

November 7, 2018
BY MAIL AND EMAIL DELIVERY

Sheriff Chris Kleinberg
Dakota County Sheriff's Office
P.O. Box 305
Dakota City, NE 68731



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Nebraska

134 S. 13th St. #1010
Lincoln, NE 68508
(402) 476-8091
aclunebraska.org

RE: Open Records Request

Dear Sheriff Chris Kleinberg:

We are writing to collect information relating to the 287(g) program currently in effect in your county. This is a request under Nebraska public records law, Neb. Rev. Stat. §84-712.

In the following request, “policy” is not limited to written policy but includes any informal or procedural policy. For the purposes of this request, “document” includes e-mails; instructions; memos; directives; guidance documents; formal and informal presentations; training documents; bulletins; alerts; updates; advisories; reports; minutes or notes of meetings and phone calls; and memoranda of understanding.

As you may know, Nebraska state law requires a response to an open records request to be made within four (4) days of receipt.

The materials we are requesting are limited to the time period of January 10, 2018, to present time.

We request the following information from your agency:

1. All documents, including but not limited to any communications or memoranda, relating to or evidencing current policies or procedures describing when or how an officer of the Dakota County Sheriff's Department is to contact United States Immigration and Customs Enforcement (ICE).
2. All documents, including but not limited to any communications or memoranda, relating to or evidencing current policies or procedures describing when or how an officer of the Dakota County Sheriff's Department should inquire as to a person's immigration status during a traffic stop.



3. All documents, including but not limited to any communications or memoranda, relating to or evidencing current policies or procedures describing what an officer of the Dakota County Sheriff's Department should do when a person does not present a valid current driver's license during a traffic stop.
4. All communications, including but not limited to emails and memoranda, between the Dakota County Sheriff's Department and ICE.
5. All agreements, whether formal or informal, written or unwritten, including but not limited to Delegation of Immigration Authority §287(g) agreements, 287(g) memoranda of agreements (MOAs), and intergovernmental service agreements (IGSAs), between the Dakota County Sheriff's Department and ICE currently in effect.
6. All communications, including but not limited to, emails, recordings, memoranda, and correspondence, relating to Delegation of Immigration Authority §287(g) agreements or memoranda of agreement, including but not limited to Dakota County's interest in, consideration of, negotiations on, or discussion regarding such agreements with ICE.
7. All records, including notes, incident reports, and correspondence, relating to traffic stops or arrests performed by the Dakota County Sheriff's Department, as a result of which stop or arrest, ICE was contacted.
8. The current version of the Dakota County Sheriff's Department policy and procedures manual or handbook.
9. Any and all documents regarding the extent and nature of Dakota County Sheriff's officers training regarding immigration law and policy that is currently required.
10. Any and all documents regarding the current policies and procedures about the Dakota County civilian complaint process to express concerns about the officers of the Dakota County Sheriff's Department. Please provide copies of documents in English and in other languages, if applicable.

When the documents relevant to this request are ready, you may provide them in electronic form to my email at rgodinez@aclunebraska.org or in paper form at the address on this letterhead.

Feel free to contact me with any questions. You can reach me directly at (402) 476-8091 ext. 105.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rose Godinez', with a stylized flourish at the end.

Rose Godinez
Legal and Policy Counsel

ACLU

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