



U.S. Department of Justice

Office of Justice Programs

Washington, D.C 20531

November 15, 2017

Robert White
Chief of Police
City of Denver
1437 Bannock Street
Denver, CO 80204

Dear Chief White,

Your FY 2016 Byrne JAG grant award required you to comply with 8 U.S.C. § 1373. Section 1373 compliance is an ongoing requirement that the Department of Justice monitors. The Department is concerned that the following Denver laws, policies, or practices may violate section 1373:

- Denver City Code § 28-250. Part (a)(2) prohibits “[r]equesting information about . . . immigration or citizenship status.” The Department is concerned that this appears to restrict the requesting of information regarding citizenship or immigration status, in violation of section 1373(b).
- Denver City Code § 28-250. Part (a)(4) prohibits “[d]isseminating information about . . . immigration or citizenship status.” The Department is concerned that this appears to restrict the sending of information regarding immigration status, in violation of section 1373(a).

By December 8, 2017, please submit a response to this letter that addresses whether Denver has laws, policies, or practices that violate section 1373, including those discussed above. In addition to your compliance in FY 2016, please address whether you would comply with section 1373 throughout the award period, should you receive an FY 2017 Byrne JAG grant award. To the extent Denver laws or policies contain so called “savings clauses,” please explain in your submission the way these savings clauses are interpreted and applied, and whether these interpretations are communicated to Denver officers or employees.

The Department has not made a final determination regarding Denver's compliance with section 1373. This letter does not constitute final agency action and nothing in this letter creates any right or benefit enforceable at law against the United States.

Sincerely,

Handwritten signature of Alan R. Hanson in black ink.

Alan Hanson
Acting Assistant Attorney General