



AP 3521 Federal Immigration Authorities' Access to Public Facilities

References:

ORS 180.805

ORS 181A.820 to 181A.829

NOTE: *This procedure is **recommended as good practice** by the Oregon Attorney General. The AG encourages public bodies to implement policies based on the Attorney General's model policies. The following procedure is based on the AG's "Model Policies Regarding Immigration" Model Policy 5.*

A judicial warrant or other judicial order can authorize federal immigration authorities to access property that is not generally open to the public. In addition, law enforcement authorities generally may enter property as justified by an emergency. Otherwise, law enforcement officers rely on consent to enter property that is not generally open to the public.

Clatsop Community College does not consent to federal immigration authorities entering areas of Clatsop Community College's facilities that are not generally open to the public for purposes of enforcing federal immigration law. Employees of Clatsop Community College are not authorized to grant such consent. Consequently, employees of Clatsop Community College are not required to allow federal immigration authorities access to those areas, unless presented with a judicial warrant or other judicial order that grants access.

Any staff receiving such requests and warrants must immediately notify the Office of the President.

Many forms used by US Immigration and Customs Enforcement (ICE) or other federal immigration authorities look very official, but an ICE form is not a judicial order. A judicial order will have the following features:

- A caption, near the top of the document, identifying the court that issued the order (typically the federal district court for the District of Oregon); and
- A signature block, near the end of the document, including the name of the person who signed the order, and identifying that individual as a judge, magistrate, clerk of court, or other person signing on behalf of a judge or magistrate.

By contrast, an ICE form will identify ICE (or US Department of Homeland Security) as the issuer of the document, and the signature block on an ICE form will not identify the person who signed it as a judge or magistrate.

All such notices must be directed to the Office of the President.



**Clatsop
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College**

Employees of Clatsop Community College should not attempt to impede federal immigration authorities claiming an emergency justification for entering non-public areas of Clatsop Community College facilities.

Any such occurrence must be documented and reported to the President's Office immediately so that Clatsop Community College may consider an appropriate response.

NEW PROCEDURE 10/25

Provided by OCCA in 10/25 Legal Update

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