

MAURA T. HEALEY

GOVERNOR



STEPHEN ZRIKE JR., Ed. D

SECRETARY

KIMBERLEY DRISCOLL

LT. GOVERNOR

EXECUTIVE OFFICE OF

EDUCATION

Guidance for Child Care and Residential Providers Related to Interacting with Civil Law Enforcement

August 21, 2026

The Governor's Office, the Executive Office of Education (EOE), and the Department of Early Education and Care (EEC) issue this guidance pursuant to *An Act promoting rule of law, oversight, trust and equal constitutional treatment* ("PROTECT Act" or "Act"). [Stat. 2026, c. 163](#), §§ 1–24.

In preparing this guidance, the Governor's Office, EOE, and EEC consulted with the Attorney General's Office, organizations that represent employees and management of EEC-licensed or -funded child care providers, and numerous other stakeholders, consistent with the Act. As to the recommendations and obligations for EEC providers, this guidance replaces and supersedes the *Recommendations For Entities Providing Education and Child Care Services Related to Interacting with Federal Immigration Officers* issued in May 2026 pursuant to the Governor's Executive Order 650: Protecting Access to Essential Services and Keeping Massachusetts Communities Safe.

I. Introduction

On August 5, 2026, Governor Maura Healey signed the PROTECT Act. It is now the law in Massachusetts that, except as required by state or federal law or as required for the Commonwealth or its subdivisions to administer a state or federally supported or funded program, civil arrests, including federal immigration enforcement, **are not allowed** in the following nonpublic areas: the premises of EEC-licensed or EEC-funded child care centers, family child care homes, school-aged child care programs, or group care facilities, including residential programs (together, "EEC Providers") during program operating hours (defined below), without a Judicial Warrant or Judicial Order.¹

¹ This guidance addresses the protections against civil arrests adopted in the PROTECT Act. Other constitutional protections limit civil law enforcement access to nonpublic places, regardless of whether the purpose is an arrest, without a Judicial Warrant or Judicial Order.

The Act requires EEC Providers to adopt and implement a written policy regarding interactions with law enforcement officers engaged in civil law enforcement. Under the Act, the policy must include the following: (1) designation of a contact person to be notified of the presence of, or information requests from, law enforcement agents engaged in civil law enforcement; (2) procedures for documenting interactions with law enforcement agents engaged in civil law enforcement; and (3) procedures for EEC Providers to follow when responding to requests relating to civil law enforcement. The policy may address other topics as well, including the ones discussed in this guidance and in EEC's Model Policy: Interacting with Civil Law Enforcement. Policies should apply equally to all forms of law enforcement and should be focused on maintaining child or resident safety.

We know that many EEC Providers already have policies or procedures for interacting with law enforcement, often in your emergency preparedness plans. Please make sure that any new or existing policies include the three topics required by the PROTECT Act, as described in (1)–(3) in the paragraph above. Additionally, EEC Providers should also consider updating existing emergency response policies to ensure child or resident safety in the event of any type of law enforcement activity on or near EEC Provider Premises.

II. Definitions

This guidance uses the following words and phrases consistent with the PROTECT Act:

“Civil arrest” means an arrest that is not for the purpose of preparing the person subject to such arrest for criminal prosecution for an alleged violation of a state or federal criminal law. Civil arrests may be authorized by, among other things: (1) a parole warrant issued under G.L. c. 127, § 149A, or a probation warrant issued under G.L. c. 279, § 3; (2) state law permitting protective custody for incapacitated and intoxicated persons, G.L. c. 111B § 8, or (3) an administrative warrant issued by a federal agency like the United States Immigration and Customs Enforcement (ICE) agency for violations of the federal Immigration and Nationality Act, or related civil immigration enforcement efforts.

“Civil law enforcement” means efforts to investigate, enforce or assist in the investigation or enforcement of state or federal civil law, including, but not limited to, any federal civil immigration law. For added context, civil law enforcement often relates to preventative detention for an individual's safety or security, enforcement of civil actions in court, or immigration law enforcement. In contrast, criminal law enforcement involves the investigation and enforcement of state or federal criminal laws (like those outlawing theft and assault). Note that law enforcement officers (defined below) can engage in civil law enforcement and/or criminal law enforcement.

“Designated Contact Person” means the individual identified by the Program to have primary responsibility for responding to the presence of, or requests for information from, law enforcement agents engaged in civil law enforcement.

“EEC Provider” means EEC-licensed or EEC-funded child care centers, family child care homes, school-aged child care programs, or group care facilities or residential programs.

“EEC Provider Premises” means the private residence or the facility that is licensed or funded by EEC for the early education and care of children, school-aged education and care of children, or for group care, including the outdoor space on which the residence or facility is located. EEC Provider Premises are nonpublic areas during program operating hours and provider-sponsored events.²

“Judicial Warrant” or **“Judicial Order”** refers to an arrest warrant or other judicial order, signed by a judge or magistrate sitting in the judicial branch of a local or state government or of the federal government, authorizing an arrest. *See* Appendix A (Sample Judicial Warrants and Administrative Warrants).

“Law enforcement officer” or **“officer”** means any agent or officer of a federal, state, county, municipal, or district law enforcement agency, including but not limited to local police departments, sheriffs, constables, the Massachusetts State Police, the United States Immigration and Customs Enforcement (ICE) agency, the United States Customs and Border Protection (CBP) agency, and the United States Department of Homeland Security (DHS).

“Operating hours” means the EEC Provider’s regular hours of care, child drop off and pick up windows, and program-sponsored events.

III. Guidance Regarding Interactions with Law Enforcement Officers Engaged in Civil Law Enforcement

This guidance includes the topics required by the PROTECT Act, marked with an asterisk (*), and other information that the Governor’s Office, Attorney General’s Office, EOE, and EEC deem relevant to EEC Providers.

A. General Guidance for Interacting with Law Enforcement Officers

A written policy or procedure should provide general advice for employees/staff and administrators about how to interact with law enforcement officers engaged in civil law enforcement, including:

1. Employees, staff, and administrators are encouraged to remain calm when engaging with law enforcement officers.

² EEC Providers running programs in their private residents should consult the [Massachusetts Attorney General Guidance: KNOW YOUR RIGHTS: ICE Enforcement An Updated Guide for Immigrants, Families, and Communities](#) to understand their rights, in the context of federal immigration enforcement, during off hours.

2. Employees, staff, and administrators should never attempt to physically interfere with law enforcement activities, nor should they feel compelled to approach a law enforcement officer or engage with them first.
3. If employees and staff feel unsafe engaging with law enforcement officers, they can decline to interact with the officers and instead rely on administrators, as described below.

Civil arrests are not allowed on EEC Provider Premises during operating hours, unless law enforcement officers have a Judicial Warrant or Judicial Order.³ If law enforcement officers proceed to conduct a civil arrest in these areas in violation of the PROTECT Act, no one should attempt to physically interfere; rather, on-site staff should follow the guidance for bystanders to document an interaction, included in Section III(G) (Documentation of Interactions) and Section IV(B) (Rights of Bystanders) below. After law enforcement has left the premises, the EEC Provider should report the incident to the Attorney General's Office Civil Rights Division.

B. Designated Contact Person*

Under the PROTECT Act, EEC Providers must designate a contact person on site at the child care setting or group care facility ("designated contact person"). Different people may serve as the designated contact person at different times throughout the day, and you should strongly consider naming at least one "back up" alternate designated contact person. We recommend that the highest-ranking administrator or manager on site serve as the primary designated contact person. The written policies required by the PROTECT Act must include the name(s) and contact information for the designated contact person(s).

C. Escalation Protocol*

The written policies required by the PROTECT Act must include procedures for how program employees, staff, and administrators should respond if law enforcement officers arrive on site and whom to notify (the "escalation protocol"). EEC Providers must also make sure that staff and employees are aware of the protocol, and how to contact the relevant individuals. This protocol should be simple, easy to remember, and consistent with procedures used in other circumstances. An escalation protocol should include the following instructions:

1. If law enforcement officers engaged in civil law enforcement arrive on site and there is no apparent exigent (emergency) circumstances, employees and staff should inform the officers that the employees/staff will contact an administrator to

³ As noted in Section III(L) (Existing Obligations), nothing in this guidance prohibits appropriate cooperation with authorities, including police, fire departments, emergency medical services, child protective authorities, or other public safety officials, responding to an emergency, protecting a child from abuse or neglect, or otherwise exercising lawful authority unrelated to civil law enforcement.

assist them and that they should wait where they are (ideally outside, away from children or residents and their families).

2. The employee or staff member should immediately contact the designated contact person.
3. Once notified, the designated contact person should immediately call the EEC Provider's attorney, if there is one, and proceed to the location where the law enforcement officers are waiting.
4. The designated contact person should speak to the law enforcement officers. The designated contact person should ask the law enforcement officers for identification and record their names, agencies, and badge numbers.
5. The designated contact person should ask to view any warrant or other documentation. The designated contact person, with assistance from an attorney, if available, should review the documents to determine whether the law enforcement officers have a valid Judicial Warrant or Judicial Order. *See* Section III(F) (Review of Warrant) for tips on reviewing a warrant.
 - a. If the law enforcement officers have a valid Judicial Warrant or Judicial Order authorizing an arrest or entry to search or both, the designated contact person should inform the law enforcement officers that they may enter the EEC Provider Premises; however, the designated contact person should request that, where feasible, civil law enforcement officers avoid any areas where children or residents are present.
 - b. If the law enforcement officers do not have a valid Judicial Warrant or Judicial Order, or they have only an administrative warrant (*see* Appendix A (Sample Judicial Warrants and Administrative Warrants) for an example), the designated contact person must inform them that they are not authorized to enter the EEC Provider Premises or conduct an arrest on the Premises and must ask them to leave.⁴
 - c. If the law enforcement officers proceed to conduct a civil arrest on school grounds in violation of the PROTECT Act, no one should attempt to physically interfere with them; rather, on-site staff should follow the guidance for bystanders to document an interaction, included in Section III(G) (Documentation of Interactions) and Section IV(B) (Rights of Bystanders) below. If there is an imminent threat to the safety of a child, staff member, family member, or other person, program staff should not hesitate to call 9-1-1 for assistance.

⁴ In rare circumstances, law enforcement officers may identify a clear and immediate health or safety threat that qualifies as an exception to the warrant requirement.

- d. After law enforcement has left the premises, the EEC Provider should report the incident to the Attorney General's Office Civil Rights Division.

In addition to the procedures described above, EEC Providers are encouraged to consider the various scenarios in which interactions with law enforcement officers engaged in civil law enforcement may occur in their programs and on their premises, so that they may prepare escalation protocols for these particular scenarios. EEC Providers should also consider including guidance tailored to certain staff positions, such as office staff, that may be more likely to interact with law enforcement officers engaged in civil law enforcement. EEC Providers should also consider updating existing emergency response policies to ensure child or resident safety in the event of any type of law enforcement activity on or near EEC Provider Premises.

Additionally, EEC Providers should review program transportation contracts and communicate with program transportation companies regarding policies and protocols for drivers in the event of active law enforcement activity near a transportation stop. This includes transportation for children or residents with disabilities who need specialized transportation. Transportation-related policies and/or protocols should focus on maintaining child and resident safety and avoiding dangers associated with dropping a child or resident near an active crime scene or any law enforcement arrest or operation.

D. Checklists and Approved Language

We encourage EEC Providers to develop checklists and draft approved language for employees, staff, administrators, and the designated contact person(s) to use when interacting with law enforcement officers engaged in civil law enforcement. These checklists can include the escalation protocol with clear instructions about whom employees/staff should contact if law enforcement officers are on site or making requests.

Examples of "Approved Language" may include:

1. "I am not authorized to allow you to enter the program. Please wait here while I contact an administrator."
2. "I am not authorized to discuss specific individuals or to speak with you about this child/resident/employee. I am going to contact an administrator who will discuss this further with you."
3. "I am not permitted to discuss/disclose private information to you."

E. Proactive Discussions with EEC Provider Attorney(s)

If the EEC Provider has an attorney, it should confer with its attorney(s) about the best and most expedient way to reach the attorney(s) in an emergency situation. The EEC Provider should make sure that the designated contact person have means to reach the attorney

immediately if necessary. The EEC Provider may also want to consult its attorney as part of establishing the policies, procedures, and practices outlined in this guidance.

F. Review of Warrant

Written policies or procedures should include information about how to identify a valid Judicial Warrant or Judicial Order. *See Appendix A (Sample Judicial Warrants and Administrative Warrants)*, below for sample warrants.

Judicial Warrants and Judicial Orders are documents issued by a judge or magistrate sitting in the judicial branch of state or federal government. These documents authorize a search of a specific place or an arrest of a specific person based on sufficient information to support that a crime has been committed (“probable cause”). Note that other judicial orders can include subpoenas or summons, but they do not allow physical access into nonpublic places.

A Judicial Warrant is: (1) signed by a judge, magistrate, or assistant clerk magistrate and dated; (2) issued by a court; and (3) includes the location to be searched or the persons or items to be seized/arrested.

A Judicial Order may take many forms but should include: (1) the caption of a court case; (2) the name of the court; and (3) a judge, clerk magistrate, or assistant clerk magistrate’s signature, with a date.

As stated above in Section III(C) (Escalation Protocol), if law enforcement officers arrive on-site, employees/staff should contact the designated contact person who will contact the EEC Provider’s attorney, if applicable, and then proceed to the location where the law enforcement officers are waiting. Once the designated contact person has arrived at the location, the designated contact person should describe any warrants or orders over the phone to the EEC Provider’s attorney, who will evaluate the documents and advise the designated contact person on their validity. If the designated contact person feels safe doing so, they may ask the law enforcement officer if they may send a photo of the warrant or order to the EEC Provider’s attorney or show the warrant or order to the attorney via a video call. If the EEC Provider does not have access to an attorney, or cannot reach the attorney, the designated contact person should use this guidance and Appendix A to determine whether the law enforcement officers have a valid Judicial Warrant or Judicial Order. *See Appendix A (Sample Judicial Warrants and Administrative Warrants)*.

G. Documentation of Interactions*

Under the PROTECT Act, EEC Providers must include in their written policies instructions for documenting interactions with law enforcement officers engaged in civil law enforcement. Employees, staff, administrators, and the designated contact person(s) are encouraged to wait until they feel safe to write down what happened. This may be after the law enforcement officers leave the EEC Provider Premises. EEC Providers should use an existing

form or create a new one to record interactions with law enforcement officers and keep those records as they would any other program records, in the normal course.

Under the escalation protocol recommended above, employees, staff, administrators, and the designated contact person(s) may interact with law enforcement officers in different ways and at different times. Everyone should be advised to write down what they remember of the incident, including but not limited to the following information:

- Date and time when law enforcement officers arrived on the premises or made the information request;
- The names and badge numbers of the officers, and the agency they represented;
- The number of vehicles and license plate numbers, if visible;
- The names of witnesses, children, or other staff involved;
- Steps taken to notify the designated contact person and/or attorney, as the case may be;
- The actions of the law enforcement officers, including whether the officers complied with instructions;
- Whether the law enforcement officers had a valid Judicial Warrant or Judicial Order, or some other documentation;
- Whether a civil arrest was made on the premises; and
- Impact on any children/employees/staff (after any immediate issues have been addressed) and any follow up actions needed to support them.

See EEC Model Policies for a template form for recording interactions with law enforcement officers engaged in civil law enforcement.

Bystanders, including employees and staff, can openly (not secretly) videorecord the interaction, but they must not interfere.

H. Parental Notice

1. Notice to Program Community of the Presence of Law Enforcement Officers*

When an EEC Provider confirms the presence of law enforcement agents engaged in civil law enforcement on its premises, the provider should notify children's or residents' parents and guardians, teachers, administrators, and provider personnel. The EEC Provider should provide this notice in a manner that ensures the confidentiality and privacy of any potentially identifying information.

2. Individualized Notice to Parents When Law Enforcement Officers Are Seeking a Particular Child or Resident or Information about that Child or Resident

If the law enforcement officers are trying to reach a minor child/resident or seeking information about a minor child/resident, employees/staff should contact the designated contact person(s) and then immediately inform the child or resident's parent or legal guardian. EEC

Providers are encouraged to designate an employee or staff member who will notify families and children or residents as part of their escalation protocol.

I. *Protection of Personally Identifiable Information*

EEC Providers cannot disclose personally identifiable information about a child/ resident in their care or provider staff, to third parties, including law enforcement officers, either orally or in writing unless: the EEC Provider has specific informed consent from child/resident's parent or guardian or the employee/staff member, as the case may be; it is pursuant to a Judicial Warrant, Judicial Order, or subpoena; or there is a health and safety emergency.

EEC Providers should allow parents/guardians to opt out of being included in directory information. They may also limit what information is included in the directory (e.g., by excluding the child's/resident's address and place of birth), and limit disclosure to the program community.

J. *Caregiver Plans and Contact Information*

EEC Providers are encouraged to establish clear protocols for their response in the event a child/resident or their parent/guardian is detained by law enforcement officers. Under the PROTECT Act, K-12 schools are required to develop a plan to make sure that emergency contact information, alternative caregiver contacts, and authorized pick-up contacts are up to date for all students/children. As part of this review, schools must allow parents/guardians to list more than one person as an emergency contact. We recommend that EEC Providers do the same for all children and residents. EEC Providers are also encouraged to keep any associated documentation on file, such as an authorization of another caregiver, temporary agent, or guardian.

K. *Visitor Policies*

EEC Providers should adopt written visitor policies (or procedures) that specify restrictions for visitors and that apply equally to all visitors—that is, the visitor policy (or procedure) does not differentiate between law enforcement officers visiting to conduct civil law enforcement and other types of visitors.

L. *Existing Obligations*

Nothing in this guidance alters the program's obligations to comply with state and federal laws or EEC policies or procedures.

Nothing in this guidance prohibits appropriate cooperation with authorities, including police, fire departments, emergency medical services, child protective authorities, or other public safety officials responding to an emergency, protecting a child from abuse or neglect, or otherwise exercising lawful authority unrelated to civil law enforcement. If there is an imminent threat to the safety of a child, staff member, family member, or other person, program staff should not hesitate to call 9-1-1 for assistance.

IV. Rights of a Person Being Arrested/Detained and Rights of a Bystander

A. Rights of the Person Being Arrested or Detained

Right to Remain Silent: A person being arrested or detained by civil law enforcement officers, including federal immigration officers, does not have to answer questions about their immigration status, citizenship, where they were born, or how they entered the United States. The person can say, “I am exercising my right to remain silent,” and refuse to speak with the law enforcement officer until they have spoken with an attorney. Beginning on September 4, 2026, the PROTECT Act prohibits law enforcement officers from asking about immigration status or citizenship, except as required by state or federal law, or materially related to a specific criminal offense.

Right to Hire/Consult Attorney: A person being arrested or detained has the right to hire and speak with an attorney, but the government is not generally required to provide one in immigration proceedings.

Right to Refuse to Sign Documents: A person being arrested or detained has the right to refuse to sign documents (e.g., waiver of rights, voluntary departure forms). The person has a right to read and understand any document before signing it.

People being questioned, arrested, or detained by civil law enforcement officers, including federal immigration officers, should never give false information or fake documents because this could result in criminal charges.

B. Rights of Bystanders

Right to Observe: Bystanders to civil law enforcement actions, including federal immigration enforcement, have the right to observe law enforcement officers and to video the encounter from a reasonable distance, as long as they do not interfere with the officers. Massachusetts law permits openly (not secretly) video recording

Right to Remain Silent: Though law enforcement officers may ask questions, bystanders have the right to remain silent. Bystanders are not required to answer questions about their own immigration status or the status of anyone else. Beginning on September 4, 2026, the PROTECT Act prohibits law enforcement officers from asking about immigration status or citizenship, except as required by state or federal law, or materially related to a specific criminal offense.

V. Support for Children, Residents, and Families

It is important for EEC Providers to maintain awareness and sensitivity regarding child or resident absences and behavioral challenges in their programs. Staff and educators should proactively engage and build trusting relationships with parents and children or residents, offer support, and partner with families to address any attendance or behavioral concerns that may emerge.

It is also important that communications with parents relating to child or resident needs, transportation, updating alternative contacts and directory information, emergency protocols, law enforcement activity, or other matters be communicated in the parent/guardian's primary language. Parent notices and written communications should use plain language to the extent practicable and be translated into the languages of your program's community.

EEC Providers should review and consider updating policies and protocols for ensuring child and resident safety when law enforcement activities are being carried out on EEC Provider Premises. Policies should apply equally to all forms of law enforcement and should be focused on maintaining child or resident safety.

VI. Trainings Regarding Interactions with Civil Law Enforcement

EEC Providers are encouraged to conduct trainings on the requirements of the PROTECT Act, the recommendations included in this guidance, and any related policies or procedures adopted by the program to support safety within the facility and in the provision of child care services for all children and residents in Massachusetts, regardless of national origin or immigration status. Reminders to employees and staff on escalation protocol are often best practice here. EEC Providers are also encouraged to find effective ways to inform parents/guardians about their rights. EEC, in consultation with EOE, the Massachusetts Office for Refugees and Immigrants, and the Massachusetts Attorney General, will develop trainings to support guidance and EEC Provider obligations related to the PROTECT Act.

VII. Additional Resources for EEC Providers

The Massachusetts Attorney General's Office and the Massachusetts Office for Refugees and Immigrants have created the following resources for the public to learn more about their rights. We encourage members of the EEC community to review these resources, and we suggest that EEC Providers consider posting or disseminating these resources to families, and employees/staff.

- [Massachusetts Attorney General: Resources for Immigrants in Massachusetts](#)
- [Massachusetts Office for Refugees and Immigrants: Community Resource Toolkit](#)
- [Massachusetts Attorney General Guidance: KNOW YOUR RIGHTS: ICE Enforcement An Updated Guide for Immigrants, Families, and Communities](#) (available in [Spanish](#), [Portuguese](#), [Haitian Creole](#), [Chinese](#), [Vietnamese](#))

- [Massachusetts Attorney General Guidance: General Information for Massachusetts Service Providers Regarding Immigration Enforcement](#) (*available in [Spanish](#), [Portuguese](#), [Haitian Creole](#), [Chinese](#), [Vietnamese](#)*)
- [Massachusetts Attorney General Guidance for Early Education and Care \(EEC\) Programs on their Obligations to Protect Child, Family, and Employee Information](#)
- [Emergency Planning Guide for Parents with Uncertain Immigration Status](#) (*available in [Spanish](#), [Portuguese](#), [Haitian Creole](#), [Simplified Chinese](#)*)
- [Emergency Planning Fact Sheet for Parents with Uncertain Immigration Status](#) (*available in [Spanish](#), [Portuguese](#), [Haitian Creole](#), [Simplified Chinese](#)*)

APPENDIX A

Sample Judicial Warrants and Administrative Warrants

Figure 1: State Court Judicial Warrant

APPLICATION FOR SEARCH WARRANT G.L. c. 276, §§ 1-7	TRIAL COURT OF MASSACHUSETTS	
NAME OF APPLICANT 	SUPERIOR ESSEX	COURT DEPT. DIVISION
POSITION OF APPLICANT Trooper, Massachusetts State Police	SEARCH WARRANT DOCKET NUMBER	

I, the undersigned APPLICANT, being duly sworn, depose and say that:

1. I have the following information based upon the attached affidavit(s), consisting of a total of 77 pages, which is (are) incorporated herein by reference.
2. Based upon this information, there is PROBABLE CAUSE to believe that the property described below:

☐	<i>has been stolen, embezzled, or obtained by false pretenses.</i>
☒	<i>is intended for use or has been used as the means of committing a crime.</i>
☐	<i>has been concealed to prevent a crime from being discovered.</i>
☒	<i>is unlawfully possessed or concealed for an unlawful purpose.</i>
☒	<i>is evidence of a crime or is evidence of criminal activity.</i>
☐	<i>other (specify):</i>
3. I am seeking the issuance of a warrant to search for the following property (*describe the property to be searched for as particularly as possible*):
See Addendum A, which is incorporated herein by reference.
4. Based upon this information, there is also probable cause to believe that the property may be found (*check as many as apply*):

☒	<i>at (identify the exact location or description of the place(s) to be searched):</i>
-------------------------------------	--

APPENDIX A

Sample Judicial Warrants and Administrative Warrants

Figure 2: Federal Court Judicial “search warrant” (left) Administrative “ICE Warrant” (right)

ACJ 103 (Rev. 01/05) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
Southern District of California

In the Matter of the Search of _____
(Name of person or place)
2943 Reynard Avenue
San Diego, California

Case No. **'14 MJ 0396**

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 _____ Southern District of California _____
(Identify the person or describe the property to be searched and give its location).
(See Attachment A-2).

The person or property to be searched, described above, is believed to conceal *illegally* the person or describe the property to be searched.
(See Attachment B-2).

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before _____ *February 11, 2014* _____
☒ in the daytime 6:00 a.m. to 10 p.m. ☐ at any other time of the day or night as I find reasonable 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 _____
Hon. David H. Berlick.

☐ 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*: ☐ For _____ day's not to exceed 30.
Or, the facts justifying the later specific date of _____.

Date and time issued: _____
City and state: San Diego, California _____ Hon. David H. Berlick, U.S. Magistrate Judge.
(Printed name and title)

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____
Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

☐ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicates, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location) _____ on _____ (Date of Alien) _____ on _____ (Date of Service) _____ and the contents of this notice were read to him or her in the _____ (Language) _____ language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

Form I-207 (Rev. 09/10)