

Responding to Immigration Enforcement Requests to Access Nonpublic Areas on Campus and/or Student or Employee Records

January 2025

Processing Requests to Access Property or Documents

- CSU must comply with federal and state laws to protect private student and employee records.
- Whenever CSU receives a request to access nonpublic areas of the campus or to access private student or employee records, it must ensure the requestor has appropriate legal authority. This includes verifying the legality of immigration enforcement documentation.

Immigrant Worker Protection Act

- If an immigration enforcement agent seeks to enter a nonpublic area of the employer, CSU employees cannot provide voluntary consent to permit entry.
- CSU must verify that the immigration enforcement official has legal authority to enter nonpublic areas of university. Entry requires a judicial warrant or declaration of exigent circumstances.
- The IWPA does not apply to emergency situations.

University Designee

- Every university must designate official(s) responsible for verifying the validity of immigration enforcement documents.
- University should post contact information for the official(s) and alert students and employees.
- CSU employees who receive an immigration enforcement document should contact the University Designee.
- UPD and University Counsel are available to assist.

Immigration Enforcement Documents

Understanding the Different Access Rights

- ICE Administrative Warrants for Arrest or Removal
- Federal Court Warrant/ Judicial Warrant
- Administrative Subpoena
- Judicial Subpoena
- Court Order
- Notice to Appear

Access to Nonpublic Areas of Campus

- Unless there are exigent circumstances, a valid **judicial warrant** must be presented to grant a right of access to nonpublic areas of the university
- If the federal immigration officer declares that exigent circumstances exist and demands immediate access, comply with the officer's orders and immediately alert UPD

Nonpublic Areas of the University

- Absent exigent circumstances, a federal immigration officer requires a judicial warrant to enter Nonpublic Areas of the university.
- **Nonpublic Areas** of the university include areas not open to the general public. Access may be limited based on privacy concerns, operational needs, or safety considerations and can be physically restricted (key card, locked doors, monitored entryways) or entry could be limited to employees or registered students.

Verify Warrant Before Granting Access

- Be respectful. Inform the officer that you lack authority to act and must contact the university official designated to verify the immigration enforcement documents.
- Request and record the credentials of the immigration official
- Designated university employee, UPD or University Counsel promptly reviews warrant
- If valid, judicial warrant allows for immediate access

ICE Administrative Warrants

- Issued by federal agency (DHS/ICE) to authorize arrest or removal of person suspected of violating immigration laws.
- Not signed by a judge.
- Does not grant official right to access nonpublic areas
- Does not grant official right to search university records.
- Do not consent to access absent exigent circumstances.
- Respectfully advise officer judicial warrant is needed and contact University Counsel.

Example of an ICE
(Dept of Homeland
Security) Warrant for
Arrest

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____
Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____
(Location)

on _____ on _____, and the contents of this
(Name of Alien) (Date of Service)

notice were read to him or her in the _____ language.
(Language)

Name and Signature of Officer _____
Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

Issued by Administrative Agency

Instructions to arrest and place in custody

Signed by Administrative Officer

U.S. DEPARTMENT OF HOMELAND SECURITY

Warrant for Arrest of Alien

File No. ABC123

Date: 01/11/2025

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that John Doe is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

Signature of Administrative Official
(Signature of Authorized Immigration Officer)
Name, Authorized Immigration Officer
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

Thereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)
on _____ (Name of Alien) on _____ (Date of Service) and the contents of this
notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer Name or Number of Interpreter (if applicable)

Issued by Administrative Agency

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
WARRANT OF REMOVAL/DEPORTATION

File No: ABC123
Date: 01/21/2025

To any immigration officer of the United States Department of Homeland Security:
John Doe
(Full name of alien)

who entered the United States at Unknown Location on 12/5/2017
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
- a designated official
- the Board of Immigration Appeals
- a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

Signature of Immigration Officer
(Signature of immigration officer)
Deputy Field Office Director
(Title of immigration officer)
01/21/2025, Location
(Date and office location)

Instructions to take into custody and remove from the US

Signed by Administrative Officer

If presented with an Administrative Warrant...

- Do not consent to access absent exigent circumstances.
- Respectfully advise officer judicial warrant is needed and contact University Counsel.

Judicial Warrant/Federal Court Warrant

Search and Seizure or Arrest Warrants

- If valid, permits access to nonpublic areas of the university and/or search of university records
- Issued and signed by federal district or magistrate judge
- Specifies area to be entered to search and/or arrest individual

Requested action

AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
Central District of California

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*
John Doe, 725 Campus Drive, Apt. B, Los Angeles,
California

Case No. 25abc123ABC

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Central District of California
(Identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(Identify the person or describe the property to be seized):*

The entire premises of John Doe located at 725 Campus Drive, Apt. B, Los Angeles, California, which is located on the campus of California State University.

Items to be searched:
1) Aliens who are not lawfully entitled to reside within the United States.
2) Counterfeit, altered or imposter documents possessed and/or used by the aliens who are not lawfully entitled to reside within the United States

YOU ARE COMMANDED to execute this warrant on or before January 30, 2025 *(not to exceed 14 days)*
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Name of Federal Judge
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)*
 for days *(not to exceed 30)* until, the facts justifying, the later specific date of

Date and time issued: 01/23/2025 12:00 am

City and state: Los Angeles, CA

MUST BE SIGNED!!!
Judge's signature

Name of Federal Judge
Printed name and title

Federal Court

Case Number

Must be signed by a judge

Requested action



AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT
for the
Central District of California

United States of America
v.
John Doe
Defendant

Case No. 25abc123ABC

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) John Doe
who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:
(Checked offense above is described)

Date: 01/21/2025
City and state: Los Angeles, California

Signature or District Court or Magistrate Judge
Issuing officer's signature
Name, Federal District Court Judge
Printed name and title

Return

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
at *(city and state)* _____.

Date: _____
Arresting officer's signature

Printed name and title

Federal Court

Case Number

Must be signed by a judge

If presented with a Valid Judicial Warrant...

- Promptly grant access
- Contact UPD

If Warrant Is Not Valid...

- If there are no exigent circumstances and the immigration enforcement officer does not have a valid judicial warrant, do not consent to entry and respectfully advise the officer a judicial warrant is needed.
- If the officer enters the premises without consent, do not attempt to physically impede the officer. Contact UPD and document the interaction.

Verify Subpoenas before Accepting Service

- Subpoenas can be issued by an administrative agency or through a judicial proceeding
- Subpoenas do not require immediate action—the document identifies a response date
- Advise the immigration official of the need to verify and be respectful
- Document the credentials of the immigration official
- Contact the designated university employee

Verify Subpoenas cont.

- University should follow existing process to accept and receive subpoenas
- Designated university official should contact University Counsel if assistance is needed to verify subpoena
- If valid, university should respond to subpoena in regular course and provide necessary notifications unless prohibited


Reviewing Subpoenas


- Confirm all fields are filled in (subpoena for records must include detailed description of records to be produced).
- Confirm subpoena is signed by appropriate person.
- Student records subpoena may require CSU to provide FERPA notice.
- Subpoena for personal or employment records must include notice to the person whose records are being sought unless law enforcement subpoena states that notice should not be provided.
- Consult University Counsel.

Administrative Subpoenas

- Administrative subpoenas request the production of documents or other evidence and can be issued by an immigration enforcement agency.
- Subpoena contains file number, subpoena number, mailing address, regulations that apply, the request for information
- Signed by authorized administrative official

Example of an Administrative Subpoena

1. To (Name, Address, City, State, Zip Code) Custodian of Records at CSU 1357 Campus Drive, Unit B University, CA 90005		DEPARTMENT OF HOMELAND SECURITY IMMIGRATION ENFORCEMENT SUBPOENA to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4	
Subpoena Number 4682DHS-0001			
2. In Reference To John Doe Investigation <small>(Title of Proceeding)</small>		No. ABC123 <small>(File Number, if Applicable)</small>	
By the service of this subpoena upon you, YOU ARE HEREBY SUMMONED AND REQUIRED TO:			
(A) <input type="checkbox"/> APPEAR before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official named in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.			
(B) <input checked="" type="checkbox"/> PRODUCE the records (books, papers, or other documents) indicated in Block 4, to the CBP, ICE, or USCIS Official named in Block 3 at the place, date, and time specified.			
Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(B).			
3. (A) CBP, ICE or USCIS Official before whom you are required to appear Name Name of Officer Title Supervisory Detention and Deportation Officer Address 2479 Justice Way, Justice, CA 90000 Telephone Number		(B) Date 03/02/2025 (C) Time <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.	
4. Records required to be produced for inspection Documents and information sufficient to establish the Home Address, Employment Address, Country of Birth, Place of Birth, Age, Federal Bureau of Investigations Number, Emergency Contact Number, Phone Number, Driver's License Number and State, Foreign Identification Card Number and Country, or Passport Number, including but not limited to identification documents, bail or bond records.			
 If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.		5. Authorized Official Signature of Official <small>(Signature)</small> Name of Officer <small>(Printed Name)</small> Assistant Field Office Director <small>(Title)</small> 01/21/2025 <small>(Date)</small>	
DHS Form I-139 (5/09)			

1. To (Name, Address, City, State, Zip Code) Custodian of Records at CSU 1357 Campus Drive, Unit B University, CA 90005		DEPARTMENT OF HOMELAND SECURITY IMMIGRATION ENFORCEMENT SUBPOENA to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4	
Subpoena Number 4682DHS-0001			
2. In Reference To John Doe Investigation <small>(Title of Proceeding)</small>		No. ABC123 <small>(File Number, if Applicable)</small>	
By the service of this subpoena upon you, YOU ARE HEREBY SUMMONED AND REQUIRED TO:			
(A) <input type="checkbox"/> APPEAR before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official named in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.			
(B) <input checked="" type="checkbox"/> PRODUCE the records (books, papers, or other documents) indicated in Block 4, to the CBP, ICE, or USCIS Official named in Block 3 at the place, date, and time specified.			
Inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(B).			
3. (A) CBP, ICE or USCIS Official before whom you are required to appear Name Name of Officer Title Supervisory Detention and Deportation Officer Address 2479 Justice Way, Justice, CA 90000 Telephone Number		(B) Date 03/02/2025 (C) Time <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.	
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 <small>If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.</small>		5. Authorized Official Signature of Official <small>(Signature)</small> Name of Officer <small>(Printed Name)</small> Assistant Field Office Director <small>(Title)</small> 01/21/2025 <small>(Date)</small>	

Requesting Administrative Agency

Requested Items

Signed by Administrative Officer

Judicial Subpoenas

- Subpoenas request the production of documents or other evidence and can be issued as part of a federal litigation proceeding.
- Judicial subpoenas identify a federal court and may require attendance at a specific time and location and the production of prescribed records.
- Signed by authorized official—not signed by a judge.

Case Name

Subpoena for
Items Requested

Authorizing Officer

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the

United States of America
Plaintiff
v.
John Doe
Defendant

Civil Action No. 25doj123

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: Custodian of Records at California State University
(Name of person to whom this subpoena is directed)

* **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place: Department of Justice
1357 Justice Way

Date and Time: 03/02/2025

* **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: _____ Date and Time: _____

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 01/21/2025

CLERK OF COURT OR **Attorney Signature**

Signature of Clerk or Deputy Clerk *Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* John Doe, who issues or requests this subpoena, are:

Attorney Name and Contact Information

Notice to the person who issues or requests this subpoena
If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Federal Court

Case Number

Court Order

If an immigration enforcement officer arrives with a court order, the designated campus official shall review the order with University Counsel.

Notice to Appear

- Issued by ICE, CBP, or USCIS to commence formal removal proceedings against an individual before an immigration court.
- Notice may be sent by mail.
- Contains allegations about individual's immigration status.
- Notifies individual to appear on specific date/time.
- Does not authorize arrest.
- Individual in receipt of Notice to Appear should consult with immigration legal counsel. See [Legal Support Services](#).

Notice to Appear

U.S. Department of Homeland Security	Notice to Appear
In removal proceedings under section 240 of the Immigration and Nationality Act	
	File No: <u>DHS123</u>
In the Matter of:	
Respondent: <u>John Doe</u> currently residing at:	
<u>1357 University Way, University, CA 90005</u>	<u></u>
<small>(Number, street, city, state and ZIP code)</small>	<small>(Area code and phone number)</small>
<input type="checkbox"/> 1. You are an arriving alien. <input checked="" type="checkbox"/> 2. You are an alien present in the United States who has not been admitted or paroled. <input type="checkbox"/> 3. You have been admitted to the United States, but are deportable for the reasons stated below:	
The Department of Homeland Security alleges that you:	
1) You are not a citizen or national of the United States 2) You entered the United States at an unknown location on or about 12/01/2017 3) You did not then possess or present a valid immigrant visa, reentry permit, border crossing identification card, or other valid entry document 4) You were not then admitted or paroled after by an immigration officer.	
On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:	
Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations. Section 212(a)(6)(A)(i) of the Act, as an alien present in the United States without being admitted or paroled, or who has arrived in the United States at any time or place other than as designated by the Attorney General.	
<input checked="" type="checkbox"/> This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution.	
<input type="checkbox"/> Section 235(b)(1) order was vacated pursuant to : <input type="checkbox"/> 8 CFR 208.30(f)(2) <input type="checkbox"/> 8 CFR 235.3(b)(5)(iv)	
YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:	
<u>12432 Justice Way, Justice, California 90005</u>	
<small>(Complete Address of Immigration Court, including Room Number, if any)</small>	
on <u>05/10/2025</u>	at <u>8:30 a.m.</u>
<small>(Date)</small>	<small>(Time)</small>
to show why you should not be removed from the United States based on the charge(s) set forth above.	
	Signature of Officer
	<u></u>
	<small>(Signature and Title of Issuing Officer)</small>
Date: <u></u>	Justice, California
	<small>(City and State)</small>
See reverse for important information	
<small>Form I-862 (Rev. 08/01/07)</small>	

Respondent



U.S. Department of Homeland Security Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act File No: DHS123

In the Matter of:

Respondent: John Doe currently residing at:
1357 University Way, University, CA 90005
(Number, street, city, state and ZIP code) (Area code and phone number)

1. You are an arriving alien.
 2. You are an alien present in the United States who has not been admitted or paroled.
 3. You have been admitted to the United States, but are deportable for the reasons stated below:

The Department of Homeland Security alleges that you:

- 1) You are not a citizen or national of the United States
- 2) You entered the United States at an unknown location on or about 12/01/2017
- 3) You did not then possess or present a valid immigrant visa, reentry permit, border crossing identification card, or other valid entry document
- 4) You were not then admitted or paroled after by an immigration officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations.
Section 212(a)(6)(A)(i) of the Act, as an alien present in the United States without being admitted or paroled, or who has arrived in the United States at any time or place other than as designated by the Attorney General.

This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution.
 Section 235(b)(1) order was vacated pursuant to: 8 CFR 208.30(f)(2) 8 CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at: _____
12432 Justice Way, Justice, California 90005
(Complete Address of Immigration Court, including Room Number, if any)

on 05/10/2025 at 8:30 a.m. to show why you should not be removed from the United States based on the charge(s) set forth above.
(Date) (Time)

Signature of Officer _____
(Signature and Title of Issuing Officer)

Date: _____
Justice, California _____
(City and State)

See reverse for important information

Form I-862 (Rev. 08/01/07)

Instructions to Respondent



Authorizing Officer



Resources

- [Resources for Undocumented Students](#).
 - Includes: [Resources, Guides and FAQs](#).
 - California Attorney General Guidance to Universities in Responding to Immigration Issues. See [Sections 2 and 3](#).
 - [FAQ for CSU Employees](#) About Federal Immigration Enforcement Actions on University Property
- [University Counsel](#)