



## **Guidance on what to do if ICE (US Immigration and Customs Enforcement) or Customs and Border Patrol (CBP) arrive at Domus operated buildings**

### **Front Desk Person/Whoever First Encounters the Agent(s):**

1. Stay calm.
2. Close out of your computer, and make sure all youth and staff stay in private areas of the building, not the main office or the hallways.
3. Do not allow any youth to leave the building.
4. Greet the agent/officers(s) politely.
5. Do not allow the agent/officers(s) into the building. Let them know you need to get your supervisor before allowing them access into the building.
6. If someone did let them in, accompany them to the main office and remain with them.
7. Ask them their name, the name of their agency, and the reason they are there.
8. Tell them you need to get your supervisor
9. Get a supervisor—see call list below. Call in the order listed below until you reach someone.

It is not enough to leave a message:

- o Cindy Fountain 203-326-0261
- o Melissa Bramble 203-219-1617
- o Denise Thomas 203-554-0871
- o Julie DeGennaro 203-415-2232
- o Tom Langan 203-524-4160
- o Mike Duggan 203-554-6489

**Supervisors:** Domus has retained legal counsel to help us navigate the situation should an ICE agent come to our building. We will provide you with that information, and these lawyers will be on call and reachable any time our building is in operation. You will be able to speak with them if ICE agents arrive, as well as take a picture of the warrant (if one is provided) to help us identify what type of warrant it is and what the next steps should be. **The steps below are a guideline of what we should follow unless legal counsel directs us to do otherwise.**

### **Supervisor Steps:**

1. Stay calm. If possible, get a second person to witness and/or record the interaction or record it yourself.
2. Greet the officer/agents(s) politely.
3. Do not permit the agent/officers(s) into the building or out of the main office area, if they are already in the building. Step outside to speak to them.
4. Ask them their name and the name of the agency they are from.
5. Ask to see their ID. All federal agents always carry with them a Credential HSPD-12 (Homeland Security Presidential Directive 12).
6. Identify the purpose of the visit.
  - If they do not have a judicial warrant, you cannot give them any information due to confidentiality, and they cannot come in OR go beyond the main office, if already inside. You

are happy to take down their information, consult with your executive director, and have him follow up. Walk them out of the building.

- If they do have a judicial warrant (“Search and Seizure Warrant”).
  - i. Read the form and make sure it is a judicial warrant and not an administrative warrant (see examples of each on the following pages).
  - ii. Make sure it is signed and dated.
  - iii. Have the officers wait in the main office or outside, and contact Mike Duggan.
  - iv. **If officials have a judicial warrant, we must comply and allow them into the building.**

A **judicial warrant** (“Search and Seizure Warrant”) is an official court order signed by a judge or magistrate that authorizes a search of private property, seizure, or arrest based on probable cause that a crime is being committed or has been committed. **Please see the first example below.**

An **administrative/ICE warrant** (“Warrant for Arrest of Alien”) is a document issued by a federal agency such as Department of Homeland Security (DHS) or Immigration and Customs Enforcement (ICE), purporting to document their authority to arrest a person suspected of violating immigration laws. These administrative documents are not signed by a neutral magistrate or judge but rather an immigration officer like an ICE agent or immigration judge. **An administrative/ICE warrant is NOT a judicial warrant.** Administrative/ICE warrants do not give ICE officials authority to enter a place where there is a reasonable expectation of privacy, without consent. If this happens, state clearly that you do not consent to them entering, but do not physically resist. If ICE officials have already entered:

- ask them to leave.
- state that you do not consent to a search.

**Please see second example below for an administrative/ICE warrant.**

This is a judicial search warrant. It DOES authorize agents to enter your home.

UNITED STATES DISTRICT COURT Issued by a COURT.

for the Eastern District of California

In the Matter of the Search of (Briefly describe the property to be searched or identify the person by name and address)

540 Oak Avenue Davis, California 95616

Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

2:11-SW-0161EFB

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA

SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

Read attachments to make sure they are regarding YOU and YOUR address, not someone else's.

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):

SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

Date for warrant, not to exceed 14 days

YOU ARE COMMANDED to execute this warrant on or before

5-9-2011 (not to exceed 14 days)

- in the daytime 6:00 a.m. to 10 p.m. at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

(name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) for days (not to exceed 30).

until, the facts justifying, the later specific date of

Date and time issued: 4-25-2011 at 10:00 AM

[Signature]

Signed by a JUDGE.

City and state: SACRAMENTO CALIFORNIA

EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE Printed name and title

This is issued by DHS, NOT a court

U.S. DEPARTMENT OF HOMELAND SECURITY      Warrant for Arrest of Alien

File No. \_\_\_\_\_

Date: \_\_\_\_\_

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that \_\_\_\_\_ is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

**YOU ARE COMMANDED** to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

Signed by an immigration officer, NOT a judge

\_\_\_\_\_  
(Signature of Authorized Immigration Officer)

\_\_\_\_\_  
(Printed Name and Title of Authorized Immigration Officer)

**Certificate of Service**

I hereby certify that the Warrant for Arrest of Alien was served by me at \_\_\_\_\_  
(Location)

on \_\_\_\_\_ on \_\_\_\_\_, and the contents of this  
(Name of Alien) (Date of Service)

notice were read to him or her in the \_\_\_\_\_ language.  
(Language)

\_\_\_\_\_  
Name and Signature of Officer

\_\_\_\_\_  
Name or Number of Interpreter (if applicable)

This is an ICE administrative warrant. It does NOT authorize immigration agents to enter your home!

Form I-200 (Rev. 09/16)