



Immigration Enforcement on Library Grounds Policy

Policy# ESCML.100.ADM

Approved: 04.18.2026

1. Purpose/Summary

The Emma S. Clark Memorial Library (the "Library") recognizes the emergent and rapid development of immigration enforcement changes nationally. Federal and state agencies have issued guidance related to immigration enforcement for designated "protected areas". Libraries are not classified as "protected areas,"¹ meaning immigration enforcement is not restricted on library grounds. This policy provides information on immigration enforcement on library grounds, in accordance with federal and state guidelines.

- Establish clear parameters for responding to immigration enforcement on Library grounds.
- Protect patron privacy and confidentiality in accordance with applicable federal and state laws and library policies.⁵
- Ensure appropriate protocols are followed by all staff to maintain a safe and legal environment for the community.

2. Definitions

- **Immigration Agent:** Any federal official (such as those from ICE or CBP) authorized to enforce immigration law.
- **Protected Areas:** Locations designated by the Department of Homeland Security where enforcement actions are generally limited (e.g., schools, medical facilities, places of worship). *Libraries are not classified as "protected areas," meaning immigration enforcement is not restricted on library grounds.*
- **Judicial Order/Subpoena:** A legal document signed by a judge or authorized court official compelling the disclosure of records or cooperation.

3. Scope or Use

This policy applies to all Library staff, volunteers, and members of the Library Board during any encounter with immigration enforcement agents on Library property.

4. Immigration Enforcement Agents:

- May enter places open to the public, such as libraries, question people in public places, and conduct inquiries according to their statutory powers.²

- May interrogate individuals, or those believed to be noncitizens, about their right to be or to remain in the United States, without a warrant.
- Immigration agents are authorized to arrest any person in the United States when there is “reason to believe” the person is present in the United States in violation of federal immigration law.
- An immigration agent is not authorized to compel the library’s cooperation in an investigation or demand answers to questions, beyond the name and address of the individual speaking with the agent, without a judicial order, subpoena, or warrant.

5. Process for Contact with an Immigration Agent:

If an immigration agent requests library records or information about a patron, the Library Director or designee **must** be notified immediately. They will contact legal counsel and the Library Board to develop an appropriate response.

The Library Director or designee will:

- Request the agent’s credentials, supervisor contact information, and any documentation (e.g., subpoena, search warrant, or arrest warrant).
- Inform the agent that protocols require legal counsel’s guidance and ask the agent to wait while counsel is contacted.
- **Non-Intervention:** If an agent refuses to wait or follow instructions, staff will not physically intervene. Staff should instead gather as much information as possible. Request the agent’s name, identification, and the reason for the visit.

Do not provide any information regarding a patron without express authorization from administration.

6. Rights and Obligations

- **Agent Authority:** Agents may enter public areas and question individuals about their citizenship status without a warrant. They are authorized to make arrests if there is “reason to believe” a violation of federal law has occurred.
- **Cooperation:** Agents cannot compel library cooperation or demand answers (beyond the name/address of the person they are speaking to) without a judicial order or warrant.
- **Library Confidentiality:** Under state law (CPLR §4509)³, the Library is obligated to protect patron records. Records will not be released to law enforcement without a judicial order or lawfully issued subpoena.

- **Employment Records:** The Library must comply with requests to inspect Employment Eligibility Verification (I-9) forms as required by federal law, even without a subpoena or court order.⁴

Guidance and recommended procedures may change at any time. Continued monitoring and updates to this policy will be provided as necessary.

References:

¹ U.S. Department of Homeland Security, "Guidelines for Enforcement Actions in or Near Protected Areas" (October 27, 2021), available at

https://www.dhs.gov/sites/default/files/publications/21_1027_opa_guidelines-enforcement-actions-in-near-protected-areas.pdf.

² 8 U.S. Code § 1357.

³ Civil Practice Law and Rules § 4509.

⁴ U.S. Citizenship and Immigration Services, Inspections, available at

<https://www.uscis.gov/i-9-central/legal-requirements-and-enforcement/inspections>

⁵ Confidentiality of Library Records Policy, available at

<https://www.emmaclark.org/wp-content/uploads/2021/07/Confidentiality-of-Library-Records-Policy.pdf>

Policy Type: Library with Federal & State Guidance