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| General Order No.<br>1.8.5     | Effective Date:<br>Feb. 18, 2026 | Review Date:<br>Until amended or rescinded  |
| Subject:<br>Immigration        |                                  |   |
| Approved By<br>Chief of Police |                                  | <br>Tyler Jolley |

### 1.8.5 Immigration

#### **Purpose**

The purpose of this policy is to issue guidance on providing services to all persons in our community, including noncitizens. The Department is committed to supporting immigrant victims of all crimes, including but not limited to domestic violence, sexual assault, and child abuse.

Noncitizen is defined as any person who is not a citizen or national of the United States, whether his or her status is lawful, unlawful, temporary or permanent. Consistent with 1.8.5 A2, the Department does not make determinations about noncitizen/citizen status.

#### **A Framework of Services for Immigrant Community**

1. The Department has various services available to residents and visitors of our jurisdiction. In some instances, noncitizens do not take advantage of services because of fear that an agency may ask questions or collect information regarding citizenship or bring their immigration status to the attention of federal authorities. This makes noncitizens more likely to be victimized.
2. All noncitizens are encouraged to seek services through the Department. As a general practice, the Patton Township Police Department will not ask or collect information about immigration status, nor does it report noncitizens to the federal government, except as necessary to an ongoing criminal investigation, or in the case where there is a criminal warrant signed by a Judge.
3. By and large, immigration is a civil matter, not a criminal one. For example, when a person overstays a Visa, this is classified as a “civil” violation of immigration law. Ordinarily, when charges are brought against a person in violation of immigration law, the person is placed into a civil court proceeding.

4. The Department will preserve the confidentiality of all information regarding noncitizens to the extent permitted by law. No officer shall arbitrarily exclude noncitizens from eligibility for services that are available to all persons.

## **B Protections for Immigrant Victims and the Role of Law Enforcement**

1. Patton Township Police Officers may encounter immigrant victims of trafficking or crimes who may be eligible for protection under the Immigration and Nationality Act, sections 101(a)(15)(T) and 101(a)(15)(U). Officers shall assist with law enforcement certification for qualifying victims of, or witnesses to, a crime or trafficking. Upon the request of a qualifying victim or witness for assistance, a declaration/certification by law enforcement for a U/T Visa should be completed on the appropriate Department of Homeland Security (DHS) Form supplements by law enforcement. The declaration/certification must include information detailing how the individual has been, is being, or is likely to be helpful in a criminal investigation or prosecution.

2. U Non-Immigrant Status: U nonimmigrant status provides immigration protection to crime victims who have 1) suffered substantial mental or physical abuse as a result of the crime committed within the United States; 2) are directly or indirectly affected by the qualifying criminal activity; and 3) was or is being helpful, or is likely to be helpful to law enforcement, prosecutor, judges, or other officials in detection, investigation, prosecution, or sentencing of the criminal activity. A U Visa application requires a certification by qualifying officers, including a designated law enforcement officer.

3. T Non-Immigrant Status: T nonimmigrant status is designed specifically for victims of human trafficking, as defined by federal law. Victims must show they are: 1) physically present in the United States due to trafficking; 2) comply with any reasonable request from a law enforcement agency to assist with the investigation or prosecution of human trafficking; and 3) demonstrate they would suffer extreme hardship involving unusual and severe harm if they were removed from the United States. Victims who are under the age of 18 or unable to cooperate due to physical or psychological trauma are not required to assist law enforcement.

## **C Local Legal and Community Based Organizations**

There are legal and community-based organizations in Centre County, and the Commonwealth of Pennsylvania, available to assist noncitizen victims. These include:

- Center for Immigrants' Rights Clinic at Penn State Law
- Centre Safe Civil Legal Representation Project
- The Pennsylvania Immigration Resource Center (PIRC) Immigrant Survivors Project

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- Immigrant Legal Resource Center (ILRC)
- ASISTA Immigration Assistance
- Victim Witness Office in the Centre County District Attorney's Office.

\*See addendum for further organization descriptions and contact information\*