

## General Guidance: Contacts with Law Enforcement<sup>1</sup>

Law enforcement personnel from federal, state, or local agencies sometimes approach Stanford University students, faculty, and staff to ask to speak with them for a variety of reasons, including, *for example*, to obtain factual information relevant to an ongoing investigation, to ask about an individual who is undergoing a background check in connection with government employment or a security clearance, or to learn about countries or technologies of interest. Even if a law enforcement agent approaches you in person at your home, office, or on campus, you do not have to speak to them immediately; instead, you can ask for the agent's contact information and get back to them after you have considered the request and/or had the opportunity to seek guidance from an attorney or an advisor. You have the right to consult with an attorney before answering questions from law enforcement. Please note that you do NOT have authority to consent to the search or taking of university property or records; please contact the Office of the General Counsel immediately if an agent is demanding access to university property or records at (650) 723-9611 or after hours, contact the OGC emergency line at (650) 736-7808.

Here are some practical step-by-step actions you can take to help you with an interaction with law enforcement personnel:

1. If you are able, try to stay calm and be polite. You will get more out of your exchange under these conditions.
2. Ask for a business or contact card for each agent who has approached you.
3. If the agent has contacted you in person without advance notice, you have the option to decline to speak with the agent or to ask for a meeting to be scheduled at a mutually convenient time and location. You will likely want to know more about the purpose of the meeting before you decide whether to schedule a meeting. (See 4.)
4. Ask the following:
  - a. What is the reason you have contacted me? What information are you seeking from me?
    - i. NOTE: If the purpose of the visit is a background check for a government position relating to a colleague/former colleague or a student/former student, ask to see proof that the individual has authorized the background check. If there is no authorization, state that you need to confer with the Office of the General Counsel before proceeding.
  - b. Am I (or is my work/research) under investigation? If yes, what consequences could I face?
    - i. NOTE: If you are under investigation, then it is best to schedule a meeting in the future after you have had time to retain counsel to assist you. (See c. below if the inquiry relates to Stanford as there are steps you must take.)
  - c. Is this in connection with my work/research at Stanford?
    - i. NOTE: If the purpose of the inquiry relates to your work at Stanford, you must inform the government official that you are obligated to contact the

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<sup>1</sup> This document is not meant to substitute for specific legal advice in a matter. It is general guidance only, which may not be applicable in all encounters with law personnel.

Office of the General Counsel regarding the matter, and that an attorney from the OGC will respond shortly. Please call (650) 723-9611 (after hours call (650)736-7808) right away as the OGC will likely provide immediate assistance and representation.

- d. Am I obligated to speak to you about this matter?
  - i. NOTE: Even if you are obligated to speak to the government authority, e.g., about your visa status, you do NOT need to do so immediately. Take the time that you need to set up the meeting at a future time when you can be accompanied by an advisor or an attorney.

5. If you do agree to speak with a law enforcement agent, you **must tell the truth**. Not doing so is a crime and, if the questions pertain to University matters, being less than honest is also a violation of University policy.

6. If you agree to speak with a law enforcement agent, you may impose any conditions you deem appropriate. For example, you may ask to be accompanied by your attorney or by a colleague who can take accurate notes. You may limit the duration of the meeting. If the subject of the law enforcement agent's inquiry relates to your work or studies at the University, do bring the matter to the attention of an appropriate administrator and to the University's Office of the General Counsel.

7. If the authorities wish to perform a search of your property (e.g., your computer, your apartment, your cell phone, etc.), and request your consent to do so, you may or may not agree to such a search of your personal property. However, **you may not consent to a search of University property**, including electronic searches, without authorization from the Office of the General Counsel. Should you receive such a request, please direct the agent to call the University's Office of the General Counsel at (650) 723-9611 or after hours, the OGC emergency line at (650) 736-7808.

8. Similarly, if a law enforcement agent approaches you to request University records, or records that pertain to other University students, faculty, and staff, you must direct the agent to the Office of the General Counsel. If you are served with a subpoena for documents relating to the University, please forward the subpoena to the Office of the General Counsel immediately, and the OGC will handle the response.

For additional general information about your legal rights related to inquiries by or contacts with law enforcement, please visit <https://www.aclu.org/know-your-rights/what-do-when-encountering-law-enforcement-questioning>