



Middle East Studies Association

Task Force on Civil and Human Rights

The Middle East Studies Association of North America and its Task Force on Civil and Human Rights offered a series of Know Your Rights webinars in Spring 2025 addressing members' concerns about changing immigration policies and enforcement actions under the Trump administration. We received a wide range of questions that were addressed during these webinars. We wanted to address frequently asked questions (FAQs) in writing, in order to provide reminders and useful resources for our members as the new academic year begins. We have prepared the materials in this memorandum for the convenience of our members to have basic information drawn from trustworthy publicly available resources concerning the presence of immigration or law enforcement officials on campuses.

As a preliminary matter, MESA members should recognize that there are circumstances in which immigration and/or law enforcement officers may be legally authorized to enter a campus. As a result, for members who are concerned for themselves or their students about interactions with immigration officers, the following responses to the FAQs may be a helpful starting point to inform yourself about your rights and common sense precautions. MESA cannot and does not provide legal advice or resources, and nothing in this memorandum should be construed as legal advice.

MESA members are encouraged to consult with their campus administrators to better understand their institution's specific policies with respect to immigration enforcement action, as well as to identify available campus resources to protect and defend non-citizen students and scholars and to determine whether they or their students should consult an immigration attorney.

FAQs on Immigration or Law Enforcement Officers Accessing Campus

1.

How does the access of law enforcement officers, including immigration officers, differ for public and private/restricted access spaces on campus?

The right of a law enforcement officer to gain access to space on your campus will depend on the kind of space the officer seeks to enter.

All campuses (whether public or private institutions) have two kinds of spaces: "Public" spaces are those generally open to the public. "Restricted access" spaces either require proof of membership in the college or university community (e.g., university or college ID) to gain access, or are spaces where entry is otherwise restricted or monitored. Determining which spaces are restricted may require checking the specific policies of the institution.

Federal officers have a general right to access public spaces on all campuses, whether the institution is public or private, to the same extent that the space is accessible to members of the public. Accordingly, they do not require any kind of warrant to be present in public spaces on campuses.

Federal officers, by contrast, do not have access to restricted access spaces on campuses (public and private) without **the prior consent of the university or a judicial warrant**. This includes campus buildings whose doors are typically locked or where entry is tied to a university-issued ID, and hallways that are typically monitored. Private residences, including dorm rooms and residence halls, are restricted access spaces. In addition, some areas left unlocked during work hours are also considered restricted access spaces, including faculty and administrator office buildings, classroom buildings and classrooms, research laboratories, and locker rooms.

FAQs on Immigration or Law Enforcement Officers Accessing Campus

2.

What kind of a warrant does an immigration officer require to enter restricted access campus spaces?

To enter a restricted access campus space, a federal officer must have a judicial warrant.

Immigration officers may have either an administrative warrant or a judicial warrant. Administrative warrants do not authorize a federal officer to enter homes and other restricted access spaces on university campuses. Judicial warrants authorize them to enter restricted spaces without consent.

Because most of the work conducted by immigration officers is not reviewed in advance by federal judges, more often than not immigration agents have administrative warrants, not judicial warrants. Accordingly, in most cases, immigration officers will not have a warrant that authorizes entry to restricted access spaces without the university's consent.

3.

How can I tell the difference between an administrative and a judicial warrant?

A judicial warrant is issued by a court and signed by a judge. In the context of immigration enforcement, it will typically be issued by a federal judge (look for a heading like "United States District Court"). Judicial warrants authorize immigration officers to enter restricted access spaces without consent, either to conduct a search in accordance with the warrant's terms (see Exhibit 2), to arrest a designated individual or individuals (see Exhibit 3), or both.

An administrative warrant is issued by an administrative agency and therefore is not signed by a judge. Note that an "immigration judge" is an agency official, not a judge. The top of an administrative warrant will typically say "Department of Homeland Security." (See Exhibit 1). Federal officers might present an administrative warrant as authorization to enter private spaces, but it does not actually provide such authority.

4.

Are there any circumstances where an officer can enter without a warrant?

Yes. If an officer has probable cause to believe a crime is being committed and either there is (1) a flight risk, (2) a safety risk, or (3) a risk of the destruction of evidence, then they may enter without a warrant. Some immigration law violations are also crimes, so this rule would apply in such situations. However, it is unclear if this rule applies when officers are investigating immigration law violations that are not crimes.

FAQs on Immigration or Law Enforcement Officers Accessing Campus

5.

How can I tell if a person claiming to be an immigration officer is who they say they are?

You may calmly and politely ask anyone who claims to be an immigration officer to show you their official badge or ID and to tell you which agency they are with. If they show you their official ID, such as a badge or an agency ID card (from ICE, CBP or DHS), you should look carefully at the information. If you feel safe doing so, you should write down names, badge numbers and any other information contained on the ID, but do so in a polite manner and one that does not interfere with their actions.

If they do not identify themselves, you should calmly state that you suspect that they are not acting on the basis of a lawful authority and walk away. If pressured, you should refer them to your college counsel.

6.

What should I do if immigration officers show up on campus?

If you are in a restricted access space, ask to see a judicial warrant. Students can refuse entry to their residence (whether on or off campus) to any immigration enforcement officer who does not have a judicial warrant, regardless of what that officer might say. See **Exhibit 4** for a comparison of a judicial vs administrative warrant.

If the officer has a **judicial warrant**, you are required to comply with whatever the warrant authorizes.

If the officer has only an administrative warrant or no documentation, you are not required to comply. However, your college/university may have agreed to cooperate with the federal government and you should find out about any such policies. If you are approached by an immigration officer with an administrative warrant, and you are unsure about how your university's policy applies, you should refer the federal officer to the university's general counsel. It is their responsibility to determine whether the university will cooperate with the federal officer's request.

If you are aware that federal officers are entering a public space on your campus and you wish to avoid them, you may move to a private or restricted space. You should familiarize yourself with those parts of your campus that are designated private or restricted and move to the nearest such location. Remaining calm in your demeanor and movement is advisable both to avoid drawing attention to yourself and to avoid escalating any encounter.

If an officer has *already* approached you in a public space on campus and they do not show you a warrant, you can ask "Am I being detained?" and if not, you can leave without answering questions. If they detain you or threaten to do so, you may say "I do not wish to answer questions. I want to speak to a lawyer."

7.

What are my rights if an immigration officer approaches me in a public space?

If you are a U.S. citizen, unless you are driving, at an airport, or at a border, you are generally not required to show identification just because an immigration officer asks you to do so. You can politely ask: “Am I being detained? Am I free to go?” Unless you are being detained, you can walk away. If they say you are being detained, you should calmly remind the officer that you are a U.S. citizen and ask on what basis and for what reason you are being detained.

If you are **not** a U.S. citizen, you must carry your immigration documents (your green card or, if you are on a nonimmigrant visa, your passport, I-20 form and I-94 arrival/departure record) at all times. If an immigration officer asks you for such identification, you are only required to provide it if they have a lawful reason to make the request (like reasonable suspicion that you do not have valid status or a warrant).

You are not obligated to answer investigative questions about yourself or others in public spaces. You have the right to remain silent even if immigration officers claim otherwise. If you feel pressured, you can tell the officer “I don’t wish to answer any questions. I am going to leave now.” You can also refer the officer to your college/university legal counsel.

8.

What should I do if immigration officers are detaining someone on campus?

Federal law prohibits hiding evidence, concealing individuals who are the targets of law enforcement (including immigration enforcement), or interfering with an arrest. Physically interfering with an enforcement action can expose you to risk of arrest and physical harm.

There is no rule against filming/recording an immigration officer during an enforcement action as long as the person filming/recording does not interfere in the officer’s conduct. The First Amendment protects the right to record public officials performing their duties in a public or semi-public space. "Interference" can include standing too close, ignoring orders to step back or obstructing movement. Best practices when filming are to stay calm and polite, maintain a safe distance (several feet away), and, if told to move, calmly ask “where would you like me to stand so that I do not interfere?”

The time to challenge the legality of any enforcement action is not while the officer is carrying it out. If immigration officers assert authority that does not sound consistent with this guidance, you should: (1) state one’s non-consent and (2) decline to answer any questions posed. Challenges beyond an initial inquiry about a judicial warrant and a question such as, “Is this a command or a request?” are unwise, raising the possibility of one’s own arrest and even physical harm.

9.

How should I handle situations where it is unclear whether immigration officials are on campus but fears of their presence are widespread?

You should try to verify whether immigration officials are on campus if possible and take common sense precautions. You may wish to check whether your university has issued guidance on how to respond to rumors about immigration officers coming to campus, or to their anticipated presence and familiarize yourself with this policy, especially when the purpose of the visit is unclear. You may want to find out whether protections for students, such as virtual attendance for classes, are provided for in these circumstances, even if immigration officials' presence remains unverified. Your institution may also have protocols for verifying the presence of officers on campus. It is important to **refrain from sharing unverified information** so as not to cause unnecessary panic.

10.

What protections do “sanctuary campuses” provide?

Being designated a “sanctuary campus” does not change the requirements to comply with a judicial warrant. It may affect the college/university policy on complying with administrative warrants. Many “sanctuary campuses” have policies that prohibit campus police from asking about immigration status, limit cooperation with immigration officer requests to hold an individual without a judicial warrant, and limit sharing of student information with immigration officials without a subpoena or court order.

11.

Does campus security have to cooperate with immigration officers?

Federal law does not require campus security to cooperate with immigration officers seeking to enforce immigration law in the absence of a judicial warrant. However, campus security must comply with state or local law or policy regarding cooperation with federal officers. Some states and cities encourage cooperation with immigration officials and/or have laws that prohibit sanctuary policies. At public colleges and universities in Texas, for example, state law requires campus officials (including campus police) to honor immigration officer requests to detain individuals based on administrative warrants, and officers are allowed to inquire about the immigration status of detained individuals.

You should check your local laws to determine the extent to which campus security at your college/university is required to cooperate with immigration officers in the absence of a judicial warrant.

EXHIBITS

Exhibit 1

Department of Homeland Security Administrative Warrant

This type of warrant does not authorize a federal officer to enter a restricted access space on campus. Note that it states “Department of Homeland Security” at the top, and that it is signed by an immigration officer or immigration judge, and not by a federal or state judge.

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

WARRANT OF REMOVAL/DEPORTATION

This is a warrant for civil immigration violations, not a criminal. It is generally not enforceable by state law enforcement officials.

File No: _____
Date: _____

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

(Full name of officer)

who entered the United States at _____ on _____
(Place of entry)

This warrant is directed at removal, inspection officers, not state law enforcement. Federal regulations only provide authority to ICE agents to execute an immigration warrant (28 CFR 91.41).

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 → Where removal orders are issued to ICE or CBP agents without a hearing before a judge. These include suspended removal orders, administrative removal orders, and expedited removal orders.
- 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:

Although the underlying removal order may have been issued by a judge, this warrant for a removal order still lacks any finding of probable cause by a neutral magistrate, which is a minimum standard for a constitutionally sufficient warrant.

I, the undersigned officer of the United States, in virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by the law direction, **command you to take into custody and remove from the United States the above-named alien pursuant to law**, at the expense of:

This warrant directs ICE or CBP to arrest and deport the carrier without any further hearing or judicial review.

(Signature of immigration officer)

(Title of immigration officer)

(Date and office location)

Exhibit 2 Judicial Arrest Warrant

This type of warrant authorizes a federal officer to enter a restricted access space on campus. Note that it is signed by a federal or state judge, and a judicial arrest warrant notes the U.S. Court that issued it at the top.

JD-402 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT
for the

United States of America
v.

Defendant

Case No. _____

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:

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) _____
<i>(at city and state)</i> _____	
Date: _____	_____ <i>(Arresting officer's signature)</i>
	_____ <i>(Printed name and title)</i>

Exhibit 3 Judicial Search Warrant

This type of warrant authorizes a federal officer to enter a restricted access space on campus. Note that it is signed by a federal or state judge, and a judicial search warrant notes the U.S. Court that issued it at the top.

Case 1:08-mj-00410-JSS Document 1 Filed 06/09/2008 Page 1 of 8

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF IOWA

In the Matter of the Search of
Class address and telephone records of [redacted] for records
Aggravated Assault with a Dangerous Weapon in violation of
Chapter 222B, Section 2.2(1)(a) of the Iowa Code. Cooperation with complete description of premises to be searched
incorporated in Attachment 1

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT
Case Number: 08-MJ-110

I, Senior Federal Agent David Houghton, being duly sworn, depose and say that I am a Special Agent in Charge of the Federal Bureau of Investigation, and have reason to believe that on the person of or on the property or premises known as (name, description and/or location) Aggravated Assault with a Dangerous Weapon, Cooperation with complete description of premises to be searched, incorporated in Attachment 1

In the Southern District of Iowa, there is now concealed a certain person or property, described in Attachment 2

NOTE: This property is not to be used for any purpose other than that for which it was designed or intended for use or into which it has been used as the means of committing a criminal offense.

constituting a violation of Title 18 U.S.C., United States Code, Sections 1229, 1229.5, 844B, 1216, 8084A-808B.
The facts to support a finding of probable cause are as follows:
See attached Affidavit

Continued on the attached sheet and made a part hereof. Yes No

Sworn to before me and subscribed to my presence.
May 9, 2008

Judge District Court Magistrate

Not a Judge Not a Magistrate

at Cedar Rapids, IA
[Signature]

Special Agent

Exhibit 4

Comparison of Judicial vs Administrative Warrant

SAMPLE OF JUDICIAL WARRANT ICE CAN ENTER YOUR HOME

UNITED STATES DISTRICT COURT

For the _____

Case No. _____

In the Matter of the Search of _____
(check) describe the property to be searched or identify the person to whose address

A search warrant is needed to search and enter premises; and administrative warrant doesn't allow entry

SEARCH AND SEIZURE WARRANT

Check that the warrant has your correct name and address

Officers typically can only search the specified person or property described.

The search is only allowed at the stated time and date.

SAMPLE OF ADMINISTRATIVE WARRANT ICE CANNOT ENTER YOUR HOME

Immigration and Customs Enforcement Warrant of Removal/Deportation

File No. _____
Date: _____

Important: An administrative warrant allows for the arrest of the person named. NOT a search of private property. You can refuse if an officer tries to search your home with this warrant.

This warrant is valid only for the arrest of the person named.

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 district director or district director's 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: Section 241 (a) (7) of the Immigration and Nationality Act (Act), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General 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 the appropriation. "Salaries and Expenses Immigration and Customs Enforcement" including the expense of an attendant if necessary.

(Signature of ICE Official)

(Title of ICE Official)

(Date and Office Location)

It must be signed by an immigration officer to be valid

Source: Dustin Dwyer, "Everyone has rights. How to handle encounters with immigration enforcement." Michigan Public. January 29, 2025.
<https://radio.wcmu.org/local-regional-news/2025-01-29/everyone-has-rights-how-to-handle-encounters-with-immigration-enforcement>