



ARCHDIOCESE
OF LOUISVILLE

DATE: January 30, 2025
TO: Parish and School Leaders
FROM: Lisa DeJaco Crutcher, Esq., Catholic Charities CEO
Dr. Brian B. Reynolds, Chancellor
RE: **Engaging with Immigration & Customs Enforcement (“ICE”) Officers On School and Church Property**

Questions have been raised regarding Executive Orders and new directives to ICE that were issued by the new Presidential Administration this week. We have prepared this memo to remind you of existing relevant policy and best practices.

Events are developing day by day, and more guidance will be issued as circumstances require.

Immigration or other law enforcement officers on the property

Our parish offices and school buildings are not open to the public. No one should enter parish or school buildings without permission, which should only be granted to people with appropriate business on the premises.

If immigration agents or other law enforcement come on to parish or school property wanting to:

- 1) Conduct investigative activities;
- 2) Speak to a staff member or student;
- 3) View parish or school files; or
- 4) Take a staff member or student into custody,

Archdiocesan policy requires that they present an appropriate judicial warrant or a subpoena issued by a court with jurisdiction. Samples are attached to this memo.

If they do not have a warrant or subpoena, inform them that we are unable to assist at this time and they will need to return with the appropriate paperwork.

If they do present a warrant or subpoena, direct them to wait while the warrant or subpoena is reviewed. If you are concerned about the visitor or the documents, you are encouraged to call your local police to come to your parish or school to help verify the authenticity of the documents or agent.

You are then asked to contact Lisa DeJaco Crutcher at Catholic Charities even if after hours (502-637-9786 ext. 107). Depending on the circumstances, Lisa will likely instruct you to inform the agents that you will need to consult legal counsel before complying with the subpoena. Ask them for their card or contact information and let them know someone will contact them as soon as the review is complete.

While our facilities are private property, these individuals may remain on the surrounding streets or sidewalks. There is nothing to be done about that, unless they are harassing staff, parents, or students. If harassment occurs, ask them to leave and notify your local police.

If an ICE agent requests access to a student and presents a warrant, contact the student's parent or guardian. Ask the ICE agent to return later allowing you time to consult the archdiocese and gain parent consent. If this occurs at school, please contact Dr. Mary Beth Bowling to discuss the next steps. Do not let an ICE agent question or remove a student from school without parental consent and a valid, judicial warrant.

ICE requests for information

Under the Family Education and Privacy Rights Act of 1974 (FERPA), you cannot give a student's personally identifiable information (PII) contained in education records to third parties without the written consent of a parent or guardian (or the student's consent if 18 years of age or older). Schools must make a reasonable effort to inform a parent or eligible student whose information is requested by ICE so that they might have time to seek a protective order or other relief.

The only times when you can release information without consent is if the information has been designated as "directory information," or if you must comply with a judicial order or lawfully issued subpoena. Examples of directory information: name, address, phone number, student's grade level, that are already published in a public document.

While directory information can be released under FERPA without a student or their guardian's consent, Archdiocesan policy at this time does not permit the disclosure of any parish or school information except in response to a valid, judicial warrant or subpoena.

Information you should not collect and maintain

Directory information does not include citizenship or immigration status. Information on students' places of birth or primary language spoken at home should not be kept with directory information. Do not collect or maintain information relating specifically to the immigration status of parishioners, students, or parents. Collecting it creates a risk to the undocumented and non-citizens.

What to do if your student's parents are taken into ICE custody

While this is unlikely to occur, it is still useful to be prepared.

- Give families regular opportunities to update their emergency contact information and give alternative contacts if a parent or guardian is unavailable.
- Review your school's policy to make sure it includes steps to take if a student cannot safely return home because his or her parent is not present.
- Suggest that families create their own safety or preparedness plans, which can be shared with the school. Plans could include instructions on what to do if a parent becomes unavailable, including designated guardians or others authorized to pick up the student from school. Catholic Charities can work with your school or parish to offer preparedness training. Contact Catholic Charities if you believe this training would be of value to your school or parish families.

UNITED STATES DISTRICT COURT

for the

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

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Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____
(identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(identify the person or describe the property to be seized):*

SAMPLE

YOU ARE COMMANDED to execute this warrant on or before _____ *(not to exceed 14 days)*
0 in the daytime 6:00 a.m. to 10:00 p.m. 0 at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to _____
(United States Magistrate Judge)

0 Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)*

0 for _____ days *(not to exceed 30)* until, the facts justifying, the later specific date of _____

Date and time issued: _____

Judge's signature

City and state: _____

Printed name and title

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

WARRANT OF REMOVAL/DEPORTATION

File No: -----

Date: -----

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

(Full name of alien)

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 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:

I, the undersigned officer of the United States Department of Homeland Security, by the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by my 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:

(Signature of immigration officer)

(Title of immigration officer)

(Date and office location)