



PRESENTS

POLICY HIGHLIGHTS

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Recent ICE Policy Memo Authorizing Agents to Forcibly Enter Private Residences Using Only Administrative Warrants

Over the past couple of days, various news outlets have reported on a leaked internal Immigration and Customs Enforcement (ICE) document, revealing a policy that authorizes agents to forcibly enter private residences using only administrative warrants. This marks a significant shift from long-standing guidance stemming from Supreme Court decisions that ensured Fourth Amendment protections requiring a judge-issued warrant for home entry.

As ICE activity increased significantly with the start of the second Trump administration, Connecticut school boards were required to update their districts' school safety policies to add protocols for school staff interacting with federal immigration authorities who appear in person at a district school or otherwise contact a district school to request information.

These protocols need to be included in each school's Security and Safety Plan and are based upon applicable law and the Connecticut State Department of Education's "Guidance to K-12 Public Schools Pertaining to Immigration Activities," or any subsequent applicable guidance. Importantly, and related to this current news story, immigration officials are required to present a judicial warrant when visiting a school. This guidance includes, at a minimum:

- The designation of at least one administrator at each school to serve as the individual responsible for interacting with the federal immigration authority, and that such administrator, or any other school employee, may:
 - a. Request and record a federal immigration authority's identification, including the name, badge or identification number, telephone number, and business card of such immigration authority;
 - b. Ask such federal immigration authority if he/she/they are in possession of a judicial warrant to support the request and, if so, **to produce such judicial warrant**;
 - c. Review any warrant or other materials that the federal immigration authority produces to determine who issued such warrant and what the "warrant or other material authorizes the federal immigration authority to do, and
 - d. Consult with legal counsel for the Board, or guidance developed by such legal counsel, on how to interact with the federal immigration authority with regards to the nature of the request, whether the warrant is produced, the details of any such warrant, whether such warrant is a judicial warrant or an administrative warrant, whether the federal immigration authority is claiming exigent circumstances, and any other consideration identified by the Board's legal counsel, and

- Permission for other school personnel to direct such federal immigration authorities who request access to any records, information, the interior of the building, or other school personnel to communicate with the administrator. (Policy [5142](#), School Safety: Preparation, Response, and After Action, and Policy [5111.3](#), Protection of Undocumented Students)

While these protocols align with legal guidance and provide deliberate actions for schools to follow, the stories and images out of Minneapolis project a more chaotic, violent, and haphazard account of agents pulling people from their cars and forcefully seizing people from their homes. The leaked memo adds to the confusion by identifying key provisions for ICE agents on the use of administrative warrants that clearly conflict with guidance provided to districts. The provisions of this internal memo include:

- Administrative Warrant Authority: The memo states that a Form I-205 (Warrant of Removal/Deportation) is sufficient for forced entry if the individual has a final order of removal;
- Forced Entry Protocol: Officers are instructed to knock and announce their purpose first. If admittance is refused, they are authorized to use “necessary and reasonable” force to enter;
- Operational Hours: Entry is generally limited to hours between 6 a.m. and 10 p.m.;
- Legal Justification: The Department of Homeland Security (DHS) Office of the General Counsel reportedly determined that the U.S. Constitution and the Immigration and Nationality Act do not prohibit this practice, despite Supreme Court decisions and historical internal guidance to the contrary;
- Conflict with Training: The whistleblower alleges that new ICE hires are being trained in this new authority despite it contradicting standard written DHS training materials that emphasize the need for judicial warrants.

The memo is currently a central focus of congressional inquiries following the whistleblower report shared with Senator Blumenthal. While ICE asserts that individuals with “final removal orders” have already received due process, the policy is facing immediate legal challenges from civil rights groups who maintain that an administrative warrant – signed by an ICE official rather than a judge – cannot bypass constitutional protections.

What Does This Mean for Schools?

At the current time, there have been no changes to the protocols boards are required to include in their School Safety policies. Superintendents should review their School Security and Safety Plans to ensure they include protocols in line with CSDE’s guidance on immigration activities. Boards should review their policies related to school security and safety to ensure those protocols are included. Boards that include a policy related to protecting undocumented students or related policies might consider including those protocols as well.

In addition, in these volatile times and amid troubling news reports, it’s important to seek legal advice before considering any changes to protocols involving ICE. It’s never advisable to act on a policy change because of news reports. CABA stands by to provide guidance and necessary updates and will continue to monitor events as they unfold.