

# Building Strong Families and Powerful Communities Where Children Matter Most

## Our Commitment To You

To the families, providers, and communities who depend on us:

During this time of uncertainty and heightened anxiety, especially for our immigrant families, Illinois Action for Children is here to support you. No matter what evolves in this political climate, we remain committed to our values as an organization. **This means continuing to advocate for the safety and well-being of all children and their families.**

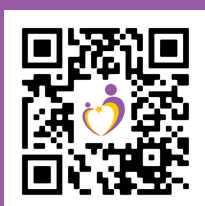
**For anyone who may be affected by the recent executive orders, below you will find key information to help you understand your rights, develop a safety plan for your loved ones, and know what resources are available to you.** Our priority remains to protect all children and mitigate trauma in every way possible. IAFC learning centers will remain a secure, caring, and peaceful environment for children, and we will ensure our staff members and families supported through our programs can easily access the most current information and guidance.

## Resources For Providers

The National Immigration Law Center has developed **A Guide for Employers: What to Do if Immigration Comes to Your Workplace**. This guide outlines steps employers can take in response to specific actions ICE officials may take in the workplace, including:

- **Form I-9 Audit:** ICE comes to your business to check if you followed the rules for Form I-9. This form confirms a worker's identity and authorization to work in the U.S.
- **Raid:** ICE agents go to a worksite without warning as part of an investigation into an employer. (Note, ICE agents are not police officers, but their uniforms may say "Police" or "Federal Agent." They may carry guns.)
- **Detaining Specific Individuals:** ICE agents may come to your business to try to find a particular person (or people). While they are there, they may try to question, detain, and even arrest other people.

Scan the QR code with your mobile device to access the resources listed above.



Using a computer? Visit [www.actforchildren.org](http://www.actforchildren.org) to access the resources above.

The guide also recommends employers take specific steps to prepare for an immigration enforcement action. These include:

- Making a written response plan and practicing it.
- Training staff to not allow ICE agents to enter the workplace or interact with ICE agents. A worker can say, “I can’t give you permission to enter. You must speak with my employer.” If ICE agents have questions or requests, workers should say nothing, or say, “You are not allowed to enter. Talk to my employer.”

## **Know Your Rights**

If ICE comes to the workplace, employers should know their rights:

- Anyone – including ICE agents – can enter public areas of your business without permission (this includes parking lots and lobbies or waiting areas)
- **No one can enter a private area of your business without your permission or a judicial warrant.**

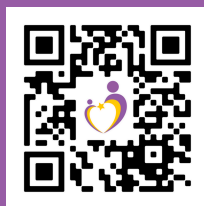
***TIP:*** To show that some areas are private, mark them with a “Private” sign, keep the doors closed or locked, and have a policy that visitors and the public cannot enter those areas without permission.

- A judicial warrant must be signed by a judge and say “U.S. District Court” or a State Court at the top. **Without a judicial warrant, ICE agents need YOUR permission to enter private areas of your business.**

If ICE agents try to enter a private area, you should say: “This is a private area. You cannot enter without a judicial warrant signed by a judge. Do you have a judicial warrant?” If ICE agents tell you that they have a judicial warrant, ask for a copy and read it.

- Sometimes, ICE agents try to use an administrative warrant to enter. But an administrative warrant does NOT allow agents to enter private areas without your permission. Administrative warrants are not from a court. They say “Department of Homeland Security” and are on Forms I-200 or I-205.

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## **Documents to Look For**

Immigration enforcement officers will have different documents with them depending on the type of legal authority they are relying on to support their actions.

The Illinois State Board of Education (ISBE) has released **Non-Regulatory Guidance on Immigration Enforcement Actions**, which provides information on these different types of documents. Each of these documents may be issued by different authorities and require different levels of compliance. These documents include:

- Federal Court Warrant
- Federal Court Order
- Federal Judicial Subpoena

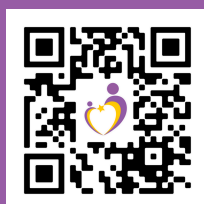
**Examples of federal warrants are linked on our website.** They should be signed by a federal judge. If immigration officials have one of these federally issued documents, properly completed, they can access the premises.

**ICE officers could present an ICE Administrative Warrant, also called a “Civil Immigration Warrant.” An ICE administrative or civil immigration warrant is not the same as a federal criminal warrant. Administrative warrants are not from a court and do not allow ICE agency to enter private areas without permission.**

Civil immigration warrants can be presented on a number of different forms.

- Form I-200: Warrant for the Arrest of Alien
- Form I-203: Order to Detain or Release Alien
- Form I-205: Warrant of Removal/Deportation
- Form I-286: Notice of Custody Determination
- All warrants, hits, or requests contained in the "Immigration Violator File" of the FBI's National Crime Information Center database.

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Other documents include:

- Notice to Appear (NTA) (Form I-862)

An NTA is a charging document issued by ICE, CBP, or U.S. Citizenship and Immigration Services. An NTA notifies an individual that they are expected to appear before an immigration judge on a certain date. An NTA does not authorize an individual's arrest by immigration enforcement authorities nor local law enforcement authorities.

- Administrative Subpoena (Form I-138)

An administrative subpoena is a document issued by an immigration enforcement officer, not a court or judicial officer, that requests production of documents or other evidence.

## **Mitigating Trauma for Children and Families**

The Center for Law and Social Policy has developed and recently updated its **Guide to Creating Safe Space Policies for Early Childhood Programs**. The guide provides information and resources to design and implement “safe space” policies that safeguard early childhood programs against immigration enforcement, as well as protect families’ safety and privacy. The guide also includes sample policy text that early childhood providers can adapt for their programs.

### **Summary of Local Legal Protections**

- **Illinois Trust Act:** Restricts law enforcement agencies from detaining or arresting individuals based only on their immigration status, and from complying with non-judicial immigration warrants and detainers.
- **Welcoming City Ordinance (Chicago):** Chicago police officers are prohibited from cooperating with federal law enforcement or arresting individuals based on immigration status or civil immigration reasons.

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