

ICE Workplace Visit Response Checklist

A comprehensive plan for HR and management to handle Immigration and Customs Enforcement (ICE) visits professionally, legally, and efficiently.



Initial Response Steps

1. ALERT LEGAL COUNSEL

Contact your designated attorney and internal legal department immediately. They will provide direction and ensure conversations are privileged.

2. NOTIFY MANAGEMENT

Security or reception staff should inform designated managers per your company's emergency plan.

3. VERIFY IDENTITY

Ask for identification from the lead special agent and confirm which agency they represent. Document their contact information.



Understanding the Visit Type



Do not provide documents immediately; companies have three days to respond.

NOTICE OF INSPECTION (NOI)

- You'll be asked to sign a Certificate of Service
- Do not provide documents immediately
- Companies have three days to respond
- The visit will be direct and short
- HR should take the lead in interactions
- Contact legal counsel immediately

ENFORCEMENT ACTION

- Request and review any warrants or subpoenas
- Distinguish between judicial and administrative warrants
- Agents cannot enter private areas without a judicial warrant
- Take photos of warrants and send to legal counsel
- Follow your preparedness plan



Managing Access and Information

1. LIMIT ACCESS TO AREAS

Escort agents to a private area away from employees. Do not allow ICE agents to enter nonpublic areas without a judicial search warrant or employer consent.

2. PROTECT DOCUMENTS

Do not provide documents unless legally required by a judicial subpoena. Prevent agents from accessing areas outside the scope of the warrant.

3. ACCOMPANY AGENTS

Always accompany ICE agents to any areas specified in the warrant. Never leave them unattended in private areas of your workplace.



Employee Rights and Protection

KNOW AND PROTECT EMPLOYEE RIGHTS

- Employees have the right to refuse to answer questions
- Confirm if employees have been informed of their rights
- If a manager requests an attorney, the interview should cease
- ICE may still interview nonsupervisory employees without company consent
- If confused, advise agents you need to speak with company counsel

ENSURE SAFETY

Where appropriate, ICE will accompany a manager to shut down machinery and talk to employees. Maintain calm and provide reassurance to staff while following legal protocols.

ICE Workplace Visit Response Checklist (cont.)



Documentation Requirements

1. TAKE THOROUGH NOTES

Document everything that happens during the visit and share this information with leadership as soon as possible.

2. REQUEST DOCUMENTATION

Ask for a list of any documents or items seized. If employees are taken into custody, record their names and identifying information if possible.

3. CAPTURE EVIDENCE

Record names of all agents involved, focusing on the lead special agent. If possible, take photos or videos without interfering with enforcement actions.



Avoiding Legal Complications

1. BE TRUTHFUL

Avoid providing misleading information or attempting to hide information that ICE is entitled to review, as this can lead to criminal charges.

2. PROTECT DOCUMENT INTEGRITY

Altering, destroying, tampering with, or creating false documents requested by ICE can lead to criminal charges.

3. MAINTAIN RECORDS

Businesses must not pre-emptively discard, modify, or create records during a visit or in anticipation of a potential request from ICE or any other law enforcement agency.



Do not conceal information, lie, or mislead ICE agents during their visit.



After the Visit: Next Steps

ADDRESS EMPLOYEE CONCERNS

- Be mindful of possible impacts on your employees and co-workers following an ICE visit.
- Consider appropriate resources to provide in connection with the results of the visit.

REINFORCE COMPANY VALUES

- Emphasize inclusion and security for all employees.
- Hold debriefing sessions with management to review the handling of the visit and identify improvements for future preparedness.
- Update protocols based on the experience to strengthen your response plan.

Need help strengthening your workplace response plan?

If you're looking for expert guidance tailored to your business, [let's talk](#).

DISCLAIMER

Not Legal Advice. This guide provides general information about ICE workplace visits but does not constitute legal advice. Each situation is unique and may require different approaches.

Consult Legal Counsel. Contact your company's legal department or immigration attorney immediately when facing an actual ICE visit for specific guidance tailored to your circumstances.

Stay Updated. Immigration enforcement policies change frequently. Ensure your organization regularly reviews and updates its protocols with guidance from qualified legal professionals.

For comprehensive protection, develop an ongoing relationship with immigration counsel before enforcement actions occur.