

Office of Investigations

U.S. Department of Homeland Security
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Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

DEC 26 2007

MEMORANDUM FOR: All Assistant Directors
All Special Agents in Charge
All Deputy Assistant Directors

FROM: Marcy M. Forman
For Director, Office of Investigations

SUBJECT: Enforcement Actions at Schools

The presence of our law enforcement agents conducting investigative activity at schools, or in venues where children's activities occur, has always been a point of particular sensitivity, especially given the public's interest in ICE's mission. Accordingly, it is important to emphasize that great care and forethought be applied before undertaking any investigative or enforcement type action at or near schools, other institutions of education, and venues generally where children and their families may be present.

Accordingly, the following policy is immediately effective.

When an enforcement action or investigative activity includes possibility of detention or questioning of subjects at the above listed sites, the first line supervisor shall generate a request memorandum seeking approval from the Special Agent in Charge. The memorandum must be reviewed and approved by the Special Agent in Charge prior to the anticipated activity and notification must be made to the appropriate Headquarters Operations Manager.

This policy does not apply to cases or investigations involving situations where no enforcement activity is contemplated, such as requesting information from school officials, retrieving records, or otherwise routine non-enforcement activity. This policy also does not apply to terrorism-related investigations, cases of public safety or other cases that can be articulated. However, when time and circumstances permit, offices are required to provide appropriate notice to Headquarters of any enforcement action at any of the above listed sensitive locations.

All employees should be cognizant of the sensitivity of engaging in arrests or other enforcement activities at areas where children are present, such as educational institutions. Exercising common sense and good judgment will prevent situations that would negatively impact our ability to protect the safety and security of the Homeland.

A formal Directive is currently being drafted. This memorandum will serve as the interim policy regarding enforcement activities at schools. Your cooperation in implementing this policy is appreciated.

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