

Instructions for Employers

Do This Now:

- 1) Compile your I-9 forms and supporting documents in one place.
- 2) Keep the I-9 forms and supporting documents separate from personnel files.
- 3) Instruct your employees on what to do in the event of a visit from ICE/Police/Government Agent.
- 4) Work on a succession plan.

In the event of a visit from ICE/Police/Government Agent:

- 1) Stay calm and professional. Do not argue. Remember ICE is not your friend, no matter how friendly they may appear.
- 2) Tell the agents that you do not consent for them to enter the premises.
- 3) Instruct the agents that they must wait in the _____ (designate a public area) while you contact your attorney.
- 4) Contact your attorney and let him or her know what is happening.
- 5) Take a photograph with your phone of any documents the agents show you and text or email the documents to your attorney.
- 6) Ask if the agents have a warrant
 - a) If they have a warrant, make sure it has the name of a court and is signed by a judge, and not an administrative warrant signed by an ICE official
- 7) Write down the names, government agencies and badge numbers of all agents.
- 8) Maintain a distance of ten feet and record with photographs and video what the agents do.
- 9) Document if the ICE officers expand their search beyond the scope of their warrant or harassed or intimidated you or your employees during the course of the raid.
- 10) Call the Rapid Response Team Hotline at 1-888-622-1510.
- 11) Document all items seized.
- 12) Remember your personal rights:
 - a) You have the right to remain silent. You do not have to answer questions verbally or with nonverbal gestures. You do not have to answer any question about your place of birth, legal status or show any immigration documents.
 - b) If you wish to remain silent, tell the agent or give the agent your "Know Your Rights" card.
 - c) You do not have to consent to a search of yourself or your belongings.
 - d) Do not lie or provide fake documents. Do not carry fake documents or documents that identify your country of origin).
 - e) If you are taken into custody by ICE, do not resist arrest or try to run.
 - f) You have the right to a lawyer but the government will not provide one. If you don't have a lawyer, ask for a list of free or low-cost legal services.
 - g) You have the right to contact your consulate or have an officer inform the consulate of your arrest.
 - h) Do not discuss your immigration status with anyone but your lawyer.
 - i) Do not sign anything, such as voluntary departure or stipulated removal, or make decisions without a lawyer.
 - j) Read all papers fully. If you don't understand or cannot read the papers, ask for an interpreter.
 - k) Know your immigration number ("A" number) and give it to your family. It will help them locate you.
 - l) If you feel your rights have been violated, write down everything you remember, including

officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses. If you're injured, seek medical attention immediately and take photographs of your injuries. You may file a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

What to do if ICE arrests an Employee:

1. Ask for the name, location and phone number of the detention facility where the employee will be held. You can find contact information for detention facilities and ICE field offices using the locator pages on the ICE website.
2. Try to take down as much identification information as you can about the ICE officers who conducted the raid.
3. Keep track of transferred employees. After being arrested, immigration detainees often are transferred to another location, even within hours of being arrested. If you call the detention center identified by the ICE officer and are told the person is not there, ask where they have been sent.
4. Document phone conversations and get the name and identification of the officer with whom you spoke.
5. Contact your attorney for assistance with locating detained employees.
6. Help detained employees hire experienced immigration attorneys. It is generally not a good idea to have your own attorney representing your detained employees. Your attorney can help find an immigration attorney. See also the list compiled by the National Immigration Legal Services Directory at <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>
7. Keep in touch with the family of your detained employees so that you know what's happening and what you can do to help.
8. Consider paying the bond for detained employees so that they may be released pending their deportation proceedings. You will get most or all of your money back provided the employees show up for court dates. Paying the bond allows the detained employees to spend time waiting for a court hearing with their families rather than in a detention center. It can be years before a court hearing.
9. You can work with the employees' immigration attorney to request a hearing to have the amount of the bond lowered.