

## **Recommendations for Employers in the Event of an ICE Raid**

### Do This Now:

1. Compile your I-9 forms and supporting documents in one place, separate from other personnel files. Consider doing an I-9 self audit with the assistance of your attorney.
2. Instruct your employees on what to do in the event of an ICE raid.
3. Instruct your employees on their individual rights and give them “Know Your Rights” cards..
4. Clearly designate private areas of the business.
5. Designate who will speak with ICE and an area, without contact with customers or employees, where the conversation will occur.
6. Create a succession plan in the event a key person can’t work due to detention, injury, illness, etc..
7. Retain an attorney to have on hand should the need arise.

### Do This In The Event Of An ICE Raid:

1. Stay calm and professional. Do not argue, lie or run.
2. Remember that ICE may appear friendly, but anything you say may be used against you.
3. Tell agents:
  - a) You do not consent for them to enter the premises;
  - b) They may not enter private areas of the business without a judicial warrant.
  - c) They must wait in the designated area while you contact your attorney.
4. Call your attorney and let him/her know what is happening.
5. Call the Rapid Response Team Hotline at 1-888-622-1510 to inform them of the raid.
6. Write down the names, government agencies and badge numbers of all agents.
7. Take photographs of any documents agents show you, and send them to your attorney.
8. If the agents present a judicial warrant, make sure it has the correct address, the court name, a judge’s signature, issue date within 14 days, and a description of places to be searched and persons or items to be seized. You may restrict their search what is named in the warrant.
9. Photograph and video the agents’ acts do from a distance of 10 feet. Tell agents you are recording.
10. Do not do anything that could be considered harboring, such as hiding employees, aiding in their escape, providing false or misleading information, or shredding documents.
11. Document all items seized, areas searched, and whether ICE officers harassed or intimidated you or your employees.
12. Remember your personal rights:
  - a) YOU HAVE THE RIGHT to remain silent. You may tell the agent you won’t talk with them without your attorney present or give the agent your “Know Your Rights” card.
  - b) YOU DO NOT HAVE TO:
    - i) Answer questions verbally or nonverbally;
    - ii) Answer any question about your place of birth or immigration status;
    - iii) Show any immigration documents; or
    - iv) Consent to a search of yourself or your belongings.



- c) YOU HAVE THE RIGHT to a lawyer. If you don't have one, ask for a list of low-cost legal services.
- d) YOU HAVE THE RIGHT to contact your consulate or have an officer tell the consulate of your arrest.
- e) YOU HAVE THE RIGHT TO an interpreter. In high stress situations, if you are more comfortable in your native language, ask for an interpreter.
- f) DO NOT
  - i) carry or provide fake documents or false information;
  - ii) carry documents that identify your country of origin;
  - iii) run or try to resist;
  - iv) discuss your immigration status with anyone but your lawyer; or
  - v) sign anything or make decisions without a lawyer.
- g) READ all papers fully. If you don't understand or cannot read the papers, ask for an interpreter.
- h) KNOW your immigration number ("A" number) and give it to your family so they can locate you.
- i) If you feel your rights have been violated, WRITE DOWN everything you remember, including officers' badge and patrol car numbers, GET contact information for witnesses, SEEK medical attention immediately if you're injured, TAKE photographs of your injuries and TELL your attorney. Consider filing a complaint with the agency's internal affairs division or civilian complaint board.

#### Do This If ICE Arrests An Employee:

1. Ensure that you have paid the employee all amounts due.
2. Ask for the name, location and phone number of the detention facility where the employee(s) will be held. You can find contact information for detention facilities and ICE field offices on the ICE website.
3. Take down as much identification information as you can about the ICE officers who were at the raid.
4. After being arrested, immigration detainees are often 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.
5. Document phone conversations and the identification of the officer with whom you spoke.
6. Contact your attorney for assistance locating detained employees.
7. Because it is not a good idea to have your own attorney represent your employees, ask your attorney for help finding other experienced immigration attorneys. See the National Immigration Legal Services Directory at <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>
8. Keep in touch with the family of your detained employees so that you know what's happening and what you can do to help.
9. Consider helping to pay the bond for detained employees so that they may be released pending their deportation proceedings.
10. Offer to work with the employee's immigration attorney to request a hearing to have the amount of the bond lowered.



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