

unannounced at University facilities or at the homes of present or former employees for purposes of interviewing and obtaining documents. Accordingly, this policy serves to establish a mechanism for the orderly response to government investigations to enable the organization to protect the privacy interests of the university, its students and employees while cooperating with any government inquiries and investigations when required by law.

(C) Definitions

1. Personal Subpoena- a written command issued by a governmental agency or judge directing an individual to appear at a certain time and place to give testimony and/or to produce documents at a certain time or place.
2. Investigative Subpoena- a written command from a government agency authorizing the agency to inspect or seize evidence germane to an investigation. Investigative subpoenas typically ask for "immediate access" to places or documents. An investigative subpoena does not require any individual to agree to an interview.
3. Search Warrant – a written court order authorizing a law enforcement agent to search for and seize property that may be evidence of a crime. The search warrant will clearly describe the place to be searched and the things to be seized.
4. Arrest Warrant – a written court order authorizing a law enforcement agent to take the specifically-named individual into governmental custody.
5. Government investigations- the process by which a government agent investigates matters of potential relevance to the government including requesting interviews of current or former University employees.
6. Government Investigator - any employee or agent of the federal, state or local government agency who seeks information from the University that is investigative or potentially criminal in nature. Such government agencies include, but are not limited to, the Federal Bureau of Investigations (FBI), the United States Attorney General's Office, the United States Department of Justice (DOJ), the United States Immigration and Customs Enforcement (ICE), the California State Attorney General's Office, and La Verne Police Department.



the Office of General Counsel for direction as to whether to accept service of the subpoena.

- If you are instructed to accept service of the subpoena, or if the subpoena is left with you, follow the instructions of the Office of Counsel with regard to its handling.
- If you are unable to reach someone in the Office of General Counsel, you should accept the subpoena.

- Attempt to negotiate an acceptable methodology with the agents to minimize disruptions and keep track of the process. Considerations include the sequence of the search; whether investigators are willing to accept copies in place of originals and if so who will make the copies; whether the University will be permitted to make its own set of copies; arrangements for access to records seized.
- If areas are being searched or materials are being seized that, in your opinion, are beyond the scope of the warrant do not interfere with the search. Document the nature of the areas being searched and items being seized which you believe are outside the scope of the warrant.
- Never consent to an expansion of the search beyond the scope of the search warrant.
- Object to any search of attorney/client privileged documents.
- You may videotape, audiotape or photograph the inspection process if it is done without interfering with the agents. Always ask the agents' permission to do so. If they refuse, make a record of the refusal.
- Request a copy of the search inventory completed by the agents. Request the investigator to note the date and time the search was completed as well as sign the inventory with the investigator's full title, address and telephone number.
- Under no circumstance should an employee obstruct or interfere with the search.

#### 4. Arrest Warrants

- If a Government Investigator appears with an arrest warrant for a specifically-named person, the person should be redirected to the Office of General Counsel.
- If the Government Investigator refuses your request to visit OGC, you should immediately contact the Office of General Counsel for directions as to how to proceed.
- If you are unable to reach someone in the Office of General Counsel, ask for identification and obtain and record the names of the government agents, their agency affiliation, business telephone numbers and addresses. Obtain a business card from the agents whenever possible.
- Request copies of the warrant and the affidavit providing reasons for the issuance to the warrant.
- Attempt to negotiate an acceptable methodology with the agents to minimize disruptions to the University community.
- Although the warrant gives the government agents the authority to take the specifically-

the legal processes discussed above.

- If a Government Investigator requests to interview a University employee regarding University business matters, employees should immediately:
  - a. Obtain the name, title, agency, phone number