

OFFICE OF THE ATTORNEY GENERAL  
LITIGATION DIVISION

IN THE MATTER OF:

***South Bend Police Department,***

*seeking information related to  
the Office of the Attorney General's  
investigation of immigration-related  
communication, cooperation, and  
enforcement policies under*

*Ind. Code § 5-2-18.2-3 and Ind. Code §  
5-2-18.2-4*

**CIVIL INVESTIGATIVE  
DEMAND**

No. 24-0699031

The Office of the Attorney General to:

**South Bend Police Department  
c/o Chief Scott Ruskowski**

Attorney General Theodore E. Rokita, by Deputy Attorney General Aaron Ridlen, issues this Civil Investigative Demand pursuant to his authority under Ind. Code § 4-6-3-3.

The Office of the Indiana Attorney General (“OAG”) has reasonable cause to believe that you may be in possession, custody, or control of documentary materials or may have knowledge of facts that are relevant to an investigation being conducted to determine whether the South Bend Police Department (“SBPD”) is in violation of Ind. Code § 5-2-18.2-3 and Ind. Code § 5-2-18.2-4 by implementing and maintaining policies that prohibit or restrict SBPD’s officers or agents from communicating or cooperating with federal officials with regard to information concerning citizenship or immigration status or that limit or restrict the enforcement of federal immigration law.

Instructions and definitions are attached as Exhibit A. OAG directs that you, your representative, or your agent respond to this Civil Investigative Demand by answering its interrogatories in Exhibit B with the Verification of Responses and

producing documents responsive to its requests for production in Exhibit C with the Certification of Authenticity of Records.

You are to respond in writing to this Civil Investigative Demand by November 8, 2024, or by such date as may be agreed upon.

You may direct your response, as well as any questions regarding this Civil Investigative Demand, to:

Aaron Ridlen  
Section Chief  
Administrative and Regulatory Enforcement Litigation  
Office of the Indiana Attorney General  
302 West Washington Street  
Indiana Government Center South  
Fifth Floor  
Indianapolis, Indiana 46204  
317-232-2826 (tel)  
317-232-7979 (fax)  
[Aaron.Ridlen@atg.in.gov](mailto:Aaron.Ridlen@atg.in.gov)

The Office of the Indiana Attorney General issues this Civil Investigative Demand on this 18th day of October, 2024.

THE OFFICE OF THE INDIANA  
ATTORNEY GENERAL



By: /s/ Aaron M. Ridlen  
Aaron Ridlen  
Section Chief  
Administrative and Regulatory  
Enforcement Litigation  
Attorney Number 31481-49

EXHIBIT A  
**Instructions**

1. You are requested to produce all responsive documents or things in your possession, custody, or control, regardless of whether such documents or materials are possessed directly by your staff, officers, agents, employees, attorneys, investigators, or representatives.
2. The requests for production shall be construed as broadly as possible to include all documents that may conceivably fall within their scope. Whenever appropriate, the singular form of a word shall be interpreted in the plural, and the plural in the singular, to give the requests the broadest possible scope. The terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these requests any documents which might otherwise be construed to be outside their scope.
3. The fact that a document is produced by another party does not relieve you of your obligation to produce a copy of the same document, even if the two documents are identical in all respects.
4. For any document withheld on claims of attorney-client privilege or any other privilege or work-product protection, that document need not be produced, but with respect to each such document you shall provide the following information: (1) the type of document (e.g., letter or memorandum); (2) the date of the document; (3) the author(s) of the document and each and every other person who prepared or participated in the preparation of the document; (4) a description of the document’s subject matter and physical size; (5) all addressees or recipient(s) of the original document or a copy thereof, together with the date or approximate date on which such recipient(s) received said document; (6) all other persons to whom the contents of the document have been disclosed, the date of such disclosure, the means of such disclosure, and the present location of the document and all copies thereof; (7) each and every person having custody or control of the document and all copies thereof; (8) the

nature of the privilege or other rule of law relied upon to withhold the document and any facts supporting the claim of privilege; and (9) such other information as is sufficient to identify the document, and, where not apparent, the relationship of the author, addressees, and recipients to each other.

5. If an objection or claim of privilege is made with respect to part of a document, the part shall be specified and an inspection permitted of the remaining parts. If you object to the production of a document on the basis of a claim of privilege or work-product protection, produce all portions of the document that are not privileged or work-product.
6. Documents should be produced as they are kept in the usual course of business or they should be organized and labeled to correspond with the responsive request for production. Each document should be produced in its entirety, including any attachments. No non-privileged material should be redacted. All documents should be Bates-stamped.
7. Responsive electronically-stored information (“ESI”) shall be produced in single-page PDF format with the exception of Microsoft Excel spreadsheets, audio files, video files, and database-type files including, without limitation, Microsoft Access – which shall be produced in native format.
8. Documents should be produced in single-page PDF format and a delimited database load (.dat) file. The database load file should contain the following fields: “BEGNO,” “ENDNO,” “PAGES,” “VOLUME,” and “CUSTODIAN.” The document should be logically unitized (i.e., contain correct document breaks: for instance, a five-page fax consisting of a cover page and a four-page memo should be unitized as a five-page document). Multi-page optical character recognition (“OCR”) text for each document should also be provided.
9. When instructed to produce “documents that disclose,” “documents sufficient to disclose,” or “documents sufficient to identify,” you must produce all documents that are necessary and sufficient to provide all of the information requested. If no single document contains all of the information sought,

produce additional documents so that the group of documents, when viewed together, reveal the information sought. If tabulations, compilations, statistical accumulations, charts, computer printouts, or other summary materials that provide the information requested by a particular request are available or can be readily provided, these should be furnished with the underlying documents.

10. If any documents or items requested herein have been lost, discarded, destroyed, or are otherwise no longer in your possession, custody, or control, you shall identify them as completely as possible, including, without limitation, by providing the following information: (1) date of disposal; (2) manner of disposal; (3) reason for disposal; (4) person authorizing the disposal; and (5) person disposing of the item or document.
11. These requests for production and interrogatories are continuing. If you obtain or become aware of any additional documents or items responsive to these requests for production, or if you become aware of any additional facts responsive to these interrogatories, you are directed to produce such additional documents or inform OAG of such facts as they are obtained or become available.
12. Unless otherwise specified, these Requests for Production and Interrogatories cover the period from October 18, 2021 to the present.

### **Definitions**

1. **“South Bend Police Department” or “SBPD”** means the South Bend Police Department and all of its staff, officers, agents, representatives, employees, predecessors, successors, assigns, related entities, and third-party contractors.
2. **“You” or “Your”** refers to the South Bend Police Department.
3. **“Document”** means (a) all written or graphic material of any kind or character, however produced or reproduced; (b) all electronically or magnetically recorded or stored matter of any kind or character, however

produced or reproduced; and (c) all other tangible things of any kind or character that constitute the recording of any information or thing by words, image or sound, or the storage of the same in any retrievable way, by any means of communication, representation, or data retention. The term “Document” includes, without limitation, all communications, correspondence, letters, memoranda, contracts, agreements, notes, data, charts, tables, spreadsheets, reports, compendia, compilations, books, monographs, abstracts, summaries, calendars, planners, schedules, digests, ledgers, logs, lists, and all other recordings of information, images or sounds on paper, of any kind or description whatsoever (including without limitation drafts of any of these items). Any Document bearing any notation, marking or writing of any kind different from the original shall be treated as a separate original document. The term “Document” also includes, without limitation, all magnetic disks, compact disks, magnetic tapes, magnetic cards, hard disks, floppy disks, CD-ROM disks, phonograph records, cassette tapes, reel-to-reel tapes, and all other electronically, magnetically or digitally recorded information, in any form (including, without limitation, e-mail). The term “Document” also includes, without limitation, all memory media of any kind whatsoever, and all other non-paper forms of recorded or memorialized data, words, information, images or sounds.

4. **“Detainer Request”** means a notice issued pursuant to 8 C.F.R. § 287.7 by the U.S. Department of Homeland Security (“DHS”) or one of its subcomponents, including U.S. Immigration and Customs Enforcement (“ICE”), to a law enforcement agency to inform the agency that DHS or ICE intends to assume custody of an individual in the agency’s custody. A detainer request includes a request made by DHS or ICE that asks a law enforcement agency to provide information about an individual’s impending release and/or a request that the agency maintain custody of an individual who would otherwise be released for a period not to exceed 48 hours (excluding Saturdays, Sundays, and holidays) to provide DHS or ICE time to assume custody.

5. **“Information Request”** means any communication between or among SBPD and a Federal Immigration Authority concerning information about the citizenship or immigration status of an Individual.
6. **“Federal Immigration Authority”** means any entity or Individual, and their staff, officers, agents, representatives, employees, predecessors, successors, or assigns, that is employed by or acts as an agent of the United States government and is authorized to engage in immigration enforcement activities, including, but not limited to DHS, ICE, U.S. Citizenship and Immigration Services, and U.S. Customs and Border Protection.
7. **“Immigration Enforcement Activity”** means any action taken by a law enforcement agency or officer that is related to the enforcement of U.S. immigration law, including, but not limited to, the verification of an Individual’s citizenship or immigration status, the detention or removal of an alien, and cooperation between federal and local authorities on immigration-related matters.
8. **“Individual”** means a single human being as distinct from a group, class, or family.

EXHIBIT B  
Interrogatories

1. Identify each person providing information in response to this Civil Investigative Demand (“CID”), including his or her name, address, telephone number, E-mail address, and job title.
2. Identify and describe each and every standard, practice, policy, procedure, or guidance—whether formal or informal, written or unwritten—that SBPD has implemented, maintained, or utilized in the past three (3) years related to communications or the sharing of information between SBPD and Federal Immigration Authorities.
3. Identify and describe each and every standard, practice, policy, procedure, or guidance—whether formal or informal, written or unwritten—that SBPD has implemented, maintained, or utilized in the past three (3) years related to the collection, maintenance, or use of information concerning the citizenship or immigration status of Individuals.
4. Identify and describe each and every standard, practice, policy, procedure, or guidance—whether formal or informal, written or unwritten—that SBPD has implemented, maintained, or utilized in the past three (3) years related to Immigration Enforcement Activities undertaken by SBPD or Federal Immigration Authorities.
5. Identify and describe each and every standard, practice, policy, procedure, or guidance—whether formal or informal, written or unwritten—that SBPD has implemented, maintained, or utilized in the past three (3) years related to Detainer Requests.
6. Identify and describe each and every standard, practice, policy, procedure, or guidance—whether formal or informal, written or unwritten—that SBPD has



implemented, maintained, or utilized in the past three (3) years related to Information Requests.

7. Identify and describe each and every communication, Detainer Request, and/or Information Request that SBPD has received from Federal Immigration Authorities in the past three (3) years.
8. Describe whether and in what manner SBPD responded to the communications and requests identified in response to Interrogatory No. 7.

Certification of Truth  
of Responses to Interrogatories of  
Civil Investigative Demand 24-0699031

*Notice to respondent: Indiana Code section 4-6-3-3(2) requires South Bend Police Department's response to the interrogatories issued in this Civil Investigative Demand 24-0699031 to be made under oath.*

I certify under the penalties for perjury, that the responses and other representations South Bend Police Department makes in response to Civil Investigative Demand 24-0699031 are true.

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Signed

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Printed Name

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Title/Position

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Date

EXHIBIT C  
Requests for Production

*Notice to respondent: Instead of producing paper copies of any documents responsive to these requests, you may produce documents in Adobe Portable Document Format (PDF) file format, or in their native electronic file format if they are readable by Microsoft Office applications.*

1. Produce any documents referred to by, relied upon in preparing, or otherwise related to your response to any Interrogatory, and identify the Interrogatory or Interrogatories to which the documents relate.
2. Produce any policies, standards, or guidance that SBPD has implemented, maintained, or utilized in the past three (3) years concerning Immigration Enforcement Activities.
3. Produce any communications between SBPD officers or agents pertaining to any policies, standards, or guidance produced in response to Request for Production No. 2.
4. Produce any policies, standards, or guidance that SBPD has implemented, maintained, or utilized in the past three (3) years concerning communications or the sharing of information between SBPD and Federal Immigration Authorities.
5. Produce any communications between SBPD officials or employees pertaining to any policies, standards, or guidance produced in response to Request for Production No. 4.
6. Produce any policies, standards, or guidance that SBPD has implemented, maintained, or utilized in the past three (3) years concerning the collection, maintenance, or use of information regarding the citizenship or immigration status of Individuals.
7. Produce any communications between SBPD officers or agents pertaining to any policies, standards, or guidance produced in response to Request for Production No. 6.

8. Produce any policies, standards, or guidance that SBPD has implemented, maintained, or utilized in the past three (3) years concerning Detainer Requests.
9. Produce any communications between SBPD officers or agents pertaining to any policies, standards, or guidance produced in response to Request for Production No. 8.
10. Produce any policies, standards, or guidance that SBPD has implemented, maintained, or utilized in the past three (3) years concerning Information Requests.
11. Produce any communications between SBPD officers or agents pertaining to any policies, standards, or guidance produced in response to Request for Production No. 10.
12. Produce any documents that reference or concern any Federal Immigration Authority.
13. Produce any documents that reference or concern any Immigration Enforcement Activities.
14. Produce any communications received or sent by SBPD from or to Federal Immigration Authorities.
15. Produce any documents related to Detainer Requests received by SBPD.
16. Produce any documents related to Information Requests received or sent by SBPD.
17. Produce any documents related to proposed policies, standards, or guidance—whether or not those policies, standards, or guidance were adopted—concerning Detainer Requests; Information Requests; Immigration Enforcement Activities; communications or the sharing of information with Federal Immigration Authorities; and/or the collection, maintenance, and use of information regarding the citizenship or immigration status of Individuals.

Certification of Authenticity of Records  
Produced in Response to  
Civil Investigative Demand 24-0699031

I certify under oath that I am the custodian of the records produced or am otherwise qualified to testify that the records produced by South Bend Police Department in response to the Indiana Attorney General's Civil Investigative Demand 24-0699031 are true and accurate copies of documents regularly kept in the course of South Bend Police Department regularly conducted business activities, and that such documents are regularly created by, or from information transmitted by, persons having knowledge of the facts set forth in them at or near the time of the occurrence of the matters set forth in them.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title/Position

\_\_\_\_\_  
Date