

# *SUPERIOR COURT OF CALIFORNIA*

## COUNTY OF SAN FRANCISCO

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Brandon E. Riley  
Court Executive Officer

Date: February 4, 2025  
From: Brandon E. Riley  
Re: **Responding to Immigration Enforcement Agency request for Information and/or Immigration Enforcement Activity in Court Facilities Policy**

### I. POLICY STATEMENT

The Superior Court of California, County of San Francisco is committed to providing all members of the public, regardless of their citizenship or immigration status, equal access to its facilities, services, and programs. To that end, the Court will not provide immigration agency personnel access to:

- (1) any nonpublic areas at any of its facilities,
- (2) any sealed or confidential adjudicative records, or
- (3) judicial administrative records which are exempt from disclosure without a valid federal judicial warrant, subpoena, or federal court order.

Court employees are prohibited from assisting in immigration enforcement actions; may not authorize the entry of immigration agency personnel into the nonpublic areas of any Court facility; and must promptly refer immigration agency personnel to their immediate supervisor or manager. Immigration enforcement agents are allowed to conduct their operations in the Court's Public Areas. However, if an immigration agency officer insists on access to a non-public area, the employee should not resist but should say, "I do not consent, but because I have no other choice at this time, I will not interfere with your order" and immediately contact their supervisor about the officer's order, prepare a written statement about the encounter, and submit it to their supervisor.

As used in this policy, nonpublic areas of the Court include those secured or restricted areas designated for use by judicial officers, Court personnel, security personnel, and persons with Court authorization. Nonpublic areas of the Court include: judicial chambers, lounges, corridors behind courtrooms, jury deliberation rooms, administrative offices, staff offices, employee break rooms, conference rooms, and custody holding cells.

## II. AUTHORITY

California Values Act, Govt. Code section [7284](#) et seq.

## III. RESPONSIBILITY

All employees are responsible for complying with this policy. Managers are expected to notify their Court Operations Officers/Management of any immigration enforcement activity at their courthouse. Likewise, site COOs are expected to notify the Site or Supervising Judge of any immigration enforcement activity at their Courthouse.

## IV. DEFINITIONS

**Administrative Subpoena** - A document that requests the production of documents or other evidence, and (in the immigration enforcement context) is issued by an immigration enforcement officer. The administrative subpoena will contain the following information: file number, subpoena number, mailing address to which to mail the requested information, a list of the regulations that apply, the request for information, and the signature(s) of the agent(s).

**Administrative Warrant** - An Immigration and Customs Enforcement (ICE) administrative warrant authorizes an immigration enforcement officer to arrest a person suspected of violating immigration laws. Any authorized ICE officer can issue an administrative warrant without a showing of probable cause that the subject of the warrant is guilty of a criminal offense. An ICE warrant does not compel courthouse personnel to cooperate with the requests of immigration enforcement officers, including requests to access nonpublic areas of a court facility or to search confidential or sealed court records.

**Court Order** - In the immigration enforcement context, is an order issued by a U.S. District Court judge or magistrate judge authorizing a specified action.

**Federal Judicial Warrant** - Issued by a district judge or a magistrate judge of a U.S. District Court, based on a finding of probable cause, to authorize the search or seizure of property, the entry into a nonpublic place to arrest a person named in an arrest warrant or the arrest of a named person.

1. A federal search and seizure warrant authorizes the search and/or seizure of property.
2. A federal arrest warrant allows an immigration enforcement officer to enter into a nonpublic place (if necessary) to arrest a person named in the warrant.

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**Notice to Appear (NTA)** - A charging document issued by ICE, U.S. Customs

and Border Protection (CBP), or the United States Customs and Immigration Service (USCIS) seeking to commence formal removal proceedings against an individual before an immigration court. An NTA contains allegations about a person's immigration status and notifies an individual that they are expected to appear before an immigration judge on a certain date. An NTA does not authorize an individual's arrest by immigration enforcement authorities or local law enforcement authorities. An NTA does not authorize access to nonpublic areas of the court facility or require court staff to allow immigration enforcement authorities to search confidential or sealed court records.

**V. REFERENCES**

None