

Immigration Enforcement Visits or "Raids": How they work

Immigration enforcement visits can occur without notice. The most common cases involve legal document audits. In some cases, immigrant officers are searching for evidence or looking for certain individuals. Use this guide to be prepared and know how to respond to immigration enforcement visits.

Immigration enforcement of Department of Homeland Security includes

- **Homeland Security Investigations (HSI)** looks at employers' Form I-9 (Employment Eligibility Verification) and other paperwork for compliance.
- **Immigration and Customs Enforcement (ICE)** enforces immigration law and can detain and deport noncitizens. ICE agents are not police, but they can carry guns and may wear clothes that say "Police" or "ERO" (Enforcement and Removal Operations).
- **Customs and Border Protection (CBP)** are present at the border to decide who may enter the United States, and may use Border Patrol agents to set up check points or question people within 100 miles of a land or sea border.
- **U.S. Citizenship and Immigration Services (USCIS)** audits job-related immigration sponsorship and can visit worksites.

Before Any ICE or Other Immigration Officer Visit

- Make sure Form I-9 and other immigration paperwork is complete and accurate. Do an internal Form I-9 audit and fix errors.
- Designate a person or department (such as Human Resources or Legal) as the point of contact for immigration officers.
- Mark areas as "private" so immigration officers cannot enter without permission or a warrant.
- If you have received a Social Security Administration "No-Match" letter, make a record of how you are trying to fix it.

If ICE or Other Immigration Officers Arrive

- Stay calm. Try to remember names and pay attention to what is happening.
- Allow entry into public areas. Anyone, including ICE agents, can enter public areas of your business without permission. Public areas may include the lobby, reception area, front office, parking lot, and areas accessible to the public.
Ask the agents for identification, a phone number to call after, and notices explaining why they have come.
Contact Human Resources, a manager, the company attorney, or the designated contact.

Types of Paperwork

- **Notice of inspection** — this is a request from ICE or Homeland Security to share your Form I-9 in 3 business days. Contact an attorney before responding.

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- **Immigration enforcement subpoena** — this usually requests other documents along with the Form I-9.
- **Judicial arrest or search warrant** — this warrant is signed by a federal court magistrate or judge. It may allow ICE agents to enter private areas or take documents with them. Read the warrant. Check that it is legitimate and do not consent to anything outside of the warrant.
- **Administrative warrant** — this usually has “Department of Homeland Security” or “Immigration and Customs Enforcement” and will be Form I-200 or Form I-205. Without a valid warrant signed by a judge or subpoena, the employer should say “I cannot consent, and I do not consent.” If ICE shows you an administrative warrant with an employee's name on it:
 - You **do not** have to say whether the employee is working that day.
 - You **do not** have to take the ICE agents to the employee named on the warrant.
- **Receipt for items seized by ICE** — If records are seized, ICE must give the company a receipt to keep track of what they are taking.

Communications with Employees During the Visit

- Remind employees to stay calm and **do not** run away. ICE agents may chase people who run away and may arrest people who they suspect violated immigration laws.
- You may video or record the ICE agents so long as you do not interfere with what they are allowed to do.
- With a judicial warrant, ICE could confiscate phones, laptops, etc., or they may take a picture or scan the information without taking devices.
- **Do not** give consent for ICE to stop, question, or arrest anyone, go everywhere they want or take whatever they want.
- **Do not** help ICE agents by sharing people’s immigration status or the country they are from with agents.
- All employees have the right to stay silent and ask for an attorney. Employees are not required to hand over any IDs or papers to ICE.
- Any information that employees give to ICE can be used against them later.
- Anyone who is arrested should ask for an attorney and a "show cause hearing."

Immediately After the Visit

- Write or record these things after the officers leave:
 - How many ICE agents were present (inside or outside)? What were their names?
 - How were the agents dressed? How were they armed?
 - Did the agents make you or your Employees believe you could not move or leave?
 - Did the agents threaten or mistreat anyone? If yes, how?
- If ICE arrests anyone, ask the ICE agents where they are taking people.
- If there is a Form I-9 inspection, prepare the documents. You can ask for more than 3 days to hand over the records.

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