



Abilene Police Department Operating Procedures

Subject: <i>Consular Notification</i>	Issued: 10/19/2011	TBP: 10.22	Number: D-27
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Consular Notification Process (TBP 10.22)

A diplomat is an officer of a foreign government assigned to an embassy in Washington, D.C.

A foreign national is any person who is not a U.S. citizen.

International law requires domestic law enforcement authorities of the U.S. extend certain extraordinary privileges and immunities to members of foreign diplomatic missions and consular posts. Most of these privileges and immunities are not absolute. A supervisor should be contacted immediately when a subject claims any level of diplomatic immunity.

Whenever a foreign national is arrested or in the U.S., there are legal requirements to ensure that the foreign national's government can offer him/her appropriate consular assistance.

In all cases, the foreign national must be told of his/her right to consular notification and access. In most cases, the foreign national then has the option to decide whether to have consular representatives notified of the arrest or detention. In some cases the consular must be notified of an arrest regardless of the foreign national's wishes. Documentation of consular notification must be done in an arrest or case report. If no arrest or case report is made than it must be documented in the comments section of an officer's mobile data computer.

Whenever a foreign national is taken into custody, the arresting officer should determine whether consular notification is at the option of the foreign national or if it is mandatory. A list of all embassies and consulates in the U.S. along with telephone numbers can be found on the U.S. Department of State's website.