

To: All City Employees
From: John Maddux, City Attorney
Date: February 2, 2026
Re: *Guidance for City Employees Regarding Interactions with Federal Immigration Enforcement*

Purpose of this Guidance

Federal agencies, including U.S. Immigration and Customs Enforcement (ICE) or Homeland Security Investigations (HSI), may sometimes seek access to City facilities, City records, or City employees in connection with immigration enforcement activities.

This document explains the basic legal framework that governs those interactions and provides practical direction to City employees. It is intended to:

1. Ensure City staff respond lawfully and consistently.
2. Protect the City's legal interests.
3. Respect the authority of federal agencies while also respecting the legal limits on that authority.

This document does *not* adopt or rely on any “sanctuary” policies. It reflects generally applicable constitutional and procedural principles that apply to all government entities. This guidance has been reviewed and approved by the City Manager, and carries the weight of City policy.

Compliance with Federal Law (8 U.S.C. § 1373)

Federal law, including 8 U.S.C. § 1373, limits the ability of state and local governments to restrict communication with federal immigration authorities regarding an individual's citizenship or immigration status.

This guidance does not discourage, prohibit, or address the sharing of immigration status information with federal agencies. As a practical matter, City departments do not collect or maintain information about individuals' immigration status except, in extremely rare cases, where a person's immigration status may be incidentally relevant to some other City function.

Instead, this document is limited to internal City procedures for responding to requests for access to City facilities, City records, and City employees, and to clarifying who within the City has authority to make legal determinations or disclosures on behalf of the City.

Nothing in this guidance is intended to regulate personal communications by individual employees, or to alter the City's existing practices regarding the collection or use of immigration-related information.

General Principles

Whenever a City employee encounters someone purporting to be a federal agent seeking information, access, or cooperation in an immigration-related matter:

1. Remain professional and courteous.
2. Do not obstruct or interfere physically.
3. Do not make legal determinations on the spot.
4. Immediately notify your supervisor and the City Attorney's Office.

City employees should not feel pressure to resolve these situations alone.

Access to City Facilities

Public Areas

Federal agents may enter areas open to the general public (such as public lobbies or reception areas) under the same conditions as any other member of the public.

Non-Public Areas

Non-public areas include offices, secured workspaces, records rooms, and other areas not generally open to the public. Generally, but not always, these areas are behind at least one layer of electronic key card access.

GENERAL RULE

Federal agents may access non-public areas **only if they have valid legal authority**, such as:

1. A judicial warrant, or
2. The consent of someone authorized to grant access on behalf of the City.

Most City employees are not authorized to grant such consent.

If an agent seeks access to a non-public area:

1. Politely state that you are not authorized to grant access.
2. Contact your supervisor and the City Attorney's Office immediately.

Requests for Information or Records

City records are subject to federal and state privacy laws, FOIA, and other confidentiality rules.

City employees should not disclose records or personal information to federal agents unless:

1. Required by law, or

2. Directed by the City Attorney's Office.

Understanding Common Federal Documents

Federal agents may present documents using terms like "warrant," "subpoena," or "notice." These documents have very different legal effects.

Judicial Warrants

A judicial warrant is issued by a U.S. District Judge or Magistrate Judge.

1. These warrants are legally binding.
2. The City must comply within the scope of the warrant.
3. Always notify the City Attorney's Office immediately.

Administrative Warrants

ICE and other agencies may present warrants issued by immigration officers or immigration judges.

1. These are not issued by Article III judges.
2. They do not automatically authorize entry into non-public City areas.
3. They do not compel City employees to provide records on the spot.

Subpoenas

Subpoenas request records or testimony.

1. Most City employees are not authorized to accept subpoenas on behalf of the City.
2. Subpoenas should be forwarded immediately to the City Attorney's Office.
3. The City has the right to review and, if appropriate, challenge subpoenas before responding.

Notices to Appear (NTA)

An NTA is a charging document for immigration court.

1. It does not authorize searches.
2. It does not authorize entry into City property.
3. It does not require City employees to take any immediate action.

What City Employees Should and Should Not Do

City Employees Should:

1. Ask for identification.
2. Ask for copies of any legal documents presented.
3. Contact a supervisor and the City Attorney's Office.
4. Document the interaction when possible.

City Employees Should Not:

1. Physically block or interfere with federal agents.
2. Grant access to non-public areas without authorization.
3. Provide records or personal data without legal review.
4. Make statements about City policy or legal positions.

If Federal Agents Insist on Acting

If federal agents proceed despite lack of consent or unresolved legal questions:

1. Do not resist physically.
2. Clearly state:

“I do not consent to this action, but I will not interfere.”

1. Notify the City Attorney's Office immediately.
2. Document what occurred as soon as it is safe to do so.

Key Takeaway for Staff

City employees are not expected to act as immigration enforcement officers or legal experts. Their role is to:

1. Remain calm and professional.
2. Avoid making legal commitments.
3. Escalate immediately to City leadership and legal counsel.