



# MOON TOWNSHIP

ALLEGHENY, COUNTY - PENNSYLVANIA

## Right-To-Know Response Form 30 Day Extension

October 2, 2018

Sheller Center for Social Justice,  
Temple University Beasley School of Law  
1719 North Broad Street  
Philadelphia, PA 19122  
Attn: Amy Chin-Arroyo, Arik Davidson, Solena Laigle

RE: Right-to-Know Request

Dear Amy, Arik & Solena:

Thank you for writing to Moon Township with your request for information pursuant to the Pennsylvania Right-To-Know law.

On October 1, 2018, you requested the following records:

1. "Any department policy, directive, order, training materials, or other document regarding the:
  - a. requesting, recording, investigating, or reporting of any individual's immigration status, national origin, or place of birth;
  - b. contacting, stopping, detaining, arresting, or interrogating an individual to verify their identification or driver's license; or
  - c. the use and acceptance of foreign identification.
2. Any policy, directive, order, training materials, or other document that relates to your department's contact or referral/sharing information with US Immigration and Customs Enforcement (ICE) about an individual's immigration status, national origin, or place of birth. This request includes any documents that reflect providing ICE access to the department's databases.
3. Any documents that reflect communication between your department and ICE from 2015 to the present. This request includes communications related to:



# MOON TOWNSHIP

ALLEGHENY, COUNTY - PENNSYLVANIA

- a. sharing information (e.g., incident reports, booking or database information);
- b. collaborating by assisting in roving patrols, the apprehension of suspects, or the creation or implementation of vehicle checkpoints;
- c. the 287(g) program;
- d. providing back-up for ICE enforcement activities; or
- e. providing office space for ICE representatives to use.”

Your request is granted; however, Moon Township invokes our right to a 30-day time extension to complete your request. The request is complex and will take time to go through our files.

Moon Township is currently processing your request and will attempt to comply or provide an update by October 31, 2018.

Respectfully,

Dawn R Lane  
Township Manager / Right-to-Know Officer  
Township of Moon  
1000 Beaver Grade Road  
Moon Township, PA 15108-2984  
412-262-1700

COPY



pennsylvania  
OFFICE OF OPEN RECORDS

RECEIVED  
OCT 02 2018  
BY: \_\_\_\_\_

**STANDARD RIGHT-TO-KNOW REQUEST FORM**

DATE REQUESTED: 10/01/2018

REQUEST SUBMITTED BY:  E-MAIL  U.S. MAIL  FAX  IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Moon Township - Police Department

Dawn Lane, Moon Township, via electronic mail: dlane@moontwp.us

NAME OF REQUESTER : Amy Chin-Arroyo, Arik Davidson, Solena Laigle  
Sheller Center for Social Justice, Temple University Beasley School of Law

STREET ADDRESS: 1719 North Broad Street

CITY/STATE/COUNTY/ZIP(Required): Philadelphia, PA 19122

TELEPHONE (Optional): 215-204-8800 EMAIL (optional): TempleShellerCenter2018@gmail.com

RECORDS REQUESTED: \*Provide as much specific detail as possible so the agency can identify the information.  
Please use additional sheets if necessary

See attached.

We respectfully request that any fees be waived in the interest of promoting pro bono and academic research, pursuant to 65 P.S. § 67.1307(f)(2).

DO YOU WANT COPIES?  YES  NO Electronic copies if possible.

DO YOU WANT TO INSPECT THE RECORDS?  YES  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?  YES  NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?  YES  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

**FOR AGENCY USE ONLY**

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

## Right to Know Request

Sheller Center for Social Justice, Temple University Beasley School of Law  
10/01/2018

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  - c. the 287(g) program;
  - d. providing back-up for ICE enforcement activities; or
  - e. providing office space for ICE representatives to use.

RECEIVED  
OCT 02 2018  
BY: \_\_\_\_\_

## Moon Township Police Department Reports Involving I.C.E. 2015 - 10/30/18

date	incident	ucrcode	ucrdescr
2015-07-16 05:21:00	20150716M0001	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2016-10-12 05:48:00	20161012M0004	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2016-11-16 05:28:00	20161116M0004	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2017-02-16 06:30:00	20170216M0003	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2017-08-22 06:01:00	20170822M0005	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2017-09-26 05:20:00	20170926M0005	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2018-02-08 15:15:00	20180208M0016	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2018-02-22 05:27:00	20180222M0007	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2018-07-03 05:30:00	20180703M0010	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2018-09-06 05:31:00	20180906M0004	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2018-10-10 06:10:00	20181010M0012	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2018-10-30 05:51:00	20181030M0003	0001	PROVIDED FOR DEPARTMENT INFO ONLY
2015-02-02 21:39:00	20150202M0024	0214	RAPE BY FORCE-OTHER FORCIBLE MEANS
2018-03-07 02:54:00	20180307M0005	0410	ASSAULT-KNIFE OR CUTTING INSTRUMENT
2018-06-14 22:30:00	20180614M0027	0440	ASSAULT - ATROCIOUS- HANDS,FISTS,FEET
2018-04-28 16:31:00	20180428M0021	0451	SIMPLE ASSAULT (DOMESTIC)
2018-01-21 20:43:00	20180121M0018	0453	RECKLESS ENDANGERMENT
2018-01-10 22:20:00	20180110M0039	1400	CRIMINAL MISCHIEF
2015-08-14 14:35:00	20150814M0029	1832	NARCOTICS-POSSESSION-MARIJUANA,ETC.
2015-11-23 12:51:00	20151123M0014	2011	CHILD ABUSE/NEGLECT INVESTIGATION
2016-06-01 12:12:00	20160601M0016	2011	CHILD ABUSE/NEGLECT INVESTIGATION
2018-02-09 19:44:00	20180209M0034	2011	CHILD ABUSE/NEGLECT INVESTIGATION
2018-07-08 20:15:00	20180708M0025	2430	HARASSMENT - FOLLOW, ANNOY
2017-12-03 22:39:00	20171203M0030	2480	DOMESTIC DISPUTE/DISTURBANCE -NO ASSAULT
2016-04-22 21:15:00	20160422M0023	2614	IMPERSONATING POLICE OFFICER
2017-06-09 19:47:00	20170609M0033	2812	PAVC -VIOLATIONS / DRIVING COMPLAINTS
2018-04-30 18:52:00	20180430M0038	2910	LOST MISSING PERSONS - JUVENILE
2017-05-22 14:57:00	20170522M0024	3500	SUSPICIOUS PERSON, VEHICLE, CIRCUMSTANCE
2015-07-15 06:02:00	20150715M0002	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2015-10-28 09:27:00	20151028M0010	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2017-02-13 06:43:00	20170213M0005	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2017-05-03 20:39:00	20170503M0030	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2017-06-12 14:18:00	20170612M0022	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2017-07-16 03:39:00	20170716M0002	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2017-09-12 15:27:00	20170912M0022	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2017-12-21 14:30:00	20171221M0024	3700	ASSIST OTHER L.E.AGENCY IN JURISDICTION
2018-10-05 02:36:00	20181005M0003	3880	ASSIST - MEDICAL RELATED
2018-01-22 15:20:00	20180122M0019	3891	REQUEST EXTRA PATROLS

MOON TOWNSHIP POLICE  
CODE OF ETHICS

As a Moon Township Police Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit my personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence.

I recognize the badge of my office as a symbol of public faith and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession.....law enforcement.

## LEADERSHIP ETHICS

Organizational excellence is built on and about people. The cornerstone is that the human factor is more important than institutions, concepts, or programs. The foundation of this excellence is compassion, dignity and respect for and of the people in the organization.

- I will lead by example.
- I will compete against a set of standards, not individuals, to insure teamwork.
- I will strive for consistent, individual and team performance.
- I will continually strive to improve my personal knowledge and abilities and those of my fellow employees through education and training.
- I will perform my daily tasks with a proactive attitude versus a reactive attitude, always striving to solve the problems at hand.
- I will be committed to responsibility; that quality of leadership which gives dependability and determination to human conduct, and foresight and ideality to purpose.
- I will place my personal integrity and that of my people ahead of my desire to succeed.
- I will do my best to rid myself of all prejudices in order to deal fairly with those under my leadership.
- I will support and encourage problem solving and decision-making at the lowest possible level in the Department.
- I will support and encourage high standards and discipline.
- I will always maintain an open and positive attitude towards the media.
- I will remain aware of and always effectively develop and use all three of the organizational systems (technological, administrative and human).
- I will always reinforce the minimum requirements for a good Police Officer (compassion, effectiveness, integrity, courtesy, and mental, physical and spiritual maturity).

- I will support and assist in the recruitment of the best qualified persons for the Department.
- I will always strive to use all of the available resources in the community when solving problems.
- I will always be innovative in the pursuit of departmental goals and objectives and in problem solving.
- I will perform all my duties with openness and honesty.
- I will hold crime prevention as a priority for the Department.
- I will always be aware of the importance of people relationships and seek positive interactions between the following:
  - People to People
  - Police to People
  - Police to Leadership
  - Police to Police
  - Department to All Community Resources
- I will, without favor, respect individual rights, and perform all tasks within the limits of the powers extended my position.
- I will be ever mindful that law enforcement is a service-oriented profession.
- I will handle each person's situation with professional competency, considering their interests as though I were in their place.
- I will always act in a manner that reflects the just thing to do for all involved.



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~~ *K. 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

Chief Greg Seamon

#3

**From:** SPIN-INFO <spin-info@rosspolice.com>  
**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:** "Betschart, Patrick" <[Patrick.Betschart@ice.dhs.gov](mailto:Patrick.Betschart@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,

*Patrick Betschart*  
Deportation Officer  
ICE/ERO Pittsburgh, PA  
304-400-1656  
[Patrick.Betschart@ice.dhs.gov](mailto:Patrick.Betschart@ice.dhs.gov)



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## MISSION STATEMENT

The Moon Township Police Department is committed to protect and serve through fairness, compassion, and excellence while providing police services in accordance with the law and sensitive to the priorities and needs of the community.

## CORE VALUES

1. The Moon Township Police Department believes that the protection of life and property is our highest priority.
2. The Moon Township Police Department will respect and protect the rights and dignity of all persons and conduct all citizen contacts with courtesy and compassion.
3. The Moon Township Police Department will strive for excellence in its delivery of police services and will utilize training, technology, and innovation to achieve that goal.
4. The Moon Township Police Department recognizes its inter-dependent relationship with the community it serves and will remain sensitive to the community's priorities and needs.
5. The Moon Township Police Department will enforce the law impartially throughout the community.
6. The Moon Township Police Department recognizes the individual worth of each of its members.