

GUIDELINES FOR RESPONDING TO ICE ENFORCEMENT AT COMMUNITY HEALTH CENTERS

In light of the current administration's orders on immigration enforcement, here is a guide for CHCs to prepare themselves and protect their patients' rights while ensuring access to essential care.

1. Be Prepared for Warrant Requests and Searches

- If officers threaten to get a warrant:
 - Immediately contact a lawyer and attempt to have legal counsel present before the warrant is served or before a search begins.
- During a search:
 - Document officers' conduct through detailed notes, photographs, and/or videos.

2. Review Warrants for Validity and Scope

- When presented with a warrant, the designated staff member must ensure it is:
 - Signed by a judge or magistrate.
 - Addressed to the correct premises.
 - Within the specified time period (if applicable).
- Scope limitations:
 - Confirm the warrant specifies the areas to be searched.
 - Object and document any actions taken by officers that go beyond the warrant's authorized scope.

3. Protect Patients' Rights During a Search

- Right to remain silent: Remind patients and other individuals present that they:
 - Have the right to remain silent and not answer questions.
 - May be required to provide their name in certain jurisdictions but are not obligated to provide additional information.
- Legal protections:
 - Reassure patients that their healthcare information is protected by federal and state laws, including HIPAA, and cannot be disclosed without proper legal authority.

4. Train and Prepare Staff

- Role-playing exercises: Conduct role-playing drills with staff to prepare them for responding to an immigration raid. This helps staff respond calmly and confidently under stress.
- Authorized personnel:
 - Train specific staff members to handle interactions with immigration agents, verify warrants, and oversee compliance.

5. Educate and Reassure Patients

- Patient empowerment:
 - Provide "[Know Your Rights](#)" and [Immigration Preparedness](#) materials, including posters, brochures, and cards, to educate patients about their rights to remain silent, request a lawyer, and protect their health information.
 - Advise patients to never run from immigration officers, as this could lead to probable cause for arrest.
 - Build trust: Reassure patients that their right to access healthcare is protected, and emphasize your facility's commitment to safeguarding their privacy and rights.

6. Document and Consult Legal Support

- Legal relationships: Establish a relationship with an immigration lawyer or organization for immediate consultation and assistance during an enforcement action.
- Incident documentation:
 - Keep a detailed record of all enforcement interactions, including:
 - Names and badge numbers of officers.
 - The warrant's specifics (or lack thereof).
 - Actions taken by officers during the search.

7. Adapt to Policy Changes

- Stay informed
 - Immigration enforcement policies can change with new administrations. However, constitutional rights remain constant.