

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO  
Departmental Procedures  
Administration

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**Procedure:** Immigration Enforcement Activities

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**I. Purpose**

Government Code section 7284.8 mandates that the California Attorney General publish “model policies limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law” and further states that “courthouses shall implement the model policy or an equivalent policy.”

This document establishes policies for court employees in relation to immigration enforcement activities within court facilities, in accordance with the model policies issued by the California Attorney General.

**II. Authority**

- Code of Civil Procedure section 187.
- California Rules of Court, rules 10.603 and 10.610.
- Government Code sections 7284.4, 7284.6, and 7284.8.
- “Guidance and Model Policies to Assist California’s Superior Courts in Responding to Immigration Issues,” issued by California Attorney General in October 2018.
- The authority referenced in this document may not include all law that is applicable to the subject.

**III. Policy**

- A. In accordance with Government Code section 7284.8 and the model policies published by the California Attorney General, with limited exceptions based on law or court order, court employees are prohibited from assisting in immigration enforcement which is defined by Government Code section 7284.4, subdivision (f), to include “any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States.”
- B. Any questions or issues from employees or the public about this policy should be directed to the Court Executive Officer, Assistant Court Executive Officer, or their designee.
- C. The policies listed below apply to all court employees.
  - 1. Do not inquire about or disclose the citizenship or immigration status of any individual, including a crime victim or a witness, without first obtaining the approval of the Court Executive Officer, Assistant Court Executive Officer, or their designee.
  - 2. Do not collect or maintain “personal information,” except as required by law or as necessary to perform official duties. “Personal information”

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means any information that identifies or describes an individual, including, but not limited to, his/her name, Social Security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history.

3. Do not provide nonpublic “personal information” to any person or entity for immigration enforcement purposes. “Personal information” means any information that identifies or describes an individual, including, but not limited to, his/her name, Social Security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history.
4. Do not provide information or notification to any officer engaged in immigration enforcement of a person’s custody release date, unless the information is otherwise available to the public.
5. Do not share information regarding any juvenile case file for the purposes of immigration enforcement unless specifically authorized to do so by an order from a juvenile court judge.
6. Do not give immigration enforcement officers priority or other special treatment with respect to requests for public information. Immigration enforcement officers must request information using the same method used by any member of the public.
7. Forward all requests for “U Nonimmigrant Status Certification” (Form I-918) for immigrant crime victims of criminal activity to your manager, who will bring it to the attention of the Court Executive Officer, Assistant Court Executive Officer, or their designee.
8. Do not disclose the immigration status of a victim or person requesting a “U Nonimmigrant Status Certification” (Form I-918) Supplement B certification who has been certified for victim helpfulness, except to comply with federal law or legal process, or if authorized by the victim or person requesting the Form I-918 Supplement B certification.
9. Refer all inquiries regarding warrants (judicial or administrative), subpoenas, and court orders that may be presented to effect an arrest or to obtain records in immigration enforcement actions to your manager, immediately.
10. As soon as a manager receives from a member of staff an inquiry regarding an administrative or judicial warrant, subpoena, court order, and/or administrative or judicial request for access to nonpublic, restricted areas of the court, she/he will take the following steps:
  - a. Immediately contact the Court Executive Officer, Assistant Court Executive Officer, or their designee, for instructions.
  - b. If the document is a subpoena, the manager will review the subpoena for correctness of form (it must be addressed to the “Clerk of the Court,” the “CEO,” or “Custodian of Records,” etc.).
  - c. If the subpoena is **correctly addressed**, the manager will refer the server to Administration at the Main Courthouse on the eighth

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floor, where the Executive Secretaries and the CEO have authorization to accept service.

- d. If the subpoena is **incorrectly addressed**, the manager will merely accept the subpoena and immediately forward it to the Managing Attorney for resolution.
- e. If the document is a warrant, advise the officer that you cannot give and are not giving consent for access to nonpublic, restricted areas of the courthouse, and that you have contacted the Court Executive Officer, Assistant Court Executive Officer, or their designee for further direction.
- f. In the interim, the manager should collect the following information:
  - The officer's name and badge number and the phone number of the officer's supervisor.
  - The officer's reason for being at the courthouse.
  - Specifics of any documentation that purportedly authorize court access and a copy of that documentation, if possible.
- g. If the officer is in possession of a judicial order and orders immediate access to nonpublic court facilities:
  - The manager will not refuse the officer's orders or attempt to physically interfere with the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. The manager will remain with the officer to collect and provide the following additional information to the Court Executive Officer, Assistant Court Executive Officer, or their designee:
    - Any statements made by the officer.
    - The date and time the entry began and ended.
    - The areas entered by the officer.
    - Any actions taken by the officer in the nonpublic area, such as serving of papers or making an arrest.
  - The manager will complete an incident report that includes the information gathered as described above and the officer's statements and actions, and will submit it to the Court Executive Officer, Assistant Court Executive Officer, or their designee.
- 11. The manager is required to notify the Court Executive Officer, Assistant Court Executive Officer, or their designee of any request by officers engaged in immigration enforcement for access to nonpublic, restricted areas of a courthouse or for review of nonpublic court documents as soon as possible, and advise the officer that before proceeding with his or her request, the manager must first notify and receive direction from the Court Executive Officer, Assistant Court

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Executive Officer, or their designee. The manager is not to physically resist attempts by such officers to enter restricted areas.

12. Do not give consent for immigration enforcement officers to enter nonpublic areas of the courthouse, or to enter juvenile courtrooms for the purpose of making arrests, unless there is an immediate risk to the safety and protection of the public.
13. Report any incidents of immigration enforcement taking place in, or in the immediate vicinity of, any court facility as soon as possible to the Court Executive Officer, Assistant Court Executive Officer, or their designee.

**Date Established:** 3/9/2020

**Revised By:** JG  
(Initials)

**Approved By:** Michael Elliott  
CEO – original policy  
Dawn Annino CEO –  
revised policy  
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**Revision Date:** 2/19/2025  
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