



FLORIDA A&M UNIVERSITY OFFICE OF THE GENERAL COUNSEL ADVISORY

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TO:	Leadership Team, Deans, Directors, and Division Heads (Associates and Assistants)		
FROM:	Avery D. McKnight, Vice President and General Counsel, Legal Affairs		
SUBJECT:	Protocol for Assisting Outside Law Enforcement Agencies Conducting Investigations		

Outside law enforcement agencies are best served when accurate information is disseminated at first contact and all appropriate administrators within the University are notified, up to and including the President. When there is a need to assist an individual from, or a division of, a law enforcement agency not affiliated with Florida A&M University (University or FAMU), it is important that the appropriate University office with custodial responsibility for the information or records be contacted. This advisory is not applicable to public records requests, which is processed through the Office of Communications.

Policy:

It is the policy of this University that all inquiries for information from outside law enforcement personnel or agencies be directed by the Department of Public Safety (DPS) or the Office of the General Counsel (OGC), to the office that has primary responsibility as the custodian of information or record that is being sought.

In addition, the University may require a subpoena, search warrant, or other court order for all information released to law enforcement agencies, except for public records and/or student directory information. Student directory information may be released unless a student has specifically requested that it not be released. Student directory information is defined in the University's FERPA Policy. To serve the appropriate person or department with a subpoena, summons, court order, or other written request for information, see OGC Advisory 13-01. The OGC shall assist in determining the validity of the subpoena, search warrant or other court orders. The DPS should also be consulted to determine the validity of search warrants.

Procedure:

University personnel who are contacted by outside law enforcement agencies conducting investigations of any nature on the campus of Florida A&M University shall promptly direct the outside law enforcement agency to the DPS or to the OGC.

The DPS or the OGC will facilitate the request or ensure the investigating law enforcement agency follows proper protocol while conducting their investigation on FAMU's campus. Prior to the release of the requested information, University personnel should contact the referenced office(s).

Process servers requesting to present University personnel with subpoenas, warrants or court documents involving official University business must be directed to the appropriate person or department pursuant to OGC Advisory 13-01.

When notified, the DPS or the OGC will assist, as appropriate, by escorting or making appropriate contact with the necessary individuals on campus to ensure a non-disruptive process for the investigating outside agency.

If University personnel are presented with a search warrant and neither the DPS nor the OGC can be reached and personnel are confronted with an immediate demand to search, personnel should check the identification/credentials of the person(s) demanding data, review the served documentation to see whether anything appears suspicious or obviously invalid, make a copy of the search warrant with the date and time served noted on the warrant, preserve copies of the data and system integrity as much as possible, comply with the demand as written and immediately document what happened. Personnel should continue to attempt to contact the DPS or the OGC while the search is taking place. Once contacted, the employee should give the DPS or the OGC copies of the documentation noted above.

University personnel are advised that persons executing the warrant may ask them questions. Personnel may choose whether or not they want to speak with an agent and are not required to do so.