



PHILADELPHIA POLICE DEPARTMENT

MEMORANDUM (01-06)
MAY 17, 2001

SUBJECT: DEPARTMENTAL POLICY REGARDING IMMIGRANTS

I. PURPOSE

- A. The purpose of this memorandum is to advise all Philadelphia Police Department personnel of the policy concerning the treatment of legal and illegal immigrants. The definition of “immigrant” as it applies to this memorandum is as follows:

“Any person who is not a citizen or a national of the United States”.

II. POLICY

- A. While the City has various services available to immigrants, few take advantage of These services because they fear that any contact with these agencies may bring their immigration status to the attention of the federal authorities.
 - B. All immigrants should be encouraged to utilize these City services without fear of any reprisals because the city has no obligation to report any illegal immigrants to the federal government as long as they are law abiding. The Police Department will preserve the confidentiality of all information regarding law abiding immigrants to the maximum extent permitted by law.
 - C. Additionally, sworn members shall not arbitrarily exclude immigrants from eligibility for services that are available to all.
-

III. PROCEDURE

- A. In order to safeguard the confidentiality of information regarding an immigrant, police personnel will transmit such information to federal immigration authorities only when:
 - 1. Required by law, or
 - 2. The immigrant requests, in writing, information be provided, to verify his or her

immigration status, or

3. The immigrant is suspected of engaging in criminal activity, including attempts to obtain public assistance benefits through the use of fraudulent documents.
- B. Sworn members of the Police Department who obtain information on immigrants suspected of criminal activity will comply with normal crime reporting and investigating procedures (refer to Directive 11, "Aliens/Military Personnel in Police Custody and Requests for Political Asylum" dated 6-24-92).
 - C. The Philadelphia Police Department will continue to cooperate with federal authorities in investigating and apprehending immigrants suspected of criminal activities. However, immigrants who are victims of crimes will not have their status as an immigrant transmitted in any manner.
-

JOHN F. TIMONEY
Commissioner