

## Immigration Resources: Child Care Programs

### How Child Care Programs Can Prepare for ICE Actions

#### Make a Written Response Plan Ahead of Time

- Make a plan that works for you.
  - DELC Emergency Plan Resources: [Written Emergency Plan Templates](#)
  - Practice – just like a fire drill. You will be more prepared if you know what to say and do.
- Connect with immigration response networks in your area. They provide support with family, legal, financial, and media concerns if immigration agents come to your business.

#### 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.”
- Train all workers to NOT interact with ICE agents. If ICE agents have questions or requests, workers should say nothing, or say, “You are not allowed to enter. Talk to my employer.”

#### Know Your Rights

- Employers have rights when ICE goes to a business. ICE agents do not always have a right to enter your business, stop or arrest workers, or take documents.

### How Child Care Programs Can Respond to ICE Actions

#### What Child Care Programs Should Do When ICE Arrives

- Immigration agents can enter a private area ONLY IF they have a judicial warrant.
- A judicial warrant must be signed by a judge and say “U.S. District Court” or a State Court at the top.
- 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. The employer can accept the warrant but still decline to consent to the search.
- 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.

### **During the ICE Action**

- Stay calm.
- 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).
- 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 the agents are searching areas not listed in the warrant, object to those searches by voicing your objection and noting it.
- 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 the workers’ rights. Save any company surveillance footage taken during the raid.

### **What if ICE Agents Try to Stop, Question, Detain, or Arrest a Someone?**

- 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 the workers believe you could not move or leave?
  - Did the agents mistreat anyone? If yes, how?
- If ICE arrests any of the workers, ask the ICE agents where they are being taken. This information will help the worker’s family and lawyer find the person.
- Contact The Research Institute at 503-838-8391 Option 2 to report the incident and for resources to support children, families, and staff moving forward.

*This document is not legal advice. Please contact a lawyer for legal counsel if needed.*