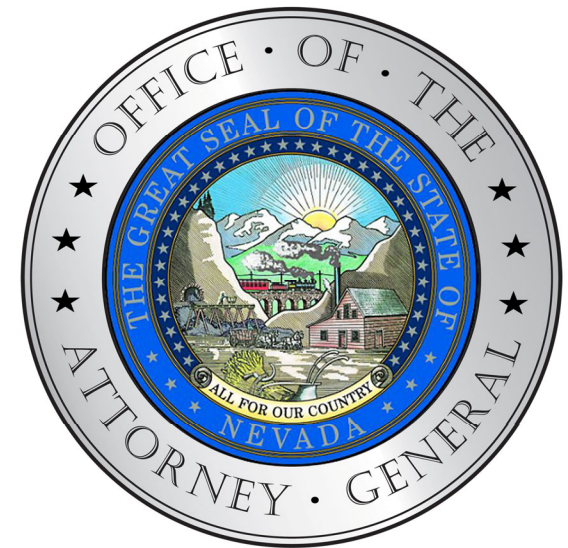


# Office of the Attorney General

Presentation of Draft Model  
Immigration Policies Pursuant to  
Assembly Bill 376

Keep Nevada Working Task Force  
December 14, 2022

Leslie Nino Piro, OAG General Counsel



**AB 376**  
**Section**  
**20.6 (1)**  
**NRS 228.206**

## **Model Policies for Law Enforcement**

- “The Attorney General shall, in consultation with relevant stakeholders and the Keep Nevada Working Task Force ... publish model policies which **provide guidance and training recommendations to state or local law enforcement agencies.**”
- *Goals of the Model Policies:*
  - “(a) Foster trust between the community and state or local law enforcement agencies; and
  - (b) Limit, to the fullest extent practicable and consistent with any applicable law, the engagement of state or local law enforcement agencies with federal immigration authorities for the purpose of immigration enforcement.”



## Draft Model Policies: Law Enforcement

- Information Gathering and Sharing
  - No inquiries into a person's immigration status, except when required by law
- Interacting with Nevada Residents
  - Undocumented status or civil immigration enforcement should never be sole grounds for police interaction
  - Balance homeland security needs with zero tolerance for racial prejudice and profiling
- Responding to Requests by Immigration Law Enforcement
  - State or local resources should not be expended unless specific criteria are met
- U and T Visa Certifications
  - Protecting victims of crime and human trafficking

# Model Policies for Schools, Health Care Facilities, and Courts

AB 376

Section  
20.9 (1)

NRS 228.208

- “The Attorney General shall, in consultation with relevant stakeholders and the Keep Nevada Working Task Force ... publish model policies for limiting, to the fullest extent possible and consistent with any applicable law, immigration enforcement at **public schools**, **institutions of higher education**, **health care facilities** and **courthouses** ...”
- *Goal of Model Policies*: “... to ensure that such places remain **safe and accessible** to residents of this State regardless of the immigration status or citizenship of such persons.”



## Draft Model Policies: Public Schools

- Collecting and Retaining Student Information
- Inquiries Regarding Immigration Status, Citizenship Status, and National Origin Information
- Monitoring and Receiving Campus Visitors
- Responding to On-Campus Immigration Enforcement
- Model Policies for Parental Notification of Immigration Enforcement Actions
- Information Sharing
- Model Policies for Annual Information Notice to Parents and Guardians



## Draft Model Policies: Institutions of Higher Education

- Collecting and Retaining Student Information
- Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information
- Responding to Requests for Facility Access for Immigration Enforcement Purposes
- Responding to Request for Access to Student Records for Immigration Enforcement Purposes



## Draft Model Policies: Health Care Facilities

- Gathering and Sharing Patient and Family Information
- Responding to Immigration Law Enforcement
- Monitoring and Receiving Visitors
- Information Notice to Patients or Representatives
- Parental Notice of Immigration Enforcement Actions



## Draft Model Policies: Courthouses

- Protecting Access to Justice
- Training Court Staff on Responding to Immigration Enforcement Activity
- Responding to Requests for Court Access for Immigration Enforcement Purposes
- U-Visa Status Certification or T-Visa Declaration
- Collection and Dissemination of Personal Information
- Requests for Information for Immigration Enforcement Purposes



# Model Policies for Schools, Health Care Facilities, and Courts

- “Any organization that provides services relating to **physical or mental health and wellness, education** or **access to justice** is encouraged to adopt policies consistent with the model policies of the Attorney General” for public places
  - “**public schools, institutions of higher education, health care facilities** and **courthouses**” AB 376, Sec. 20.9 (1), *codified at* NRS 228.208(1).

AB 376

Section  
20.9 (3)

NRS  
228.208(3)

- **Current Status of LEAs Working with Federal Immigration Officials**
  - AG does not have statutory authority over LEAs to collect statistical data
  - NRS 228.206(3)(b) *requires* LEAs to provide a **copy of their policies** when they notify the AG whether they intend to adopt the model policies or not.
- **Proposed Revisions**
  - Task Force Members may send proposed edits in email
- **Tentative Timeline for Publication**
  - End of 2022 or shortly thereafter depending on stakeholder meetings

## Final Thoughts