

WHAT TO DO IF A J1 OR F1 STUDENT IS ARRESTED

1. **Contact family, and if necessary, refer student to seeking counsel. An international student facing criminal charges should seek advice from counsel with expertise in both criminal and immigration law.**
2. **Key offices at your institution should be notified of a student's arrest as per law.** Some campuses require students to notify a specific office of arrests; others may not.
3. **Advise the student to notify the academic adviser and professors,** especially if the student will be unable to attend classes. If the student asks for your help on this, then do it without providing any case-relevant or any more information than you need to.
4. **Where is the student being held? What are the charges? Who has custody of the student? Police, ICE, etc.?** (If held by ICE, [here](#) is info about finding them) **Is the student eligible for bail? Has a court appearance been scheduled? When? Follow your campus policy with respect to visiting the student in jail or accompanying the student to court. If the student was arrested by the campus police, they will know the details of the situation. But if the student was arrested off campus, you'll need to learn which jurisdiction. Your campus police can provide assistance in finding out what happened, which law enforcement agencies are involved, and where the student is.**
5. **If bail has been set, the student may need assistance contacting friends or family.**
6. **Family may come from abroad.** They may need logistical assistance, housing, directions.
7. **If the student is charged with a violent crime or with a drug-related crime,** s/he may be temporarily evicted from university housing, even before a trial, and may need assistance locating temporary accommodations.
8. **The student may be going through both the campus discipline process as well as the court system at the same time,** but may not understand the differences in these systems. You can provide the student with information about the campus judicial system, [criminal defense lawyers](#) and explain where to get information about the court system.
9. **When an F-1, M-1 or J-1 visa holder is charged with a crime, ICE most often learns of it through data shared among law enforcement agencies.** They may contact the school to ask if and when the student's SEVIS record will be terminated. Follow the regulations and your office or school policy in determining whether, or when, to terminate the student.
10. **If the student is a participant in your school's Exchange Visitor program, you may be required to report the incident to the Department of State.** Whether you must do this depends on the decision of the program's Responsible Officer, who is required to notify Department of State "promptly by telephone (confirmed promptly in writing) or facsimile of any serious problem or controversy which could be expected to bring the Department of State or the sponsor's exchange visitor program into notoriety or disrepute."
11. **If the situation that led to the student's arrest is of interest to the media,** your campus public information office may be involved. Follow your school's policy with respect to conversations and/or interviews with the press and other media representatives.