



BOROUGH OF JENKINTOWN POLICE DEPARTMENT

Subject: Limits of Authority		General Order # 1.2.10
Title: Immigration		
Accreditation Ref.:		
Effective Date: 12/10/2025	Revised Date: 12/06/2025	
By Authority Of: Chief Thomas M. Scott	Signature: 	

I. Purpose

The purpose of this general order is to define and clarify the role of the Jenkintown Borough Police Department regarding immigration enforcement.

II. Policy

It shall be the policy of the Jenkintown Borough Police Department that all members adhere to the guidelines of this general order.

III. Definitions

Documented Immigrant – is an immigrant who has entered the United States legally and possesses legal documentation indicating that they have done so.

Undocumented Immigrant – is an immigrant who has entered the United States illegally and is unknown to the United States government.

Judicial Warrant – A warrant issued by a federal or state judge or local magistrate based on probable cause.

Immigration Administrative Detainer – An ICE request and or civil document requesting a law enforcement agency to hold/detain a person for immigration enforcement processing.

IV. Procedures - Immigration

A. All members of the Jenkintown Borough Police Department shall provide the same level of service and protection to any person regardless of their immigration status.

B. Members shall adhere to the guidelines of General Order 1.2.9 – Biased Based Policing, in regard to any enforcement initiative involving immigrants.

C. Establishment of trust

1. Assistance and cooperation from immigrant communities are especially vital when an immigrant, whether documented or undocumented, is the victim of, or witness to, a crime.

2. Members shall encourage and foster trust among the immigrant community through routine contacts, outreach, and community policing initiatives.

D. Immigration Enforcement

1. The federal government has clear authority over immigration and immigration enforcement. Federal law does not require or permit the states or local police agencies to enforce immigration laws, nor does it give the states or local agencies clear authority to act in the area of immigration.
2. The United States Department of Homeland Security, Immigration and Customs Enforcement (I.C.E.) is charged with the enforcement of immigration laws.
3. The Jenkintown Borough Police Department has no authority to enforce federal immigration laws; however, there are limited occasions when they may be requested by the United States Department of Homeland Security, Immigration and Customs Enforcement (I.C.E.) to assist in detaining a criminal offender who is also in violation of the federal immigration laws.

E. Member Responsibilities

1. Members shall notify the Chief of Police, who will contact the Mayor, (if the Chief is not available, then Mayor shall be contacted directly), for possible notification or action of Homeland Security, Immigration and Customs Enforcement (I.C.E.) in the event of the following:
 - a. When arresting and charging an immigrant who has committed a misdemeanor or felony offense(s) of state law, and there are facts and circumstances that may warrant a notification to Homeland Security, Immigration and Customs Enforcement (I.C.E.)
 - b. When there is a criminal (judicial warrant) N.C.I.C hit on an immigrant and that immigrant is wanted by the United States Department of Homeland Security, Immigration and Customs Enforcement (I.C.E.).
 - c. When a legal representative of the Montgomery County District Attorney's Office directs an immigration related action.
 - d. Homeland Security, Immigration and Customs Enforcement (I.C.E.) has notified the Jenkintown Police of a federal immigration operation in the Borough of Jenkintown.
2. Members shall not notify the United States Department of Homeland Security, Immigration and Customs Enforcement (I.C.E.) in the event of the following:
 - a. The immigrant is a victim of or a witness to a crime.
 - b. The immigrant is charged with a motor vehicle violation.
 - c. The immigrant is a juvenile regardless of whether charges have been filed.

- d. The immigrant is an Undocumented Immigrant and there is no criminal N.C.I.C. want.
- e. The member encounters the immigrant as part of a routine contact.
- f. Jenkintown Borough Police Department will not detain a person based on an administrative detainer which is based solely on immigration status.

3. Detainers/Warrants

- a. In the event the United States Department of Homeland Security, Immigration and Customs Enforcement (I.C.E.) confirms and forwards a judicial warrant to hold a criminal immigrant offender, that warrant shall be received and forwarded to the respective county prison along with the immigrant prisoner.
- b. A copy of the detainer/warrant shall be placed in the case file or attached to the member's incident report in the event there are no local charges.

- 4. Members shall clearly document the details surrounding their contact in their RMS report.

F. Department Involvement

Public Safety Role for any possible I.C.E. operation:

- 1. Jenkintown Borough Police may assist in securing the scene
- 2. Traffic or pedestrian control
- 3. Ensuring safety of bystanders and officers. Bystanders will be ensured their rights afforded them under all local, state, and federal law.

G. Community Notification

Notification to the Borough Council and the community will be facilitated by the Chief of Police and/or the Mayor, when prudent, or there is a visible presence of Jenkintown Police Officers at an immigration enforcement operation.