

ICE and Raids in the Workplace

A “raid” is when ICE agents arrive at a worksite without warning—often as part of an investigation. ICE agents themselves are not police officers, but their uniforms may say “Police” or “Federal Agent.” They may be accompanied by law enforcement officers (although in IL, usually local police do not get involved in immigration enforcement), and they may carry guns.



Sometimes, ICE might show up to detain a specific worker, not “raid” the entire workplace. They might have an arrest warrant for a particular person (or people,) however while they are there, they may try to question, detain, and even arrest other people.

HOW TO PREPARE FOR ICE ACTIONS

1. Make a Written Response Plan Ahead of Time. Talk to other businesses or business associations. Ask what they are doing to prepare. Practice —just like a fire drill. Be prepared to know what to say and do. Contact immigration response networks in your area. They can provide support with family, legal, financial, and media concerns if immigration agents come to your business.
2. Train Your Staff to NOT TALK to ICE Agents. Train all workers to NOT allow ICE agents to enter your workplace. A worker can say, “I can’t give you permission to enter. You must speak with my employer.” If ICE agents have questions or requests, workers should say nothing, or say, “You are not allowed to enter. Talk to my employer.”
3. Know Your Rights!

Employers have rights when ICE goes to a business. Just because ICE agents show up, they do not always have a right to enter your business, stop or arrest your workers, or take documents. Work with a community or legal group to arrange a “Know Your Rights” training for you and your staff and pay your staff for the time they spend in training.

WHAT EMPLOYERS SHOULD DO WHEN ICE ARRIVES

For Public Areas:

Anyone—including ICE agents— can enter public areas of your business without permission. Public areas include a dining area in a restaurant, parking lots, lobby or waiting area. Being in a public area does NOT give ICE the authority to stop, question, or arrest just anyone. No one can enter a private area of your business without your permission or a judicial warrant.

TIP: To show that some areas are private, mark them with a “Private” sign, keep the doors closed or locked, and have a policy that visitors and the public cannot enter those areas without permission.



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THE “PRIVATE AREA”



Without a judicial warrant, ICE agents need YOUR permission to enter private areas of your business

- If ICE agents try to enter a private area, you should say: “This is a private area. You cannot enter without a judicial warrant signed by a judge. Do you have a judicial warrant?”
- If ICE agents tell you that they have a judicial warrant, ask for a copy and read it.
- Sometimes, ICE agents try to use an administrative warrant to enter. But an administrative warrant does NOT allow agents to enter private areas without your permission. Administrative warrants are not from a court. They say “Department of Homeland Security” and are on Forms I-200 or I-205.
- When ICE shows you an administrative warrant with an employee’s name on it:
 - You do NOT have to say if that employee is working on that day or not.
 - You do NOT have to take the ICE agents to the employee named on the warrant (even if he or she is at work at the time).

During the Raid

- Stay calm! Ask your workers to stay calm, too. Do not run to the exits. This will make things worse because ICE agents can say that people who are running are likely violating immigration laws.
- Do NOT help ICE agents sort people by their immigration status or the country they are from.
- Watch the agents and see if they are complying with what’s written in the warrant.
- If you or an employee is willing, you should video or record what the ICE agents do at your workplace.
- You may be able to prove the agents violated your rights or your workers’ rights.

What if ICE Agents Try to Stop, Question, Detain, or Arrest a Worker?

ICE agents may try to stop, question, or even arrest a worker without the proper authority. The best way for workers to protect their rights is to stay silent and ask for an attorney. Workers do not have to hand over any IDs or papers to ICE. All workers have this right. Any information that workers give to ICE can be used against them later.

Immediately After the Raid

Write or record these things after ICE leaves:

- How many ICE agents were present (inside and outside)?
- How were the agents dressed? How were they armed?
- Did the agents make you or your workers believe you could not move or leave?
- Did the agents mistreat anyone? If yes, how?
- Notify the workers’ union.
- If ICE arrests any of your workers, ask the ICE agents where they are being taken. This information will help the worker’s family and lawyer find the person.