



ORONO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

Protect with Vigilance & Serve with Compassion and Excellence

Subject:	Consular Notification	Policy #	0-30
Effective Date:	June 3, 2025	Review Cycle:	2 Years
Distribution:	All Sworn Personnel	# of pages:	3
MLEAP:	10.21		
	<i>Rescinds All Previous Policies Related to This Current Policy</i>		
Issuing Authority:	Chief of Police Daniel Merrill		

I. POLICY:

The Orono Police Department shall honor all international obligations to make or allow consular notification.

II. PURPOSE:

To articulate the Orono Police Department's responsibility, and the rights of foreign nationals in our custody, to consular notification.

III. DISCUSSION:

The purpose of the Consular Notification and Access Program (CNA) is to afford arrested or detained foreign nationals the opportunity to have their respective consular office notified of their arrest or detention. This program also pertains to death notifications for foreign nationals who die while in the United States. It has been established to ensure all federal, state, and local agencies comply with established conventions to which the United States is a signatory and assists in U.S. citizens receiving the same treatment abroad.

IV. NOTIFICATION PROCEDURE

MLEAP 10.21

- A. When foreign nationals are arrested or detained, they must be advised of the right to have their consular officials notified.
- B. In some cases, the nearest consular officials must be notified of the arrest or detention of a foreign national regardless of the nation's wishes; in other cases, the choice of notification is left to the foreign national. The correct procedure is dependent on the country from which the foreign national claims citizenship.
- C. When a government official becomes aware of the death of a foreign national, consular officials must be notified.
- D. When a foreign national is arrested or detained, the officer should:

1. determine the citizenship of the foreign national and whether that country is on the Mandatory Notification list, contained at the following link.

<https://travel.state.gov/content/travel/en/consularnotification.html>
 - a) If the foreign national's country is on the Mandatory Notification list, the officer shall inform the foreign national that notification to the consulate is being made.
 - b) If the foreign national's country is not on the Mandatory Notification list, the officer must offer to notify the consulate.
 2. Refer to the CNA link for suggested statements to make to either foreign nationals from mandatory-notification countries or optional-notification countries.
 3. If notification is to be made, use one of the Orono Police Departments' letterheads and obtain the FAX number to the nearest consular office for the foreign national's country from the CNA link.
 - a) FAX the notification to the consular office and note in the arrest report that notification was made, to which consular office, and the telephone and FAX number to that office (from the CNA link).
 - 1) Place a copy of the FAXed notification form in the case file.
- E. The CNA link, contains numerous foreign language translations of the two notification statements (optional or mandatory notification), as well as a list of mandatory-notification countries, a FAX form example, and a listing of all consular offices with addresses and contact numbers.

ARRESTING A NON-U.S. CITIZEN

Consular Notification Process



Q. Are you a U.S. citizen?

A. "YES, I am a U.S. citizen."

(No further action required.)



"NO, I am not a U.S. citizen."



IN ALL CASES:

- Do not inform consulate about detainee's refugee or asylum status.
- Detainee may communicate with consular officer and may request consular access at any time (whether previously declined or not).

Consular officers may have access to detainee

- regardless of whether detainee requests it. Even if detainee does not want to be visited, consular officers may still have one face-to-face visit.

Q. Are you a national of one of these countries?

Albania	Costa Rica	Kazakhstan	Russia	Tunisia
Algeria	Cyprus	Kiribati	St. Kitts and Nevis	Turkmenistan
Antigua and Barbuda	Czech Republic	Kuwait	St. Lucia	Tuvalu
Armenia	Dominica	Kyrgyzstan	St. Vincent and the Grenadines	Ukraine
Azerbaijan	Fiji	Malaysia	Seychelles	United Kingdom ³
Bahamas	Gambia	Malta	Sierra Leone	Uzbekistan
Barbados	Georgia	Mauritius	Singapore	Zambia
Belarus	Ghana	Moldova	Slovakia	Zimbabwe
Belize	Grenada	Nigeria	Tajikistan	
Brunei	Guyana	Philippines	Tanzania	
Bulgaria	Hungary	Poland ²	Tonga	
China ¹	Jamaica	Romania	Trinidad and Tobago	

1. Includes Hong Kong and Macao. Does not include Republic of China (Taiwan).

2. Mandatory only for non-permanent residents in the United States (i.e., those not holding a "green card"); for green card holders, notification is upon request.

3. UK includes Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands. Residents' passports bear the name of their territory and may also bear the name "United Kingdom." Whether or not the passport bears the name "United Kingdom," consular services for these persons are provided by UK consulates.

A. "YES."

Step 1. Inform detainee that he or she may communicate with consulate, and that you must notify consulate of arrest/detention.

Step 2. Notify nearest consulate **without delay**.

Step 3. Make record of notification in case file. Where fax or email sent, keep fax confirmation or sent email.

Step 4. Allow consular officers access to detainee if they subsequently request access.

(No further action required.)



"NO."

Inform detainee, **without delay**, that he or she may have consulate notified of arrest/detention.



Consular Notification & Access (CNA)

U.S. Department of State

CA/P

SA-17, 12th Floor

Washington, DC 20522-1712

P: 202-485-7703

consnot@state.gov

Q. Do you want your consulate notified of your arrest/detention?

A. "YES."

Step 1. Make note in case file.

Step 2. Notify nearest consulate **without delay**.

Step 3. Make record of notification in case file. Where fax or email sent, keep fax confirmation or sent email.

Step 4. Allow consular officers access to detainee if they subsequently request access.

(No further action required.)



"NO."

Step 1. Make note in case file.

Step 2. Do **NOT** inform the consulate.

(No further action required.)



For more information visit: travel.state.gov/CNA