

Colby-Sawyer College (CSC) Policy & Protocol: Interaction with Federal Law Enforcement

Purpose

This policy establishes a clear, lawful, and consistent framework for Campus Safety personnel when interacting with federal law enforcement agents (e.g., ICE, DHS, DEA, FBI) who request access to Colby-Sawyer College property, including non-public or restricted areas. The policy ensures compliance with applicable law, institutional values, and College standards while protecting the rights and responsibilities of students, faculty, staff, and visitors.

Guiding Principles

- Lawful compliance: CSC complies with valid, lawful orders while safeguarding individual rights.
- Least-disruptive approach: Interactions should minimize disruption to the academic mission.
- Institutional neutrality: Campus Safety does not act as an agent of federal enforcement absent a lawful mandate.
- Consistency & documentation: All interactions follow standardized procedures and are documented.
- Transparency & privacy: Information is shared only as legally required.

Scope

This policy applies to all CSC Campus Safety personnel and governs interactions with federal law enforcement agents requesting:

- Access to campus buildings, grounds, or non-public areas;
- Assistance locating or questioning individuals;
- Access to records or surveillance;
- Service or execution of warrants, subpoenas, or court orders.

This policy does not limit cooperation during exigent circumstances involving imminent risk to life or serious bodily harm.

Definitions

- Public Areas: Areas generally open to the public (e.g., sidewalks, publicly accessible lobbies during normal hours).
- Non-Public Areas: Residence halls, offices, classrooms during instruction, restricted facilities, card-access spaces.
- Judicial Warrant: A warrant signed by a judge or magistrate establishing probable cause.
- Administrative Warrant: A warrant issued by an agency (e.g., ICE Form I-200/I-205) not signed by a judge.

- Exigent Circumstances: Situations requiring immediate action to prevent imminent danger, escape, or destruction of evidence.

Policy Statement

1. CSC requires a valid judicial warrant or court order before granting federal agents access to non-public areas, unless exigent circumstances exist.
2. Administrative warrants alone do not authorize access to non-public areas.
3. Campus Safety personnel shall not consent to searches or access beyond what is legally required.
4. Campus Safety personnel shall not assist in immigration enforcement activities absent a lawful mandate.
5. All requests are escalated per protocol and documented.

Legal Basis: New Hampshire statutes governing arrest and search authority (RSA 594; RSA 595-A), and applicable federal constitutional standards (U.S. Const. amend. IV).

Protocols

A. Initial Contact & Verification

1. Remain professional and calm; do not impede lawful duties.
2. Request identification and agency affiliation; record names, badge numbers, and contact information.
3. Clarify purpose of the visit and the specific request (access, records, service of process).
4. Determine area type (public vs. non-public).

B. Requests for Access to Public Areas

- Agents may access public areas without Campus Safety assistance.
- Campus Safety does not provide escorts, directions to individuals, or investigative assistance unless legally required.

C. Requests for Access to Non-Public Areas

1. Request documentation:
 - Judicial warrant or court order (preferred and required);
 - If only an administrative warrant is presented, deny access to non-public areas.
2. Do not consent to access or searches.
3. Pause and escalate to the on-call administrator (see Section F).
4. Allow time for review of documents by college leadership or legal counsel when feasible.
5. Upon verification that the document presented is a valid judicial warrant, a Department of Campus Safety Officer will escort the federal agent and facilitate access solely to the location specified in the warrant. No Colby-Sawyer College personnel will assist with or participate in the execution of the search.

D. Service of Warrants or Court Orders

- Judicial warrants/court orders: Verify scope, location, and named individuals; comply only within scope.
- Administrative warrants/subpoenas: Accept service if appropriate; do not provide access to non-public areas without judicial authorization.

E. Exigent Circumstances

- If agents assert exigency, do not obstruct.
- Request agents to state the exigent basis.
- Immediately notify the on-call administrator.
- Document thoroughly post-incident.

F. Notification & Escalation

Upon any request beyond routine presence:

- Notify Director of Campus Safety (or designee), who will notify the;
- Associate Dean of Students and Director of Emergency Management who will notify the;
- Vice President for Student Development & Dean of Students who will notify the;
- President or designee who will notify;
- College Counsel (if deemed appropriate);

G. Records, Information, and Surveillance Requests

- Do not release student or employee records without appropriate legal process and FERPA/HR review.
- Direct requests to College Counsel and the appropriate records custodian.
- Surveillance footage requests require legal review and documented authorization.

H. Interaction with Community Members

- Campus Safety does not question individuals on behalf of federal agents.
- Do not detain individuals for federal purposes absent lawful authority.
- Refer community members to Student Development or Human Resources as appropriate.

I. Documentation

Campus Safety shall complete an Incident Report including:

- Date/time/location;
- Agent identities and agencies;
- Documentation presented;
- Areas requested/accessed;
- Actions taken and notifications made;

- Any exigent claims;
- Outcome.

Training & Review

- Periodic training for Campus Safety on this policy, legal distinctions, and scenario-based practice.
- Training shall include a New Hampshire statutory overview, including RSA 594 (Arrest), RSA 595-A (Search Warrants), and CSC FERPA training on myHR at:
<https://testcolbysawyer.sharepoint.com/:b:/r/sites/myHR/HR%20Documents/FERPA%20Training%20HR%2008052025.pdf?csf=1&web=1&e=codvJ4>
- Policy reviewed annually by Campus Safety and/or Emergency Management.

Compliance & Non-Retaliation

- Personnel acting in good faith under this policy are supported by the College.
- No retaliation for refusing access absent lawful authority.