



## Agenda Item Summary

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MEETING DATE: January 29, 2024

SUBJECT: **Resolution No. 10-R-2024** - A Resolution of the Town of Mead, Colorado, Approving a Memorandum of Understanding Between the Town of Mead and U.S. Immigration and Customs Enforcement Homeland Security Investigations Authorizing the Designation of Mead Police Department Employees as Customs Officers

PRESENTED BY: Brent Newbanks, Chief of Police

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### SUMMARY

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Resolution 10-R-2024 (“Resolution”): (a) approves a memorandum of understanding between the Town and U.S. Immigration and Customs Enforcement (“ICE”) Homeland Security Investigations (“HSI”) to designate certain employees of the Mead Police Department (“Police Department”) as Customs Officers (the “MOU”); (b) authorizes the Town Attorney in cooperation with the Town Manager and Chief of Police to make non-material changes to the MOU; and (c) authorizes the Town Manager to execute the MOU on behalf of the Town when in final form.

A copy of the MOU is attached to the Resolution as EXHIBIT 1.

Pursuant to ICE HSI’s delegated authority under 19 U.S.C. § 1401(i) and § 1589(a), the MOU designates certain employees of the Police Department as Customs Officers, without additional compensation. The MOU authorizes the Customs Officers to enforce a full range of federal offenses, but does not convey the authority to enforce administrative violations of immigration law. Importantly, the MOU will allow the Town to access HSI support for the Police Department’s internet crimes against children (ICAC) investigations.

ICAC investigations require access and training that is primarily facilitated through affiliations with HSI and the Colorado Springs Police Department. This agreement allows the Mead Police Department to participate in these collaborations and assists greatly in the effectiveness of investigations involving internet crimes against children. The Mead Police Department has no intention of enforcing any federal laws outside of the normal scope and duties authorized under Colorado state law for police officers.

Only police officers who receive an approved “ICE Form 73-001” and successfully complete the appropriate HSI Task Force Officer Cross-Designation Training Course (“Training Course”) will be designated as Customs Officers. ICE Form 73-001 is attached to the MOU. The Police Department plans to designate Sergeant Cory Ellis as the Police Department’s Customs Officer following Sergeant Ellis’s completion of the Training Course.

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## FINANCIAL CONSIDERATIONS

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None. The Customs Officer will not receive additional compensation and there will be no exchange of funds between the Town and ICE HSI.

## STAFF RECOMMENDATION/ACTION REQUIRED

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Staff recommends approval of the Resolution. A motion to approve the January 29, 2024 consent agenda will approve the Resolution. If the Board decides to remove this item from the consent agenda for questions or discussion, staff recommends the following motion:

Suggested Motion:

“I move to approve Resolution No. 10-R-2024 - A Resolution of the Town of Mead, Colorado, Approving a Memorandum of Understanding Between the Town of Mead and U.S. Immigration and Customs Enforcement Homeland Security Investigations Authorizing the Designation of Mead Police Department Employees as Customs Officers.”

## ATTACHMENTS

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Resolution No. 10-R-2024

Exhibit 1 to Resolution (Memorandum of Understanding Between the Town of Mead and U.S. Immigration and Customs Enforcement Homeland Security Investigations)  
ICE Form 73-001 (attachment to MOU)