

What to do if Immigration Agents Come to Your Business

Knowing your rights and responsibilities if immigration enforcement or other law enforcement officials appear at your facility, office, or workplace can help keep your business safe.



You and your workers have rights, regardless of immigration status

You have the right to:

-  Remain silent
-  Ask for identification
-  Document and record interactions
-  Ask to see a warrant
-  Deny entry to a private area if immigration agents do not have a judicial warrant

Even if your rights are ignored, continue to verbally assert them for the entire interaction, which may last a long time. This may be helpful during the encounter or later in a legal case.

During a Workplace Raid

- DO NOT interfere with agents.
- You DO NOT need to provide information about other workers.
- You DO NOT need to help agents sort people by their immigration status or the country they are from.
- You DO NOT have to say if someone is working, even if immigration agents have a judicial warrant.
- You DO NOT have to take the agents to the worker named on the warrant (even if they are at work).
- If a worker is detained, you can ask where they are being taken.



If Immigration Agents Arrive at Your Business, You Can Follow These Steps

1 Find a Company Representative

Contact your supervisor or the person at the company who has been chosen to talk to the agents. If immigration agents want to enter a private area of the workplace, tell them that you do not have the authority to review warrants or to grant access to private areas.

Immigration Agents:

CAN always enter public areas, such as waiting areas, lobbies, and parking lots open to the general public.

CANNOT enter private areas of your workplace **without a valid judicial** warrant or permission. Examples: Break rooms, kitchens, equipment/supply rooms, and orchards.

You Can Say:



"I am not authorized to speak to you, but I will find someone who can."

"I do not consent to your entry."

To indicate a space is non-public, place signage such as "Restricted Area: Employees Only" or "Authorized Personnel Only." Ensure that staff are only allowing authorized personnel into these spaces.



2 Check for a Judicial Warrant

If They DO Have a Warrant:

If the agents have a judicial warrant, walk with them and ensure the search remains within the boundaries authorized by the warrant. You can object to a search of areas outside of what is stated in the warrant, but do not physically block officers or interfere. This could give agents a reason to detain you. Also, you do not need to help agents sort people by immigration status or country of origin!

You Can Say:



"Do you have a judicial warrant? If so, I would like to see it."

If They DO NOT Have One, Say:



"I do not give you permission to search me or our work site."

If They DO NOT Have a Warrant:

You do not need to release any information without a judicial warrant! Tell the enforcement officers that they are not authorized to enter non-public areas without a warrant.

Judicial vs. Administrative Warrants

Immigration agents can only enter the non-public areas of a workplace with a judicial warrant or permission.

It is against the law for California employers to give immigration agents permission to enter non-public areas without the proper documents.

Example of a
Judicial Warrant:



Example of an
Administrative Warrant:



3 Document the encounter

At a safe distance, film the interaction on your phone or take notes. If you are asked to backup, do so but continue recording. Save the recording or notes in a secure location.

Write Down What You Saw:

- Date, time, and warrant provided
- Who was detained and where they were taken
- The number, names and badge numbers of the officers (take photos)
- What they did (arrests and items taken)
- Any mistreatment (who was impacted and what happened)

You Can Say:



"I am exercising my right to record this encounter."

Scan the QR code to find example of worksheet that can help



4 If Detained, Notify Your Worker's Emergency Contact

Based on the "Workplace Know Your Rights Act" (SB294), all employers are required to:

- Provide employees with an annual written notice of workplace rights.
- Provide opportunity for workers to name an emergency contact.
- Notify your employee's designated emergency contact if he or she is arrested or detained at the worksite.
- Notify your employee's designated emergency contact if you are aware of an employee's arrest or detention off the worksite, during work hours, or while performing their job duties.

You Can Say:



"Please write down your emergency contact's information so I can notify them if anything ever happens to you while at work."

SB294
Know Your Rights
Notice



Legal Assistance

Legal help may be available from nonprofit organizations.

Service Provider
Contact
Information
(CDSS)



Immigration
Legal
Support

