



When ICE Comes to Your Workplace: A Guide for **Public Employees**

Public employees are the backbone of the services that keep our communities safe, functional and just. Whether you work in a courthouse, public school, state agency, hospital or municipal office, your role is essential to strengthening public trust and upholding democratic values.

You may find yourself on the frontlines if Immigration and Customs Enforcement (ICE) officers come into your workplace seeking information or access. **As a public worker, it's important to understand your rights and responsibilities when these situations arise**—not just to protect yourself and your colleagues, but to ensure that the communities you serve are treated with dignity and fairness.

This guide was created to help you navigate these encounters. Local laws, agency protocols and collective bargaining agreements may vary, so it's critical to stay informed and connected.

If ICE (or another agency, such as Customs and Border Protection) comes to your workplace, **immediately notify your supervisor and your union representative.** By staying informed and standing together, we can protect our rights and uphold due process.



ICE just showed up at your workplace—here's what to do

If ICE shows up at your workplace, remain calm. You are not obligated to engage with or assist ICE officers right away. Take the time to go through these steps, protecting your individual rights and following the law.

1. Request identification

- a. ICE may be in uniform, armed and easily identifiable. Still request identification.
- b. If officers are in plain clothes, ask them to identify themselves with an official credential.

2. Notify your supervisor

- a. If an ICE officer is present, notify your supervisor. They will likely be aware of any state or local legislation that affects how you must cooperate with ICE and can help support you through the process.

3. Request documentation (warrant, subpoena, court order)

- a. ICE agents must have a valid warrant to search and/or seize anything from your workplace. **Ask if they have documentation from a federal judge that authorizes their actions.**
 - i. If ICE officials attempt to search or seize something without this documentation, unless your department has an outstanding agreement with other terms, this is illegal. Note their badge numbers and names and alert your supervisor immediately.
- b. ICE may show you an **administrative warrant**. These documents have no relevant legal force and require no action by non-ICE agents (you). They are not issued by a judge and **cannot alone authorize search and seizure**. See Example 1 below for ways to identify an administrative warrant.
- c. If ICE has a **federal or judicial warrant, subpoena or other court order**, you **must comply** with what the document requires. Contact your supervisor first to clarify your responsibilities. See Examples 2 and 3 for ways to identify these documents.

4. Next steps

- a. If ICE does not have a valid court order, you are under no obligation to take action on their behalf or provide them with any information.
- b. If ICE has a valid **judicial warrant, subpoena or court order**, they may be:
 - i. Looking for a specific person or group of people.
 - ii. Asking for specific records or data.

- iii. Requesting contact information.
- iv. Sweeping the area/worksite.
- c. You **must comply** with the information request if ICE has a valid warrant. It is illegal to obstruct, lie to or interfere with an ICE agent.
 - i. Pay attention to what information the warrant covers. You are only required to provide this information to ICE officials. A supervisor can help with this clarification.
 - ii. You are not required to comply with any requests outside those detailed in the warrant.

5. Contact your union representative

- a. Ask any questions about if and how you should cooperate with ICE.
- b. Clarify what happens if you **refuse to cooperate**, including any disciplinary action that may be taken against you.
- c. Protect yourself from legal consequences of compliance.
 - i. If you participate in immigration enforcement action that is discriminatory, causes unlawful detention or otherwise violates a person's rights, you or your employer could be liable for damages.

Document references: What to look for

EXAMPLE 1: ADMINISTRATIVE WARRANT

From: Department of Homeland Security, not a judge

Title: Warrant for Arrest of Alien, Warrant for Removal/Deportation

Signature: Authorized immigration officer

Obligation to act: None for non-ICE personnel. ICE administrative warrants have no relevant legal force requiring action from you because they are not issued by a judge. ICE has no authority to enter a private area or access and obtain records. Contact your supervisor. You are under no obligation to provide the requested information.

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

Warrant for arrest, NOT search

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 and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Not a Judges Signature Line

Certificate of Service

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

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

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

EXAMPLE 2: JUDICIAL WARRANT

From: A court (U.S. District Court), a federal judge

Title: Search and Seizure Warrant

Signature: Federal judge ("Honorable ____")

Obligation to act: You must comply with the terms of a judicial warrant. You should contact a supervisor immediately to determine who is responsible for acting and what information/access is required. Do not attempt to obstruct the action of ICE officials with a judicial warrant. Lying to, obstructing or threatening a law enforcement officer is illegal and could provoke legal action.

Look for Name & Address

AO 93 (Rev. 01/09) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
Southern District of California

In the Matter of the Search of _____)
_____) Case No. _____
_____))
_____))
_____))

Look for Name & Address

States 'Search' → SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

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 _____ District of _____
(Identify the person or describe the property to be searched and give its location.)
See Attachment A-2.

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be searched.)
See Attachment B-2.

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 _____ (not to exceed 10 days)

☒ in the daytime (6:00 a.m. to 10 p.m.) ☐ at any time in the day or night as if 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: _____ Judge's signature _____
City and state: _____ Printed name and title _____

Look for a line that requests & obtains the Judge's Signature

EXAMPLE 3: SUBPOENA

From: A court (U.S. District Court)

Title: Subpoena, U.S. District Court

Obligation to act: A subpoena will command specific records be provided to the court. You must comply with the orders in this document. You should contact a supervisor before anything to determine who is responsible for acting and what information/access is actually required. Do not attempt to obstruct the action of ICE officials with a court order/warrant. Lying to, obstructing or threatening a law enforcement officer is illegal and could provoke legal action.

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
Central District of California

In re DMCA Subpoena to YouTube, LLC)	
<i>Plaintiff</i>)	
v.)	Civil Action No.
)	
)	
<i>Defendant</i>)	

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

To: YouTube, Inc., Designated Copyright Agent
901 Cherry Ave., San Bruno, California 94066

(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: SEE ATTACHMENT A

Frequently asked questions

1. Will ICE officials be working with state/local agencies?

ICE does not have the authority to command state and local agencies. However, local agencies and law enforcement sometimes voluntarily assist ICE in conducting investigations, apprehending individuals and sharing information. Always ask for identification and relevant legal justification (a warrant, subpoena or other court order) before sharing information.

2. What am I legally required to provide to ICE if asked?

There is generally no legal requirement to do anything for ICE, including providing records or other information. However, if your specific agency, employer or collective bargaining agreement includes cooperation requirements, additional administrative consequences may apply. If ICE presents a court order, you are obligated to provide the specific records cited in the order. Always contact a supervisor before providing any records. Never obstruct, lie to or interfere with an ICE officer—doing so is illegal.

3. Do I need to report every undocumented individual I encounter to ICE?

No, private citizens are not under any obligation to report undocumented immigrants or volunteer any other information to ICE. There are select government agents that may have some such obligation, but this mostly applies to law enforcement. Refer to the resources below and speak to your supervisor to clarify individual responsibilities.

a. Am I obligated to share any immigration information with ICE?

If you are privy to immigration information and data as part of your job, you are not required to share that information with ICE. If officers have a court order, you must provide the information outlined in the document.

b. What is the 287(g) program?

The 287(g) program creates agreements between the federal government and local law enforcement agencies giving these local agencies the authority to enforce immigration laws. If you are not sure about whether you have a 287(g) obligation, ask your supervisor and union representative for clarification. If you do not have a 287(g) agreement, you are not legally required to voluntarily help ICE unless it is court ordered or otherwise required by state or local policy.

4. What happens if I do not cooperate with ICE?

It is not illegal to decline cooperation with ICE. However, if ICE presents you with a court order, you must comply with the terms of that order. Obstructing, lying to or interfering with a law enforcement officer is illegal. It is also illegal to harbor undocumented immigrants. Declining to cooperate with ICE does not constitute harboring undocumented immigrants.

a. What does it mean to harbor undocumented immigrants?

It is illegal to “conceal, harbor or shield” unauthorized individuals in the United States. Simply knowing of an undocumented person’s status does not constitute

harboring. Harboring is recognized as facilitating an undocumented immigrant's residency in the United States by preventing authorities from detecting them, providing direction on how to obtain false documentation, or substantially concealing them.

b. Can I be arrested for not complying with ICE?

No, declining to help ICE gives them no basis to arrest or detain you. However, if you attempt to obstruct, lie to or threaten an ICE officer, you are breaking the law. This includes declining to comply with a judicial warrant, subpoena or other court order.

5. What if ICE is outside my workplace?

If ICE is outside your workplace, you may ask them to leave, but they are able to remain in public spaces like any other person. If they are in a public area inside your workplace (such as a lobby or waiting room), you may ask them to leave unless they provide valid documentation of a warrant or subpoena. Always write down ICE officers' names and badges if they are waiting outside your place of work or inside a public area.

Helpful resources

[A Know Your Rights Toolkit for Public Sector Workers \(SEIU and ILRC\)](#)

[Know Your Rights: Immigration Administrative Subpoenas \(ACLU\)](#)

[State Policies Limiting or Expanding Involvement in Immigration Enforcement \(ILRC\)](#)

[Employer Rights and Responsibilities in Case of Workplace Raid \(American Immigration Lawyers Association\)](#)

[Pamphlet on Harboring \(National Immigration Project\)](#)

[More on the 287\(g\) Program \(American Immigration Council\)](#)

[Outside the Workplace: Your Individual Rights if Confronted by ICE \(National Immigrant Justice Center\)](#)

[Distinguishing Between Administrative and Judicial Warrants \(Luminus\)](#)

Information for this guide was compiled by Madeleine Cierski in the AFT Public Employees Department using the SEIU's "Know Your Rights Toolkit for Public Sector Workers" and the ACLU's "Know Your Rights: Immigration Administrative Subpoenas" resources.