officials, are subject to the Freedom of Information Act (“FOIA”) and the Privacy Act. See 6 C.F.R. Part 5; 8 C.F.R. § 236.6. As such, please direct your request to the Department of Homeland Security, following the requirements set forth in 6 C.F.R. § 5.3.

EXHIBIT 27



Re: Public Record Request Processed for Public Record Request - Samantha Kroner

From Samantha Kroner <SKroner@aclunv.org>

Date Wed 6/11/2025 12:24 PM

To Do Not Reply <DoNotReply@LVMPD.COM>; Shandell Auten <s5496a@lvmpd.com>

2 attachments (221 KB)

Response to NPR2025-0078642.pdf; ACLUNV Records Request.pdf;

Good afternoon,

I am reaching out concerning the public records request discussed below (Request # NPR2025-0078642). LVMPD's response to this request is attached.

I am writing to:

1. Request that you reopen this public records request and provide a proper response;
2. Clarify that we are not seeking information about ICE detainees but rather are requesting records of "any communications between LVMPD and ICE between May 1, 2025 through present regarding agreements between LVMPD and ICE authorizing LVMPD personnel to conduct immigration officer functions." Therefore, 8 C.F.R. § 236.6 is not applicable to this request and is an inadequate basis for withholding any responsive records;
3. Clarify that, although this request may also be made under FOIA, that does not exempt LVMPD from its obligation to respond to public records requests about its own records as required by Nevada's Public Records Act, NRS § 239 *et seq.*

Please see the attached letter for further clarification regarding this request and provide the requested documents by 6/13/2025.

If it is LVMPD's position that the documents exist but they are being withheld, please cite applicable law for withholding the documents as required by NRS 239.0107(1)(d), and provide redacted documents as required by NRS 239.010(3).

Thank you,

Samantha Kroner, Esq. (she/her)

Legal Fellow, ACLU of Nevada

Phone: 725-231-0970

Address: 4362 W Cheyanne Ave | North Las Vegas, Nevada 89032

www.aclunv.org | [Facebook](#) | [Twitter](#)

EXHIBIT 28



LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Kevin McMahill, Sheriff

Partners with the Community

June 16, 2025

SENT VIA EMAIL ONLY:

ACLU
Sadmira Ramic
ramic@aclunv.org

Samantha Kroner
SKroner@aclunv.org

RE: NPR2025-0077032 and NPR2025-0078642

Dear Ms. Ramic and Ms. Kroner:

Your emails and letter concerning ACLU's recent public records requests concerning ICE have been forwarded to me.

As LVMPD has already publicly stated, the Memorandum of Agreement with ICE is in the category of the Warrant Service Officer Program and has been signed by the Sheriff. But ICE has not signed it, so there is no record yet to produce. A quick internet search reveals that the template for the agreement is available online and it appears to me that the agreement the Sheriff signed is identical.

We have run a search for communications and intend to determine whether any exist. With that said, your emails and letter do not address the authority cited by our Public Records Unit. In particular, 6 C.F.R. Part 5 appears to control disclosure of communications with ICE. In addition, the agreement with ICE (which, again, you can obtain online) requires coordination with ICE prior to disclosure. As the Public Records Unit has relayed, the Nevada Supreme Court has held that Nevada statutes and common law are not the only source of law to consider when responding to a records request under the Nevada Public Records Act. *City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003). Regardless, I am happy to look into this further, especially if you have a legal authority regarding 6 C.F.R. Part 5.

Finally, I am not certain exactly what you are seeking in terms of the "power and authority" of the Sheriff to enter into agreements. As the Public Records Unit stated, this appears to be a request for information, not a record. The Sheriff can enter into agreements pursuant to multiple legal authorities, state, federal and local.

I believe this addresses your concerns. I am more than willing to discuss this further with you upon my return to the office on Monday, June 23, 2025.

Sincerely,

Kevin McMahill, Sheriff

By: /s/ Matthew J. Christian
Matthew J. Christian
Assistant General Counsel

:sa

EXHIBIT 29

From: [Sadmira Ramic](#)
To: [Shandell Auten](#); [Matthew Christian](#)
Cc: [Samantha Kroner](#)
Subject: RE: NPR2025-0077032 and NPR2025-0078642
Date: Tuesday, June 17, 2025 9:24:00 AM
Attachments: [20250617 ACLUNV Response to PRR Denial.pdf](#)
[image001.png](#)
[20250611 Email re Response-Request Clarification.pdf](#)

Good morning,
Please see the attached letter in response to the email below.
I also attached an email that is referenced in the letter.
Thank you,
Sadmira Ramic

From: Shandell Auten <S5496A@LVMPD.COM>
Sent: Monday, June 16, 2025 10:54 AM
To: Sadmira Ramic <ramic@aclunv.org>; Samantha Kroner <SKroner@aclunv.org>
Subject: NPR2025-0077032 and NPR2025-0078642

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Good morning,

Please see attached.

Thank you,

Shandell Auten
Legal Assistant
Office of General Counsel
Las Vegas Metropolitan Police Department
Main: (702) 828-3310
Direct: (702) 828-4400
Fax: (702) 828-3191
Email: s5496a@lvmpd.com



EXHIBIT 30

June 17, 2025

Via Email

Re: NPR 2025-0077032 and NPR 2025-0078642 LVMPD Denials

Mr. Christian,

This letter outlines ACLUNV's response to your letter dated June 16, 2025, concerning the two public records requests submitted by ACLUNV referenced above.

In your letter, you acknowledge that the Memorandum of Agreement (MOA) between Immigration and Customs Enforcement (ICE) and Las Vegas Metro Police Department (LVMPD) exists, and suggested I use the template on ICE's website because the provisions are the same. At the same time, you stated that the record does not exist because it has not been signed by ICE. Is it LVMPD's position that pending agreements are not public record even if LVMPD has signed the document? If so, please provide the legal authority for that position. While I recognize that ICE uses template MOAs, it is not my practice to make such assumptions. I prefer to have the information directly from the entity to avoid any inconsistencies or misinformation. Even so, I reviewed ICE's website and as of yesterday morning, it lists LVMPD as a participating agency indicating that an agreement has been executed between the parties and it is in effect. This contradicts the statements made in your letter. Can you confirm whether the information on ICE's website depicting that there is an executed 287(g) agreement between ICE and LVMPD is inaccurate?

Concerning communications with ICE, it is inaccurate to state that our emails do not address the authority cited by the public records unit, including 6 C.F.R Part 5. As pointed out in the email sent by Ms. Kroner on 6/11/2025 and attached to this email for your reference, although this request could potentially be made under the Freedom of Information Act (FOIA), that does not exempt LVMPD from its obligation to disclose records in its possession under Nevada's Public Records Act, NRS § 239 et seq. (NPRA). LVMPD is a governmental entity in Nevada and is subject to the NPRA. Additionally, 6 C.F.R Part 5 is a large section of a chapter with multiple subparts that cover the process of submitting FOIA requests. The public records unit did not cite a specific provision within 6 C.F.R Part 5 that discusses confidentiality of ICE communications or Nevada law that renders such communications confidential as required under NRS 239.0107(1)(d)(2).



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North Las Vegas, NV 89032
702-366-1226
aclunv.org

To the extent the records are being withheld pursuant to *City of Reno v. Reno Gazette Journal*, 119 Nev. 55, 63 P.3d 1147 (2003), the case is not applicable. In that case, the Nevada Supreme Court relied on exemptions under the NPRA and other Nevada statutes to determine if the records were confidential. Nevada has not adopted any federal laws that render communications involving ICE confidential, assuming they exist and without conceding that they do.

As to the “power and authority” section of the requests, I think there may be a misunderstanding. The “request for the ‘power and authority’ to hold persons, execute warrants of arrest, and serve warrants of removal related to ICE” pertains to agreements and potential agreements discussing such authority. The language was added to make sure that any MOAs and/or documents discussing such authority are provided in responses to the request. Please let me know if further clarification is needed on this point.



4362 W. Cheyenne Ave.
North Las Vegas, NV 89032
702-366-1226
aclunv.org

It is my understanding that you have received our public records requests, you have reviewed them, and it is your position that LVMPD will not disclose the records despite being in LVMPD’s possession. This is a violation of the NPRA, and we will seek civil penalties if they are not provided by 6/24/2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Sadmira Ramic".

Sadmira Ramic
Senior Staff Attorney
ACLU of Nevada
Ramic@aclunv.org
702-550-9324

EXHIBIT 31

From: [Matthew Christian](#)
To: [Sadmira Ramic](#); [Shandell Auten](#)
Cc: [Samantha Kroner](#)
Subject: RE: NPR2025-0077032 and NPR2025-0078642
Date: Tuesday, June 24, 2025 4:53:18 PM
Attachments: [image001.png](#)

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Good afternoon,

As you know, I was out last week and just returned yesterday. I am still catching up. I cannot fully respond to your letter at this time other than to relay the following: it is my understanding that the MOU was signed by ICE last week. Now that it is finalized, it will be provided to you by the Public Records Unit. I believe you should receive it tomorrow.

Matthew J. Christian, Esq.
Assistant General Counsel
Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 828-3310



From: Sadmira Ramic <ramic@aclunv.org>
Sent: Tuesday, June 17, 2025 9:25 AM
To: Shandell Auten <S5496A@LVMPD.COM>; Matthew Christian <M16091C@LVMPD.COM>
Cc: Samantha Kroner <SKroner@aclunv.org>
Subject: RE: NPR2025-0077032 and NPR2025-0078642

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your LVMPD account credentials.**

Good morning,

Please see the attached letter in response to the email below.

I also attached an email that is referenced in the letter.

Thank you,

Sadmira Ramic

EXHIBIT 32

From: [Sadmira Ramic](#)
To: [Matthew Christian](#); [Shandell Auten](#)
Cc: [Samantha Kroner](#)
Subject: RE: NPR2025-0077032 and NPR2025-0078642
Date: Wednesday, June 25, 2025 11:56:00 AM
Attachments: [image001.png](#)

Hi Matt,

I received a copy of the 287(g) agreement today.

As for the public records request seeking communications between LVMPD and ICE (dated June 4, 2025), can you have the information to me by the end of the week?

We are now at 3 weeks after the request was submitted, and this is an important issue for our office and the public.

Please include Ms. Kroner on any communications.

From: Sadmira Ramic <ramic@aclunv.org>
Sent: Tuesday, June 24, 2025 8:15 PM
To: Matthew Christian <M16091C@LVMPD.COM>; Shandell Auten <S5496A@LVMPD.COM>
Cc: Samantha Kroner <SKroner@aclunv.org>
Subject: Re: NPR2025-0077032 and NPR2025-0078642

Thank you for the update.

I will be on the lookout for the agreement and any subsequent responses.

Get [Outlook for iOS](#)

From: Matthew Christian <M16091C@LVMPD.COM>
Sent: Tuesday, June 24, 2025 4:53:07 PM
To: Sadmira Ramic <ramic@aclunv.org>; Shandell Auten <S5496A@LVMPD.COM>
Cc: Samantha Kroner <SKroner@aclunv.org>
Subject: RE: NPR2025-0077032 and NPR2025-0078642

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Good afternoon,

As you know, I was out last week and just returned yesterday. I am still catching up. I cannot fully respond to your letter at this time other than to relay the following: it is my understanding that the MOU was signed by ICE last week. Now that it is finalized, it will be provided to you by the Public Records Unit. I believe you should receive it tomorrow.

EXHIBIT 33

From: [Matthew Christian](#)
To: [Sadmir Ramic](#); [Shandell Auten](#)
Cc: [Samantha Kroner](#)
Subject: RE: NPR2025-0077032 and NPR2025-0078642
Date: Thursday, June 26, 2025 5:25:14 PM
Attachments: [image001.png](#)

This Message Is From an External Sender

This message came from outside your organization.

Good afternoon,

As my June 16 letter stated, I don't even know if any communications exist about the agreement. As you know, searching for communications is not easy, especially when there are no specific search criteria. Nevertheless, a search had been commenced and is underway. If there are no communications, there's no reason to debate whether they are confidential. So let me first see if anything exists. I expect to provide you an update no later than close of business Wednesday July 2.

Regards,

Matthew J. Christian, Esq.
Assistant General Counsel
Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106
(702) 828-3310



From: Sadmir Ramic <ramic@aclunv.org>
Sent: Wednesday, June 25, 2025 11:56 AM
To: Matthew Christian <M16091C@LVMPD.COM>; Shandell Auten <S5496A@LVMPD.COM>
Cc: Samantha Kroner <SKroner@aclunv.org>
Subject: RE: NPR2025-0077032 and NPR2025-0078642

CAUTION: This email originated from an **External Source**. Please **use caution** before opening attachments, clicking links, or responding to this email. **Do not sign-in with your LVMPD account credentials.**

Hi Matt,
I received a copy of the 287(g) agreement today.

EXHIBIT 34



**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
POLICY AND PROCEDURE**

Policy: 4.166, *U.S. Immigration and Customs Enforcement (ICE) Notifications*
Volume: 4 - Field Operations
Chapter: 1 - Patrol
Revised: 1/2025, 2/2025

4.166 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) NOTIFICATIONS

It is the policy of this department to recognize the dignity of all persons, regardless of their national origin or immigration status. LVMPD strives to serve and protect the community with the highest regard for public safety and professionalism. LVMPD is committed to community-oriented policing as a strategy that focuses on developing relationships with community members regardless of the immigration status of a suspect or victim.

Although Nevada peace officers have the authority to assist in enforcing federal laws, LVMPD officers will not enforce immigration violations. Officers will not stop and question, detain, arrest, or place an immigration hold on any individuals on the grounds they are an undocumented immigrant. However, LVMPD will share criminal intelligence regarding transnational organized crime and international terrorism with any and all law enforcement agencies to include ICE. Citizens reporting suspected undocumented immigrants will be referred to the local ICE office.

When a foreign-born individual is arrested and charged with a felony, domestic violence, driving under the influence (DUI), burglary, theft, larceny, petit larceny, and/or assault of a law enforcement officer, the Detention Services Division (DSD) will notify ICE at the time of both booking and release. These charges have the highest impact on public safety. LVMPD will not delay the release of an inmate for ICE. However, LVMPD will honor federal judicial warrants for arrest from ICE. If ICE is not present at the time of the inmate's release, and there is no judicial warrant, DSD will release the inmate. (1/25, 2/25)■