

Immigration and Customs Enforcement (ICE) may come to your business for various purposes. It is crucial to identify ICE's specific purpose to inform your appropriate response.

Key Legal Guidelines

Businesses and individuals must not actively interfere with an ICE action or direct employees not to speak to ICE officers. However:

- You are **not required** to provide information about an employee's immigration status or national origin.
- You do **not need to identify** any specific person ICE is seeking.
- Without consent to enter or a valid judicial warrant, ICE cannot enter private spaces to conduct searches.

Types of ICE Actions

ICE actions may include:

- I-9 form audit
- Arrest of a specific individual
- Workplace raid

Warrant Verification

Carefully review any warrant from ICE:

Judicial Warrant

- Legally enforceable
- Signed and issued by a state or federal court judge or magistrate
- Must be complied with

ICE Warrant

- **You do not need to comply**
- Carries no legal effect
- Signed by an immigration judge or officer
- Contains the word "Alien"
- Issued by Department of Homeland Security

Instructions for Front Desk Employees

When ICE arrives:

- Inform ICE you're not authorized to speak on behalf of the company
- Do **NOT** give consent to conduct searches
- Share the Law Enforcement Contacts sheet
- Do **NOT** run from ICE
- You may exercise your right to remain silent
- If questioned, ask if you are free to leave
- If not free to leave, request an attorney by clearly stating: **"I want an attorney"**

Preparation and Action Plan

Before ICE Arrives:

- Instruct employees on procedures
- Distribute Law Enforcement Contacts sheet
- Designate Authorized Individuals to speak on company's behalf
- Train designated individuals on warrant evaluation
- Consider communicating with employees about potential ICE enforcement
- Post signs indicating which areas of your worksite are private

During ICE Visit

- Provide Law Enforcement Contacts Sheet
- Have Authorized Individual speak with ICE
- Identify ICE's purpose
- Record interaction from a distance

Specific Scenarios

I-9 Form Audit

- No warrant required
- Cooperate only with I-9 record inspection
- Keep forms readily available and separate from personnel files

Arrest of Specific Person

- Generally requires a judicial warrant
- Verify warrant validity
- If valid: Do not obstruct arrest
- If no judicial warrant: Refuse compliance and ask ICE to leave

Workplace Raid

- Requires valid judicial warrant
- Verify warrant's time, place, and scope
- Cooperate only within warrant's specific parameters
- Document search proceedings

After ICE Leaves

- Notify employee's emergency contact
- Document details:
 - Number of ICE agents
 - Agent attire and weapons
 - Perception of movement restrictions
 - Any observed mistreatment

IMPORTANT

This document is intended to provide you with general information. The contents of this document are not intended to provide specific legal advice. Please contact a member of the SLVMS employment group with questions (stokeslaw.com).

Resources

- Know-Your-Rights Pamphlets
 - [Washington Immigrant Solidarity Network - Rumor Control](#)
 - [National Immigration Law Center - Know Your Rights](#)
 - [Know Your Rights to Defend Your Rights](#)
- Immigration Safety Plan for Children
 - [Legal Counsel for Youth & Children - Immigration Safety Plan for Youth and Children](#)
- [How to Find or Contact Someone Detained at the Northwest Detention Center](#)
- [Comprehensive Guide for I-9 Compliance](#)

Talking Points for Supervisors to Discuss ICE Audits or Raids

We understand that some employees have heard rumors that law enforcement will target fruit growers or warehouses for immigration audits or raids.

We have no reason to believe that any of our employees are unauthorized to work in the U.S., so we are not concerned about being targeted for an audit or raid. However, we understand that some employees have asked what to do if immigration or other law enforcement arrives on company property. We encourage you to review the resources listed above.

As a reminder, non-employees are not permitted in private areas on company property. This also applies to law enforcement and immigration agents unless they have a valid judicial warrant. The company has posted signage to help remind people which areas are open to the public and which are private (and only open to employees).

Guidelines if approached on company property:

- Stay calm and continue to work unless directed by your supervisor to stop working.
- Do not run, as that could give ICE a legal basis to arrest you.
- If approached by an agent, inform the agent that you are not authorized to speak on behalf of the company, but there are Authorized Individuals who can do so.
 - Provide a STOP sheet or contact your supervisor, who will share the STOP sheet.
- If an agent asks to look around or conduct a search, tell them that you do not have the authority to give permission, but there are Authorized Individuals who can talk to them.
 - Provide a STOP sheet or contact your supervisor, who will share the STOP sheet.
- You are not required to speak with ICE agents or any other law enforcement. The decision to speak to an agent is up to you; you may exercise your constitutional right to remain silent if you so choose.
- If ICE agents question you, you may ask if you can leave. If the agent says no, you may request an attorney by saying, "I want an attorney."



If you are a law enforcement agent, you are not authorized to enter on property of _____ without express consent from one of the individuals identified on the directory below or a valid warrant issued by a judge.

Attention Law Enforcement Officer (ICE, County Sheriff, Local Police, etc.):

Our company looks forward to providing the assistance that you request, but only certain individuals may do so on behalf of the company. Please contact the following individuals, in the order listed below, who are authorized to discuss legal matters with law enforcement officials who arrive on our company's property.

Thank you for understanding that only the personnel below have authority to discuss legal matters with you.

Order	Name	Title/Company	Phone Number
1			
2			
3			
4			
5			
6		Attorney, Outside Counsel	
7		Attorney, Outside Counsel	
8		Attorney, Outside Counsel	

JUDICIAL WARRANTS v. IMMIGRATION WARRANTS

AO 93 (Rev. 12/09) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the
Eastern District of California

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)) Case No.
[REDACTED])
Davis, California 95616)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer **211-SW-0161 EFB**

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA
(Identify the person or describe the property to be searched and give its location):
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge _____ (name).

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).
☐ Until, the facts justifying, the later specific date of _____

Date and time issued: 4-25-2011
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

[Signature]
EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE
(Printed name and title)

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
WARRANT OF REMOVAL/DEPORTATION

File No: _____
Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____ (Full name of alien)
who entered the United States at _____ on _____
(Place of entry) (Date of entry)

subject to removal/deportation from the United States based upon a final order by:

☐ an immigration judge in exclusion, deportation, or removal proceedings
☐ a designated official
☐ the Board of Immigration Appeals
☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT

(Signature of immigration officer)
(Title of immigration officer)


Is this the right address?

Note: only the person, property, & areas specified may be searched

Is it still current?

Is it actually signed by a judge?

IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT



JUDICIAL SUBPOENAS v. IMMIGRATION SUBPOENAS

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Plaintiff)
v.) Civil Action No.
Defendant)

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: _____
(Name of person to whom this subpoena is directed)

☐ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place: _____ Date and Time: _____

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and place set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: _____ Date and Time: _____

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT DR.
Signature of Clerk or Deputy Clerk _____ Attorney's signature _____

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____, who issues or requests this subpoena, are: _____

person who issues or requests this subpoena of documents, electronically stored information, or tangible things or the and a copy of the subpoena must be served on each party in this case before _____ Fed. R. Civ. P. 45(a)(4).

Is this directed to you?

Does it specify what documents are being sought?

Is it signed by a clerk of court?



NATIONAL
IMMIGRATION
LAW CENTER

IF THE ANSWER TO THESE IS YES, THEN
IT IS LIKELY A VALID JUDICIAL SUBPOENA

1. To (Name, Address, City, State, Zip Code)

Manager: _____
@eba.ldo.org
Oakland, California 94601

DEPARTMENT OF HOMELAND SECURITY

**IMMIGRATION ENFORCEMENT
SUBPOENA**

to Appear and/or Produce Records
8 U.S.C. § 1225(a), 8 C.F.R. § 287.4

Subpoena Number
USCIS-SFR-17-115

2. In Reference To

Immigration filing on behalf of _____
(Title of Proceeding)

(File Number, if Applicable)

By the service of this subpoena upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A) ☐ **APPEAR** before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official named in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.

(B) ☒ **PRODUCE** the records (books, papers, or other documents) indicated in Block 4, to the CBP, ICE, or USCIS Official named in Block 3 at the place, date, and time specified.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(B).

3. (A) CBP, ICE or USCIS Official before whom you are required to appear

Name _____
Title Immigration Officer
Address USCIS 630 Sansome Street, Rm. 1220
San Francisco, California 94111
Telephone Number 415-248-8619

(B) Date 04/28/2017

(C) Time 0900 ☒ a.m. ☐ p.m.


4. Records required to be produced for inspection

Please provide a copy of the lease for _____ Street, # _____ in Oakland, California. The lease should include the names of the current occupants. If there are no current occupants, please provide a copy of the lease for the previous occupants.

5. Authorized Official

(Signature)

(Printed Name)
Supervisory Immigration Officer
(Title)
04/18/2017
(Date)



If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.

DHS Form I-138 (6/09)

THESE ARE VISUAL CUES THAT THIS
IS AN IMMIGRATION SUBPOENA