

How to handle I.C.E. agents on your premises:

If I.C.E. 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 I.C.E. agents try to use an **administrative** warrant to enter, you should ask if the agents have a **judicial** warrant as well. If they do not, tell them they may not enter private areas without your permission.

If they do not listen to you, tell them you are contacting an attorney.

If I.C.E. agents try to stop, question, detain, or arrest a worker, the worker should stay silent and ask for an attorney. Workers do not have to hand over any IDs or papers to I.C.E. All workers have this right. Any information that workers give to I.C.E. can be used against them later.

Train your staff:

- ▶ To **NOT** run away if I.C.E. agents show up. Running away could give I.C.E. a legal reason to arrest workers.
- ▶ To **NOT** give I.C.E. agents permission to enter your workplace.
- ▶ To **NOT** answer questions or give any information.

Indivisible Santa Fe is a grass-roots group devoted to protecting and promoting pluralistic constitutional democracy in New Mexico and the United States. We are under the national **Indivisible** umbrella.

Our effort to have businesses assert their Fourth Amendment rights against I.C.E. protects segments of the workforce particularly under threat from the current authoritarian President and his Cabinet -- immigrant workers, workers of color, and Spanish-speaking workers. These groups are being harassed and detained during ICE raids at their workplaces. Using any workplace as a venue for authoritarian, racist, and xenophobic government action ill serves labor, employers, and consumers.

Visit us at:

<https://indivisiblesantafe.org>



EVERYONE
IS WELCOME HERE
*** EXCEPT I.C.E. ***

What Businesses Must Know If I.C.E. Shows Up

Increasingly I.C.E. is conducting raids at workplaces and businesses of all kinds.

If I.C.E. shows up at yours, you may lawfully assert your Fourth Amendment rights.

This means that you can tell I.C.E. agents that unless they have a signed judicial warrant they may not enter non-public areas of your business.

**COME BACK
WITH A JUDICIAL
WARRANT**



Facts to Remember:

An **administrative** warrant does not give I.C.E. access. Without a signed **judicial** warrant or your consent, I.C.E. agents **must stay out of non-public areas**.

Even in public areas of a business, ICE **does not have the authority** to stop, question or arrest just anyone. Everybody has the right to remain silent and to ask for an attorney.

Businesses that serve members of the public, such as **hospitals, schools, and religious organizations**, are generally under no obligation to share the immigration status (if known) of their employees, patients, parishioners, customers, or students unless such information is specifically included in a government agent's signed judicial warrant.

TIP: To show that some areas are private, mark them with a "**Private**" sign; if possible, keep these doors closed or locked; and have a policy that visitors and the public cannot enter those areas without permission.

Definitions:

Raid: I.C.E. agents go to a worksite without any advance warning to find a particular person or people.

I.C.E. agents are not police officers, but their uniforms may say "Police" or "Federal Agent."

They may carry guns. Sometimes local police officers or agents from other federal agencies go with I.C.E. agents on I.C.E. raids.

All law enforcement must respect Fourth Amendment rights.

Public areas of a business: open to and used by the general public. **Examples:** a dining area in a restaurant; a parking lot; a lobby or waiting area.

Non-public areas of a business: places used only by an owner, managers, and/or staff. **Examples:** a restaurant kitchen; offices; and staff break-rooms. These are non-public even if a member of the public is occasionally invited into them as a guest of an owner, manager, or staff member.

Signed judicial warrant versus administrative warrant:

- A **judicial warrant** must be signed by a judge and say "U.S. District Court" or a "New Mexico State Court" at the top.
- **Administrative warrants** are not from a court. They say "Department of Homeland Security" and are on Forms I-200 or I-205.

