



ARC U.S. Immigration and Customs Enforcement (ICE) policy and procedure

All students and families are welcome at ARC, regardless of immigration status. In alignment with [Seattle Public Schools, Resolution No. 2017/18-5](#) and Seattle Parks and Recreation, we will do everything to ensure our student are safe and respected. [OSPI Guidance – Protection for Immigrant Students in Washingtons K-12 Public Schools](#)

Policy

- ARC staff will not ask for a record of participant or their families immigration status. If a participant or family member discloses their immigration status, ARC will not keep any record of these disclosures.
- ARC will not permit the access to participant or employee records unless legally compelled to do so.
- ARC staff will immediately inform their direct supervisor who in turn will inform the executive team if we suspect immigration enforcement is at a worksite, campus or at the door.

Procedure

The following is the basic procedure if ICE agents arrive at an ARC work site. It outlines the immediate steps that should be taken and provides a visual to help illustrate the steps, including sample warrants, and some general notes to consider.

If an agent does arrive it is important to remain calm throughout the interaction and follow these steps:

- The site or program director is the designated representative for ARC and that's who the agents can speak with. If a staff member is first to interact with an agent have them notify the **Supervisor** immediately.
 - If in an SPS School, please follow up with the **Principal** as a first step if you are the first point of contact
 - In community centers notify **SPR Supervisor** on site as the first point of contact. Ensure **Community Center Coordinator** is also notified
 - **Site Leadership** (Director, Asst. Director, and/or Program Supervisor), before engaging with agents be sure to alert your **Area Operations Supervisor** that a visit is in progress, and keep your phone with you and on should someone need to reach out or vice versa**
- **Site Leadership** (Director, Asst. Director, and/or Program Supervisor) will direct agents to the designated area such as an office or conference room.
- Ask for identification from the agent to ensure they are who they say they are and not a third party. Be sure to make a record of the name, badge number, contact information of the agents, and take any pictures of any cards, warrants, or documents
- Ask what it is they are here for today.
 - If they request something outside the scope of a warrant (I9's, employee files, etc.) please route them to the **ARC HR Director** via 206-388-9554 or sam.dhillon@seattle.gov
- If they provide a warrant, review some key elements to determine if we need to comply with the requests – if possible and practical attempt to contact the **ARC HR Director** to help provide guidance on the warrant. (See samples below)
 - Is it a judicial warrant or an administrative warrant?



- Is the warrant signed by a judge?
- Does the warrant list the correct location and date?
- Is it a subpoena or a warrant?
- Be aware of the time limits of the warrant, area of search, and access
- Only once the warrant has been reviewed should access be permitted

****Area Operations Supervisor** steps to take once contacted

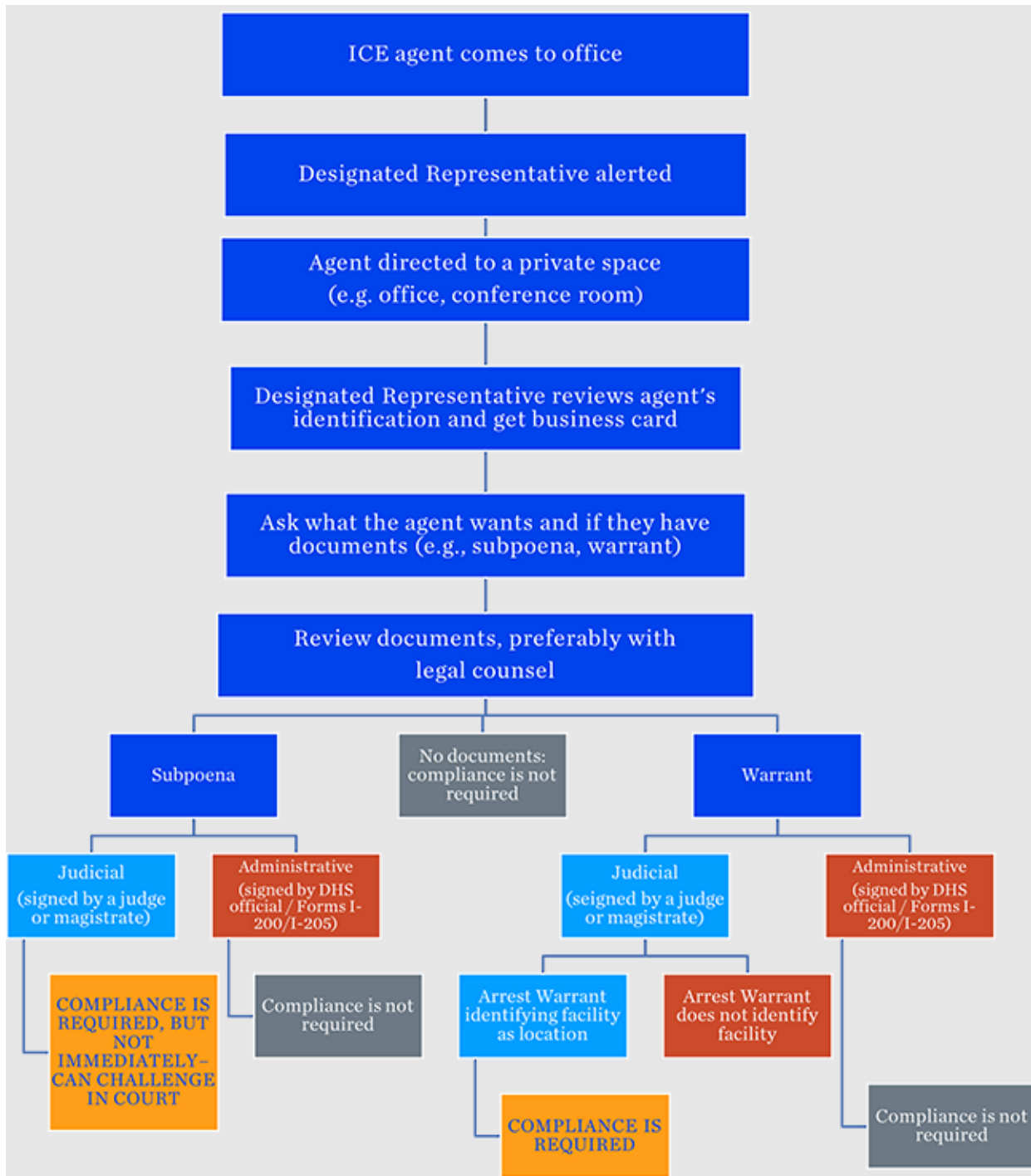
- Immediately notify
 - Director of Operations
 - Director of Early Learning and Community Partnerships
 - Deputy Director
 - HR Director
 - Executive Director
- Stay available for your work site to reach out directly
- Be prepared to act as the conduit between the work site and the executive team

Important Notes

- Don't antagonize the agents even if they are being rude, pushy, or even aggressive
- Don't flee or run
- Don't share rosters or customer information
 - All customer, staff, and participant information is private
- Staff members do not need to respond to questions or provide any information to ICE and should state they are not authorized to do so
- Don't grant permission to search
- Be respectful
- Anyone can ask an agent if they are free to go and if they say yes, you are free to go and not answer any questions
- All programming spaces should have the door closed during classes or activities/programs and access should always be limited to program participants.



Procedure Flow Chart





Sample Warrants

AO 93 (Rev. 12/99) Search and Seizure Warrant

UNITED STATES DISTRICT 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) Case No. _____
Davis, California 95616)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer 2:11-SW-0161 EFB

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
(Identify the person or describe the property to be searched and give its location):
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

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.

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.

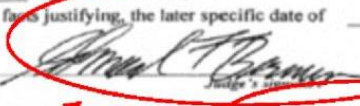
Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

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
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA


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

Is this the right address?

UNITED STATES DISTRICT COURT

Is it still current?

Note: only the person, property, & areas specified may be searched

Is it actually signed by a judge?

IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT





Sample blank Administrative Warrant

**DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
WARRANT OF REMOVAL/DEPORTATION**

File No: _____
Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____ (Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
- a designated official
- the Board of Immigration Appeals
- a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

(Signature of immigration officer)

(Title of immigration officer)

THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT

SAMPLE