



Disclaimer: This document is current as of June 2025, but immigration laws and policies are subject to frequent change. This material is provided for informational purposes only and does not constitute legal advice. Individuals should consult with a qualified immigration attorney for guidance specific to their situation.

STEPS TO PREPARE FOR POTENTIAL ICE WORKSITE ENFORCEMENT ACTIONS (RAIDS):

1. Establish clear guidelines on how to respond to any law enforcement investigations and entry into workplaces.
2. Ensure your I-9 compliance programs are in place, up-to-date, and followed. Ensure that you have consistent and accurate procedures that you can articulate if questioned by agents in an audit or a raid.
3. Have a plan in place with a clear chain of command (including by designating one point person to coordinate our response to the raid).
4. Ensure that the designated staff member has been trained on and has copies of the guidelines for responding to an ICE raid , as well as contact information for the organization's immigration attorney and emergency contact information for employees.
5. Train a rapid response raid team responsible for immediately contacting immigration counsel and employment counsel in the event of a raid. They should be trained on guidelines for responding to ICE worksite enforcement actions/raids, as outlined below.

Note: The California Collaborative for Immigrant Justice (CCIJ) provides trainings on employer/employee rights and maintains rapid response hotlines for employers and employees to call in the event of an enforcement action at their worksite:

<https://www.ccijustice.org/find-your-local-rr-hotline>.



SAMPLE GUIDELINES FOR RESPONDING TO ICE WORKSITE ENFORCEMENT ACTIONS (RAIDS)

1. Understand the organization's/employer's rights:
 - A. If ICE agents ask or attempt to enter a "nonpublic area" (i.e. an area that the general public is not normally free to enter or access), the designated staff member should state explicitly that s/he does not consent to entry without a judicial warrant.
 - B. Inspect the warrant before granting access to nonpublic areas of the work premises to confirm all of the following:
 - the warrant is signed by a judge or judicial official;
 - (Note: an "ICE Warrant" signed by an ICE agent but not a judge/judicial official is not binding);
 - the warrant is still valid (served in the permitted time frame); and
 - the scope of the warrant identifies what items, records, and/or areas can be searched and what documents/items can be seized. In some cases, judicial warrants are narrowly tailored and permit only the review or collection of documents—not the physical search of spaces.
2. The designated staff member should ask for and write down the name(s) of the supervising ICE or other law enforcement agent, as well as the U.S. attorney assigned to the case (if relevant).
3. The designated staff member and/or other employees can be assigned to follow the ICE agents around the facility, with two primary goals in mind:
 - A. Monitor the actions of the agents to ensure they are staying within the scope of the warrant (but DO NOT interfere with their investigation or engage in any hostilities toward them).
 - B. Document any search and seizure of property, either by openly video recording or keeping a list of items taken or people detained. Ask for a receipt of items seized. **Recording Notice (California Law):**
Under California law, you may only record in public spaces without consent. Be cautious about recording in private areas—such as break rooms, offices, or meeting rooms—as doing so without the express



consent of all parties may violate privacy laws. If recording will occur, it must be clearly disclosed and consent explicitly stated.

4. ICE agents have the right to speak to any of our employees, but employees have the right to remain silent. However, **do not** instruct those employees to refrain from speaking to agents if questioned or otherwise interfere with questioning.
5. Immigration officers are only allowed to enter public spaces within the workplace and require valid search warrants to enter private spaces. Within those limitations, staff should cooperate with valid requests for access, such as unlocking spaces that ICE is actually authorized to enter.
6. Do not take any action that could constitute harboring undocumented workers or interfering with ICE agent inspections, such as hiding employees, aiding in their escape from the premises, shredding documents, or providing false or misleading information/documents to ICE agents.
7. If an officer requests to look at “privileged” documents (i.e. attorney-client privileged documents), explain that they are privileged documents and ask that they not be inspected until you can speak with your attorney. However, ultimately, we cannot prevent them from taking these documents if the warrant allows it. Retain a list of what privileged documents were taken and share it with your legal counsel.
8. Keep a written record of what and who is seized by ICE agents, and provide the list to your legal counsel once the enforcement action has ended.
9. If news media is present for the raid, work with legal counsel to prepare a statement to the media during and after a raid.
10. Be mindful of state-enacted immigration protections that also apply to employers. For example, California AB 450 imposes certain requirements on employers in the event of immigration enforcement at the worksite. Specifically, ***California law prohibits employers, or persons acting on behalf of the employer, from providing “voluntary consent” to the entry of an immigration enforcement agent to “any nonpublic areas of a place of labor” or to “access, review, or obtain the employer’s employee records.”***
 - A. A “nonpublic” area is one that the general public is not normally free to enter or access.



- B. “Voluntary consent” is consent provided free of duress or coercion, either express or implied. Voluntary consent includes freely asking or inviting an immigration enforcement agent to enter that area. This could be indicated by words and/or by the act of freely opening doors to that area for the agent, for instance. A search and seizure conducted within the scope of a judicial warrant does not constitute voluntary consent.
- C. Accordingly, there is no violation of this provision if the agent enters a nonpublic area or accesses, review, or obtains employee records ***without the consent*** of the employer or other person in control of the place of labor. In addition, employers are not precluded from taking an agent to a nonpublic area ***if employees are not present in the nonpublic area***; the agent is taken to the nonpublic area ***for the purpose of verifying whether the agent has a judicial warrant***; and ***no consent to search the nonpublic area*** is given in the process.
- D. For more information on AB 450, refer to the California Labor Commissioner and California Attorney General guidance on AB 450 available at [http:// www.dir.ca.gov/dlse/AB_450_QA.pdf](http://www.dir.ca.gov/dlse/AB_450_QA.pdf).

Final Note: While our employees have constitutional rights, there is always a risk that those rights may be violated. We encourage employees to exercise their rights thoughtfully and calmly. If a violation occurs, document and record everything as soon as possible.