



SUGGESTED PROTOCOL FOR HANDLING ICE AGENTS OR A RAID FOR HOSPITAL AND CLINIC EMPLOYEES

i What the law says about law enforcement in hospitals and other healthcare facilities

On Jan. 20, 2025, the Trump administration rescinded a policy memo that protected certain areas—such as healthcare facilities and schools—from immigration enforcement. As a result, ICE officers and agents are allowed to conduct enforcement actions in formerly protected areas.

It's important to remember that members of our immigrant community still have basic constitutional rights. There are important steps that can be taken to support patients and families in all formerly designated protected areas. These steps include:

- Identify any applicable federal, state and local laws that protect immigrant communities.
- If policies don't exist, develop a written response policy and preparedness plan in advance for when there's an interaction with an immigration enforcement officer at or near the hospital or healthcare facility.

i Establish a written policy identifying areas of the facility as private and not open to the general public. All private areas must be clearly marked.

For example, your waiting room may be open to the public, but individuals must be invited to enter into examining rooms, offices and records areas. Alternatively, the waiting room may be open only to patients and those accompanying them, while the public must remain in areas outside the building.

i Designate a specific person or multiple people as responsible for handling contacts with law enforcement officials.

Train all other staff to inform immigration or other law enforcement officials that only the designated individuals are authorized to review a warrant or to consent to their entry into private areas, and to decline to answer any questions.

i If immigration agents ask permission or attempt to enter a private area, the designated person should state explicitly that they do not consent to entry without a judicial warrant.

If the agents indicate that they will get a warrant, contact a lawyer and try to have that person present for the search.

i When presented with a judicial warrant, the designated law enforcement contacts should review the warrant for validity.

A warrant is not valid unless it is signed by a judge and states the address of the specific premises to be searched. If the immigration agents have a valid judicial warrant, they can enter into the private areas and question anyone present. Remind all patients and other people present that they have the right not to answer any questions.

i Have staff role-play their responses during a practice immigration raid on the clinic, so that they are prepared to respond confidently in a stressful situation.

Do's and Don'ts for patients and their families if ICE authorities come to their homes

- ➔ **Do not open the door.** ICE authorities cannot come in without a signed warrant. Tell them to pass the warrant under the door before you open it.
- ➔ **Remain silent.** ICE can use anything you say against you in your immigration case, so claim your right to remain silent! Say, "I plead the Fifth and choose to remain silent."
- ➔ **Do not sign.** Don't sign anything ICE gives you without talking to an attorney.
- ➔ **Document the encounter.** Take pictures, video and notes. Write down badge numbers, the number of agents and exactly what happened.
- ➔ **Fight back!** Get a trustworthy attorney, contact a local immigrant rights organization and explore all options to fight your case. If detained, you may be able to get bail—don't give up hope!

For more resources and information, contact:

- ➔ **AFT**
www.aft.org/immigration
- ➔ **National Immigration Law Center**
www.nilc.org
- ➔ **United We Dream**
www.unitedwedream.org
- ➔ **Center for Law and Social Policy**
www.clasp.org