



Protecting Your Business and Employees from ICE Raids

KNOW YOUR RIGHTS, RESPONSIBILITIES, AND BEST
PRACTICES FOR SMALL BUSINESS OWNERS

Why This Matters

- ICE conducts worksite enforcement operations

- Raids can cause detentions, fines, business disruptions

- Knowing your rights protects you, your employees, and your business

Types of ICE Enforcement Actions

- Worksite Raids: Surprise visits
- I-9 Audits: Review of eligibility forms
- Subpoenas & Warrants: Requests for documents/access

Employer Rights & Responsibilities

You have the right to:

- Refuse entry without a judicial warrant
- Remain silent
- Ask for and inspect warrants

Responsibilities:

- Maintain I-9 forms
- Avoid discrimination

Know Your Rights — Employers

01

- Ask for a judicial warrant

02

- Limit ICE access

03

- Don't consent to warrantless searches

04

- Right to remain silent

Know Your Rights — Employees

01

- Right to remain silent

02

- Right to a lawyer

03

- Do not run or hide

04

- Do not show false documents

What Is a Judicial Warrant?

- Signed by a judge

- Specifies areas or people

- ICE administrative forms are not valid for entry/search without consent

Judicial vs. Administrative Warrant

JUDICIAL VS. ADMINISTRATIVE WARRANT

This is a judicial search warrant. It DOES authorize agents to enter your home.

AD-71 (Rev. 12/01) Search and Seizure Warrant

UNITED STATES DISTRICT COURT Issued by a 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 to whom and address)
344 Oak Avenue
Davis, California 95616

Case No. _____

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

2:11-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.

Read attachments to make sure they are regarding YOU and YOUNG, not someone else's.

The person or property to be searched, described above, is believed to contain / Admit the presence or describe the presence to be sought.

SEE ATTACHMENT A ATTACHED HERETO AND INCORPORATED BY REFERENCE

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 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 deferred notice is authorized below, you must give a copy of this warrant and a notice for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and notice 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.

☐ 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). ☐ If so, the facts justifying the later specific date of _____.

Date and time issued: 5-25-2011 10:00 AM

City and state: SACRAMENTO CALIFORNIA

EDWARD J. BRENNAN, U.S. MAGISTRATE JUDGE

JUDICIAL

1. issued by a court
2. if name or address is wrong, warrant is invalid
3. MUST have a signature from a judge

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____

Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations.

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- ☐ the execution of a charging document to initiate removal proceedings against the subject;
- ☐ the pendency of ongoing removal proceedings against the subject;
- ☐ the failure to establish admissibility subsequent to deferred inspection;
- ☐ biometric confirmation of the subject's identity with a recent check of federal databases that affirmatively indicate, by the subject's or the subject's other reliable information, that the subject either lacks appropriate status or status exceeding such status is removable under U.S. immigration law; and
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate, by the subject's or the subject's other reliable information, that the subject either lacks immigration status or nonwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to appear and take custody for removal proceedings under the Immigration and Nationality Act at above-named place.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Date of Service) and the contents of this notice were read to him or her in the _____ (Language).

Date and Signature of Officer _____

Date and Signature of Interpreter (if applicable) _____

ADMINISTRATIVE

1. no legal basis to enter your home or car
2. signed by an immigration officer not a judge

How to Prepare Your Workplace



Sample Workplace Policy

- ▶ - No entry without judicial warrant
- ▶ - Only designated staff interact with ICE
- ▶ - Employees stay calm
- ▶ - Contact legal counsel immediately

Questions & Discussion

- How prepared is your business?

- Do you have a plan?

- How can you support your employees?

Thank You & Contact Info

Thank you!

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