



What Is “ICE”? And What Do You Need to Know About ICE?

ICE stands for Immigration and Customs Enforcement. ICE is a law enforcement agency of the federal government tasked with enforcing immigration laws and investigating criminal and terrorist activities of foreign nationals residing in the United States. ICE has two primary components: Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO).

What are “ICE raids”?

A raid is an enforcement tactic ICE uses to confront immigrants who have an outstanding deportation order. Additionally, it is used to find other immigrants who may be in the country illegally.

What are ICE officials empowered to do during a raid?

ICE agents do not have the rank of “special agent”— what’s known in federal guidelines as 1811 status —which sets officers on the same level as FBI agents and allows them to execute a search warrant. They possess an 1801 classification, a position typically having limited powers.

ICE agents may be in possession of a warrant that permits them to enter a home or facility. If they do not have a warrant, they *must* obtain consent to enter. ICE agents have been known to resort to intimidation tactics – the element of surprise, demanding entry and possibly drawing their weapons – in order to imply that consent must be given, but they are not allowed to enter without consent.

Agents aren’t limited to arresting their initial targets. Based on information provided by people in the raided homes or facilities, agents can make additional arrests. People who admit to being in the country illegally are taken into custody along with others.

How have ICE raids changed?

Until recently, ICE has abided by a policy intended to give undocumented immigrants a sense of safety in “sensitive locations,” including schools, places of worship and hospitals. Anecdotal evidence suggests that ICE has been operating more often in the vicinity of sensitive locations to conduct raids.

How does the potential for an ICE raid affect your patients?

The primary effect of the threat of an ICE raid on a health care facility is a reticence among patients to seek medical care. Three steps should be taken by family and primary care physicians:

1. Prepare your team, practice and/or facility to respond to a raid/ICE intervention
2. Inform your patients about their rights
3. Gather information about an ICE raid that has already occurred

How family and primary care physicians should prepare for or respond to an ICE raid
<p>Establish a written policy identifying areas of the clinic as private and not open to the general public.</p> <p>For example, examining rooms, offices and records areas. Alternatively, the waiting room may be open only to patients and persons accompanying them, while the public must remain in areas outside the building.</p>
<p>Designate a specific person or persons responsible for handling contacts with law enforcement officials.</p> <p>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.</p>
<p>If immigration agents ask permission or attempt to enter a private area, the designated person should state explicitly that he/she does not consent to entry without a warrant.</p> <p>If the agents indicate that they will get a warrant, contact a lawyer and try to have that person present for the search.</p>
<p>When presented with a warrant, the designated law enforcement contact(s) should review the warrant for validity.</p> <p>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 warrant, they can enter the private areas and question anyone present. Remind all patients and other persons present that they have the right not to answer any questions.</p>
<p>Provide posters, “Know Your Rights” cards and educational materials for patients.</p> <p>These materials should advise patients that they have the right to refuse to answer questions from immigration agents and to ask that a lawyer be present if they are questioned.</p>
<p>Advise patients never to run from immigration officials, as this can cause them to be arrested.</p>
<p>Have patients fill out a caregiver authorization affidavit for minor children.</p> <p>This will allow another relative to take a child to an appointment if the parents are unavailable to do so themselves.</p>
<p>Reach out to immigrant rights groups, like the California Immigrant Policy Center.</p> <p>These groups can help create trainings for your staff and patients.</p>
<p>Have staff role-play their responses to an immigration raid on the clinic.</p> <p>Help the staff be prepared to respond confidently in a stressful situation.</p>
<p>Establish a relationship with an immigration attorney when possible or a lawyer.</p> <p>This may be a board member who is an attorney; you’ll want to identify someone who can be available if an agent comes into the clinic.</p>
<p>Obtain contact information (e.g., phone numbers) for foreign consulates in your area.</p> <p>Also obtain the phone number of the local ICE detention center to help the families of patients who may be detained https://www.ice.gov/detention-facilities.</p>

Inform patients of their rights so they know they should:

Remain silent or tell the ICE agent that they want to remain silent.
Ask to speak with a lawyer.
NOT carry false documents.
Carry a “know your rights card”
Find out the name and phone number of a reliable immigration attorney and keep that information with them at all times.
Know their “alien registration number” (“A” number) if they have one and write it down some place at home where their family members know where to find it.
Prepare a form or document that authorizes another adult to care for their minor children.
Advise family members who do not want to be questioned by ICE to stay away from the place where the raid occurred or where a detained person is being held.
NOT sign any documents without first speaking with a lawyer.

If an ICE raid has occurred, gather information about the raid, including:

Confirming whether the raid(s) occurred: <ul style="list-style-type: none">▪ Whether the raid was centered on a workplace(s) and which locations;▪ Approximate number of persons apprehended;▪ Identities of persons apprehended;▪ Location of the initial detention (frequently a local facility is used for temporary holding and processing).
The names and badge numbers of ICE agents;
Any and all actions taken by ICE agents that may be unlawful;
Whether ICE is screening persons for humanitarian releases (single parents/caregivers, people with health issues, etc.);
Whether ICE has created an 800# for family members to learn if their relatives have been apprehended and where they are detained; and
What arrangements are being made for minor children and other involvement by state social services agencies.

Additional Resources

Preparing Your Health Center for an Immigration Raid

[Immigration Sample Policies & Procedures](#) (CPCA) - Updated 2/16/18

[Know Your Rights Health Centers](#) (National Immigrant Law Center)

[How to Prepare Yourself for an ICE Raid](#) (CaliforniaHealth+ Advocates) - Updated 3/10/17

[Immigration Memo for Clinics](#) (Feldesman Tucker Leifer Fidell LLP) - Updated 3/01/17

[Workplace Raids Preparation Plan](#) (AILA Chapters)

[FAQs to Help Clinics Respond to Changing Immigration Policies](#) (CaliforniaHealth+ Advocates) - Updated 5/05/17

[Health Care Toolkit for Providers](#) (National Immigration Law Center)

Training for Patients

[Research and recommendations on how to talk about immigration](#) (Frameworks Institute)

[Train Patients How to React if Confronted with Immigration Enforcement \(English & Spanish\)](#) (Immigrant Defense Project)

[Train Patients on Creating a Family Preparedness Plan](#) (Self Help Center, Santa Cruz Superior Court)

[Know Your Rights during Immigration Raids](#) (National Immigration Project)

[Training Materials and Community Resources](#) (Immigrant Legal Resource Center): In an effort to ensure clients receive the assistance and guidance they may be seeking, Immigrant Legal Resource Center developed a resource packet that includes information for DACA recipients, schools, legal permanent residents and attorneys.

[If federal immigration agents visit a Public Health site](#) (King County)

[Guidance for Managers](#) (King County)

[Public Health Actions for Immigrant Rights Guide](#) (Human Impact Partners)

Immigration Training Provided by Partners

[Protecting Your Immigrant Patients' Access to Health Care Webinar](#) (National Immigrant Law Center)

[Immigrant Health Access Task Force Training](#) (California Community Foundation)

[PowerPoint Presentation Provided at the CCF Training](#) (Community Clinic Association of Los Angeles County)

Data and Research

[Healthcare access and barriers for unauthorized immigrants in El Paso County, Texas](#)

The Impact of Immigration and Customs Enforcement on Immigrant Health: Perceptions of Immigrants in Everett, Massachusetts, USA

[Provider's Perspectives on the Impact of Immigration and Customs Enforcement \(ICE\) Activity on Immigrant Health](#)

[Does fear of immigration authorities deter tuberculosis patients from seeking care?](#)

Legal

[Benefits & Rights Based on Immigration Status](#) (Educators for Fair Consideration)

[A Guide for Undocumented Youth in Removal Proceedings](#) (Educators for Fair Consideration)

[Legal Help](#) (Services Immigrant Rights and Education Network SIREN)

[Legal Resource Guide](#) (Informed Immigrant)

[Find an Immigrant Lawyer](#) (Law Help)

Recorded Webinars and Presentations

[Using CHWs/Promotoras To Reduce Fears in Immigrant Patients](#) - Tue, Nov 7, 2017 (California Primary Care Association)

Immigration 101 for Health Centers Webinar [Materials](#) / [Recording](#) - June 27, 2017 (California Primary Care Association)

Preparing Your Clinic For Encounters With Immigration Agents [Materials](#) / [Recording](#) - September 13, 2017 (California Primary Care Association)

Messaging To Immigrant Patients and Protecting Patient Info [Materials](#) / [Recording](#) - September 20, 2017 (California Primary Care Association)

[Webinar OE5: Immigrant Eligibility for Coverage Programs](#) - October 4, 2017 (Health Reform: Beyond the Basics)

[Immigrant eligibility for coverage programs slide presentation](#)

NILC Resources

Know Your Rights: Is it Safe to Apply for Health Insurance or Seek Health Care?

English: www.nilc.org/health-insurance-and-care-rights/

Spanish: www.nilc.org/derechos-seguro-y-cuidado-de-salud/

Trump's Executive Orders and Immigrants' Access to Health, Food and Other Public Programs: Things to Keep in Mind When Talking with Immigrants

www.nilc.org/exec-orders-and-access-to-public-programs/

Federal Guidance About Public Charge: When Is It Safe to Use Benefits?

www.nilc.org/wp-content/uploads/2015/12/public-charge-nat-2014-08-08.pdf

Health Care Providers and Immigration Enforcement: Know Your Rights, Know Your Patients' Rights

www.nilc.org/healthcare-provider-and-patients-rights-imm-enf/

Frequently Asked Questions: The Affordable Care Act & Mixed-Status Families

www.nilc.org/aca_mixedstatusfams/

"Lawfully Present" Individuals Eligible under the Affordable Care Act

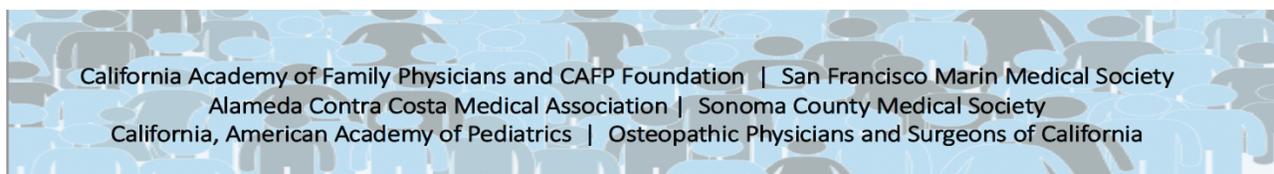
www.nilc.org/lawfullypresent/

Medical Assistance Programs for Immigrants in Various States

www.nilc.org/medical-assistance-various-states/

NILC also have a series of "Know Your Rights" resources for immigrants, in various languages, here:

https://www.cpcacpa.org/CPCA/CPCA/HEALTH_CENTER_RESOURCES/Know_Your_Rights.aspx?WebsiteKey=4190cf54-8e68-4858-9a19-e7253d7d94e1



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