

Proposed Courtroom Policy

- a. General policy**
 - i.** State court judges have inherent authority to regulate the conduct of individuals within the courtroom and in the entire courthouse, including its outlying premises, to ensure the administration of justice.
 - ii.** Judges shall exercise that authority by making clear any civil arrests, including immigration arrests, are prohibited within the courthouse.
- b. Non-public areas**
 - i.** Immigration officials shall not be permitted entry to any non-public area of a courthouse absent a judicial warrant.
- c. Security**
 - i.** Upon entry to a courthouse, all non-Philadelphia Police law enforcement officers shall be instructed to check in with the Philadelphia Sheriff's Office, provide identification, identify whether they are armed, and state the purpose of their visit.
 - ii.** The Sheriff's Office shall keep a log of all non-Philadelphia Police law enforcement officers requesting courthouse access and whether they were granted access to any part of the courthouse.
- d. Managing courthouse access**
 - i.** The presiding judge of each Court shall contact the local ICE field office regarding courthouse enforcement, and reach an agreement on how ICE can minimize disruption of the courts.
 - ii.** The Sheriff's Office shall prevent ICE agents from entering courthouse grounds unless such an agreement has first been reached.
- e. Transparency**
 - i.** The court staff shall keep records of any immigration enforcement action on courthouse grounds, including the date, identity of the immigration enforcement officers (if known), identity of the individual arrested (if known), and location of the arrest, and report this information quarterly to the Supreme Court. The Supreme Court shall post this information publicly on its website.
 - ii.** All courthouse policies related to immigration enforcement shall be posted publicly in the courthouse in English and the five most commonly spoken languages in Philadelphia.
- f. Prohibition on assisting with immigration enforcement**
 - i.** Court personnel shall be prohibited from assisting, or using any court resources to assist, immigration officials conducting enforcement actions on courthouse grounds.
 - ii.** Court personnel shall be prohibited from sharing any non-public information, including providing access to courthouse records or databases, with immigration officials about individuals having business before the courts.
- g. Prohibition on collection of personal information**
 - i.** Court personnel shall be expressly prohibited from inquiring into the immigration or citizenship status of any person having business before the courts, unless required by law.

Family and Juvenile Courts Policy *[to be provided]*

All juvenile court hearings are generally closed to the public; however, some exceptions exist. We recognize that the policy proposals for these forums must be carefully tailored to meet the special rules in place and will be providing those to you soon.

Generally, if civil immigration arrests are permitted to occur in juvenile and family courts, it will undermine the goals of Pennsylvania's juvenile court system. With strong juvenile and family courthouse policies, all of Pennsylvania's children can access the courts without fear it will lead to their or their parents' deportation. In the context of juvenile courts (including both dependency and delinquency systems), a strong courthouse policy is especially important to ensure that the longstanding public policy of confidentiality of juvenile proceedings is honored. Confidentiality serves the overarching rehabilitative goal of Pennsylvania's juvenile court system, by protecting children in the delinquency system from the stigma of criminality often attached to adult penal proceedings, and children in the dependency system from the embarrassment, emotional trauma, and additional stress that can attach to victims of maltreatment.