

# Rights of Immigrant Youth and Families

## Quick Reference Guide for Educators



### Responding to ICE on Campus:

- Notify the designated LEA administrator of the request.
- Advise the immigration officer that, before proceeding with the request, and absent exigent circumstances, **you must first receive direction from the LEA administrator.**
- Ask to see, and make a copy of or note, the officer's credentials (name and badge number), and the phone number of their supervisor.
- Ask the officer for their reason for being on school grounds; ask the officer to produce any documentation that authorizes school access.
- Make a copy of all documents provided by the officer.
- If the officer declares that exigent circumstances exist and demands immediate access to the school, comply and immediately alert the LEA administrator.
- If the officer does not declare that exigent circumstances exist, wait for direction from LEA administrators.

### Understanding Documentation from ICE (no exigent circumstances):

- ICE Administrative warrant or a subpoena for production of documents or other evidence, **inform** the officer that you cannot consent to any request without first consulting with your LEA legal counsel or designated administrator.
- **Federal judicial warrant**, (search and seizure warrant or arrest warrant), prompt compliance with such a warrant is usually legally required. If feasible, consult with your legal counsel or designated LEA administrator before providing access to the person or materials specified in the warrant.

### Consent to access when:

- The officer states they have exigent circumstances; or
- The officer has a federal judicial warrant (alert your administrator before complying)

**NOTE:** School staff should **NEVER** physically impede an officer, even if they appear to lack authorization to enter. If an officer enters the premises without consent, document their actions while on campus, but do not impede access.

**Disclaimer:** Consult with your District's lawyer for specific guidance

Additional information on the reverse side →

# Quick Reference Guide for Educators



## Responding to Information Request:

Requests for information related to a student's or family's immigration or citizenship status that is NOT supported by a judicial warrant or court order:

- **Notify your designated LEA administrator** about the information request.
- **Provide students and families with appropriate notice** and a description of the immigration officer's request AND **obtain permission.**

## Responding to Court Orders, Subpoenas or Warrants:

- **Notify the parents or guardians** if you receive a court order, subpoena, or warrant requesting information regarding a student or family member, unless: (1) the warrant or subpoena concerns an investigation of child abuse, child neglect, or child dependency, or (2) the subpoena prohibits disclosure.

## JUDICIAL WARRANT SIGNED BY A JUDGE

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011  
(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable 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 United States Magistrate Judge \_\_\_\_\_  
(name)

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  for \_\_\_\_\_ days (not to exceed 30).

Until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 4-25-2011  
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

Edmund F. Brennan  
Judge's Signature

EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE  
Printed name and title

AO-93 (Rev. 12/05) Search and Seizure Warrant

UNITED STATES DISTRICT COURT  
for the  
Eastern 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)

Case No. \_\_\_\_\_

540 Oak Avenue  
Davis, California 95616

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer 211-SW-0161 EFB

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 EASTERN District of CALIFORNIA  
(Identify the person or describe the property to be searched and give its location).  
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be searched)  
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011  
(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable 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 United States Magistrate Judge \_\_\_\_\_  
(name)

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  for \_\_\_\_\_ days (not to exceed 30).

Until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 4-25-2011  
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Judge's Signature

EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE  
Printed name and title

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

File No. \_\_\_\_\_  
Date: \_\_\_\_\_

To: Any immigration officer authorized pursuant to sections 234 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

statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate, by themselves or in addition to other reliable information, that the subject is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest the subject 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 \_\_\_\_\_ (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)

## ICE WARRANT SIGNED BY A ICE OFFICER

\_\_\_\_\_  
(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 \_\_\_\_\_ (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)

Certificate of Service

I hereby 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)

**Disclaimer:** Consult with your District's lawyer for specific guidance