

# Know Your Rights When Encountering ICE or Other Agents Conducting Immigration Enforcement Actions

*We the People*  
insure domestic Tranquility provide for the common Defense  
and our Posterity, do ordain and establish this Constitution of the United States



**NATIONAL  
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Education  
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The content in this guide was compiled by the ACLU, the National Immigration Law Center and the AFT.



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## **AFT members and allies: ACLU and NILC are here to help!**

American Civil Liberties Union: [www.aclu.org/issues/immigrants-rights](http://www.aclu.org/issues/immigrants-rights)

National Immigration Law Center: [www.nilc.org](http://www.nilc.org)

Learn more about the AFT's work on immigration and unaccompanied children: [www.aft.org/immigration](http://www.aft.org/immigration)



Education  
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**Randi Weingarten**

**PRESIDENT**

**Fedrick C. Ingram**

**SECRETARY-TREASURER**

**Evelyn DeJesus**

**EXECUTIVE VICE PRESIDENT**

## **Our Mission**

The AFT is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

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# Know Your Rights When Encountering ICE or Other Agents Conducting Immigration Enforcement Actions

**“Our schools, healthcare facilities and workplaces must remain places of safety and care—not fear. Immigration enforcement must change.**

The federal government is supposed to protect, not endanger, Americans. The killings of Alex Pretti, Renée Good, Keith Porter Jr., Ruben Ray Martinez and others—combined with other illegal actions by ICE and CBP— are traumatizing communities and making it nearly impossible for AFT members to do our work as educators, healthcare workers and public service professionals.”



**Randi Weingarten**  
AFT President

Across the country, immigration enforcement activity has escalated in scope, visibility and proximity to the very institutions where AFT members carry out their work: public schools, early childhood centers, colleges and universities, hospitals and clinics, public agencies and community-based workplaces that anchor our neighborhoods. Educators, healthcare workers and public employees are increasingly encountering federal agents near or around places of learning and care, creating a chilling effect that deters students, patients and families from accessing education, medical services and essential public services. These encounters are unfolding in spaces that must remain safe, trusted and accessible. In this environment, AFT members must be equipped to respond so they can safeguard their own rights and responsibilities while protecting the dignity, safety and continuity of services for the students, patients and families they serve.



It's important to remember that everyone in the United States, regardless of immigration status, has constitutional rights in any encounter with Immigration and Customs Enforcement or any other agents conducting immigration enforcement actions. Everyone has the right to remain silent and not answer questions about immigration status or birthplace; the right to refuse consent to a search of one's person, home, workspace or belongings; the right to ask whether you are being detained or are free to leave; the right to request and speak with an attorney before answering questions or signing any documents; and the right to engage in peaceful speech, assembly and advocacy under the First Amendment.

This guidance provides AFT members with clear, practical direction so that, even in moments of heightened enforcement and uncertainty, we act within the law, uphold our professional responsibilities and help ensure that our schools, healthcare facilities and workplaces remain places of safety, care and dignity.

## Remember:

- Knowing and exercising your rights is more important than ever.
- Preparation reduces panic and confusion.
- Always act lawfully and avoid escalation.
- Our institutions must remain places of safety, learning and care.

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### LEGAL DISCLAIMER:

This resource provides general information; it is not legal advice specific to your situation.

# Constitutional Protections: You Have Rights

**Everyone who lives in the United States, regardless of immigration status, has constitutional rights.**

## Right to remain silent:

- You have the right to remain silent.
- You do not have to answer questions about immigration status, birthplace or citizenship.
- You may say: *"I am exercising my right to remain silent and would like to speak to a lawyer."*
- Hand the ICE Agent or other federal agents questioning you your Know Your Rights Card

### Know Your Rights Card

I am exercising my Fifth Amendment right under the U.S. Constitution to remain silent, my right to refuse to answer your questions and my right to refuse to sign anything until I consult an attorney.

Unless you have a signed judicial warrant to search the area, I do **NOT** consent to your search of my home, vehicle or property. If I am detained, I request to contact this attorney/organization immediately.  
Name/Phone Number: \_\_\_\_\_  
Thank you.

## Right to ask for identification and a warrant:

- Ask agents to identify themselves and the agency they represent.
- If an agent seeks to enter a home, an employee-only space in a school or health-care facility, or a place where visitors are screened before entry, you may say that you do not consent to their entry and may ask to see a signed judicial warrant.
  - Administrative ICE warrants (Forms I-200 or I-205) do not authorize entry into nonpublic spaces without consent.
  - Only a judicial warrant signed by a judge allows entry into nonpublic spaces without permission.

## Right to document the encounter with ICE



- You have the right to record or document anything plainly visible in public, including interactions with ICE or other federal agents conducting an immigration enforcement action, as long as you do not interfere with law enforcement activity.
- Take notes on the time, location, badge numbers, agency names, documents presented and other important details.
  - If you believe your rights or someone else's rights have been violated, write down what happened or ask a witness to do so.
  - Report the violation to your union representative, a lawyer or an immigrant rights organization.
- Remember, when recording video, focus on the agents, not the individual being arrested. For additional guidance on documenting an encounter with ICE, visit the WITNESS Eyes on ICE project.



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### Right to an attorney:

- You have the right to speak with an attorney before answering questions.
- Do not sign documents without legal review.
- Do not sign any documents in a language you do not understand.
- Signing a document may waive your rights or lead to deportation.

**Consider establishing legal representation now.** If you do not already have an immigration attorney or accredited representative, identify one now and discuss completing Form G-28 (Notice of Entry of Appearance). A G-28 formally authorizes counsel to represent you before the Department of Homeland Security, ensures officials communicate through your attorney and allows legal support to intervene quickly if an enforcement or case issue arises.

### Important Legal Boundaries

#### Do not:

- Physically interfere with enforcement actions.
- Threaten officers or block access to federal property or federal agents.
- Attempt to hide individuals from ICE or other federal agents.
- Provide false information or documents.

#### Do:

- Remain calm and nonconfrontational during any encounter.
- Ask agents to identify themselves.
  - If agents seek to enter a nonpublic or restricted area (such as employee-only spaces in a school or healthcare facility) or a place where visitors are screened before entry, ask whether they have a valid judicial warrant signed by a judge. Without a judicial warrant or consent from an authorized official, agents generally cannot enter nonpublic areas. Administrative warrants issued by immigration authorities alone do not authorize entry into these spaces.
- Refer immigration authorities to the appropriate institutional administrator or legal counsel.
- Inform a supervisor, designated point person or union representative immediately.
- Document the interaction from a safe distance.
- Continue performing your professional duties consistent with institutional policy and applicable law.
- Support students, patients, coworkers and community members by directing them to reliable Know Your Rights resources.
- Follow established workplace protocols and any guidance issued by your employer and union.

**Peaceful observation and documentation are permitted and protected.**



# Know Your Rights in Public Spaces

## I. In Public Spaces (Streets, Protests, Transit, Community Areas)

### If approached by ICE or other federal agents:

- Stay calm and do not run.
- Ask: “Am I being detained or am I free to go?”
- If free to go, walk away calmly.
- If detained, remain silent and request to speak to a lawyer.
- Provide ICE agents or other federal agents questioning you your Know Your Rights card.
  - If you are a U.S. citizen or have lawful immigration status, clearly state that to the agent.

## II. Know Your Rights if ICE Visits Your Home

### You do not have to consent (agree) to ICE entering your home.

You do not have to open the door unless ICE agents show you a signed judicial warrant describing your location:

- Ask them to slide the warrant under the door or hold it up to a window.
- Verify that:
  - It is signed by a judge or magistrate.
  - The location and any names listed are correct.
  - The time period has not expired.

### If they do not have a judicial warrant:

- You may refuse entry.
- Say: “I do not consent to entry.”



## Know your rights during demonstrations:

- You have the right to peaceful assembly and protest.
- Your basic constitutional rights are the same in interactions with military or National Guard troops as they are with other law enforcement officials.
- For your safety, follow dispersal orders.
- Do not engage physically with agents or troops.

### Actions needed before an encounter with ICE:



- Create a family immigration emergency preparedness plan.
- Identify emergency contacts.
- Keep legal documents accessible.
- Share Know Your Rights materials with family members.

### III. Know Your Rights if ICE Shows Up at K-12 Schools or College Campuses

#### K-12 schools and college campuses must remain safe and welcoming places of learning for all students.

##### If ICE agents arrive on campus:

- Notify administration and union leadership immediately.
- Ask agents to identify themselves and the agency they are with.
- Make clear that you do not consent to ICE's presence or entry and request to see a signed judicial warrant.
- Do not provide student information without proper legal authorization.

- Follow district or campus protocols regarding encounters with ICE and other law enforcement agencies.
- Document the encounter if it is safe to do so.

##### REMINDERS:

- Student records are protected under the Family Educational Rights and Privacy Act (FERPA).
- Staff should not inquire about, collect or record information regarding a student's citizenship or immigration status.
- Staff should not disclose personal information about a student.
- Refer agents to designated administrators or legal counsel.
- Do not interfere physically with immigration enforcement actions.

##### EDUCATORS SHOULD:

- Remain calm and maintain classroom safety.
- Avoid spreading panic.
- Document the presence of ICE and other federal agents.
- Follow institutional protocols.

## Institutional Preparedness Matters

Before an encounter with ICE or other federal agents, institutional preparedness is critical to prevent panic and disruption in schools. Educators and school support staff should work with administrators, unions and community partners to reaffirm that schools are safe and welcoming environments for every student and family. An important step is reviewing and reevaluating student data collection. Schools should carefully consider what information is collected, why it is collected and who has access to it. Avoid collecting information about a student's or family member's immigration status, which has a deep chilling effect on families and may violate *Plyler v. Doe*, the Supreme Court decision guaranteeing access to K-12 public education for all children regardless of immigration status.

Designate restricted areas: Schools should clearly identify areas on campus that are not open to the public (e.g., classrooms, counseling offices, health rooms, administrative offices, cafeterias and staff workspaces). Clearly mark these spaces and require authorization before entry.

## IV. Know Your Rights If ICE Shows Up in Healthcare Settings

Healthcare facilities must prioritize patient care and privacy.

If agents enter a healthcare facility:

- Notify administration immediately.
- Direct agents to the designated point of contact to interact with ICE agents.
- Make clear that you do not consent to ICE's presence or entry and request to see a signed judicial warrant.
- Do not provide patient information without proper legal authorization.
- HIPAA protections remain in place.
- Document the encounter if it is safe to do so.

**Clinical considerations:**

- Do not disrupt patient care.
- Use facility-approved alert systems.
- Follow institutional emergency protocols established by the employer.

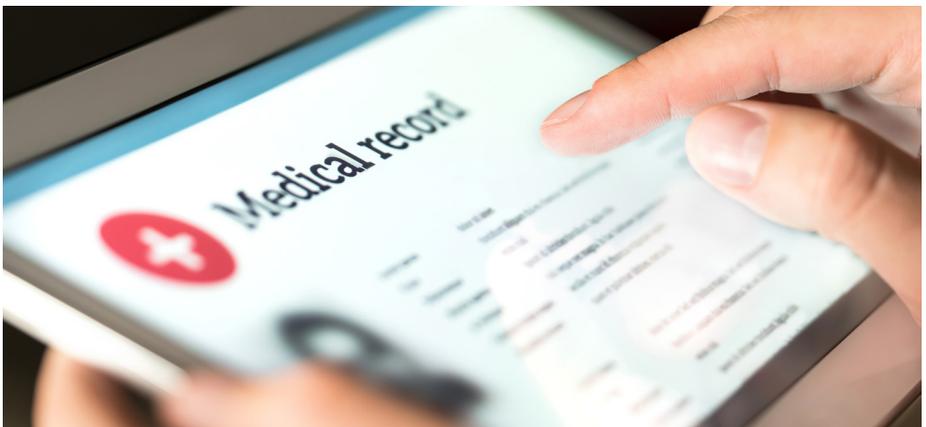
**HEALTHCARE WORKERS SHOULD NOT:**

- Disclose patient immigration status.
- Participate in enforcement actions.
- Obstruct agents physically.

## Reminder: Institutional Preparedness Matters

Before an encounter with ICE or other federal agents, institutional preparedness is critical to prevent panic and disruption in healthcare facilities. Healthcare workers, administrators, unions and community partners should work together to reaffirm that hospitals, clinics and care centers remain safe and trusted spaces for patients and families seeking medical care. An important step is reviewing and limiting patient data collection practices. Healthcare institutions should carefully assess what information is collected, why it is collected and who has access to it. Avoid collecting information about a patient's or family member's immigration status unless legally required, as doing so can deter individuals from seeking medical care and undermine patient trust. Patient information must also be protected in accordance with privacy protections under the Health Insurance Portability and Accountability Act.

Designate restricted areas: Healthcare facilities should clearly identify areas not open to the public (e.g., patient treatment areas, exam rooms, nurses' stations, medical records offices and staff workspaces). Clearly mark these spaces and require authorization before entry.



## V. Know Your Rights for Public Employees if ICE Shows Up at the Workplace

### If ICE agents conduct a workplace enforcement action:

- Notify union leadership and the employer immediately.
- Make clear that you do not consent to ICE's presence or entry and request to see a signed judicial warrant.
- Employees have the right to remain silent.

### EMPLOYEES SHOULD:

- Document interactions.
- Provide workers with Know Your Rights cards or materials ahead of an encounter with ICE.
- Coordinate with immigrant rights groups and legal networks on a rapid response plan.



**Jonathan Blazer**  
ACLU Senior Advisor

### **“Knowing and exercising our rights is more important than ever in times like these**

when rights are under attack. When we know our rights, we are better positioned to advocate for ourselves and help protect and defend the rights of those around us. Teachers, healthcare workers, and other public service professionals are playing a vital role in ensuring that our government respects the basic rights the Constitution guarantees to all of us, and in holding our government accountable when it fails to do so.”



# Institutional Preparedness Is Key to Avoid Panic and Remain Safe

## To prepare ahead for an incident or encounter with ICE:

- Conduct Know Your Rights trainings for all employees.
- Establish internal response protocols.
- Coordinate with trusted community partners.
- Identify legal and mutual aid resources.
- Create communication trees.
- Operationalize a local rapid response plan.

## During an incident:

- Stay calm.
- Follow institutional protocols.
- Document the encounter and do not interfere.
- Contact union leadership and legal support.

## After an incident:

- Debrief with leadership and colleagues.
- Provide employee support.
- Offer mental health resources.
- Report concerns to appropriate community and legal partners.
- Execute the local rapid response plan.

## SPECIFIC RESPONSE PLANS AND KNOW YOUR RIGHTS SAMPLES

### HEALTHCARE



### HIGHER EDUCATION



### K-12 SCHOOLS



### PUBLIC EMPLOYEES





**Kica Matos**  
NILC President

**“All of us living in the United States have rights under the Constitution, regardless** of citizenship status and no matter who is president. Frontline workers—in hospitals, schools and other places serving our communities—should not have to deal with the fear and disruption caused by the threat of immigration raids. Unfortunately, this is the horrific reality they are facing today. Knowing and asserting our rights is key to keeping these community centers safe, so we are able to both go to work and access the services we need.”

## Additional resources:

- The AFT’s Immigration Hub, a one-stop shop for AFT members looking for guidance and resources: [www.aft.org/immigration](http://www.aft.org/immigration).
- The American Civil Liberties Union’s immigrants’ rights resources: [www.aclu.org/know-your-rights/immigrants-rights](http://www.aclu.org/know-your-rights/immigrants-rights).
- The ACLU’s resources on encountering law enforcement and military members: [www.aclu.org/know-your-rights/encountering-law-enforcement-and-military-troops](http://www.aclu.org/know-your-rights/encountering-law-enforcement-and-military-troops).
- The National Immigration Law Center’s materials for immigrants and workers: [www.nilc.org/resources/kyr](http://www.nilc.org/resources/kyr).







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