



MEMORANDUM

To: All Mercy University Employees (Faculty and Staff)

From: Kristen Bowes, General Counsel 

Date: February 13, 2025

Re: Responding to Law Enforcement at Mercy University Campuses

Mercy University has first responders and law enforcement on its campuses from time to time, typically in response to requests from University personnel. However, it is also possible that law enforcement, in particular, visit campus without first being invited or requested by the University. We follow a clear and specific protocol for handling the presence of law enforcement on campus, which balances safety and legal compliance, with respect for our campus community's rights. As such, the following provides guidance for how the University responds when law enforcement agencies come to any Mercy campus.

1. Notification and Coordination

- **University's Responsibility:** Mercy's Campus Safety should always be the first point of contact when law enforcement is present on campus. If law enforcement is present on campus (whether local police, FBI, Immigration and Customs Enforcement, or New York State Police), Mercy's Campus Safety team will always serve as the point of contact and coordinate with them.
- **Notification to University Officials:** Mercy's Campus Safety shall be the first point of contact upon law enforcement arrival on campus. Campus Safety will immediately contact Mercy's General Counsel. In situations that might alarm our community, the President will be informed by General Counsel and the Executive Director of Campus Safety and Emergency Management.
- **Employee Responsibilities:** Should any law enforcement official enter a campus building looking for information or a member of the University community without prior

coordination with Campus Safety, the employee should inform the law enforcement official that they must contact a University official, and then immediately contact Campus Safety at 914-674-7225 (x7225) or 914-674-9999 (x9999). Under no circumstance should an employee actively obstruct or interfere with a law enforcement official. In such cases, the employee can note the date and time of occurrence, the identity of those involved if possible, and then immediately report the situation to Campus Safety.

2. Purpose and Scope of Law Enforcement Action

- **Warrants/Legal Orders/Subpoenas:** If law enforcement is executing a search warrant, arrest warrant, or subpoena, they are typically required to provide documentation. This is reviewed by Mercy's General Counsel and/or Executive Director of Campus Safety to ensure compliance with applicable laws and institutional policies.
- **Communication with Campus Community:** If the situation warrants, the University may issue a public statement or notify students and employees about the presence of law enforcement on campus, especially if there are potential safety concerns or disruptions.

3. On-Campus Actions

- **Escort and Access:** Mercy's Campus Safety may escort law enforcement around campus, especially for access to specific buildings, records, or individuals on campus, when there is a lawful order or emergency need. Notably, the individuals who are authorized to determine whether an order is lawful are Mercy's General Counsel and the Executive Director of Campus Safety and Emergency Management.
- **Respecting Campus Authority:** External law enforcement must follow the University's policies, including respecting areas of academic privacy (such as student records) and private spaces (classrooms) unless legally compelled to do otherwise.

4. Safety Protocols

- **Security Measures:** The University always has the right to heighten its own security measures to ensure the safety of the campus community.
- **Evacuation Plans:** If necessary, the University may implement an evacuation plan or provide guidance on how students and employees should proceed, depending on the nature of the incident or law enforcement activity.

5. Communication with the Community

- **Student and Faculty Engagement:** In case of an incident or investigation, the University may send alerts or updates via email, text messages, or campus-wide notifications (e.g., through the emergency notification system) to keep the campus community informed.

- **Media Relations:** The University's public relations team may work with internal administrators and in some situations local law enforcement to manage media inquiries and ensure accurate information is shared.

6. Confidentiality

- In many instances, matters under investigation may be confidential and sensitive. The University will make every effort to ensure information is kept confidential. The University carefully and consistently adheres to all federal and state laws that protect the privacy of students and employees.

7. Post-Incident Review

- **Assessment:** After any law enforcement action on campus, Campus Safety and senior leadership typically conducts a review of the situation to evaluate the response, ensure proper procedures were followed, and address any concerns raised by students or employees.
- **Legal and Privacy Considerations:** The University's General Counsel will assess the privacy and legal ramifications of the law enforcement involvement, particularly if personal data, student or employee records, or confidential information was affected by the presence of law enforcement.