CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 120.5

INTERACTIONS WITH FEDERAL IMMIGRATION ENFORCEMENT AGENTS AT CALIFORNIA HIGHWAY PATROL FACILITIES

1. PURPOSE. The purpose of this General Order (GO) is to:

   a. Establish policy and procedures related to requests, interactions, and attempts to access California Highway Patrol (CHP) facilities and workplaces by federal immigration enforcement agents.

      (1) This includes identifying public and nonpublic areas; responding to requests for access to CHP facilities and workspaces; responding to immigration warrants and subpoenas; processing requests for employee and/or other personal information; documenting interactions; and making timely notifications.

   b. Establish procedures for CHP response to calls for service to assist other state agencies when federal immigration enforcement agents are present.

   NOTE: This policy is intended to guide employee interactions with federal immigration enforcement agents at CHP facilities. Refer to Highway Patrol Manual (HPM) 100.67, Law Enforcement Assistance and Interjurisdictional Operations, Chapter 8, Foreign Nationals: Arrest, Detention, U/T Visa Certifications, and Consular Notification in the Event of Death or Injury; for departmental policy on immigration enforcement.

2. DEFINITIONS.

   a. Federal Immigration Enforcement Agent. A federal officer or agent acting on behalf of a federal immigration enforcement authority.

   b. Public Area. An area that is not restricted and that members of the public are normally free to access.

   c. Nonpublic Area. An area that is not open to the public or that requires authorization, escort, or credentialed access.

   d. Administrative Immigration Warrant. An immigration-related administrative document that, by itself, does not authorize entry into nonpublic areas of a California state workplace. (Refer to Annex A.)

e. Judicial Warrant. A warrant issued or signed by a judge. (Refer to Annex H.)

f. Designated Representative. Departmental personnel designated by the CHP to respond to requests, interactions, and/or attempts to access CHP facilities by federal immigration enforcement authorities.

(1) For the purposes of this policy, a uniformed CHP supervisor or manager shall act as the designated representative.

3. POLICY. The CHP shall respond to all interactions with federal immigration enforcement agents in a consistent and professional manner in compliance with California law.

a. All employees shall immediately notify a designated representative anytime a federal immigration enforcement agent:

(1) Requests access to a CHP facility.

(2) Presents a judicial warrant, subpoena, court order, administrative warrant, or other legal document.

(3) Requests CHP records or information.

(4) Requests information regarding a CHP employee, visitor, vendor, or other individual; or

(5) Is observed attempting to enter a nonpublic area at a CHP command.

b. Federal immigration enforcement agents may access any areas that are open to the public.

c. The CHP personnel shall not voluntarily grant access to nonpublic areas or voluntarily disclose information unless required by law or otherwise authorized through appropriate legal process.

d. The CHP personnel shall not physically interfere with lawfully present federal immigration enforcement agents; provide false information; destroy or conceal records; conceal an individual; or otherwise obstruct lawful enforcement activity.

4. ROLES AND RESPONSIBILITIES.

a. All California Highway Patrol Personnel.

(1) Remain calm and professional when contacted by a federal immigration enforcement agent.

(2) Request and document the agent's name, agency, badge number or business card, and stated purpose.

(3) Request and preserve a copy or photograph of any warrant, subpoena, court order, administrative warrant, or other legal document presented.

(4) Immediately notify a designated representative within the command.

(5) Do not voluntarily grant entry into nonpublic areas or disclose information.

(6) Do not independently interpret legal documents or determine whether compliance is legally required.

(7) Document the interaction and provide the information to a designated representative. For the purposes of this policy, a designated representative shall be responsible for gathering all relevant information and documenting the event in a memorandum. (Refer to Annex L.)

b. Designated Representative (Sworn California Highway Patrol Supervisor or Manager).

(1) Make immediate notification to the commander.

(a) Commanders shall make immediate notification to an appropriate Division Assistant Chief and/or Chief. Division Assistant Chiefs and/or Chiefs shall be prepared to provide guidance to the on-scene designated representative.

(b) The Division Assistant Chief and/or Chief may contact the Office of Legal Affairs (OLA) for additional guidance, as needed.

(2) Coordinate the Department's response and serve as the point of contact with federal immigration enforcement agents.

(3) Ensure any documentation provided is preserved.

(4) Review all judicial warrants to determine validity and to establish what access or action the warrant authorizes. (Refer to paragraph 5.h.)

(5) Ensure personnel do not provide access, records, information, or logistical assistance beyond what is legally required.

(6) Coordinate with an appropriate CHP manager, property manager, and/or facility manager when a determination of public versus nonpublic space is required.

c. Office of Legal Affairs.

(1) Provide legal guidance when requested by a Division Assistant Chief and/or Chief. This may include information related to the timing, manner, and limits of any access or disclosure.

(2) Review subpoenas, court orders, and other documents to determine legal sufficiency, as needed.

(3) Coordinate any additional legal response deemed appropriate.

5. PROCEDURES.

a. Initial Contact. When a federal immigration enforcement agent arrives at a CHP facility, CHP personnel shall:

(1) Remain professional and avoid confrontation.

(2) Ask for the agent's name, agency, badge number or business card, purpose of the visit, and any document the agent claims authorize the requested action.

(3) Immediately notify a designated representative.

(4) Record the date and time of the interaction.

(5) Note any important information. This may include the number of officers present, purpose asserted, access and/or people sought, documents presented, communications, actions taken, and final disposition. This information shall be provided to the designated representative for incorporation into the required memorandum documenting the event. (Refer to Annex L.)

b. Access to Public Areas. Federal immigration enforcement agents may access areas that are open to the public.

(1) The CHP personnel shall not physically interfere with agents who are lawfully present in public areas.

(2) If federal immigration enforcement agents seek access beyond a public area, personnel shall follow the policy provided in paragraph 5.c.

(3) Federal immigration enforcement agents may attempt to speak with visitors and/or employees in public areas. The CHP personnel shall not interfere with such communications when the agents are lawfully present in a public area.

(a) An individual approached may generally choose whether to answer questions. The CHP personnel shall not direct, encourage, or facilitate an individual's response, unless required by law.

c. Requests for Access to Nonpublic Areas. The CHP shall not voluntarily grant federal immigration enforcement agents access to nonpublic CHP areas. Any request to access nonpublic areas shall immediately be referred to a designated representative for review.

(1) If no warrant or other legal document is provided, a designated representative shall advise the requesting agent that they are not authorized to grant access to nonpublic premises without appropriate legal authority.

(2) If documentation is presented, a designated representative shall review the documentation provided to determine validity and scope.

(a) No access shall be provided in or through a nonpublic area until reviewed by a designated representative, unless otherwise required by law.

(3) If a designated representative determines a valid judicial warrant authorizes access, CHP personnel shall comply only to the extent legally required.

(4) Federal immigration enforcement agents shall be supervised and escorted in nonpublic CHP spaces, when practicable.

d. Identification of Nonpublic Areas and Signage. Commands shall identify areas of their facilities that are not open to the public or that require authorization, escort, or credentialed access or where members of the public or outside personnel may reasonably attempt to enter.

(1) Where appropriate, commands shall post signage clearly designating such areas as:

(a) "NONPUBLIC AREA;"

(b) "RESTRICTED AREA;" or

(c) "AUTHORIZED PERSONNEL ONLY."

(2) In CHP controlled facilities and spaces, the command shall identify nonpublic areas and ensure personnel are familiar with those areas.

(3) In Department of General Services (DGS) managed facilities, common area determinations may be made by DGS.

(4) In leased facilities, common area determinations may be made by the building owner, designated property manager, or the Department.

(5) Commands shall periodically review signage to ensure public and nonpublic areas are clearly understood by CHP personnel and are appropriately identified.

e. Unauthorized Entry into Nonpublic Areas. If federal immigration enforcement agents enter a nonpublic area without permission, CHP personnel **shall not** physically interfere.

(1) The CHP personnel shall immediately notify a designated representative and document the incident.

(a) Documentation shall include, when applicable:

1 The identity of the agents, if known.

2 The number of agents involved.

3 The areas entered or searched.

4 Records or property seized, if known.

5 The duration of the agents' presence.

6 All communications and actions taken by CHP personnel and the federal immigration enforcement agents.

7 Any documents or other information provided.

f. Employee, Visitor, Vendor, and Other Person Information. The CHP personnel shall not voluntarily provide information concerning the location, workstation, presence, immigration status, or other personal information of an individual unless disclosure is required by law or authorized through appropriate legal process.

(1) Departmental personnel shall not:

(a) Confirm that a particular individual is present.

(b) Call or summon an individual to a location for federal immigration enforcement agents.

(c) Provide information concerning where an individual works.

(d) Provide interpretation or translation for the purpose of facilitating immigration enforcement.

(e) Provide logistical support that would facilitate immigration enforcement unless required by law.

(2) If the individual named in a warrant is not present at the CHP facility, CHP personnel shall not voluntarily disclose where the individual works or summon the individual to the location of the federal immigration enforcement agents.

g. Employee Records and Notices of Inspection. The CHP personnel shall not voluntarily provide employee records to federal immigration enforcement agents unless disclosure is required by law or authorized through appropriate legal process.

(1) The CHP personnel shall immediately notify a designated representative upon receipt of any records request by federal immigration enforcement agents.

(2) Requests for employee records shall immediately be referred to OLA at OfficeOfLegalAffairs@chp.ca.gov.

(3) Requests involving Department of Homeland Security Form I-9, Employment Eligibility Verification (I-9), or other employment records made pursuant to a federal notice of inspection shall be referred to Human Resources Section. (Refer to Annex G.)

(4) Nothing in this policy shall prohibit a disclosure that is specifically required by federal law or a lawful I-9 Audit or notice of inspection.

h. Judicial Arrest Warrant. When federal immigration enforcement agents present a judicial arrest warrant for an employee, vendor, vendor's employee, or other named individual, a designated representative shall review the warrant to determine its validity and scope. The designated representative shall make immediate notification to their commander. The commander shall make immediate notification to a Division Assistant Chief and/or Chief. (Refer to Annex I.)

(1) A valid judicial arrest warrant authorizes federal immigration enforcement agents to enter a property for the purpose of arresting the person named in the warrant, subject to the terms and limitations of the warrant.

(2) Unless otherwise included in the warrant, an arrest warrant does not authorize a general search of the property.

(3) If the individual named in the warrant is not present at the CHP facility, CHP personnel shall not be required to disclose where the individual works or call or summon the individual to the location.

i. Judicial Search Warrants. When federal immigration enforcement agents present a judicial search warrant, a designated representative shall review the warrant and determine the scope of the search authorized. The designated representative shall make immediate notification to their commander. The commander shall make immediate notification to a Division Assistant Chief and/or Chief. (Refer to Annex H.)

(1) If valid, the search shall be limited to the persons, places, records, or property specifically described in the warrant.

(2) The CHP personnel shall not independently expand the scope of a search beyond the authority provided by the warrant.

j. Application and Scope of Warrants. The scope of any search or access shall be limited to the areas, persons, records, or property specifically described in the warrant.

(1) When the wording, scope, or application of a warrant is unclear, CHP personnel shall immediately consult a designated representative.

k. Administrative Immigration Warrants. An administrative immigration warrant does not, by itself, authorize federal immigration enforcement agents to enter nonpublic areas of a CHP facility. (Refer to Annex A.)

(1) The CHP personnel shall not grant access to nonpublic areas based solely upon an administrative immigration warrant.

l. Subpoenas. A subpoena does not, by itself, authorize federal immigration enforcement agents to enter CHP facilities and search for requested records. Any subpoenas served shall be routed to OLA at OfficeOfLegalAffairs@chp.ca.gov for review and guidance. (Refer to Annex B.)

(1) Subpoenas generally establish a date by which records are to be produced.

(2) The CHP personnel shall not provide access to records or permit an on-site search pursuant to a subpoena without review by OLA.

m. General Information Requests. Requests for information from federal immigration enforcement agents shall be referred to a designated representative.

(1) Non-designated CHP personnel shall not independently determine whether requested information may be released.

(2) When disclosure is authorized or legally required, CHP personnel shall disclose only information specifically required and shall take reasonable steps to protect confidential or sensitive information.

n. Public Records Act Requests. Requests made under the California Public Records Act shall be referred to the Public Records Section (PRS).

(1) The CHP personnel outside of PRS shall not determine whether requested records are subject to disclosure or whether an exemption applies.

o. Federal or State Program Requests. Requests for data arising from participation in federal or state programs shall be referred to PRS.

(1) Any authorized disclosure shall be limited to the information required and shall comply with applicable privacy and data-security requirements.

p. Employee Conduct Concerning Unauthorized Access or Disclosure. The CHP personnel are prohibited from intentionally permitting federal immigration enforcement agents access to nonpublic areas or intentionally reporting the immigration status or location of another individual.

(1) Nothing in this paragraph authorizes CHP personnel to conceal individuals, destroy or alter records, provide false information, harass or physically interfere with federal immigration enforcement agents, or otherwise obstruct lawful enforcement activity.

q. Continuity of Services. To the extent practicable, CHP personnel shall continue providing Department services without disruption during interactions with federal immigration enforcement agents.

(1) If the presence of federal immigration enforcement agents causes a delay, denial, or condition on access to services, programs, or benefits, CHP personnel shall note the impact and provide the information to a designated representative.

6. DOCUMENTATION AND RETENTION. Each interaction involving a request for access, information, records, or other action by federal immigration enforcement agents shall be documented on a departmental memorandum. (Refer to Annex L.) A copy of

the memorandum shall be forwarded through channels to OLA. The memorandum, and any associated documentation, shall be maintained at the reporting command for three years.

a. Documentation shall include, when applicable:

(1) The date and time of the interaction.

(2) The names, identification, badge numbers, and agency affiliation of the federal immigration enforcement agents.

(3) The purpose of the visit or the information request.

(4) The areas the agents sought to access.

(5) The documents presented including, but not limited to, warrants, subpoenas, court orders, or administrative documents.

(6) Whether a warrant or court order was signed by a judge, when applicable.

(7) A photograph or copy of documents presented.

(8) Communications with supervisors, designated representatives, and legal counsel.

(9) Actions taken by CHP personnel and federal immigration enforcement agents.

(10) Any records or property seized, if applicable.

(11) The ultimate resolution or disposition of the interaction.

b. Copies or photographs of documents presented shall be maintained in a location accessible to designated CHP management and legal counsel, consistent with Department records-retention and information-security requirements.

7. DESIGNATED REPRESENTATIVES. The Department shall designate personnel to evaluate and respond to requests, interactions, and attempts to access CHP facilities by federal immigration enforcement agents.

a. All designated representatives shall be familiar with:

(1) This policy.

(2) The distinction between public and nonpublic areas.

(3) The distinction between administrative and judicial legal processes.

(4) The limitations applicable to access to nonpublic areas.

(5) The limitations applicable to disclosure of records and information.

8. RESPONSE TO STATE FACILITIES. An officer of this Department shall respond to calls for service to state facilities when requested to assist with federal immigration enforcement agents. The responding officer shall maintain a consistent and professional demeanor. A responding officer shall refer all procedural inquiries to the designated representative of the facility. In the event a legal document is presented to an officer of this Department, they shall advise the facility representative to consult their own legal counsel to confirm its validity and scope. Officers of this Department shall not search or provide an escort for federal immigration enforcement agents in other state facilities. The procedures outlined in paragraph 5. of this GO are to be utilized as a guideline to assist state agencies who request CHP assistance. The Federal Immigration Agents at State Facilities Checklist can be provided as a resource to state agencies. (Refer to Annex K.)

a. Body-Worn Camera. An officer of this Department shall activate their Body-Worn Camera as soon as practical when called to respond to federal immigration enforcement agents in state facilities. This interaction is a mandatory activation and departmental policy as related in Management Memorandum 25-014, Body-Worn Camera, shall be followed.

b. Documentation. At the conclusion of an interaction with federal immigration enforcement agents, dispatch is to be notified, and a CHP 415, Daily Field Record, entry is required. (Refer to ATS 415 User Guide.)

9. COMPUTER AIDED DISPATCH ENTRIES. In the event CHP personnel are called to a state facility for interactions with federal immigration enforcement agents, Public Safety Dispatchers/Public Safety Operators shall add, at a minimum, the caller's first and last name, telephone number, location (address), type code, reporting party type, federal agency information, warrant information and any actions taken by the Department into designated fields in the Emergency Call Taking Window (ECT). All information entered into an ECT shall be complete and accurate, utilizing proper codes, and standard abbreviations as documented in HPM 60.5, Communications Training and Evaluation Program Manual, Chapter 4, Training and Evaluation, Annex G.

10. TRAINING. Commands shall ensure all CHP personnel are familiar with this policy, the location of public and nonpublic areas within their assigned facilities, and the process for notifying a designated representative.

a. Designated representatives responsible for responding to immigration-related requests shall receive sufficient training to understand:

(1) Public and nonpublic areas.

(2) Administrative versus judicial warrants.

(3) Judicial arrest warrants.

(4) Judicial search warrants.

(5) Subpoenas.

(6) Requests for employee records.

(7) Requests for personal information.

(8) Department procedures for documenting and responding to federal immigration enforcement activity.

11. PROHIBITED CONDUCT.

a. Nothing in this policy authorizes CHP personnel to:

(1) Provide false information to federal immigration enforcement agents.

(2) Destroy, alter, or conceal records.

(3) Conceal an individual from federal immigration enforcement agents.

(4) Harass, threaten, or physically interfere with federal immigration enforcement agents.

(5) Voluntarily consent to access nonpublic areas when legal review is required.

(6) Provide information concerning an individual's immigration status or location when disclosure is not legally required.

(7) Call or summon an individual for federal immigration enforcement agents when not legally required.

(8) Make legal judgments concerning the validity or scope of legal process outside the employee's assigned authority.

OFFICE OF THE COMMISSIONER ANNEXES A-M

OPI: 029

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ANNEX A

EXAMPLE IMMIGRATION AND CUSTOMS ENFORCEMENT ADMINISTRATIVE WARRANT (FORM I-205) *(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)*

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

File No: _____

Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____
(Full name of alien)

who entered the United States at _____ on _____
(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:

SAMPLE

_____
(Signature of immigration officer)

_____
(Title of immigration officer)

_____
(Date and office location)

ICE Form I-205 (8/07) Page 1 of 2

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ANNEX B

EXAMPLE IMMIGRATION ENFORCEMENT SUBPOENA (FORM I-138)
(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)

1. To (Name, Address, City, State, Zip Code)	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	
2. In Reference To (Title of Proceeding) (File Number, if Applicable)	

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **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) ☒ **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 Title Address Telephone Number	(B) Date (C) Time ☒ a.m. ☐ p.m.
4. Records required to be produced for inspection	

If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.

5. Authorized Official

(Signature)

(Printed Name)

(Title)

(Date)

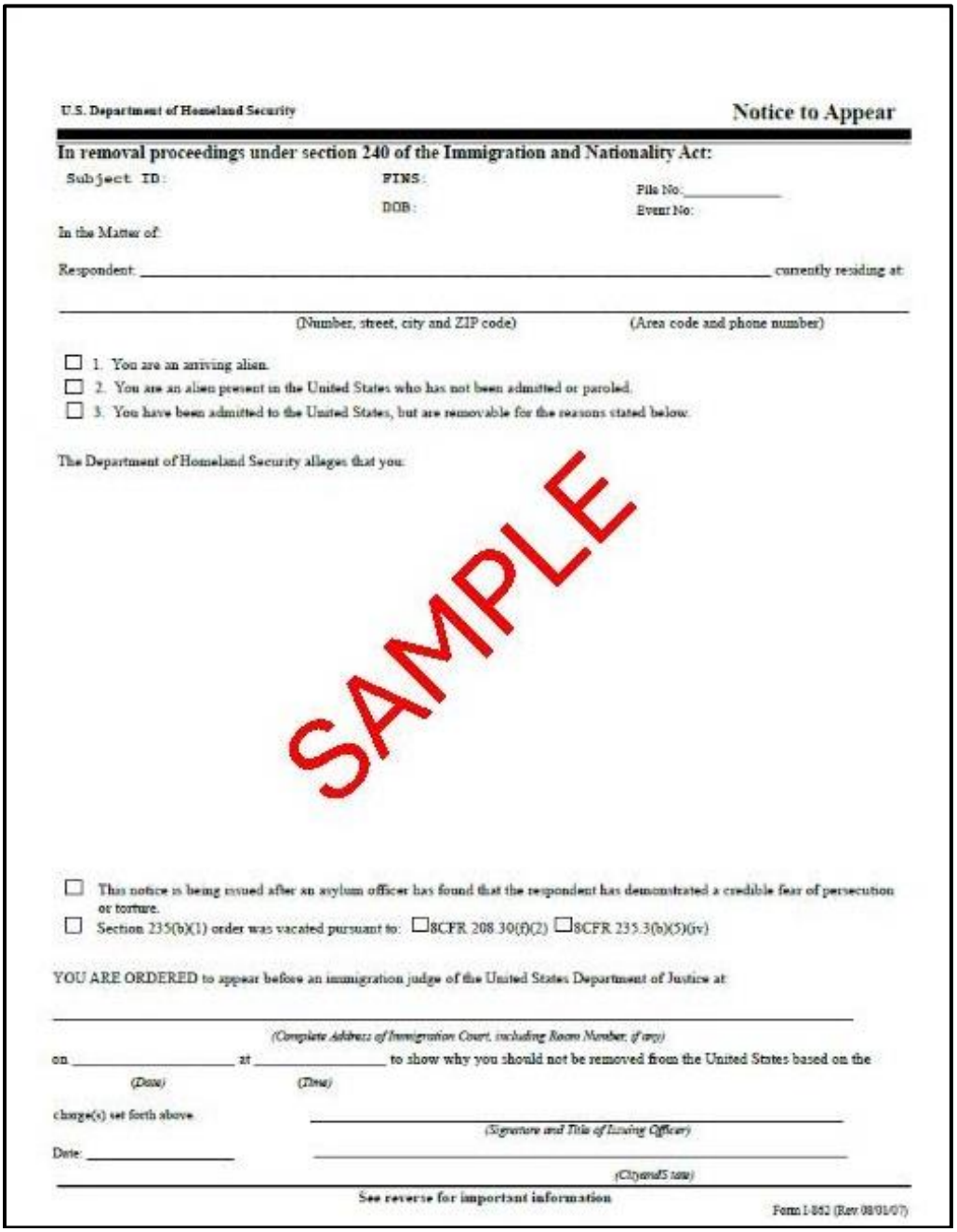
DHS Form I-138 (6/09)

SAMPLE

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ANNEX C

EXAMPLE NOTICE TO APPEAR (FORM I-862)
(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)



U.S. Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: FINS:

File No:

DOB: Event No:

In the Matter of:

Respondent: _____ currently residing at:

_____

(Number, street, city 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 removable for the reasons stated below.

The Department of Homeland Security alleges that you:

SAMPLE

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

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

_____

(Complete Address of Immigration Court, including Room Number, if any)

on _____ at _____ to show why you should not be removed from the United States based on the

(Date) *(Time)*

charge(s) set forth above.

_____

(Signature and Title of Issuing Officer)

Date: _____

_____

(City and State)

See reverse for important information

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

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ANNEX D

EXAMPLE FEDERAL ARREST WARRANT (FORM AO 442)
(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

United States of America
v.

) Case No.

Defendant

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) _____,
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:

SAMPLE

Date: _____

_____
Issuing officer's signature

City and state: _____

_____
Printed name and title

Return

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

Date: _____

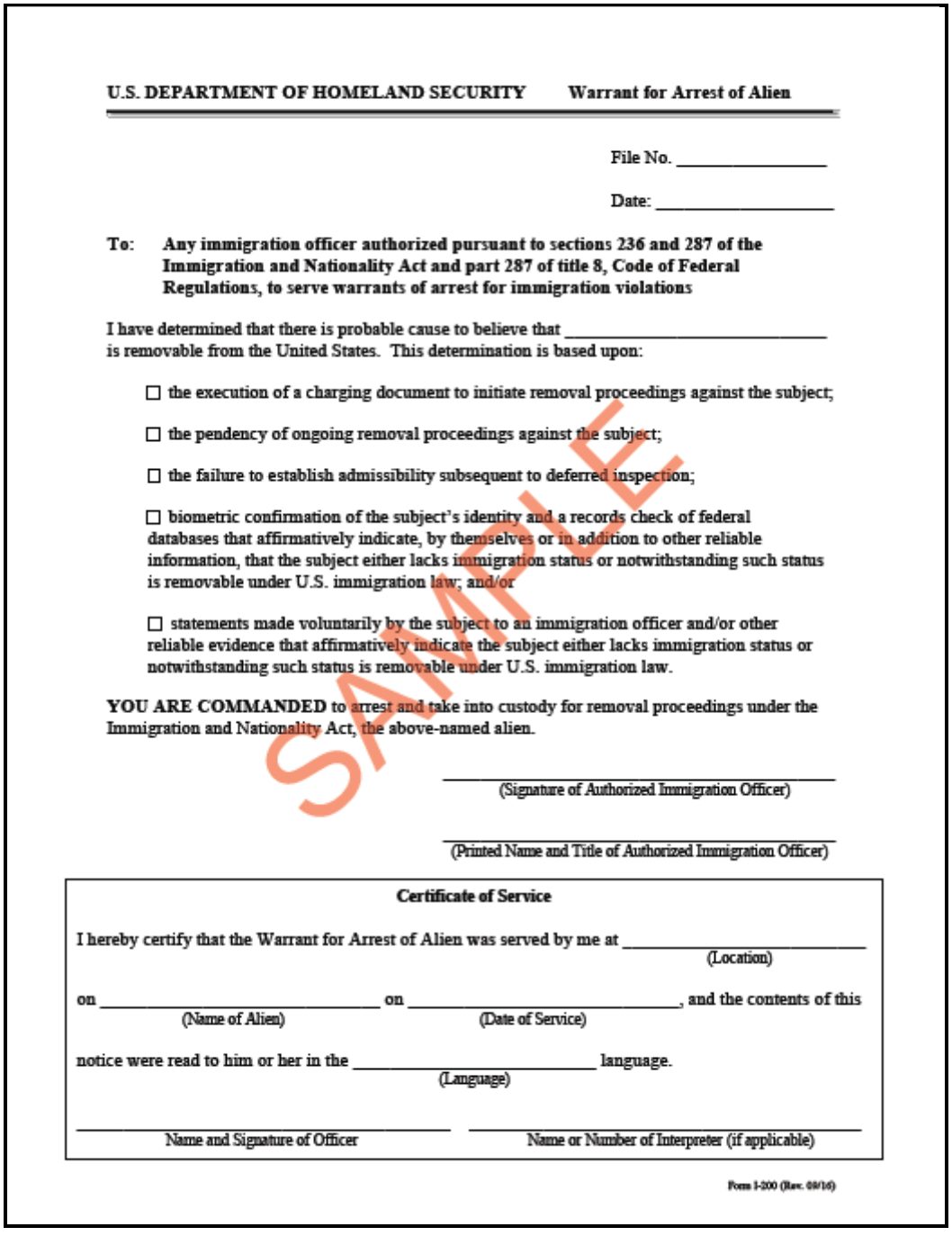
_____
Arresting officer's signature

_____
Printed name and title

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ANNEX E

EXAMPLE IMMIGRATION AND CUSTOMS ENFORCEMENT WARRANT FOR ARREST OF ALIEN (FORM I-200)
(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)



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.

SAMPLE

_____
(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)

Form I-200 (Rev. 08/16)

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ANNEX F

EXAMPLE FEDERAL JUDICIAL SUBPOENA (FORM AO 88B)
(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)

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

_____)
Plaintiff)
v.) Civil Action No.
_____)
Defendant)

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

To:

(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:	Date and Time:

' *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:

SAMPLE

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: _____

CLERK OF COURT

OR

_____ _____
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)* _____
_____ , who issues or requests this subpoena, are:

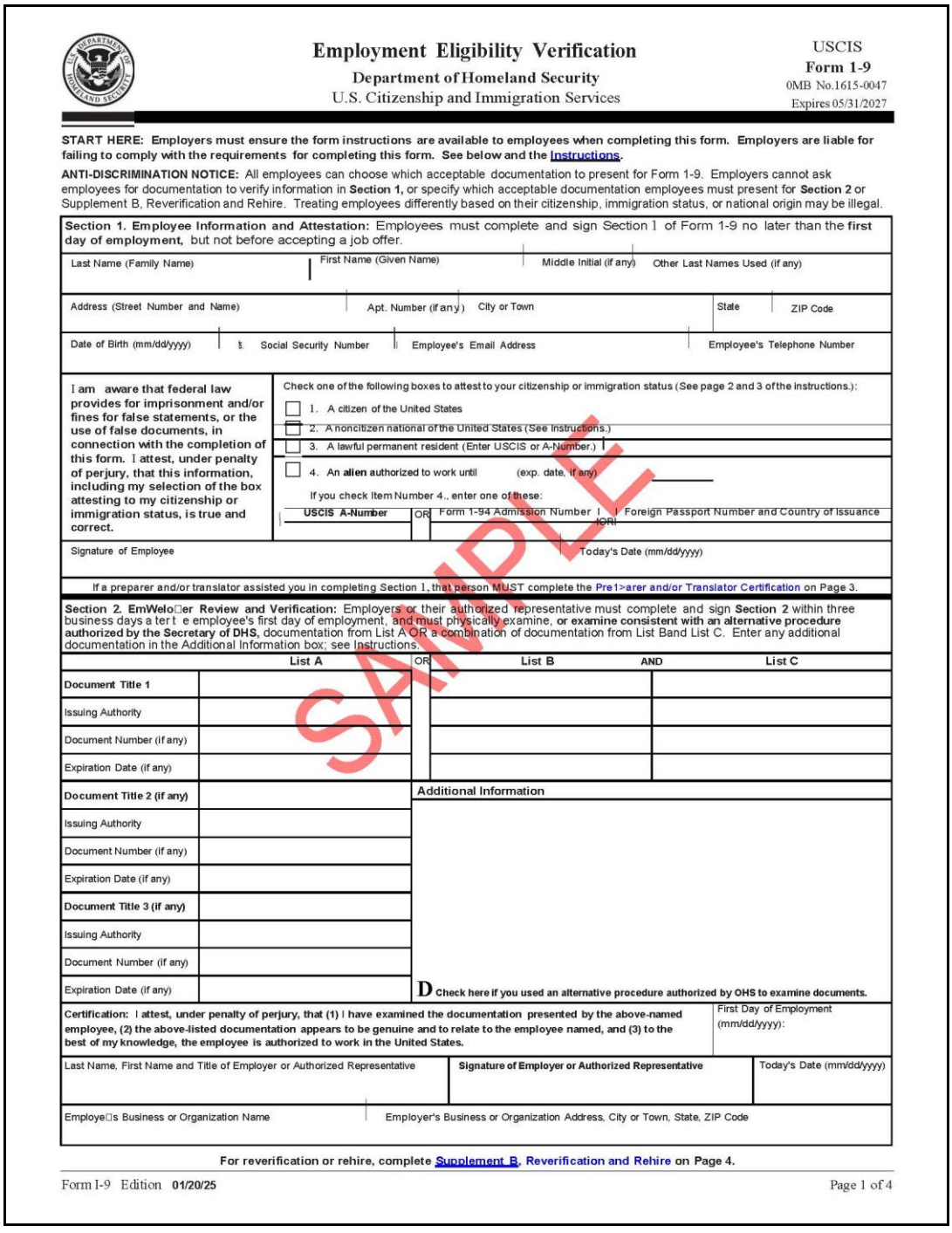
Notice to the person who issues or requests this subpoena

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).

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ANNEX G

EXAMPLE EMPLOYMENT ELIGIBILITY VERIFICATION (FORM I-9)
(DOES NOT GRANT ACCESS TO NONPUBLIC AREAS)



Employment Eligibility Verification
Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No.1615-0047
Expires 05/31/2027

START HERE: Employers must ensure the form instructions are available to employees when completing this form. Employers are liable for failing to comply with the requirements for completing this form. See below and the Instructions.

ANTI-DISCRIMINATION NOTICE: All employees can choose which acceptable documentation to present for Form 1-9. Employers cannot ask employees for documentation to verify information in **Section 1,** or specify which acceptable documentation employees must present for **Section 2** or Supplement B, Reverification and Rehire. Treating employees differently based on their citizenship, immigration status, or national origin may be illegal.

Section 1. Employee Information and Attestation: Employees must complete and sign Section 1 of Form 1-9 no later than the **first day of employment,** but not before accepting a job offer.

Last Name (Family Name) | First Name (Given Name) | Middle Initial (if any) | Other Last Names Used (if any)

Address (Street Number and Name) | Apt. Number (if any) | City or Town | State | ZIP Code

Date of Birth (mm/dd/yyyy) | Social Security Number | Employee's Email Address | Employee's Telephone Number

I am aware that federal law provides for imprisonment and/or fines for false statements, or the use of false documents, in connection with the completion of this form. I attest, under penalty of perjury, that this information, including my selection of the box attesting to my citizenship or immigration status, is true and correct.

Check one of the following boxes to attest to your citizenship or immigration status (See page 2 and 3 of the instructions.):

- ☐ 1. A citizen of the United States
- ☐ 2. A noncitizen national of the United States (See instructions.)
- ☐ 3. A lawful permanent resident (Enter USCIS or A-Number.)
- ☐ 4. An **alien** authorized to work until (exp. date, if any)

If you check Item Number 4., enter one of these:

USCIS A-Number | OR | Form I-94 Admission Number | OR | Foreign Passport Number and Country of Issuance

Signature of Employee | Today's Date (mm/dd/yyyy)

If a preparer and/or translator assisted you in completing Section 1, that person MUST complete the Preparer and/or Translator Certification on Page 3.

Section 2. Employer Review and Verification: Employers or their authorized representative must complete and sign **Section 2** within three business days after the employee's first day of employment, and must physically examine, **or examine consistent with an alternative procedure authorized by the Secretary of DHS,** documentation from List A OR a combination of documentation from List B and List C. Enter any additional documentation in the Additional Information box; see Instructions.

	List A	OR	List B	AND	List C
Document Title 1					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 2 (if any)			Additional Information		
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)					
Document Title 3 (if any)					
Issuing Authority					
Document Number (if any)					
Expiration Date (if any)			D Check here if you used an alternative procedure authorized by OHS to examine documents.		

Certification: I attest, under penalty of perjury, that (1) I have examined the documentation presented by the above-named employee, (2) the above-listed documentation appears to be genuine and to relate to the employee named, and (3) to the best of my knowledge, the employee is authorized to work in the United States.

First Day of Employment (mm/dd/yyyy):

Last Name, First Name and Title of Employer or Authorized Representative | **Signature of Employer or Authorized Representative** | Today's Date (mm/dd/yyyy)

Employer's Business or Organization Name | Employer's Business or Organization Address, City or Town, State, ZIP Code

For reverification or rehire, complete Supplement B, Reverification and Rehire on Page 4.

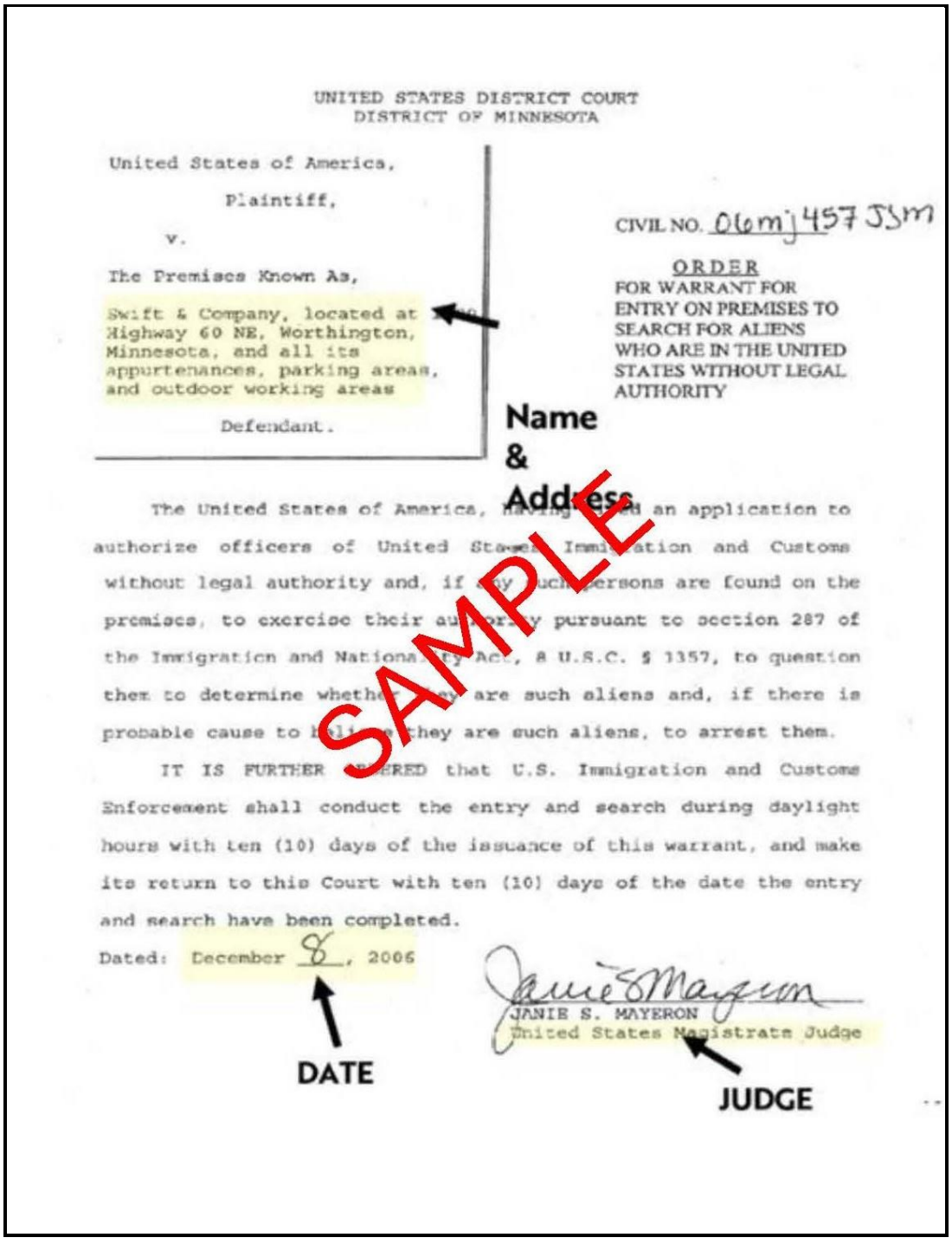
Form I-9 Edition **01/20/25** Page 1 of 4

SAMPLE

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ANNEX H

EXAMPLE JUDICIAL SEARCH WARRANT
(GRANTS ACCESS TO NONPUBLIC AREAS)



UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at [illegible] Highway 60 NE, Worthington, Minnesota, and all its appurtenances, parking areas, and outdoor working areas

Defendant.

CIVIL NO. 06mj457 JSM

ORDER FOR WARRANT FOR ENTRY ON PREMISES TO SEARCH FOR ALIENS WHO ARE IN THE UNITED STATES WITHOUT LEGAL AUTHORITY

Name & Address

SAMPLE

The United States of America, having filed an application to authorize officers of United States Immigration and Customs without legal authority and, if any such persons are found on the premises, to exercise their authority pursuant to section 287 of the Immigration and Nationality Act, 8 U.S.C. § 1357, to question them to determine whether they are such aliens and, if there is probable cause to believe they are such aliens, to arrest them.

IT IS FURTHER ORDERED that U.S. Immigration and Customs Enforcement shall conduct the entry and search during daylight hours with ten (10) days of the issuance of this warrant, and make its return to this Court with ten (10) days of the date the entry and search have been completed.

Dated: December 8, 2006

DATE

JANIE S. MAYERON
United States Magistrate Judge

JUDGE

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ANNEX I

EXAMPLE FEDERAL JUDICIAL SEARCH AND SEIZURE WARRANT (FORM AO 93) *(GRANTS ACCESS TO NONPUBLIC AREAS)*

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

UNITED STATES DISTRICT COURT

for the

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)
) Case No.

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 _____ District of _____
(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)*:

SAMPLE

YOU ARE COMMANDED to execute this warrant on or before _____ *(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 _____.
(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: _____ _____
Judge's signature

City and state: _____ _____
Printed name and title

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ANNEX J

LEGAL DOCUMENTATION ACTION TABLE
(SOURCE: CALIFORNIA ATTORNEY GENERAL)

Type of Legal Document	Issued By	Action(s) Required	Immediate Compliance Necessary?
ICE Administrative "Warrant"	Immigration enforcement officer (not always ICE)	No action required on the part of the state or local agency. The "warrant" only authorizes the officer to arrest an individual suspected of violating immigration laws.	No
Notice to Appear (NTA)	Immigration enforcement agencies (usually ICE, CBP, or USCIS)	No action required on the part of the state or local agency. The NTA only notifies an individual that they are expected to appear before an immigration judge for a formal removal proceeding.	No
Federal Court Arrest or Search Warrant	Federal judge (district court judge or magistrate judge)	A judicial search warrant authorizes a search of a specific location for evidence; a federal arrest warrant authorizes the arrest of a specific person.	Yes, but the scope of the warrant determines the extent of compliance
Administrative Subpoena	Immigration enforcement officer	No action required. Under California law, a notice to consumer may be required before any information or documents about the consumer are produced.	No
Federal Judicial Subpoena	Federal judge or magistrate	If valid, the production of records but immediately compliance is not required. Agency served with a subpoena may petition a court to squash or limit the scope of the subpoena.	No
Court Order	Judge or magistrate	A designated administrator or legal counsel should review the order and respond accordingly.	Yes
Public Records Act Request	Requestor	Before complying with the request, determine if it is in the public interest to withhold the information or if exemptions or privileges apply. If agency decides to produce a record, agency should first determine if redaction of non-disclosable information under state law or agency policy is required. Under California, a notice to consumer may be required before any information or documents about the consumer are produced.	No

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ANNEX K

FEDERAL IMMIGRATION AGENTS AT STATE FACILITIES CHECKLIST

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

FEDERAL IMMIGRATION AGENTS AT STATE FACILITIES CHECKLIST

INSTRUCTIONS: This checklist is a guide for interactions with federal immigration agents present at state facilities. It is intended to be used as a guide only. See GO 120.5 for guidance.

Enter information below for documentation purposes.			
Agency Name:	**Agency Representative:**	**Contact Number:**	
Address:	**City:**	**State:**	**Zip Code:**
Designated Representative Contacted? ☐ Yes ☐ No	**Federal Agency/Warrant Information:**		**Date:**

Requirements Regarding Public Areas

☐ Federal agents may access areas open to the public and personnel shall not physically interfere.

☐ Federal agents may speak with visitors and/or employees in public areas and personnel shall not interfere.

Requirements Regarding Nonpublic Areas

When no judicial warrant is presented, [Your Agency] staff shall:

☐ Immediately notify designated representative that an agent is onsite.

☐ Not authorize entry into nonpublic areas and inform the immigration agent that they lack authority to access. A request for voluntary consent, an administrative warrant, a Notice to Appear, or other similar documents issued by immigration authorities do not constitute judicial process.

☐ Request to copy any documents presented or notate the immigration agent's credentials.

☐ Immediately contact designated representative if the immigration agent attempts to enter a nonpublic area. Staff should not persist and should not become confrontational when met with refusal or force.

☐ Not physically interfere with or assist the immigration agent.

When presented with a judicial search or arrest warrant, [Your Agency] staff shall:

☐ Immediately notify designated personnel that an officer is onsite.

☐ Request to make a copy of the warrant and the officer's credentials, and allow a designated representative to verify that the warrant is issued by a court, bears a judicial signature, and confirm that the location the officers seek to access is a correct match to the location listed in the warrant, and communicate clearly that access is limited to the scope of the warrant.

☐ Direct the officer to wait in a public area while a designated representative verifies the validity of the warrant. If the agent refuses to wait during these steps, staff will not block or impede entry even if entry has been denied and they have verbally instructed the agent that they are not permitted to enter.

☐ Make a copy or photograph each page of the judicial warrant or court order.

☐ Comply with the warrant only to the extent required by law. Compliance shall be strictly limited to the scope of the warrant, and personnel shall not provide additional information, access, or assistance beyond what is required.

☐ Where appropriate, designated personnel may accompany officers to ensure that the execution of the warrant remains within its authorized scope.

Note: *For a judicial arrest warrant, if the person who is the subject of the warrant is not present, staff are not required to, and therefore should not, tell the agent about the person's whereabouts or call the person to the location if they are not present.*

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ANNEX L

EXAMPLE MEMORANDUM FOR INTERACTIONS WITH FEDERAL IMMIGRATION ENFORCEMENT AGENTS

State of California **Transportation Agency**

M e m o r a n d u m

Date: September 30, 2026

To: Office of Legal Affairs

Attention: Chief Counsel

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Protective Services Division

File No.: 020.10340.032.A17700

Subject: INTERACTION WITH FEDERAL IMMIGRATION ENFORCEMENT AGENTS

Summary

On September 17, 2026, at approximately 0930 hours, agents with U.S. Immigration and Customs Enforcement (ICE) contacted Officer Mark James, ID 24000, and requested access to California Highway Patrol Headquarters, located at 601 North 7th Street, Sacramento, CA 95811. The ICE agents, S. Jackson, ID 2476, S. Miller, ID 2511, and A. Franks, ID 2398, were in possession of a Federal Search and Seizure Warrant, Case Number 20260967, signed by a judge and provided it to Officer James. Officer James immediately notified me of the contact and requested I respond. After my arrival, I reviewed the warrant and observed the warrant provided the full name, Office Assistant Karen Jones, ID A14573. The warrant also requested Ms. Jones' workstation be searched. I verified the warrant's validity and scope and made notification to my Commander, Captain Alan Hanson, ID 14001, at 0935 hours. Subsequently Captain Hanson notified Protective Services Division Chief Jim Smith, ID 14551, of the contact.

Abiding by the parameters of the valid Federal Search and Seizure Warrant, I provided access to the ICE agents beyond the front desk and into the nonpublic area where they searched for Ms. Jones, as indicated in the warrant.

Conclusion

The search yielded no enforcement action by the U.S. Immigration and Customs Enforcement agents, as Ms. Jones was not on property and not located. Upon conclusion of the search, the ICE agents left the property without incident. A copy of the warrant was made and is attached to this memorandum.

Safety, Service, and Security *An Internationally Accredited Agency*

CHP 51 (Rev. 08/2013) OPI 076

ANNEX L

EXAMPLE MEMORANDUM FOR INTERACTIONS WITH FEDERAL IMMIGRATION ENFORCEMENT AGENTS

If there are any questions or if additional information is needed, please contact Sergeant Mike Johnson, at (916) 843-3250.

M. J. Johnson, Sergeant

Attachments

ANNEX M

FEDERAL IMMIGRATION AGENTS AT CHP FACILITIES CHECKLIST

California Highway Patrol
Federal Immigration Agents at CHP Facilities Checklist

General Information	
Area:	**Phone Number:**
Address:	
Federal Agency:	**Date/Time:**
Warrant Information:	

First Contact:

- ☐ Activate Body-Worn Camera and notify a designated representative.
- ☐ Direct the agent to wait in the public area. If the agent refuses to wait, and enters a nonpublic area, do not interfere.
- ☐ Request to copy any documents presented and notate the request.
- ☐ Notate the immigration agent's credentials and document all actions taken.
- ☐ Do not physically interfere with or assist the immigration agent.
- ☐ Notify agent a supervisor is in route.

Designated Representative:

- ☐ Notify Commander for Division notification.
- ☐ Respond and activate Body-Worn Camera.
- ☐ Ensure a copy of the documentation has been obtained.
- ☐ Critically review all legal documents. See chart below for reference.
- ☐ If provided legal documents are valid and access is permitted, escort agents to location within scope.
- ☐ If the individual named in the legal document is not present, CHP shall not voluntarily disclose where the individual works or summon them.
- ☐ Prepare documentation and submit a CHP 51, Memorandum. See GO 120.5.

The information below was provided by the California Attorney General's office.

Type of Legal Document	*Issued by*	*Action(s) Required*	*Immediate Compliance Necessary?*
ICE Administrative Warrrant	Immigration enforcement officer (not always ICE)	No action required on the part of the state or local agency. The "warrant" only authorizes the officer to arrest an individual suspected of violating immigration laws.	No
Notice to Appear (NTA)	Immigration enforcement agencies (usually ICE, CBP, or USCIS)	No action required on the part of the state or local agency. The NTA only notifies an individual that they are expected to appear before an immigration judge for a specific proceeding.	No
Federal Court Arrest or Search Warrant	Federal Judge (district court judge or magistrate judge)	A judicial search warrant authorizes a search of a specific location for evidence; a federal arrest warrant authorizes the arrest of a specific person.	Yes, but the scope of the warrant determines the extent of compliance.
Administrative Subpoena	Immigration enforcement officer	No action required. Under California law, a notice to consumer may be required before any information or documents about the consumer are produced.	No
Federal Judicial Subpoena	Federal judge or magistrate	If valid, the production of records does not require immediate compliance. Agency served with a subpoena may petition a court to squash or limited the scope of the subpoena.	No
Court Order	Judge or magistrate	A designated administrator or legal counsel should review the order and respond accordingly.	Yes
Public Records Act Request	Requestor	Before complying with the request, determine what is in the best public interest or if exemptions or privileges apply. If agency decides to produce a record, agency should first determine if redaction of non-disclosable information under state law or agency policy is required. Under California, a notice to consumer may be required before any information or documents about the consumer are produced.	No
Subpoena for Records/I-9 Audit Request	Requestor	No immediate action required. CHP shall not voluntarily provide employees records or employement verification unless disclosure is required by law. Designated representative shall be notified and request shall be referred to Office of Legal Affairs or HRS.	No

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