

 <p style="text-align: center;"><b>ALLEGHENY COUNTY BUREAU OF CORRECTIONS</b></p>	<b>APPLICABILITY: All Authorized Personnel</b>	
	<b>POLICY NUMBER: #507</b>	<b>EFFECTIVE: 10/30/07 REVISED: 3/13/18</b>
	<b>TITLE: Foreign Nationals ACA Standard 6A-06 Title 37 Standard 95.222(1)</b>	
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**POLICY:**

It is the policy of the Allegheny County Bureau of Corrections to allow foreign nationals access to diplomatic representation of the county of citizenship upon request. When non-US citizens are detained, the detainee shall be advised of the right to have the detainee’s consular officials notified or the nearest consular officials shall be notified of the detention, if required by the Vienna Convention. Consular officials shall be given access to non- US citizen detainees and shall be allowed to provide consular assistance. Consular officials shall also be notified in the event of the death of a non-US citizen detainee.

**APPLICABLE POPULATIONS:**

Any arrest, detention, or other commitment to custody which results in a Foreign National being incarcerated for more than three (3) hours requires that their consular is notified.

**DEFINITIONS:**

Foreign national: Any person who is not a U.S. citizen; same as “alien.” Aliens who are lawful permanent residents in the United States and who have a “Resident Alien Registration Card” (i.e., “Green Card”) are foreign nationals. So are undocumented or “illegal” aliens.

**PROCEDURAL GUIDELINES:**

**Admissions of Foreign Nationals**

- A. The Intake Supervisor is to be notified immediately when it becomes known that a New Court/arrestee is a Foreign National.
- B. The Intake Supervisor shall determine if the inmate’s country is on the mandatory notification list. If the inmate’s country is on the mandatory list, the Intake Supervisor will confirm with the arresting officer if the inmate’s embassy or

consulate has been notified of the arrest. Please see the list of country's requiring notification in part "G" of this section.

- C. If notification has not been made by the arresting officer; the Intake Supervisor is to complete the "Notification of Arrest or Detention of a National of your Country" form and fax to the detainee's embassy at 202-895-3646. The Intake Supervisor will confirm the embassy receives the fax. A copy of the fax, transmittal form and an incident report will be completed and placed in the inmate's folder. Additional telephone numbers and addresses can be found on the U.S. Government website at: <http://travel.state.gov/content/travel/english/consularnotification.html>
- D. If the inmate's country does not mandate notification, the Intake Supervisor must promptly inform the inmate of his right to have his government informed of the arrest. If the inmate asks to exercise this right, the Intake Supervisor will complete and fax the "Notification of Arrest or Detention of a National of your Country" to the detainee's embassy. The Intake Supervisor will confirm the embassy has received the fax. A copy of the fax, transmittal form and completed incident report will be placed in the inmate's folder.
- E. If the inmate refuses to exercise this right the intake supervisor will document this on an Incident Report and a copy will be placed in the inmate's folder.

### **Countries Requiring Notification**

The below countries require/mandate notification of the detainment of a Foreign National from their country:

- Albania, Algeria, Antigua and Barbuda, Armenia, Azerbaijan
- Bahamas, Barbados, Belarus, Belize, Brunei, Bulgaria
- China (including Macao and Hong Kong), Costa Rica, Cyprus, Czech Republic
- Dominica
- Fiji
- Gambia, Georgia, Ghana, Grenada, Guyana
- Hungary
- Jamaica
- Kazakhstan, Kiribati, Kuwait, Kyrgyzstan
- Malaysia, Malta, Mauritius, Moldova, Mongolia
- Nigeria
- Philippines, Poland
- Romania, Russia
- Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Singapore, Slovakia
- Tajikistan, Tanzania, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu
- Ukraine, United Kingdom, Uzbekistan

- Zambia, Zimbabwe

**Notification of Death, Injury, or Serious Illness of a Foreign National**

Notification to the appropriate consular office must be made in the event of the death, serious injury or serious illness of a Foreign National.