



Borough of Green Tree

10 West Manilla Avenue
Green Tree, PA 15220-3310
www.greentreeboro.com

412-921-1110
Fax 412-921-5997

Right-To-Know Response Form

October 26, 2018

Sheller Center for Justice
Temple University Beasley School of Law
1719 North Broad Street
Philadelphia, PA 19112
ATTN: Amy Chin-Arroyo

Dear Ms. Chin-Arroyo,

Thank you for writing to the Borough of Green Tree with your request for information pursuant to the Pennsylvania Right-To-Know law.

Your request is granted in part and denied in part as follows.

The Borough of Green Tree has withheld information that is exempt from disclosure by law. We redacted personal identification information that is exempt from disclosure under Act 3 of 2008, Section 708 (b)(6)(i)(A).

Your granted documents are enclosed. The requested documents will be sent via US Mail upon receipt of the fee as listed on the attached invoice.

Regards,

W. David Montz, Manager
Borough of Green Tree Right-to-Know-Officer
10 West Manilla Avenue, Pittsburgh, PA 15220
412-921-1110



BOROUGH OF GREEN TREE

10 West Manilla Avenue
Pittsburgh, PA 15220
412-921-1110 Fax 412-921-5997

INVOICE

INVOICE NO: RTK-10262018

DATE: October 26, 2018

Sheller Center for Justice
Temple University Beasley School of Law
1719 North Broad Street
Philadelphia, PA 19112

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
7	Single sided copies of records	\$0.25	\$1.75
TOTAL DUE			\$1.75

Make all checks payable to:
Borough of Green Tree

If you have any questions concerning
this invoice, call: Babette Legler, 412-
921-1110.



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412-921-1110

Colin Cleary

From: [REDACTED]@allegHENYcountyda.us]
Sent: Tuesday, July 18, 2017 8:43 AM
To: [REDACTED]

Subject: Law Enforcement Liability for Stops Based on Immigration Status
Attachments: Immigration status.pdf

Chiefs, Superintendents

Please see the attached letter from District Attorney Zappala in reference a person who is "flagged" by Immigration and Customs Enforcement (ICE).

This issue was raised by the ACLU in a recent meeting with the District Attorney.

Thank You

Tim Logue

STEPHEN A. ZAPPALA, JR.
DISTRICT ATTORNEY



OFFICE OF THE DISTRICT ATTORNEY

County of Allegheny

436 GRANT STREET, 401 COURTHOUSE ♦ PITTSBURGH, PENNSYLVANIA 15219-2489
PHONE (412) 350-4377 ♦ FAX (412) 350-3312

Honorable Kenneth Truver
Chief of Police-Castle Shannon
President-Allegheny County Chiefs of Police Association
3310 McRoberts Road
Pittsburgh, PA 15234-1891

July 17, 2017

In re: Law enforcement liability for stops based on immigration status

Dear ~~Chief Truver~~ 

Recently, there has been wide discussion over the role of local police agencies in assisting U.S. Immigration and Customs Enforcement (ICE) agents in enforcing federal immigration laws. I wanted to take the opportunity to highlight a few areas of concern.

When police officers run a search through criminal data bases, such as NCIC or CLEAN, they may discover that ICE has "flagged" an individual. The fact that an individual has been flagged by ICE does not mean that there is a criminal warrant for the person, and does not provide probable cause to detain or arrest the person. (*See Santos v. Frederick Co. Bd. Of Commissioners, 725 F.3d 451 (4th Cir. 2013 (police officers violated 4th Amendment rights of woman arrested on basis of civil immigration detainer))*). Unless the information in the database clearly states that there is a judicial warrant for the individual, local police risk civil liability if they detain or arrest the person. ICE detainers are not arrest warrants. Unlike criminal warrants, which are issued by a judicial officer, ICE detainers are issued by ICE itself, without any authorization or oversight by a judge or magisterial district judge.

It should also be noted that because Pennsylvania law enforcement officers are not permitted to independently enforce federal immigration law, they cannot extend the period of an investigatory stop to investigate immigration status, without risking a constitutional violation, since the constitutional duration of an investigatory stop depends on the time reasonably necessary to handle the matter for which the stop was made.


Very Truly Yours,

Stephen A. Zappala, Jr.
District Attorney

Colin Cleary

From: SPIN-INFO [spin-info@██████████]
Sent: Monday, October 15, 2018 12:18 PM
To: spin
Subject: SPIN - ICE Contact

SPIN -

A local ICE agent wanted us to know of his availability for investigations, stops, etc. The below message was forwarded on his behalf.

"...trying to get other law enforcement agencies to give us a call anytime they have an encounter with someone where there is a possible nexus with immigration."

Regards,

SPIN-INFO

From: ██████████@ice.dhs.gov>
Date: October 10, 2018 at 2:33:27 PM EDT
To:
Subject: ICE Contact

Sir,

Sorry for the delay in getting this information to you. As I said to you on the phone, all of this is kind of like a sales pitch. Recently, the Enforcement and Removal side of Immigration and Customs Enforcement took over most of the liaison work, and police calls from Homeland Security Investigations. In the past, there have been a number of reasons why ICE hasn't been able to respond, or assist local law enforcement. There has been an increased effort in working with other agencies. I have spoken to several Chief of Police Association meetings, and at the SHACOG in the South Hills, ultimately trying to get other law enforcement agencies to give us a call anytime they have an encounter with someone where there is a possible nexus with immigration.

Initially, it began with requesting that officers forward all relevant information to ICE after the encounters. All of the normal stuff: Name, DOB, POB, Address, Vehicle Info, FBI/SID, photos (persons, IDs, vehicles, registration, etc.) I took it one step further and told many local departments that if their officers were comfortable, that they could call me during the stops, especially if they were Spanish speaking. I had 7 years of experience with the Border Patrol in AZ, and my Spanish is good enough to do basic field interviews. In many of these instances, I was able to get relevant information from the subject for the police, as well as ask the necessary questions pertaining to immigration and deportation. It worked out really well for a while.

I was just hoping that with your contacts, I might be able to reach a few more agencies and let them know that we're looking for more work. Dealing with the jails and subjects that are already incarcerated is easy, but we are increasing our efforts to identify, locate, and arrest those that have not yet wound up in the spot light, and that's where local law enforcement comes in. For those that are interested or have information that they would like to pass on, my contact info is below. I'm also happy to answer questions if there are any.

Thank you,

[REDACTED]
Deportation Officer
ICE/ERO Pittsburgh, PA
[REDACTED]
[REDACTED]



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Colin Cleary

From: Colin Cleary
Sent: Wednesday, July 19, 2017 3:11 PM
To: Chad Rannigan
Subject: Training
Attachments: Third_Circuit_Right_to_Record.pdf; Guideline Police Being Photo - Recorded.pdf; Immigration status DA Letter.pdf

Alcon,

Please review the attached documents. The first two relate to the right of persons to record the actions of police officers. The third is guidance from the District Attorney on dealing with matters of immigration status. The letter clarifies that ICE detainers are not criminal warrants, and cannot be the sole basis for GTPD personnel to arrest or detain individuals. We will continue to provide support and exchange information with ICE personnel, but any arrest or detention made by GTPD must be based on Pennsylvania law.

After you have reviewed the items, get with the LT or I if you have questions or need clarification. Please sign and date the acknowledgement sheet NLT July 26th.

Questions, comments, concerns, please ask.

Chief Colin Cleary
Green Tree Police
10 W. Manilla Avenue
Pittsburgh, Pa. 15220
412-921-8624 Ext. 132

Colin Cleary

From: Colin Cleary
Sent: Monday, July 30, 2018 12:25 PM
To: Chad Rannigan; Jerry Giger; Eric Diehl; Robert Monaco; Frank Zane; Alan Feller; Ryan Bacci; Michael Kelly
Subject: Information Items
Attachments: Poplar Street_Green Tree Borough_Allegheny Co_Press Release.docx; Poplar Street_Green Tree Borough_Allegheny Co_Road Closure Letter.docx

Alcon,

The latest edition of the Department of State Consular Notification manual is on our sharepoint. If you arrest a foreign national, please check the to see if they are from a mandatory notification county. Page 5 of the manual has a cheat sheet.

I know we can't access the sharepoint site from the cars. I'm still waiting on approval to have our IT vendor implement the solution. Print out the vacation home checks for now. I might have better information after the RMS update on August 2nd.

Questions/comments/concerns, please let me know.

Stay safe,

Chief Colin Cleary
Green Tree Police
10 W. Manilla Avenue
Pittsburgh, Pa. 15220
412-921-8624 Ext. 132