

**DHS Enforcement Priorities, Courthouse Enforcement and Sensitive Location
Policies and Memoranda
Information for State Court Judges¹**

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The purpose of this bench card is to inform state court judges about which immigrant litigants, parents and children appearing in proceedings do and do not fall within current immigration enforcement priorities set by the U.S. Department of Homeland Security (DHS). This information will help courts access the veracity of claims made in court about the effect that the immigration status of a litigant, party, or victim may or may not have on the case before the court.

Protections for Immigrant Victims and Children

Immigrant victims of domestic violence, sexual assault, stalking, human trafficking, child abuse, child neglect, child abandonment, and other crimes covered by the U visa program are eligible for forms of immigration relief that were designed to protect crime victims.² Each of these forms of immigration relief provide protection from immigration enforcement actions and deportation to immigrant crime victims.³ In addition to the forms of immigration relief designed to offer a path to legal immigration status for immigrant crime victims created by federal immigration statutes, U.S. Department of Homeland Security policies offer protections that are available to immigrant crime victims and witnesses without regard to whether the immigrant qualifies for or applies for immigration relief.

Victims and Witnesses of Domestic Violence or Human Trafficking: Protections Afforded⁴

- VAWA Confidentiality and Victim Safety Provisions provide three types of protection to immigrant victims of violence, including battered immigrants and immigrant victims of sexual assault, trafficking, and other U visa listed crimes.⁵

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² These forms of immigration relief are described in another bench card in this series. Leslye E. Orloff & Benish Anver, *Family Court Bench Card on Immigration Rights of Battered Spouses, Children and Immigrant Crime Victims*, TRAINING MANUAL FOR CTS. (Oct. 11, 2013) <http://niwaplibrary.wcl.american.edu/pubs/judg-tkit-bchcrdvictimrights10-11-13/>; See also, NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT, SPECIAL IMMIGRANT JUVENILE STATUS BENCH BOOK: A GUIDE TO BEST PRACTICE FOR JUDGES AND COURTS (2017), <http://niwaplibrary.wcl.american.edu/2018/03/sijs-manual-table-of-content/>.

³ See <http://niwaplibrary.wcl.american.edu/vawa-confidentiality-protections-training-materials/>; See also Leslye E. Orloff & Benish Anver, *Family Court Bench Card on Violence Against Women Act (VAWA) Confidentiality*, TRAINING MANUAL FOR CTS. (Oct. 11, 2013), <http://niwaplibrary.wcl.american.edu/pubs/family-court-bench-card-vawa-confidentiality/>

⁴ See U.S. Dep't Of Homeland Sec., *DHS Broadcast Message On New 384 Class Of Admission Code*, CENT. INDEX SYS. (2010), <http://niwaplibrary.wcl.american.edu/pubs/dhs-broadcast-class-admission-code/>

⁵ See Leslye E. Orloff, *Chapter 3: VAWA Confidentiality: History, Purpose, DHS Implementation and Violations of VAWA Confidentiality Protections*, in NAT'L IMMIGRANT WOMEN'S ADVOCACY PROJECT/LEGAL MOMENTUM EMPOWERING SURVIVORS MANUAL (2014), <http://library.niwap.org/wp-content/uploads/2015/pdf/CONF-VAWA-Man-Ch3-Confidentiality-9.25.14.pdf>;

Specifically, VAWA:

- Protects the confidentiality of information provided to the Department of Homeland Security, the Department of Justice or the Department of State;
- Stops immigration enforcement agencies from using information provided by an abuser, trafficker or U visa crime perpetrator, a relative, or a member of their family against the victim in an immigration case; and
- Places limitations on DHS enforcement activities against victims at statutorily protected locations.
- “Absent special circumstances or aggravating factors, it is against ICE policy to initiate removal proceedings against an individual known to be the immediate victim or witness to a crime.”⁶
- Crime victims and witnesses should receive “release from detention and deferral or a stay of removal.”⁷

Immigration Relief for Immigrant Crime Victims and Children

*VAWA Self-Petition*⁸

To qualify for a VAWA self-petition an immigrant victim must have suffered from:

- Battery or extreme cruelty,⁹ which includes domestic violence, sexual assault, incest, and child abuse
- Perpetrated by an abusive U.S. citizen or lawful permanent resident spouse, parent, or step-parent or an adult son or daughter who is a U.S. citizen
- The victim must have resided with the abuser at some point in time
- The victim must have good moral character.¹⁰

*U Visa for Immigrant Crime Victims*¹¹

In order to be eligible for a U visa, the immigrant victim must:

See also <http://niwaplibrary.wcl.american.edu/vawa-confidentiality-materials-tools/>; See also <http://niwaplibrary.wcl.american.edu/pubs/vawa-confidentiality-statutes-leg-history/>

⁶ See Memorandum from John Morton, Dir., Immigration Customs Enforcement to All Field Office Dirs., Special Agents in Charge, and Chief Counsel, *Prosecutorial Discretion: Certain Victims, Witnesses, and Plaintiffs* (Jun. 17, 2011) (available at <http://niwaplibrary.wcl.american.edu/pubs/discretion-victims-witnesses-plaintiffs/>)

⁷ *Id.* at 2.

⁸ Victims who meet the qualifications for a VAWA self-petitioner if they are placed in immigration removal proceedings before an immigration judge can qualify for VAWA cancellation of removal. Also, in cases where the perpetrator filed immigration papers for the victim and the victim received conditional (2-year) permanent residency, the victim can file a battered spouse waiver that allows them to immediately obtain full permanent residency removing the 2 year wait and their need for the abuser’s cooperation in their application by providing proof of battering or extreme cruelty.

⁹ The definition of battering or extreme cruelty is broader than all state protection order and criminal statutes on family violence. It includes forms of emotional abuse and threats that are often not part of state law definitions of domestic violence. Sexual assault as well as threats and attempts to commit sexual assault are considered battery or attempted battering under immigration law.

¹⁰ If a victim has a criminal history they may have difficulty proving good moral character and may need to file for a U visa rather than a VAWA self-petition.

¹¹ U.S. Department of Homeland Security, U and T Visa Resource Guide: for Federal, State, Local, Tribal and Territorial Law Enforcement, Prosecutors, Judges, and Other Government Agencies (November 30, 2015) <http://niwaplibrary.wcl.american.edu/pubs/dhs-updated-u-certification-resource-guide-2015/>; U Visa Certification Tool Kit for Federal, State, and Local Judges, Commissioners, Magistrates, and Other Judicial Officers (2017) <http://niwaplibrary.wcl.american.edu/pubs/u-visa-certification-tool-kit-federal-state-local-judges-magistrates.>

- Have suffered substantial physical or mental abuse as a result of having been a victim of the one or more of the criminal activities¹² listed in the U visa statute;¹³
- Possess information concerning the criminal activity;¹⁴
- Obtain a certification that the victim is being, has been, or is likely to be helpful in the detection, investigation, prosecution, conviction or sentencing of the perpetrator of one or more listed criminal activities from a family, civil, juvenile, criminal or administrative law judge, law enforcement official, prosecutor, child or adult protective services, the EEOC, state labor agency, or other federal, state, or local authority; and
- The criminal activity violated the laws of or occurred in the United States.

*T Visa for Victims of Severe Forms of Human Trafficking*¹⁵

The T visa provides long-term legal immigration status and a path to lawful permanent residency for immigrant victims of severe forms of human trafficking. Immigrants will be eligible for T visas if they:

- Are a victim of a severe form of trafficking in persons
- Are physically present in the U.S on account of the trafficking
- Assist law enforcement officials in the investigation or prosecution of their traffickers (unless they are under the age of 18, in which case they are exempted from this requirement)
- Can demonstrate that they will suffer extreme hardship involving unusual and severe harm upon removal.

Children Applying for Special Immigrant Juvenile Status

- To be eligible for SIJS a child must be: unmarried, in the United States and under the age of 21¹⁶ at the time of filing the SIJS immigration application, and submit a state court order that contains three findings:¹⁷
 - The court has exercised jurisdiction as authorized by state law to issue orders regarding the custody, care or placement of an immigrant child;

¹² The types of criminal activities include: Rape, Kidnapping, Torture, Abduction, Trafficking, Unlawful criminal restraint, Incest, False imprisonment, Domestic violence, Blackmail, Sexual assault, Extortion, Abusive sexual contact, Manslaughter, Prostitution, Murder, Sexual exploitation, Felonious assault, Female genital mutilation, Witness tampering, Being held hostage, Obstruction of justice, Peonage, Perjury, Involuntary servitude, Slave trade, Stalking, Fraud in foreign labor.

¹³ INA § 101(a)(15)(U)(iii).

¹⁴ In the case of a victim of sexual assault or any other U visa criminal activity when the victim of the crime is a child, incapacitated or incompetent, a parent guardian or next friend of the victim can possess and provide the helpfulness to government officials required for the victim to qualify for a U visa. Indirect victims who are family members of the victim can also qualify for a U visa. The family members of an adult victim who can qualify as indirect victims are: spouses and children under the age of 21. If the victim is under age 21, their parents and unmarried siblings under age 18 can also qualify. The indirect victim protections are very important in cases of sexual assault because they expand protections to parents of sexually abused children. The undocumented parent of a sexually abused U.S. citizen or lawful permanent resident child can qualify for a U visa who possess information and provides helpfulness in the detection, investigation or prosecution (including forensic examination) of the sexual assault perpetrated against the child.

¹⁵ U.S. Immigration and Customs Enforcement. 2010. *Immigration Options for Victims of Crimes Information for Law Enforcement, Healthcare Providers, and Others*. Washington, DC: U.S. Department of Homeland Security. Retrieved July 15, 2018, from <http://library.niwap.org/wp-content/uploads/2015/CULT-Bro-DHSEnglishImmOptionsVictimsofCrime.pdf>

¹⁶ Children must obtain findings from a state court that has jurisdiction to enter orders regarding their care and custody. Orders containing SIJS findings must be issued while the child is under the age of majority set by state law, which is often age 18. Some state laws may confer jurisdiction over a person who is older than 18.

¹⁷ See INA § 101(a)(27)(J) (defining Special Immigrant Juveniles); See also UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, *ELIGIBILITY STATUS FOR SIJ*, available at <https://www.uscis.gov/green-card/special-immigrant-juveniles/eligibility-sij-status/eligibility-status-sij>

- It is not in the child’s best interest to return to the home country, or las habitual residence, of the child or the child’s abusive parent.
- Reunification with one or both of the child’s parents is not viable due to either abuse, abandonment, neglect, **or** a similar basis under state law.

*Individuals Who Came to the United States as Children*¹⁸

Children who receive Deferred Action for Child Arrivals (DACA) also receive protection from deportations and access to work authorization.

- DACA helps immigrant children and youth who:
 - came to the United States under the age of sixteen;
 - have continuously resided in the United States for at least five years;
 - is currently in school, has graduated from high school, has obtained a GED or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;
 - has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety; and
 - is not above the age of thirty.”

Immigration Enforcement Priorities

Immigrants who fall within DHS immigration enforcement priorities are the immigrants who are most likely to become subject to immigration enforcement actions. In February 2017 Immigration and Customs Enforcement listed the following immigrants as priorities for immigration enforcement. Immigrants who:¹⁹

1. Have been convicted of any criminal offense;
2. Has been charged with any criminal offense that has not been resolved;
3. Have committed acts which constitute a chargeable criminal offense;
4. Have engaged in fraud or willful misrepresentation in connection with any official matter before a governmental agency;
5. Have abused any program related to receipt of public benefits;
6. Are subject to a final order of removal but have not complied with their legal obligation to depart the United States; or
7. In the judgement of the immigration officer, otherwise pose a risk to public safety or national security.

¹⁸ Memorandum from Janet Napolitano, Sec’y, Dep’t of Homeland Sec. to David V. Aguilar, Acting Comm’r, U.S. Customs and Border Prot., Alejandro Mayorkas, Dir., U.S. Citizenship and Immigration Services, & John Morton, Dir., U.S. Immigration and Customs Enf’t, *Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children* (June 15, 2012) (available at <http://niwaplibrary.wcl.american.edu/pubs/discretion-individuals-came-as-children/>)

¹⁹ Memorandum from John Kelly, Sec., Dep’t of Homeland Sec. to Kevin McAllenan, Acting Comm’r, U.S. Customs and Border Protection, Thomas D. Homan, Acting Dir., U.S. Immigration and Customs Enf’t, Lori Scialabba, Acting Dir., U.S. Citizenship and Immigration Services, Joseph B. Maher, Acting General Counsel, Dimple Shah, Acting Asst. Sec. for Int’l Affairs, & Chip Fulghum, Acting Undersecretary for Mgmt., *Enforcement of the Immigration Laws to Serve the National Interest* (Feb. 20, 2017) (available at <http://niwaplibrary.wcl.american.edu/pubs/kelly-enforcement-priorities-2-20-17>)

As the following data from Immigration and Customs Enforcement illustrates, immigrants who do not fit one of these listed categories of immigrants are statistically less likely to become subjects of immigration enforcement actions.

- In 2013, DHS removals fell within these categories:²⁰
 - 82% convicted criminals,
 - 7.8% repeat immigration violators;
 - 1.6% immigrants who had been ordered removed and failed to depart
 - 7.7% other immigrants.

- In 2017,²¹ U.S. Immigration and Customs Enforcement conducted 143,470 immigration enforcement actions against immigrants:
 - 73.7% with criminal convictions;
 - 15.5% with pending criminal charges;
 - 5.3% with outstanding notices to appear in immigration court;
 - 2.8% who had been ordered removed and failed to depart from the U.S. (fugitives) or were subject to reinstatement of removal because they had been previously removed from the U.S.; and
 - 2.6% were other immigrants.²²

As this ICE data and ICE enforcement priorities demonstrate, immigrants appearing in state court cases who do not fall within these enforcement priorities are significantly less likely to become subject to immigration enforcement actions. In contested cases it is important for courts to be aware that power and control tactics used by perpetrators of crimes against immigrant victims include the perpetrator making calls to report immigrant victims to ICE in an effort to gain an advantage in state court proceedings by triggering ICE enforcement actions against victims.²³ The legislative history of VAWA demonstrates Congress' intention to reduce the ability of abusers to gain advantages as shown in the quotes below:

- “Consequently, a battered spouse may be deterred from taking action to protect himself or herself, such as filing for a civil protection order, filing criminal charges or calling the police, because of the threat or fear of deportation.”²⁴
- “Relief from deportation is also critical for victims who could face retribution or other hardship if removed from the United States.”²⁵
- “No longer will battered immigrant women and children be faced with deportation for reporting an abuser on whom they may be dependent on for an immigration benefit.”²⁶

²⁰ IMMIGRATION AND CUSTOMS ENFORCEMENT, DEP'T OF HOMELAND SEC., *FY 2013 ICE Removals*, available at <https://www.ice.gov/doclib/about/offices/ero/pdf/2013-ice-immigration-removals.pdf>

²¹ IMMIGRATION AND CUSTOMS ENFORCEMENT, DEP'T OF HOMELAND SEC., *FY 2017 ICE ENFORCEMENT AND REMOVAL OPERATIONS REPORT*, available at <https://www.ice.gov/removal-statistics/2017>

²² Id.

²³ Krisztina E. Szabo & Leslye E. Orloff, *The Central Role of Victim Advocacy for Victim Safety While Victims' Immigration Cases Are Pending* (June 18, 2014) <http://niwaplibrary.wcl.american.edu/pubs/imm-qref-safetyplanning/>; See also Alina Husain & Leslye Orloff, *VAWA Confidentiality: Statutes, Legislative History, and Implementing Policy* (Mar. 11, 2017) <http://niwaplibrary.wcl.american.edu/pubs/vawa-confidentiality-statutes-leg-history>

²⁴Id. (Quoting the House Judiciary Committee on VAWA 1994).

²⁵ Id. (Quoting Sen. Kennedy on VAWA 2000).

²⁶ Id. (Quoting Sen. Bingaman on VAWA 2000).

- “Threats of deportation are the most potent tool abusers of immigrant victims use to maintain control over and silence their victims and to avoid criminal prosecution.”²⁷

Immigration and Customs Enforcement Courthouse Enforcement Policy

On January 10, 2018²⁸ ICE issued a policy limiting civil immigration enforcement at courthouses. This new policy’s limits and rules regarding immigration enforcement at courthouses are protections that apply to all immigrants and are in addition to the protections provided immigrant crime victims by VAWA Confidentiality’s limitations²⁹ on immigration enforcement against crime victims at courthouse.³⁰

Under both the ICE Courthouse policy and VAWA Confidentiality, supervisory approval at the high levels of the local ICE offices is needed to approve any civil immigration enforcement action that is to take place at a courthouse in a family court or civil court case (including but not limited to protection orders, custody, divorce, child support, small claims, and landlord tenant).

- For victims of domestic violence, sexual assault, human trafficking, stalking, and other U visa listed criminal activities³¹ once the victim has filed their immigration case, the case will appear in a DHS database of VAWA confidentiality protected cases. DHS supervisors and enforcement officers will check this database as part of the process of approving civil enforcement at a courthouse in a non-criminal case. VAWA confidentiality protected victims additionally receive protection from limitations on immigration enforcement in criminal cases involving domestic violence, sexual assault, stalking, or human trafficking. The VAWA confidentiality protected immigration case types that will be flagged for additional protection are:
 - VAWA self-petitions, VAWA cancellation of removal and VAWA suspension of deportation
 - U visas for crime victims
 - T visas for human trafficking victims
 - Battered spouse waivers
 - Work authorization applications filed by abused spouses of A , E(iii), G and H visas.

²⁷ Id. (Quoting Rep. Conyers on VAWA 2005 Final Bill - Legislative History Immigration Protections: Conyer’s Extension of Remarks).

²⁸ United States Immigration and Customs Enforcement, *Civil Immigration Enforcement Actions Inside Courthouses* (Jan. 10, 2018) <http://niwaplibrary.wcl.american.edu/pubs/ice-courthouse-directive-2018/>; United States Immigration and Customs Enforcement, *Immigration and Customs Enforcement: FAQ on Sensitive Locations and Courthouse Arrests* (Jan. 31, 2018) <http://niwaplibrary.wcl.american.edu/pubs/ice-sensitive-locationcourthouse-faq/>; United States Immigration and Customs Enforcement, Enforcement and Removal Operations, *FAQ on Sensitive Locations and Courthouse Arrests* (Jan. 31, 2018) <https://www.ice.gov/ero/enforcement/sensitive-loc>

²⁹ See Leslye E. Orloff & Benish Anver, *Family Court Bench Card on Violence Against Women Act (VAWA) Confidentiality*, TRAINING MANUAL FOR CTS. (Oct. 11, 2013), <http://niwaplibrary.wcl.american.edu/pubs/family-court-bench-card-va-wa-confidentiality/>

³⁰ United States Immigration and Customs Enforcement, *Civil Immigration Enforcement Actions Inside Courthouses* (Jan. 10, 2018), at 3 <http://niwaplibrary.wcl.american.edu/pubs/ice-courthouse-directive-2018/>

³¹ INA § 101(a)(22)(U)(iii) domestic violence, sexual assault, abusive sexual contact, prostitution, sexual exploitation, female genital mutilation, stalking, being held hostage, peonage, involuntary servitude, slave trade, kidnapping, abduction, unlawful criminal restraint, false imprisonment, fraud in foreign labor contracting, blackmail, extortion, manslaughter, murder, felonious assault, witness tampering, obstruction of justice, perjury, solicitation to commit any of the above-mentioned crimes, or *any similar activity* in violation of federal, state, or local criminal law.

What the January 2018 Courthouse Enforcement Policy Does.³²

- **Limits Courthouse Enforcement to Targeted Immigrants:** ICE civil immigration enforcement actions at courthouses will be limited to cases in which ICE has received information that leads them to believe that a targeted immigrant is present at a courthouse.
- **Targeted immigrants are immigrants who —**
 - Have criminal convictions
 - Are gang members
 - Are national security risks
 - Pose public safety threats
 - Have been ordered removed (deported)
 - Reentered the United States after having been deported
- **Will not target witnesses or others accompanying a targeted immigrant to court.** The policy states that when a civil immigration enforcement action is conducted at a courthouse against a specific targeted immigrant no immigration enforcement will be conducted against —
 - *Family members or friends accompanying that person to court OR*
 - *Witnesses in court proceedings*
 - Exception – when family, friends or witnesses themselves either
 - Pose a threat to public safety OR
 - Interfere with the immigration officer’s enforcement actions
- **Enforcement in non-criminal proceedings including family law and civil cases and courts**
 - Should generally be avoided AND
 - Require supervisor approval by the Field Office Director or the Special Agent in Charge or their designee
- **Policy informs immigration enforcement officers that if civil enforcement takes place a courthouse officers should**
 - Conduct enforcement in non-public areas of the courthouse
 - Collaborate with courthouse security staff
 - Use the courthouse’s non-public entrances and exits
 - Limit the amount of time immigration officers spend at courthouses
- **ICE’s Goal of the Policy is to**
 - Minimize the impact of ICE enforcement activities on court proceedings
 - Make substantial efforts to avoid alarming the public

³² United States Immigration and Customs Enforcement, *Civil Immigration Enforcement Actions Inside Courthouses* (Jan. 10, 2018) <http://niwaplibrary.wcl.american.edu/pubs/ice-courthouse-directive-2018/>

Locations Statutorily Protected From Courthouse Immigration Enforcement:³³

VAWA imposed statutory prohibitions on enforcement actions at any of the following locations:

- Domestic violence shelter
- Victim services program
- Family justice center
- Supervised visitation center
- A courthouse if the victim is appearing in connection with a protection order case, a child custody case or other civil or criminal case related to domestic violence, sexual assault, trafficking, or stalking

Sensitive Location Limitations on Immigration Enforcement

It is important to note that the ICE policies and VAWA confidentiality statute's limitations on immigration enforcement at courthouses apply despite the fact that ICE does not consider courthouses sensitive locations.³⁴ Having information about which locations are considered "sensitive locations" where, except in limited circumstances immigration enforcement actions will not be conducted will help courts adjudicating immigration related issues raised by parties. Information about locations that are generally protected from immigration enforcement activities will help courts crafting orders identify safe locations for visitation exchange and programs that children and parents can safely access for services and assistance.

On January 31, 2018 ICE confirmed that its sensitive location policies³⁵ issued in 2008 and by the Immigration and Naturalization Service in 1993 remain in effect:

"ICE personnel should refrain from conducting enforcement actions or investigative activities at or near sensitive community locations such as schools, places of worship, and funerals or other religious ceremonies, except in limited circumstances as set forth within this memorandum. Such restraint strikes a balance between our law enforcement responsibilities and the public's confidence in the way ICE executes its mission."³⁶

³³ *Id.* at 3. Immigration and Nationality Act ("INA") § 239(e); codified at 8 U.S.C. § 1229(e) "Initiation of Removal Proceedings: Certification of compliance with restrictions on disclosure."

³⁴ United States Immigration and Customs Enforcement, Enforcement and Removal Operations, *FAQ on Sensitive Locations and Courthouse Arrests* (Jan. 31, 2018) <https://www.ice.gov/ero/enforcement/sensitive-loc>

³⁵ Customs and Border Protection, *U.S. Customs and Border Protection, Sensitive Locations FAQs* (August 22, 2016) <http://niwaplibrary.wcl.american.edu/pubs/cbp-sensitive-location-faq/>; U.S. Customs and Border Protection, *Sensitive Location FAQs* (Aug. 22, 2016) <https://www.cbp.gov/border-security/sensitive-locations-faqs>

³⁶ Julie L. Myers, Immigration and Customs Enforcement, *Field Guidance on Enforcement Actions or Investigative Activities At or Near Sensitive Community Locations* (July 3, 2008) <http://niwaplibrary.wcl.american.edu/pubs/guidance-enforcement-sensitive-community/>; See also Immigration and Naturalization Services, HQ-807 P, *Enforcement Activities at Schools, Places of Worship, or at Funerals or at Other Religious Ceremonies* (May 17, 1993) <http://niwaplibrary.wcl.american.edu/pubs/enforcement-schools-funerals-religious/>

“Locations treated as sensitive locations under ICE policy would include, but are not to be limited to:

- Schools, such as known and licensed daycares, pre-schools and other early learning programs; primary schools; secondary schools; post-secondary schools up to and including colleges and universities; as well as scholastic or education-related activities or events, and school bus stops that are marked and/or known to the officer, during periods when school children are present at the stop;
- Medical treatment and health care facilities, such as hospitals, doctors’ offices, accredited health clinics, and emergent or urgent care facilities;
- Places of worship, such as churches, synagogues, mosques, and temples;
- Religious or civil ceremonies or observances, such as funerals and weddings; and
- During a public demonstration, such as a march, rally, or parade.”³⁷

³⁷United States Immigration and Customs Enforcement, Enforcement and Removal Operations, *FAQ on Sensitive Locations and Courthouse Arrests* (Jan. 31, 2018) <https://www.ice.gov/ero/enforcement/sensitive-loc>