

Jessica L. Roe
Attorney

612-351-8305 (D)
612-810-1807 (C)
jroe@roelawgroup.com

60 South Sixth Street
Suite 2630
Minneapolis, MN 55402
612-351-8300 (O)
612-351-8301 (F)
www.roelawgroup.com

Manager Training: Specific Enforcement Actions for ICE at Workplace

1. ICE Contacts Employer for Employee Information

- a. Ask ICE or DHS for the signed subpoena or warrant
- b. Document (video, audio, written) all aspects of your interaction with the investigator(s)/ICE
- c. You have no obligation to provide information without a warrant or subpoena
- d. Contact legal counsel before releasing information
- e. If there is a specific request on a specific employee, inform the employee of the request from ICE unless under an order not to do so

2. ICE Appears with a Removal Order

- a. Request a copy of the warrant
- b. Ask ICE to hold in the front area until you contact the employee
- c. Unless ordered not to do so, tell the employee that ICE is in the building to speak with them
- d. Get investigator(s)/ICE identification
- e. Document (video, audio, written) all aspects of your interaction with the investigator(s)/ICE
- f. Contact legal counsel
- g. You may need to reach out to their family/emergency contact

3. ICE appears for an I-9 Audit

- a. Designate a central point of contact for initial communication
- b. Document (video, audio, written) all aspects of your interaction with the investigator(s)/ICE
- c. You have three business days to present the I-9s
- d. Contact legal counsel
- e. If you do your own audit:
 - i. Correct all errors where possible and understand what errors you can correct
 - ii. Strike out errors with a single line, initial and date
 - iii. You do not need retain supporting documentation
- f. Make copies of all communications provided to ICE

4. ICE Raid*

- a. You will have no notice
- b. Check for judicial warrant
- c. Contact counsel
- d. Document (video, audio, written) all aspects of your interaction with the investigator(s)/ICE
- e. Train managers on all shifts on how to respond to an ICE raid

*ICE agents cannot enter a private area without the permission of the business, unless they have a judicial warrant. A judicial warrant must be signed by a judge and will generally say “U.S. District Court” or will have a state court listed at the top of the warrant. An administrative warrant does NOT allow ICE agents to enter private areas without permission. ICE can only enter the private area of a business with a judicial warrant or with the business’s consent. An administrative warrant says, “Department of Homeland Security”, and is printed on Form I-200 or I-205. Private areas are those such as a back office marked private, a back office that the public is generally not allowed to enter. If a space cannot be entered by the public without being accompanied by someone from the business, those are likely private spaces. Businesses should have a written policy that visitors and the public do not enter private areas without permission, or without being accompanied by a representative from the business and can mark these areas as “private” with a sign, keeping doors closed or locked. However, keep in mind that simply designating an area as “private” won’t automatically keep ICE out if they have a judicial warrant, or if they decide to enter without a warrant.

If ICE has a warrant, check the details of the warrant. Ask for a copy of the warrant and send it to counsel. A judicial warrant should be signed and dated by a judge, include a time frame for a search, describe what is to be searched (such as I-94 records, employee documents, payroll records etc.), and list things to be searched and seized. If it does not contain all of these details, the warrant is not valid. Contact counsel immediately. You can accept the warrant but tell the officers you do not consent to the search to preserve your right to contest the search at a later date.

If ICE has an administrative warrant (i.e., Form I-200 or I-205) with the employee’s name on it, you do NOT have to state if the employee is working on that day or not. You do NOT have to take the agent to the employee named on the warrant, even if he or she is at work at the time.

Specific Manager Training Points on an ICE Raid

Do not do any of the following during the scope of the search:

- Do not physically interfere with the officers’ search of the premises
- Do not lie or provide false information to officers
- Do not destroy or hide documents
- Do not assist employees with hiding from officers
- Do not run from an ICE agent
- Do not assist or encourage employees to leave
- Employees may decide whether or not they want to speak with ICE.
 - Do not direct employees not to cooperate with ICE or to refuse to answer questions

- If ICE confiscates items during a raid, ask the officers for a list of all items taken during the raid. If ICE arrests any individuals, ask ICE officers where the individual is being taken
- After the raid, the designated company representative should document all details of the raid including details regarding how many agents were present (inside and outside), how agents were dressed and armed, and documents or individuals taken.

These are fast-moving times, and the information provided is only current as of today's date (January 26, 2026). The information provided does not, and is not intended to, constitute legal advice; instead, all information is prepared and provided for general informational purposes only. Copyright © 2026 Roe Law Group, PLLC. All rights reserved.