
 University of Pittsburgh Police Department Rules & Regulations Manual	<b>Reference Number: (Chapter / Section)</b> 4 - 17
	<b>Issue Date:</b> 10-29-04 Reviewed 12/2018
	<b>Effective Date</b> 11-1-04
	<b>Rescinds:</b> All Previous
	<b>Amends:</b> N/A
<b>Title: Foreign National Seeking Asylum</b>	 By Order of James K. Loftus, Chief of Police

### 1.0 Policy

The United States offers asylum and refugee protection based on an inherent belief in human rights and in ending or preventing the persecution of individuals. Asylum is a precious and important protection granted by federal law to qualified applicants who are unable or unwilling to return to their country of nationality because of persecution or a well-founded fear of persecution.

These matters must be handled with speed, tact, and resolution as they are highly sensitive and may have long term international ramifications. Failure to do so will prove embarrassing to the United States and all concerned.

Officers must be prepared to render immediate assistance to individuals seeking asylum and ensure that they are turned over to the proper authorities.

### 2.0 Definitions

Asylum: An alien or foreign national in the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group, or political opinion.

Diplomatic Immunity: A principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities for both their official and, to a large extent, their personal activities.

### 3.0 Procedure to Follow When a Foreign National is Seeking Asylum:

- A. Immediately take the foreign national into protective custody.
  - 1. Do not handcuff the foreign national, as they are not under arrest. However, a search for weapons shall be conducted prior to transport.

2. Do not allow anyone to interfere with the individual or attempt to intervene in the situation.
  3. Under no circumstances shall the foreign national be turned over to any foreign government official.
- B. Officers shall *not*:
1. Question the individual's motives for requesting asylum;
  2. Direct the individual somewhere else;
  3. Discuss the relative merits of the United States or their homeland and their decision to seek asylum;
  4. Arbitrarily or summarily return the individual seeking asylum to a foreign government's control prior to the proper authority determining the individual's status.
- C. Notify the supervisor. Under no circumstances shall the reason for the contact be voiced over a radio.
- D. The individual may be released to a supervisor, a member of the Federal Bureau of Investigation, or Bureau of Citizenship and Immigration Services of the Department of Homeland Security.
- E. Supervisors, after consultation with the chief of police or his designee, shall contact the Bureau of Citizenship and Immigration Services and arrange secure transportation to another location through the proper authorities.
- F. The primary officer shall document the incident in an Incident Report, and involved officers shall complete supplements.
1. Document who took custody of the foreign national in the report.
- G. The foreign national shall remain in protective custody until they are delivered to the FBI or BCIS.