

INTEROFFICE COMMUNICATION

WASHINGTON STATE PATROL



TO: All Employees
FROM: Chief John R. Batiste
SUBJECT: Regulation Manual Revision
DATE: August 7, 2020

GENERAL ORDER 20-001A

General Order 20-001A is now available on iWSP within the *2020 Regulation Manual* at the following URL: <https://teamsites.patrol.lcl/sites/RMD/Main/SPA/SitePages/Regulation%20Manual.aspx>

General Order 20-001A contains nine new policies and revisions to the following policies in the *2020 Regulation Manual*:

- NEW SECTION (CHAPTER 1 – ARREST) – SECTION 04: IMMIGRATION LAW AND POLICIES
- 1.04.010 DEFINITIONS (NEW POLICY)
- 1.04.020 ARREST/DETENTION - ALIENS (CALEA 61.1.2, 61.1.3) (RENUMBERED – WAS 1.00.040)
- 1.04.030 ENFORCEMENT OF FEDERAL IMMIGRATION LAW AND POLICIES PROHIBITED (NEW POLICY)
- 1.04.040 DATA COLLECTION PROHIBITED (NEW POLICY)
- 1.04.050 CONSULAR NOTIFICATION REQUIREMENTS (NEW POLICY)
- 1.04.060 RESPONDING TO REQUESTS FOR INFORMATION (NEW POLICY)
- 1.04.070 ACCESS TO PERSONS DETAINED OR IN CUSTODY (NEW POLICY)
- 1.04.080 EQUAL TREATMENT FOR PERSONS HELD, DETAINED, OR IN CUSTODY (NEW POLICY)
- 1.04.090 CONTRACTS INVOLVING IMMIGRATION ENFORCEMENT (NEW POLICY)
- 1.04.100 U AND T VISA CERTIFICATIONS (NEW POLICY)

Commanders are responsible for distributing the General Order to all employees under their command. Employees are responsible for reading and understanding new and/or revised policies.

Employees shall acknowledge receipt of this General Order by utilizing the General Order acknowledgement system in Remedy.

JRB:tlu
Attachments



► SECTION 04: IMMIGRATION LAW AND POLICIES ◀

1.04.010 DEFINITIONS

I. DEFINITIONS

- A. “Civil immigration warrant” means any warrant for a violation of federal civil immigration law issued by a federal immigration authority. A “civil immigration warrant” includes, but is not limited to, administrative warrants entered in the National Crime Information Center database, warrants issued on Immigration and Customs Enforcement (ICE) Form I-200 (Warrant for Arrest of Alien), Form I-205 (ICE Administrative Warrant), or prior or subsequent versions of those forms, which are not court orders.
- B. “Court order” and “judicial warrant” mean a directive issued by a judge or magistrate under the authority of Article III of the United States Constitution or Article IV of the Washington Constitution. A “court order” includes, but is not limited to, judicially authorized warrants and judicially enforced subpoenas. Such orders and warrants do not include civil immigration warrants, or other administrative orders, warrants, or subpoenas that are not signed or enforced by a judge or magistrate.
- C. “De-identified” means information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.
- D. “Federal immigration authority” means any on-duty officer, employee, or person otherwise paid by or acting as an agent of the United States (U.S.) Department of Homeland Security (DHS) including, but not limited to, its sub-agencies, Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and any present or future divisions thereof charged with immigration enforcement. “Federal immigration authority” includes, but is not limited to, the Enforcement & Removal Operations (ERO) and Homeland Security Investigations (HSI) of ICE, or any person or class of persons authorized to perform the functions of an immigration officer as defined in the Immigration and Nationality Act.
- E. “Hold request” or “immigration detainer request” means a request from a federal immigration authority, without a court order, that a state or local law enforcement agency maintain custody of an individual beyond the time the individual would otherwise be eligible for release in order to facilitate transfer to a federal immigration authority. A “hold request” or “immigration detainer request” includes, but is not limited to, DHS Form I-247A (Immigration Detainer–Notice of Action) or prior or subsequent versions of form I-247. Detainers issued on ICE Form I-247 are not court orders.
- F. “Immigration detention agreement” or “IGSA” means any contract, agreement, intergovernmental service agreement, or memorandum of understanding that permits a state or local law enforcement agency or officer to house or detain individuals for federal civil immigration violations.
- G. “Immigration or citizenship status” means such status as has been established to such individual under the Immigration and Nationality Act.
- H. “Language services” includes, but is not limited to, translation, interpretation, training, or classes. “Translation” means written communication from one language to another while

preserving the intent and essential meaning of the original text. "Interpretation" means transfer of an oral communication from one language to another.

- I. "Law enforcement agency" or "LEA" means any agency of the state of Washington (state) or any agency of a city, county, special district, or other political subdivision of the state (local) that is a "general authority Washington law enforcement agency," as defined by RCW 10.93.020, or that is authorized to operate jails or maintain custody of individuals in jails; or to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities; or to monitor compliance with probation or parole conditions.
- J. "Local government" means any governmental entity other than the state, federal agencies, or an operating system established under chapter 43.52 RCW. It includes, but is not limited to, cities, counties, school districts, and special purpose districts. It does not include sovereign tribal governments.
- K. "Necessary to perform duties" means that, after following appropriate procedures to verify a course of action, no reasonably effective alternative appears to exist that would enable the performance of one's legal duties and obligations.
- L. "Notification request" means a federal immigration authority's request for affirmative notification from a state or local law enforcement agency of an individual's release from the LEA's custody. "Notification request" includes, but is not limited to, oral or written requests, including DHS Form I-247A, Form I-247N, or prior or subsequent versions of those forms.
- M. "Personal information" means names, date of birth, addresses, GPS [global positioning system] coordinates or location, telephone numbers, e-mail addresses, social media handles or screen names, Social Security numbers, driver's license numbers, parents' or affiliates' names, biometric data, or other personally identifiable information. "Personal information" does not include immigration or citizenship status.
- N. "Physical custody of the department of corrections" means only those individuals detained in a state correctional facility but does not include minors detained pursuant to chapter 13.40 RCW, or individuals in community custody as defined in RCW 9.94A.030, including those serving a term of detention at a local LEA due to a community custody violation.
- O. "State agency" has the same meaning as provided in RCW 42.56.010.
- P. "T visa" is a temporary immigration benefit under 8 U.S.C. § 1101 (a)(15)(T), as further defined in RCW 7.98.010(1), that enables victims of a severe form of human trafficking and certain qualifying family members to remain in the United States for four years or longer if they have assisted law enforcement in an investigation or prosecution of human trafficking.
- Q. "U visa" is a temporary immigration benefit under 8 U.S.C. § 1101 (a)(15)(U), as further defined in RCW 7.98.010(1), that enables victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity, and certain qualifying family members, to remain in the United States for four years or longer.

Applies to: All WSP Employees

See Also: RCW 7.98.010(1), 9.94A.030, 10.93.020, 42.56.010, 43.17.420; Chapter 13.40 RCW, 43.52 RCW; Laws of 2020 ch. 37 § 2; 8 U.S.C. § 1101 (a)(15)(T), (U)

1.04.020 ARREST/DETENTION – ALIENS (CALEA 61.1.2, 61.1.3)

I. POLICY

A. Immigration Enforcement Prohibited

1. The Washington State Patrol does not engage in, or assist with, civil immigration enforcement.
 - a. Officers shall not engage in civil immigration enforcement.
 - b. Officers shall not assist with civil immigration enforcement.

B. Immigration Hold/Detainment

1. Officers shall not stop, detain, interrogate, or place an immigration hold on any person solely for the purpose of ascertaining immigration status or in any other way attempt to enforce federal immigration laws.
2. Officers shall not inquire into or collect information about an individual's immigration status, citizenship status, or place of birth, unless there is a connection between such information and an investigation into a violation of state or local criminal law.
3. A person shall not be held or detained any longer than is necessary to complete the normal processes in connection with a criminal charge or traffic violation for which the person was arrested. The time cannot be extended to allow ICE, CBP, or other immigration personnel enough time to respond.
4. If an officer needs the assistance of an interpreter because of a language barrier, he or she may use a district Communications Center "Language Line" or other district resources. ICE, CBP, or other immigration officials shall not be used.
5. Officers shall not provide a person's location to ICE, CBP, or other immigration personnel except under exigent circumstances that threaten officer or public safety, or as necessary for an investigation into a violation of state or local criminal law.

C. NCIC Returns Involving U.S. Immigration and Customs Enforcement (ICE)

1. "Administrative Warrants" do not establish probable cause and shall not be the basis for an arrest.
2. If an officer receives a National Crime Information Center (NCIC) return showing a federal criminal arrest warrant, the officer shall immediately contact a district commander or designee to determine an appropriate course of action. The district commander may authorize the ICE NCIC warrant arrest after he or she confirms that the warrant is a criminal warrant issued and signed by a U.S. District Court Judge or Magistrate for a U.S. code.
3. The district commander must confirm each warrant with ICE, obtain a copy of the warrant, and answer the following questions to ensure the NCIC return is an actual criminal arrest warrant:

- a. Is this a criminal warrant?
 - (1) NCIC returns should specify “Administrative Warrant” or “Criminal Warrant.”
 - b. What is the specific criminal charge?
 - (1) Pursuant to policy and court order, the WSP does not enforce civil immigration laws. Therefore, any arrest on an ICE NCIC return must be based on an underlying charge for which the WSP has authority to make such an arrest.
 - c. What citation to the U.S. code is listed?
 - d. Which U.S. District Court issued the warrant?
 - (1) Only a U.S. District Court can issue a federal criminal warrant.
 - e. Is it signed by a U.S. District Court Judge or Magistrate?
 - (1) Only a U.S. District Court Judge or Magistrate can sign a federal criminal warrant.
 - (2) An Immigration Judge or an Administrative Law Judge is not a U.S. District Court Judge or Magistrate.
4. No communications with ICE during warrant confirmation shall include the location of the officer or individual in question. Officers shall not maintain or transfer custody of an individual if they learn that the NCIC return was not based on a criminal warrant signed by a US District Court Judge or Magistrate.

Applies to: All WSP Employees

See Also: --

1.04.030 **ENFORCEMENT OF FEDERAL IMMIGRATION LAW AND POLICIES**
PROHIBITED

I. POLICY

- A. The federal government, not the WSP, has primary jurisdiction over the enforcement of federal immigration law. The WSP recognizes that removal from the United States, including investigations and arrests made as part of that process, is a civil matter overseen by federal immigration authorities. The WSP recognizes that unauthorized presence in the United States, standing alone, is not a violation of state or local law. The immigration or citizenship status of an individual or an individual’s presence in, entry or reentry to, or employment in the United States alone is not subject to enforcement by the WSP or its personnel. The WSP shall presume any federal immigration authority acting on official duty to be engaged in immigration enforcement.
 1. WSP personnel shall not engage or assist in civil immigration enforcement.
 2. WSP resources, including any individuals’ personal information ascertained by the WSP or its officers, shall not be used or shared to assist in civil immigration enforcement.

3. The WSP shall review all methods and forms used to communicate with persons engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, or data fields for immigration or citizenship status existing prior to May 21, 2020, and modify them as necessary to be consistent with these policies.
 4. All WSP personnel shall complete the WSP's mandatory training regarding immigration enforcement policies and procedures and compliance with all other requirements of RCW 10.93.160.
- B. WSP personnel shall not initiate or participate in any law enforcement action based solely on an individual's immigration or citizenship status, or place of birth, or in any other way attempt to enforce or assist in the enforcement of federal civil immigration laws or policies.
 - C. WSP personnel shall not inquire about any person's immigration or citizenship status, or place of birth, unless the information is directly connected to the officer's investigation into a violation of state or local law.
 - D. The WSP's policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against all persons, including WSP personnel.
 - E. WSP personnel shall not conduct investigations, interviews, questioning, take statements, or otherwise engage in similar contact with any individual in the presence, including within hearing distance, of any person engaged, or intending to engage, in immigration enforcement, including a known federal immigration authority, unless the person's presence is directly connected to the WSP's investigation into a violation of state or local criminal law and necessary to perform the WSP officer's duties.
 - F. WSP personnel shall not arrest, detain, take into custody, or otherwise hold any person solely to determine their citizenship or immigration status unless the information is directly connected to the WSP officer's investigation into a violation of state or local law.
 - G. Civil immigration warrants, hold requests, and immigration detainer requests do not establish probable cause and shall not be the basis for any WSP officer to arrest, detain, or otherwise hold any person in custody.
 - H. If WSP personnel receive a court order or judicial warrant authorizing any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, to assume custody of an in-custody individual, officers shall immediately contact a district commander or designee to determine the appropriate course of action.
 1. Before authorizing any arrest, detention, or hold, a district commander or designee shall confirm that the federal criminal arrest warrant is issued and signed by a U.S. District Court Judge or Magistrate Judge authorizing the holding or detention of the individual by:
 - a. Obtaining a copy of the warrant;
 - b. Identifying the criminal charge and citation to the federal law violation for which the warrant was issued;

- c. Identifying which U.S. District Court issued the warrant;
 - d. Verifying that the warrant includes the correct date and location for detention;
and
 - e. Confirming that a U.S. District Court Judge or Magistrate's signature is on the warrant.
2. WSP personnel shall not disclose the location of the WSP officer or individual to any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, before or during the warrant confirmation process.
- I. All requests for assistance by any person engaged, or intending to engage, in immigration enforcement, including federal immigration authority, whether oral or written, shall be directed to a district commander or designee to determine an appropriate course of action.
 - J. WSP personnel shall not assist or participate in any joint operations, task forces, or any other activities that support or constitute immigration enforcement actions with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without prior approval, in writing, from the office of the Chief or designee.

Applies to: All WSP Employees

See Also: RCW 10.93.160

1.04.040 **DATA COLLECTION PROHIBITED**

I. POLICY

- A. WSP personnel shall not inquire about or request any documents or information from a person for the purpose of determining the person's immigration or citizenship status, or place of birth, unless the information is directly connected to the WSP officer's investigation into a violation of state or local law.
- B. WSP personnel processing fingerprint card or Automated Biometric Identification System (ABIS) submissions shall enter "Unknown" for these fields addressing immigration or citizenship status unless the information is otherwise known.
- C. WSP personnel shall not take enforcement action or otherwise use immigration or citizenship status, or place of birth information, against crime victims or witnesses.
- D. WSP personnel shall use the district Communications Center "Language Line" or other approved resources for any language services necessary to perform duties for the WSP. WSP personnel shall not utilize or accept language services from any person engaged in, or intending to engage, in immigration enforcement, including federal immigration authorities to include, but not limited to, ICE, CBP, or other immigration officials. WSP personnel shall presume that federal immigration authorities are engaged in immigration enforcement.

Applies to: All WSP Employees

See Also: --

1.04.050 **CONSULAR NOTIFICATION REQUIREMENTS**

I. POLICY

- A. Within 72 hours of detention, the WSP shall inform, verbally and in writing, all persons taken into custody or otherwise detained, regardless of their known or perceived nationality, citizenship, or immigration status, that:
 - 1. The person has the right to refuse to disclose information about their nationality, citizenship, or immigration status; and
 - 2. Disclosure of such information may result in civil or criminal immigration enforcement against them, including removal from the United States.

- B. If any WSP personnel become aware that a person in custody is a foreign national, the WSP officer shall immediately contact an on-duty supervisor or the duty lieutenant to determine the appropriate course of action.
 - 1. If the person's country is a signatory to the Vienna Convention on Consular Relations or other bilateral agreement regarding consular notifications, the WSP officer shall provide the person the appropriate consular notification advisement recommended by the U.S. State Department—that the person has the right to request that their foreign consul be notified of their detention and to communication with their foreign consul, or that the LEA is required to notify the person's consular officers, if they are a member of a mandatory notification country.
 - 2. The district Communications Center and/or WSP officer shall notify the person's foreign consul of their detention without delay if the person is a national of one of the 56 mandatory notification countries or if the person requests their foreign consul be notified.
 - 3. The WSP officer shall permit the foreign consul access to the person and forward any communication from the foreign national to the person's consular officers without delay.

Applies to: All WSP Employees

See Also: --

1.04.060 **RESPONDING TO REQUESTS FOR INFORMATION**

I. POLICY

- A. WSP personnel shall not share, provide, or disclose personal information about any person to anyone engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without a court order or judicial warrant requiring the information's disclosure, except that the WSP shall provide all records as required under the Public Records Act, chapter 42.56 RCW. Public records requests shall be processed pursuant to WSP procedures by the agency's Public Records Officer. Any WSP personnel receiving a public records request shall forward the request to the Public Records Officer and notify the district commander or designee.

- B. WSP personnel shall not provide or disclose information in response to any notification request or other immigration enforcement related request for information regarding a person's release date from custody without a court order or judicial warrant, except that the WSP shall provide all records as required by the Public Records Act, chapter 42.56 RCW, in response to any qualifying request.
- C. If WSP personnel receive a court order or judicial warrant that mandates the sharing of information regarding a person's immigration or citizenship status, WSP personnel shall provide the information as required by the court order or judicial warrant. Any WSP personnel who share or disclose a person's immigration or citizenship status to any person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, shall immediately notify the district commander or designee of the information provided, reason for sharing said information, and identity of the person and agency to whom the information was shared.
 - 1. The district commander or designee shall log all instances of WSP personnel sharing any person's immigration or citizenship status with a person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, with the basis for sharing the information. The log shall be a public record and shall be made publicly available except that information may be redacted or withheld as permitted by the Public Records Act.

Applies to: All WSP Employees
See Also: RCW 42.56

1.04.070 **ACCESS TO PERSONS DETAINED OR IN CUSTODY**

I. POLICY

- A. WSP personnel shall not permit anyone engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, to access any person held, detained, or in WSP custody without obtaining the person's prior consent in writing, unless a court order or judicial warrant requiring such access is presented.
 - 1. To obtain written consent from a person held, detained, or in custody, prior to being interviewed by anyone engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, the WSP officer shall provide the person with an oral explanation and a written consent form that explains:
 - a. The purpose of the interview;
 - b. That the interview is voluntary;
 - c. That the person may decline to be interviewed and will not be punished or suffer retaliation for doing so; and
 - d. That the person may choose to be interviewed only with the person's attorney present.
 - 2. WSP officers shall provide the oral explanation and consent form in a language understood by the person or by using an approved language service if the person is unable to read the form or if the form is not available in a language the person

understands. The WSP shall maintain copies of the consent form in English, Spanish, and any other language that the WSP deems appropriate.

3. If a person chooses to be interviewed with their attorney present, WSP officers shall promptly contact the attorney. WSP officers shall not proceed with permitting any interview to take place prior to the person's first court appearance and counsel has been retained, appointed, or the person has chosen to proceed pro se.

Applies to: All WSP Employees
See Also: --

1.04.080 **EQUAL TREATMENT FOR PERSONS HELD, DETAINED, OR IN CUSTODY**

I. POLICY

- A. Persons held, detained, or otherwise in the custody of the WSP are entitled to, and shall be provided, the same services, benefits, privileges, rights, opportunities, and resources regardless of their nationality, or immigration or citizenship status.
- B. WSP personnel shall not deny or otherwise limit any person held, detained, or otherwise in WSP custody such services, benefits, privileges, rights, opportunities, or resources based on any civil immigration warrant, hold request, immigration detainer request, notification request, administrative subpoena or similar request by a person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, or indication of the person's nationality, immigration or citizenship status.
- C. WSP officers shall not transfer custody of any person held, detained, or otherwise in the custody of the WSP to any person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, without court order or judicial warrant. If presented with such an order by a person engaged, or intending to engage, in immigration enforcement, including by a federal immigration authority, to take custody of a person in WSP custody, WSP officers shall immediately contact a district commander or designee to determine an appropriate course of action.
 1. Before authorizing any transfer of custody, the district commander or designee shall confirm that the court order is issued and signed by a U.S. District Court Judge or Magistrate Judge and authorizes the holding or detention of the individual by:
 - a. Obtaining a copy of the court order;
 - b. Confirming that a U.S. District Court Judge or Magistrate signed the court order;
 - c. Confirming that the court order identifies the individual for whom the transfer of custody is sought by name; and
 - d. Verifying that the court order has a valid date or is not otherwise expired or previously executed.
 2. WSP personnel shall not disclose the location of the individual to any person engaged in, or intending to engage in, immigration enforcement, including federal immigration authorities, before or during the process of confirming the court order.

- D. The WSP shall not deny or otherwise limit any person's social visitation solely on the basis of the person's inability to effectively communicate through video-visitiation technology. The WSP shall not collect immigration or citizenship status information of persons visiting an individual in WSP custody and shall minimize collection of visitors' personal information to the extent necessary to perform duties of the WSP. WSP personnel shall not disclose or otherwise share visitors' personal information with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, absent a court order or judicial warrant for the information or approval by a district commander or designee.

Applies to: All WSP Employees
See Also: --

1.04.090 **CONTRACTS INVOLVING IMMIGRATION ENFORCEMENT**

I. POLICY

- A. WSP personnel shall not enter into any contract, agreement, or other arrangement, whether written or oral, that would grant federal immigration enforcement authority or powers to the WSP, including but not limited to, agreements created under 8 U.S.C. Sec. 1357(g), also known as 287(g) agreements under the Immigration and Naturalization Act.
- B. All WSP agreements to assist or participate in any joint operations, task forces, or other multi-jurisdictional activities shall include legally binding assurances that all other parties to those agreements shall not use or share WSP resources, including any individuals' personal information ascertained by the WSP or its personnel, with any third parties or to support or engage in immigration enforcement activities.
- C. The WSP shall not be a party to any agreement, joint operation, task force, or other multi-jurisdictional activity with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without legally binding assurances, in writing and pre-approved by the office of the Chief or designee, that no WSP resources, including any individuals' personal information ascertained by the WSP or its personnel, shall be used to support or assist with civil immigration enforcement in any way.
- D. WSP officers shall not assist or participate in any joint operations, task forces, or other activities that support or constitute immigration enforcement actions with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without prior approval, in writing, from the office of the Chief or designee.
- E. The WSP shall not be a party to any immigration detention agreement, IGSA, or other arrangement with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, providing for detention of any person by WSP officers or using WSP resources for immigration enforcement purposes.
- F. WSP personnel shall not be a party to any agreement or contract for language services, including translation, interpretation, training or classes, from any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, nor shall any language services be accepted by the WSP personnel from any person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, for free or otherwise. WSP personnel shall presume federal immigration authorities are engaged in immigration enforcement.

- G. All WSP agreements permitting access to WSP databases or information shall include legally binding assurances that all other parties to those agreements shall not use or share WSP information or database access with any third parties supporting or engaged in immigration enforcement activities.

Applies to: All WSP Employees
See Also: 8 U.S.C. Sec. 1357(g)

1.04.100 U AND T VISA CERTIFICATIONS

I. POLICY

- A. The WSP shall forward U and T Visa certification requests under the Washington Safety and Access for Immigrant Victims Act, RCW 7.98.020, without delay to the Investigative Services Bureau (ISB) Assistant Chief.
1. The fact of any request for U or T Visa certification and any personal information submitted with such request shall not be disclosed or shared outside of the WSP, WSP legal counsel, or the county prosecuting attorney without a court order or judicial warrant, or approval by the ISB Assistant Chief unless expressly authorized, in writing, by the subject of the request or the subject's guardian, or as otherwise required by law.
 2. The ISB Assistant Chief shall review any U or T Visa certification request submitted to the WSP in full and verify all information submitted in support of the certification request using existing WSP records, personal knowledge, or other available evidence. The ISB Assistant Chief may confer with WSP legal counsel and/or the county prosecuting attorney to determine whether certification by the WSP is proper.
 3. WSP officers shall not leverage U or T Visa certifications as a means to compel any victim or witness to cooperate with their investigations.
- B. The ISB Assistant Chief shall process U and T Visa certification requests within 90 days of receipt by the WSP, except under circumstances requiring a shorter timeframe.
1. Any U or T Visa certification request for a person in federal removal proceedings shall be immediately processed by the ISB Assistant Chief such that the certification, if approved, is executed within 14 days of the WSP receiving the request.
 2. U or T Visa certifications shall be expedited upon request for any person who will, or whose child(ren) will, reach age 21 before the 90-day processing deadline date and thus will otherwise lose their benefits. In any such instance, the ISB Assistant Chief shall execute the certification, if approved, no later than 14 days before the person or child turns 21 years old.
- C. All WSP officers shall complete required training on U and T Visa certifications and review the full instructions for completing U and T Visa certification forms on the Washington State Department of Commerce, Safety and Access for Immigrant Victims Program website.

Applies to: All WSP Employees
See Also: RCW 7.98.020

► SECTION 04: IMMIGRATION LAW AND POLICIES ◀

1.04.010 DEFINITIONS

I. DEFINITIONS

- A. "Civil immigration warrant" means any warrant for a violation of federal civil immigration law issued by a federal immigration authority. A "civil immigration warrant" includes, but is not limited to, administrative warrants entered in the National Crime Information Center database, warrants issued on Immigration and Customs Enforcement (ICE) Form I-200 (Warrant for Arrest of Alien), Form I-205 (ICE Administrative Warrant), or prior or subsequent versions of those forms, which are not court orders.
- B. "Court order" and "judicial warrant" mean a directive issued by a judge or magistrate under the authority of Article III of the United States Constitution or Article IV of the Washington Constitution. A "court order" includes, but is not limited to, judicially authorized warrants and judicially enforced subpoenas. Such orders and warrants do not include civil immigration warrants, or other administrative orders, warrants, or subpoenas that are not signed or enforced by a judge or magistrate.
- C. "De-identified" means information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.
- D. "Federal immigration authority" means any on-duty officer, employee, or person otherwise paid by or acting as an agent of the United States (U.S.) Department of Homeland Security (DHS) including, but not limited to, its sub-agencies, Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and any present or future divisions thereof charged with immigration enforcement. "Federal immigration authority" includes, but is not limited to, the Enforcement & Removal Operations (ERO) and Homeland Security Investigations (HSI) of ICE, or any person or class of persons authorized to perform the functions of an immigration officer as defined in the Immigration and Nationality Act.
- E. "Hold request" or "immigration detainer request" means a request from a federal immigration authority, without a court order, that a state or local law enforcement agency maintain custody of an individual beyond the time the individual would otherwise be eligible for release in order to facilitate transfer to a federal immigration authority. A "hold request" or "immigration detainer request" includes, but is not limited to, DHS Form I-247A (Immigration Detainer–Notice of Action) or prior or subsequent versions of form I-247. Detainers issued on ICE Form I-247 are not court orders.
- F. "Immigration detention agreement" or "IGSA" means any contract, agreement, intergovernmental service agreement, or memorandum of understanding that permits a state or local law enforcement agency or officer to house or detain individuals for federal civil immigration violations.
- G. "Immigration or citizenship status" means such status as has been established to such individual under the Immigration and Nationality Act.
- H. "Language services" includes, but is not limited to, translation, interpretation, training, or classes. "Translation" means written communication from one language to another while

preserving the intent and essential meaning of the original text. "Interpretation" means transfer of an oral communication from one language to another.

- I. "Law enforcement agency" or "LEA" means any agency of the state of Washington (state) or any agency of a city, county, special district, or other political subdivision of the state (local) that is a "general authority Washington law enforcement agency," as defined by RCW 10.93.020, or that is authorized to operate jails or maintain custody of individuals in jails; or to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities; or to monitor compliance with probation or parole conditions.
- J. "Local government" means any governmental entity other than the state, federal agencies, or an operating system established under chapter 43.52 RCW. It includes, but is not limited to, cities, counties, school districts, and special purpose districts. It does not include sovereign tribal governments.
- K. "Necessary to perform duties" means that, after following appropriate procedures to verify a course of action, no reasonably effective alternative appears to exist that would enable the performance of one's legal duties and obligations.
- L. "Notification request" means a federal immigration authority's request for affirmative notification from a state or local law enforcement agency of an individual's release from the LEA's custody. "Notification request" includes, but is not limited to, oral or written requests, including DHS Form I-247A, Form I-247N, or prior or subsequent versions of those forms.
- M. "Personal information" means names, date of birth, addresses, GPS [global positioning system] coordinates or location, telephone numbers, e-mail addresses, social media handles or screen names, Social Security numbers, driver's license numbers, parents' or affiliates' names, biometric data, or other personally identifiable information. "Personal information" does not include immigration or citizenship status.
- N. "Physical custody of the department of corrections" means only those individuals detained in a state correctional facility but does not include minors detained pursuant to chapter 13.40 RCW, or individuals in community custody as defined in RCW 9.94A.030, including those serving a term of detention at a local LEA due to a community custody violation.
- O. "State agency" has the same meaning as provided in RCW 42.56.010.
- P. "T visa" is a temporary immigration benefit under 8 U.S.C. § 1101 (a)(15)(T), as further defined in RCW 7.98.010(1), that enables victims of a severe form of human trafficking and certain qualifying family members to remain in the United States for four years or longer if they have assisted law enforcement in an investigation or prosecution of human trafficking.
- Q. "U visa" is a temporary immigration benefit under 8 U.S.C. § 1101 (a)(15)(U), as further defined in RCW 7.98.010(1), that enables victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity, and certain qualifying family members, to remain in the United States for four years or longer.

Applies to: All WSP Employees

See Also: RCW 7.98.010(1), 9.94A.030, 10.93.020, 42.56.010, 43.17.420; Chapter 13.40 RCW, 43.52 RCW; Laws of 2020 ch. 37 § 2; 8 U.S.C. § 1101 (a)(15)(T), (U)

~~1.00.040~~ **1.04.020** **ARREST/DETENTION – ALIENS (CALEA 61.1.2, 61.1.3)**

I. POLICY

A. Immigration Enforcement Prohibited

1. The Washington State Patrol does not engage in, or assist with, civil immigration enforcement.
 - a. Officers shall not engage in civil immigration enforcement.
 - b. Officers shall not assist with civil immigration enforcement.

B. Immigration Hold/Detainment

1. Officers shall not stop, detain, interrogate, or place an immigration hold on any person solely for the purpose of ascertaining immigration status or in any other way attempt to enforce federal immigration laws.
2. Officers shall not inquire into or collect information about an individual's immigration status, citizenship status, or place of birth, unless there is a connection between such information and an investigation into a violation of state or local criminal law.
3. A person shall not be held or detained any longer than is necessary to complete the normal processes in connection with a criminal charge or traffic violation for which the person was arrested. The time cannot be extended to allow ICE, CBP, or other immigration personnel enough time to respond.
4. If an officer needs the assistance of an interpreter because of a language barrier, he or she may use a district Communications Center "Language Line" or other district resources. ICE, CBP, or other immigration officials shall not be used.
5. Officers shall not provide a person's location to ICE, CBP, or other immigration personnel except under exigent circumstances that threaten officer or public safety, or as necessary for an investigation into a violation of state or local criminal law.

C. NCIC Returns Involving U.S. Immigration and Customs Enforcement (ICE)

1. "Administrative Warrants" do not establish probable cause and shall not be the basis for an arrest.
2. If an officer receives a National Crime Information Center (NCIC) return showing a federal criminal arrest warrant, the officer shall immediately contact a district commander or designee to determine an appropriate course of action. The district commander may authorize the ICE NCIC warrant arrest after he or she confirms that the warrant is a criminal warrant issued and signed by a U.S. District Court Judge or Magistrate for a U.S. code.
3. The district commander must confirm each warrant with ICE, obtain a copy of the warrant, and answer the following questions to ensure the NCIC return is an actual criminal arrest warrant:

- a. Is this a criminal warrant?
 - (1) NCIC returns should specify “Administrative Warrant” or “Criminal Warrant.”
 - b. What is the specific criminal charge?
 - (1) Pursuant to policy and court order, the WSP does not enforce civil immigration laws. Therefore, any arrest on an ICE NCIC return must be based on an underlying charge for which the WSP has authority to make such an arrest.
 - c. What citation to the U.S. code is listed?
 - d. Which U.S. District Court issued the warrant?
 - (1) Only a U.S. District Court can issue a federal criminal warrant.
 - e. Is it signed by a U.S. District Court Judge or Magistrate?
 - (1) Only a U.S. District Court Judge or Magistrate can sign a federal criminal warrant.
 - (2) An Immigration Judge or an Administrative Law Judge is not a U.S. District Court Judge or Magistrate.
4. No communications with ICE during warrant confirmation shall include the location of the officer or individual in question. Officers shall not maintain or transfer custody of an individual if they learn that the NCIC return was not based on a criminal warrant signed by a US District Court Judge or Magistrate.

Applies to: All WSP Employees

See Also: --

1.04.030 ENFORCEMENT OF FEDERAL IMMIGRATION LAW AND POLICIES PROHIBITED

I. POLICY

A. The federal government, not the WSP, has primary jurisdiction over the enforcement of federal immigration law. The WSP recognizes that removal from the United States, including investigations and arrests made as part of that process, is a civil matter overseen by federal immigration authorities. The WSP recognizes that unauthorized presence in the United States, standing alone, is not a violation of state or local law. The immigration or citizenship status of an individual or an individual's presence in, entry or reentry to, or employment in the United States alone is not subject to enforcement by the WSP or its personnel. The WSP shall presume any federal immigration authority acting on official duty to be engaged in immigration enforcement.

1. WSP personnel shall not engage or assist in civil immigration enforcement.

2. WSP resources, including any individuals' personal information ascertained by the WSP or its officers, shall not be used or shared to assist in civil immigration enforcement.

3. The WSP shall review all methods and forms used to communicate with persons engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, or data fields for immigration or citizenship status existing prior to May 21, 2020, and modify them as necessary to be consistent with these policies.
 4. All WSP personnel shall complete the WSP's mandatory training regarding immigration enforcement policies and procedures and compliance with all other requirements of RCW 10.93.160.
- B. WSP personnel shall not initiate or participate in any law enforcement action based solely on an individual's immigration or citizenship status, or place of birth, or in any other way attempt to enforce or assist in the enforcement of federal civil immigration laws or policies.
 - C. WSP personnel shall not inquire about any person's immigration or citizenship status, or place of birth, unless the information is directly connected to the officer's investigation into a violation of state or local law.
 - D. The WSP's policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against all persons, including WSP personnel.
 - E. WSP personnel shall not conduct investigations, interviews, questioning, take statements, or otherwise engage in similar contact with any individual in the presence, including within hearing distance, of any person engaged, or intending to engage, in immigration enforcement, including a known federal immigration authority, unless the person's presence is directly connected to the WSP's investigation into a violation of state or local criminal law and necessary to perform the WSP officer's duties.
 - F. WSP personnel shall not arrest, detain, take into custody, or otherwise hold any person solely to determine their citizenship or immigration status unless the information is directly connected to the WSP officer's investigation into a violation of state or local law.
 - G. Civil immigration warrants, hold requests, and immigration detainer requests do not establish probable cause and shall not be the basis for any WSP officer to arrest, detain, or otherwise hold any person in custody.
 - H. If WSP personnel receive a court order or judicial warrant authorizing any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, to assume custody of an in-custody individual, officers shall immediately contact a district commander or designee to determine the appropriate course of action.
1. Before authorizing any arrest, detention, or hold, a district commander or designee shall confirm that the federal criminal arrest warrant is issued and signed by a U.S. District Court Judge or Magistrate Judge authorizing the holding or detention of the individual by:
 - a. Obtaining a copy of the warrant;
 - b. Identifying the criminal charge and citation to the federal law violation for which the warrant was issued;

- c. Identifying which U.S. District Court issued the warrant;
 - d. Verifying that the warrant includes the correct date and location for detention; and
 - e. Confirming that a U.S. District Court Judge or Magistrate's signature is on the warrant.
2. WSP personnel shall not disclose the location of the WSP officer or individual to any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, before or during the warrant confirmation process.
- I. All requests for assistance by any person engaged, or intending to engage, in immigration enforcement, including federal immigration authority, whether oral or written, shall be directed to a district commander or designee to determine an appropriate course of action.
 - J. WSP personnel shall not assist or participate in any joint operations, task forces, or any other activities that support or constitute immigration enforcement actions with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without prior approval, in writing, from the office of the Chief or designee.

Applies to: All WSP Employees

See Also: RCW 10.93.160

1.04.040 DATA COLLECTION PROHIBITED

I. POLICY

- A. WSP personnel shall not inquire about or request any documents or information from a person for the purpose of determining the person's immigration or citizenship status, or place of birth, unless the information is directly connected to the WSP officer's investigation into a violation of state or local law.
- B. WSP personnel processing fingerprint card or Automated Biometric Identification System (ABIS) submissions shall enter "Unknown" for these fields addressing immigration or citizenship status unless the information is otherwise known.
- C. WSP personnel shall not take enforcement action or otherwise use immigration or citizenship status, or place of birth information, against crime victims or witnesses.
- D. WSP personnel shall use the district Communications Center "Language Line" or other approved resources for any language services necessary to perform duties for the WSP. WSP personnel shall not utilize or accept language services from any person engaged in, or intending to engage, in immigration enforcement, including federal immigration authorities to include, but not limited to, ICE, CBP, or other immigration officials. WSP personnel shall presume that federal immigration authorities are engaged in immigration enforcement.

Applies to: All WSP Employees

See Also: --

1.04.050 CONSULAR NOTIFICATION REQUIREMENTS

I. POLICY

- A. Within 72 hours of detention, the WSP shall inform, verbally and in writing, all persons taken into custody or otherwise detained, regardless of their known or perceived nationality, citizenship, or immigration status, that:
1. The person has the right to refuse to disclose information about their nationality, citizenship, or immigration status; and
 2. Disclosure of such information may result in civil or criminal immigration enforcement against them, including removal from the United States.
- B. If any WSP personnel become aware that a person in custody is a foreign national, the WSP officer shall immediately contact an on-duty supervisor or the duty lieutenant to determine the appropriate course of action.
1. If the person's country is a signatory to the Vienna Convention on Consular Relations or other bilateral agreement regarding consular notifications, the WSP officer shall provide the person the appropriate consular notification advisement recommended by the U.S. State Department—that the person has the right to request that their foreign consul be notified of their detention and to communication with their foreign consul, or that the LEA is required to notify the person's consular officers, if they are a member of a mandatory notification country.
 2. The district Communications Center and/or WSP officer shall notify the person's foreign consul of their detention without delay if the person is a national of one of the 56 mandatory notification countries or if the person requests their foreign consul be notified.
 3. The WSP officer shall permit the foreign consul access to the person and forward any communication from the foreign national to the person's consular officers without delay.

Applies to: All WSP Employees

See Also: --

1.04.060 RESPONDING TO REQUESTS FOR INFORMATION

I. POLICY

- A. WSP personnel shall not share, provide, or disclose personal information about any person to anyone engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without a court order or judicial warrant requiring the information's disclosure, except that the WSP shall provide all records as required under the Public Records Act, chapter 42.56 RCW. Public records requests shall be processed pursuant to WSP procedures by the agency's Public Records Officer. Any WSP personnel receiving a public records request shall forward the request to the Public Records Officer and notify the district commander or designee.

- B. WSP personnel shall not provide or disclose information in response to any notification request or other immigration enforcement related request for information regarding a person's release date from custody without a court order or judicial warrant, except that the WSP shall provide all records as required by the Public Records Act, chapter 42.56 RCW, in response to any qualifying request.
- C. If WSP personnel receive a court order or judicial warrant that mandates the sharing of information regarding a person's immigration or citizenship status, WSP personnel shall provide the information as required by the court order or judicial warrant. Any WSP personnel who share or disclose a person's immigration or citizenship status to any person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, shall immediately notify the district commander or designee of the information provided, reason for sharing said information, and identity of the person and agency to whom the information was shared.
1. The district commander or designee shall log all instances of WSP personnel sharing any person's immigration or citizenship status with a person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, with the basis for sharing the information. The log shall be a public record and shall be made publicly available except that information may be redacted or withheld as permitted by the Public Records Act.

Applies to: All WSP Employees
See Also: RCW 42.56

1.04.070 ACCESS TO PERSONS DETAINED OR IN CUSTODY

I. POLICY

- A. WSP personnel shall not permit anyone engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, to access any person held, detained, or in WSP custody without obtaining the person's prior consent in writing, unless a court order or judicial warrant requiring such access is presented.
1. To obtain written consent from a person held, detained, or in custody, prior to being interviewed by anyone engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, the WSP officer shall provide the person with an oral explanation and a written consent form that explains:
- a. The purpose of the interview;
 - b. That the interview is voluntary;
 - c. That the person may decline to be interviewed and will not be punished or suffer retaliation for doing so; and
 - d. That the person may choose to be interviewed only with the person's attorney present.
2. WSP officers shall provide the oral explanation and consent form in a language understood by the person or by using an approved language service if the person is unable to read the form or if the form is not available in a language the person

understands. The WSP shall maintain copies of the consent form in English, Spanish, and any other language that the WSP deems appropriate.

3. If a person chooses to be interviewed with their attorney present, WSP officers shall promptly contact the attorney. WSP officers shall not proceed with permitting any interview to take place prior to the person's first court appearance and counsel has been retained, appointed, or the person has chosen to proceed pro se.

Applies to: All WSP Employees
See Also: --

1.04.080 EQUAL TREATMENT FOR PERSONS HELD, DETAINED, OR IN CUSTODY

I. POLICY

- A. Persons held, detained, or otherwise in the custody of the WSP are entitled to, and shall be provided, the same services, benefits, privileges, rights, opportunities, and resources regardless of their nationality, or immigration or citizenship status.
- B. WSP personnel shall not deny or otherwise limit any person held, detained, or otherwise in WSP custody such services, benefits, privileges, rights, opportunities, or resources based on any civil immigration warrant, hold request, immigration detainer request, notification request, administrative subpoena or similar request by a person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, or indication of the person's nationality, immigration or citizenship status.
- C. WSP officers shall not transfer custody of any person held, detained, or otherwise in the custody of the WSP to any person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, without court order or judicial warrant. If presented with such an order by a person engaged, or intending to engage, in immigration enforcement, including by a federal immigration authority, to take custody of a person in WSP custody, WSP officers shall immediately contact a district commander or designee to determine an appropriate course of action.
 1. Before authorizing any transfer of custody, the district commander or designee shall confirm that the court order is issued and signed by a U.S. District Court Judge or Magistrate Judge and authorizes the holding or detention of the individual by:
 - a. Obtaining a copy of the court order;
 - b. Confirming that a U.S. District Court Judge or Magistrate signed the court order;
 - c. Confirming that the court order identifies the individual for whom the transfer of custody is sought by name; and
 - d. Verifying that the court order has a valid date or is not otherwise expired or previously executed.
 2. WSP personnel shall not disclose the location of the individual to any person engaged in, or intending to engage in, immigration enforcement, including federal immigration authorities, before or during the process of confirming the court order.

- D. The WSP shall not deny or otherwise limit any person's social visitation solely on the basis of the person's inability to effectively communicate through video-visitiation technology. The WSP shall not collect immigration or citizenship status information of persons visiting an individual in WSP custody and shall minimize collection of visitors' personal information to the extent necessary to perform duties of the WSP. WSP personnel shall not disclose or otherwise share visitors' personal information with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, absent a court order or judicial warrant for the information or approval by a district commander or designee.

Applies to: All WSP Employees
See Also: --

1.04.090 CONTRACTS INVOLVING IMMIGRATION ENFORCEMENT

I. POLICY

- A. WSP personnel shall not enter into any contract, agreement, or other arrangement, whether written or oral, that would grant federal immigration enforcement authority or powers to the WSP, including but not limited to, agreements created under 8 U.S.C. Sec. 1357(g), also known as 287(g) agreements under the Immigration and Naturalization Act.
- B. All WSP agreements to assist or participate in any joint operations, task forces, or other multi-jurisdictional activities shall include legally binding assurances that all other parties to those agreements shall not use or share WSP resources, including any individuals' personal information ascertained by the WSP or its personnel, with any third parties or to support or engage in immigration enforcement activities.
- C. The WSP shall not be a party to any agreement, joint operation, task force, or other multi-jurisdictional activity with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without legally binding assurances, in writing and pre-approved by the office of the Chief or designee, that no WSP resources, including any individuals' personal information ascertained by the WSP or its personnel, shall be used to support or assist with civil immigration enforcement in any way.
- D. WSP officers shall not assist or participate in any joint operations, task forces, or other activities that support or constitute immigration enforcement actions with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, without prior approval, in writing, from the office of the Chief or designee.
- E. The WSP shall not be a party to any immigration detention agreement, IGSA, or other arrangement with any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, providing for detention of any person by WSP officers or using WSP resources for immigration enforcement purposes.
- F. WSP personnel shall not be a party to any agreement or contract for language services, including translation, interpretation, training or classes, from any person engaged, or intending to engage, in immigration enforcement, including federal immigration authorities, nor shall any language services be accepted by the WSP personnel from any person engaged, or intending to engage, in immigration enforcement, including a federal immigration authority, for free or otherwise. WSP personnel shall presume federal immigration authorities are engaged in immigration enforcement.

- G. All WSP agreements permitting access to WSP databases or information shall include legally binding assurances that all other parties to those agreements shall not use or share WSP information or database access with any third parties supporting or engaged in immigration enforcement activities.

Applies to: All WSP Employees
See Also: 8 U.S.C. Sec. 1357(g)

1.04.100 U AND T VISA CERTIFICATIONS

I. POLICY

- A. The WSP shall forward U and T Visa certification requests under the Washington Safety and Access for Immigrant Victims Act, RCW 7.98.020, without delay to the Investigative Services Bureau (ISB) Assistant Chief.
1. The fact of any request for U or T Visa certification and any personal information submitted with such request shall not be disclosed or shared outside of the WSP, WSP legal counsel, or the county prosecuting attorney without a court order or judicial warrant, or approval by the ISB Assistant Chief unless expressly authorized, in writing, by the subject of the request or the subject's guardian, or as otherwise required by law.
 2. The ISB Assistant Chief shall review any U or T Visa certification request submitted to the WSP in full and verify all information submitted in support of the certification request using existing WSP records, personal knowledge, or other available evidence. The ISB Assistant Chief may confer with WSP legal counsel and/or the county prosecuting attorney to determine whether certification by the WSP is proper.
 3. WSP officers shall not leverage U or T Visa certifications as a means to compel any victim or witness to cooperate with their investigations.
- B. The ISB Assistant Chief shall process U and T Visa certification requests within 90 days of receipt by the WSP, except under circumstances requiring a shorter timeframe.
1. Any U or T Visa certification request for a person in federal removal proceedings shall be immediately processed by the ISB Assistant Chief such that the certification, if approved, is executed within 14 days of the WSP receiving the request.
 2. U or T Visa certifications shall be expedited upon request for any person who will, or whose child(ren) will, reach age 21 before the 90-day processing deadline date and thus will otherwise lose their benefits. In any such instance, the ISB Assistant Chief shall execute the certification, if approved, no later than 14 days before the person or child turns 21 years old.
- C. All WSP officers shall complete required training on U and T Visa certifications and review the full instructions for completing U and T Visa certification forms on the Washington State Department of Commerce, Safety and Access for Immigrant Victims Program website.

Applies to: All WSP Employees
See Also: RCW 7.98.020