

# Community Power and Legal Rights:

## *Walking With Our Immigrant Neighbors*

December 7, 2025, 1:00 – 4:00 pm  
Jay W. Stansell, Attorney at Law  
he/him/his



## Contact me:

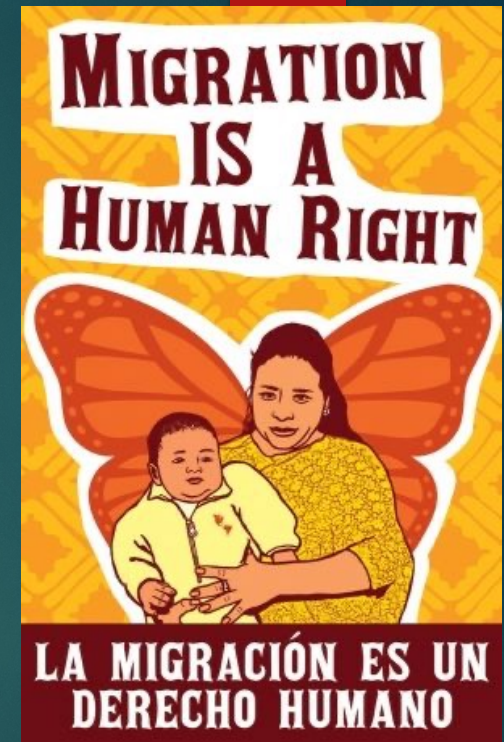
**Jay W. Stansell**

[jaywstansell@yahoo.com](mailto:jaywstansell@yahoo.com)

**206-276-0710 – I will answer if available; leave a message if I am not. Text or email with detailed questions.**

This PowerPoint and presentation is the product of Jay W Stansell; the opinions expressed here are solely mine. **This presentation is not legal advice; it is solely intended for community education purposes.**

Note: This PowerPoint document contains many “hyperlinks” to valuable online print and video resources.



# Today's training goals -- explore personally **and** as a community how to:

- **build non-violent resistance** to mass deportation.
- **respond to ICE actions**: at schools, at businesses, on the street, in our cars, in our homes, or in the community.
- **anticipate ICE actions** and limit ICE impacts on our communities.
  - By knowing and invoking **our constitutional rights**.
  - By using **community power and solidarity** when those rights are violated.
- **be prepared and make a plan**.

# Framing the issues

## What does mass deportation look like?



# One answer is all ICE needs



**Where are you from?**

**If you answer: “I am from Mexico” (or anywhere besides the US) *the burden shifts to you* to prove your legal status.**

**What is your name?**

**Even if you just give your name, this may give ICE all they need to arrest you.**

# Statutory power of ICE/DHS

## 8 USC § 1357

### (a) Powers without warrant

Any officer . . . shall have power without warrant-

- (1) **to interrogate** any alien or person **believed to be an alien** as to his right to be or to remain in the United States;
- (2) . . . **to arrest** any alien in the United States, **if he has reason to believe that the alien so arrested is in the United States in violation of any such law** or regulation and is likely to escape before a warrant can be obtained for his arrest . . .

# Who is at-risk?

- 8 million immigrants in the US have no legal status;
- 6 million immigrants are known to DHS/ICE because of their temporary status or protection -- like TPS, humanitarian parole, DACA – or because they have an active case in immigration court, or an appeal;
- Even people who are legally present or have permanent legal status (green cards), or are waiting for decision on lawful application, have been subjected to detention and deportation. In some cases, **even US citizens have been detained and deported.**

Sources: The Politics of Immigration: Questions and Answers, Guskin and Wilson (2d ed. 2017); Pew Research Center (pewresearch.org): [2025 report](#); [PBS.org Feb. 6, 2025](#); [“Who are the millions of immigrants Trump wants to deport?”](#), [New York Times, 01/24/25](#); [“We found that more than 170 U.S. citizens have been held . . .”](#), [ProPublica, Oct. 16, 2025](#).

# Limited rights in immigration court

- Unauthorized presence in the United States **IS NOT A CRIME, so deportation is not considered a punishment by the courts.**
- Violation of civil law; like cheating the IRS on taxes.
- A person has none of the rights that even a person accused of shoplifting has.
  - No right to appointed counsel (public defender).
  - No right to a jury trial.
  - No rules of evidence.
- Only “trial” is a short “removal hearing” before an immigration judge, which may last as little as 30 minutes.

Resisting mass deportation - protect from arrest

**Begin** with the law and **our** Constitution

Since 1791 all persons have a **Fifth amendment**  
**right** against self-incrimination. 1791

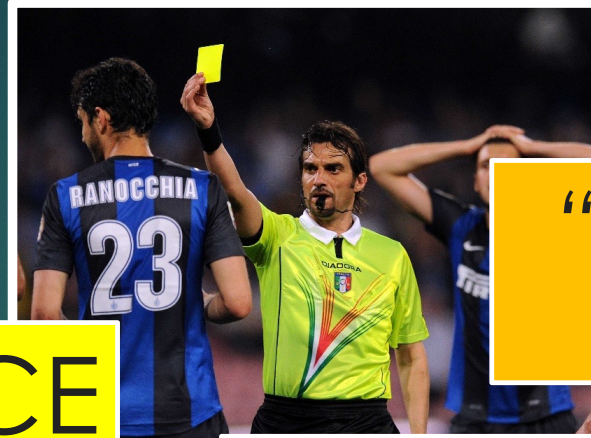
the right to stay silent,  
answer any questions.

**You consent** to give your right up,  
if you answer questions.

Since 1791 all persons have a **Fifth amendment**  
**right** against search and/or seizure.  
**UNLESS** there is a warrant.

**You consent** to search if you allow it,  
if you agree to it, if you acquiesce to it,  
**maybe even** simply by allowing entry.

You have these rights, **unless you consent** to  
give them up.



Give ICE  
a yellow  
card!

*"I will not answer  
questions."*

*"You cannot come into this  
space and search."*

*"Call my lawyer.  
Here's his card."*

Jay W. Stansell, J.D., M.B.A.  
Attorney/Abogado

I DO NOT GIVE YOU PERMISSION TO ENTER MY HOME, UNLESS  
YOU HAVE A WARRANT SIGNED BY A JUDGE.

QUIER PREGUNTA, QUIERO HABLAR  
hablar con nadie, contestar ninguna  
mis derechos legales, o consentir al  
les, residencia, o propiedad hasta que  
de un abogado. YO NO LE DOY  
GAR A MENOS DE QUE TENGA UNA  
DA POR UN JUEZ.

*“Call my lawyer.  
Here’s his card.”*

Jay W. Stansell, J.D., M.B.A.  
Attorney/Abogado

I no longer take new cases or go to court for clients.

However, if anyone presents my card to ICE or other enforcement agents I will, *pro bono* (for free), agree to act as their lawyer at that point-of-contact. I will take a phone call and assert their right to remain silent and their right to refuse to be searched.

PERMISO DE ENTRAR A MI HOGAR A MENOS DE QUE TENGA UNA  
ORDEN PARA ENTRAR FIRMADA POR UN JUEZ.

***If you want to order Yellow Cards email me.***



How does ICE get answers  
their questions?

*Racial profiling;  
tricks and lies; and  
intimidation, terror, and violence.*

# Immigration “Ruses”

Some of the ways immigration officers get people to talk:

- “We are conducting an investigation and have some questions; can you come outside to talk please?”
- “We believe that your son was the victim of identity theft and we need to talk to him; can we come inside to discuss this?”
- “We are investigating a crime and you are a suspect; you need to come to our office.”
- “We found a lost ID and believe it is yours. Can you come outside to confirm it’s yours?”

# New Ruses with Trump 2.0

- Agents have staged **fake auto accidents** in front of houses to trick people to come out their houses.
- Agents visited **elementary school** and said they were there for a **"welfare check"**, lying that they had the permissions of the children's guardians.
- Agent **disguised as construction worker** to trick workers at construction sites.
- Agents have **impersonated Amazon delivery** person.
- Agents have **posed as utility or cable workers**.



# Raids and searches

Appendix B - Sample Judicial Search Warrant

COPY

AO 95 (Rev. 12/89) Search and Seizure Warrant (ISSAO-CECA Rev. 05/2012)

1.

UNITED STATES DISTRICT COURT  
for the  
Central 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)  
LG (V09103) cellular telephone

Case No. CR 13-  
13-2895M

3.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal  
of the following person or property  
(Identify the person or describe the property)  
See Attachment A

The person or property to be  
property to be searched:  
See Attachment B

I find that the affidavit(s), or  
property. Such affidavit(s) or testis

YOU ARE COMMANDED to execute this warrant on or before 14 days from the date of its issuance  
(not to exceed 14 days)

is 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 on duty at the time of its return through a filing with the Clerk's Office.

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 (select the appropriate box)  for \_\_\_\_\_ days (not to exceed 30).  
 until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 11-4-13 11:30 am

ALICIA G. ROSENBERG  
Judge's signature

City and state: Los Angeles, California

Alicia G. Rosenberg, U.S. Magistrate Judge  
Printed name and title

2.

New York Lawyers for the Public Interest non-Profit Advisory

USA: Patrick R. Fitzgerald

prf

## JUDICIAL SEARCH WARRANTS

1. Is it from a court? Check the top of the form
2. Is it signed by a judge or judicial magistrate? Check signature line. Who/what is the warrant for? Check

Immigration will **always** claim they have judicial warrant but almost **never will**

address is correct for the building ICE is trying to enter and search.

4. Is the warrant expired? Check the date signed by the judge and how long it is valid for.

# ADMINISTRATIVE WARRANTS

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

1. NOT from a Court

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 pender **NOTE: individual only**;
- 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.

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

2. NOT signed by a judge

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

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

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

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

Form I-205 (Rev. 09/06)

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

1. NOT from a Court

File No: \_\_\_\_\_

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

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

who entered the \_\_\_\_\_ (Place of entry) on \_\_\_\_\_ (Date of entry)

**NOTE: individual only**

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:

2. NOT signed by a judge

\_\_\_\_\_  
(Signature of Immigration officer)

\_\_\_\_\_  
(Title of Immigration officer)

\_\_\_\_\_  
(Date and office location)

ICE Form I-205 (8/07)

Page 1 of 2

Show me that warrant

*“If you have a signed judicial warrant,  
slide it under the door (or hold it up to the  
window).”*

So do they need a warrant to arrest someone?

**No.**

ICE can always arrest someone if there is  
*“reason to believe” someone is not a  
US citizen and is undocumented.*

*Usually because **they answer questions.***

# How would **you** refuse to answer questions?

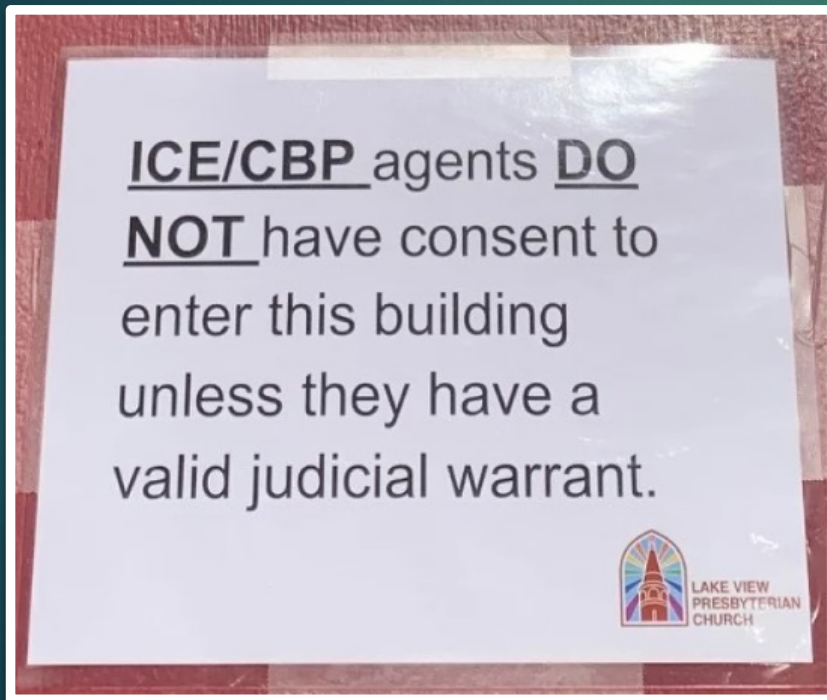
- *“I do not need to answer your questions.”*
- *“I will not answer questions.”*
- *“I take the 5<sup>th</sup>.”*
- *“I am not going to answer any questions.”*

**Be assertive and confident but don't be aggressive.  
Repeat, repeat, repeat.**

# Community Power - Claim Your Space

- **Public Space** – Sidewalks, streets, public parks; **we have no right to restrict ICE** (though we can try to shame them away or discourage them); **ICE has no right to exclude the Community.**
- **Private Space** – Home, car, office; ICE cannot enter UNLESS they have judicial warrant or UNLESS YOU CONSENT (or they claim you did).
- **Controllable spaces** – Areas with open access to the public, but which **we still have control over** as owners, managers, workers, and occupants: reception areas, coffee houses, restaurants, faith sanctuaries, schools, libraries. We control:
  - With signage, with locked doors.
  - **By withdrawing permission for ICE to be there, if ICE is disrupting the function of that space**; if they don't leave when told they are trespassing.

# Signage Examples



# How do you refuse entry to your home, car or workplace?

- *"I do not consent for you to search me."*
- *"You cannot come in without a signed judicial warrant."*
- *"I do not consent to you coming into my house."*
- *"You cannot search my car."*
- *"I did not agree to you coming onto my property (or business), and you need to leave now."*

**Be assertive and confident but don't be aggressive.**

**Repeat, repeat, repeat.**

# Community Power – Document with Videos

- Document **any** ICE encounter
- Enlist bystanders to video record! You want **multiple** recordings.
- Your goal is to clearly document what is happening: *excessive force, racial targeting, assertion of rights, request for attorney.*
- Your goal is also to discourage ICE from additional unlawful arrests of others at the scene.
- Videos can be used in immigration court, and to support lawsuits against systematic law violations.

Do not obstruct agents; give space and give up more space if told to back up. Announce you are recording as is your right and narrate as you record. **Key is lawful, non-violent witness, do this in numbers.**

# Video Recording Considerations -- EFF

- You have the First amendment right to record law enforcement officers exercising their official duties in public.
- Law enforcement may not search your cell phone or other device without a judicial warrant, even if you are under arrest; make sure your phone is password protected (not facial recognition or fingerprint).
- ICE officers may illegally retaliate against you with arrest, destruction of your device, and bodily harm. Remain alert and mindful about this possibility. **There is safety in numbers!**
- Avoid filming the person being arrested or their loved ones; focus on ICE's conduct.

"Yes, You Have the Right to Film ICE," Electronic Frontier Foundation, Feb. 12, 2025; "Your Right to Film ICE . . .," ACLU of NY, January 28, 2025.

# Traffic stops



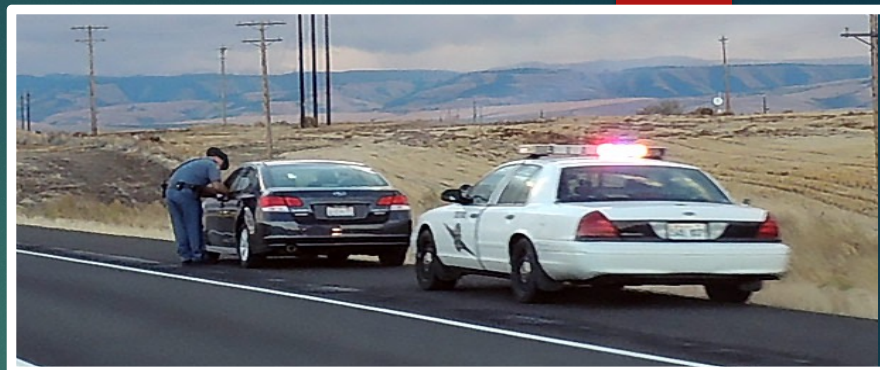
- ✓ ***If you are the driver of a vehicle***, you must produce 1) drivers license, 2) registration, and 3) proof of insurance, ***if requested.***
- ✓ ***But you can refuse to answer all other questions, including, and especially, “Where are you from?”***

Local police have no right to demand immigration documents

**FOR PASSENGERS: Officers (local or ICE) have no right to question or seek ID from passengers in a vehicle, unless they have reason to believe passenger(s) has committed a crime.**

# How to respond to a traffic stop

ICE stop in the Hudson Valley,  
New York State



- ✓ **“My passengers and I are not answering any questions.”**
- ✓ **“Here is my attorney’s card.”**
- ✓ **“Am I free to go?”**
- ✓ **“I am exercising my right to video record this interaction”**
- ✓ **“No, I do not give you my consent to search my car.”**

In most jurisdictions **ICE and Border Patrol do not have authority to stop a car for a violation for state or local traffic laws.**

People should understand that ICE could identify and stop them while driving if their vehicle is registered with a state DOV and ICE reasonably suspects that they have violated an immigration law.

## You have a right to **ASK QUESTIONS**

To find out who the officers are and why they stopped your car:

“Are you the police?”

“Are you highway patrol?”

“Are you immigration?”

“Why am I being stopped?”



See, Immigrant Defense Project, [Car Stops Advisory](#), April 29, 2020.

# What to do, simply put:

Never open your door unless shown a judicial warrant.

- **Calmly alert** all who are in the space (e.g. verbal, intercom, text).
- “I am (we are) video-recording all of this.”
- “I/We will not answer any questions. I/We will not sign any papers without an attorney” (repeat and repeat)
- “Your presence is disrupting our [business, school, meeting, worship service, etc.] and you need to leave now.” (repeat, repeat)
- “You do not have my consent to be here and search unless you have a search warrant signed by a judge; AND THAT’S NOT A JUDICIAL WARRANT!” (repeat and repeat)
- “Here is our attorney’s card. Call him with any questions.”
- **If on the street, or in a car, ask “Am I free to leave? If not, why not?”**

## **FOLLOW-UP**

Always document any incident and report to your union and to community organizations.

- WAISN HOTLINE: Ideally, WAISN Rapid Responders will come to the scene. 1-844-RAID-REP (1-844-724-3737) (6:00 am – 6:00 pm, M - F).
- ACLU-WA – (206) 624-2184.
- NWIRP – (206) 587-4009.



# BREAKOUT

## Scenario:

You have completed a scheduled accompaniment of a Community Member to an ICE check-in and go out to lunch with the CM and her two children following the stress of the appointment. On the way back to the family's house, you stop at a McDonalds, sit down inside to eat with your Community Member. As you watch the kids playing in the play area, you see ICE agents approaching the children asking to talk to them.

What's the first thing you want to do?

What will you do next?

What can you do going forward beyond this day?

# Consider on your own these additional scenarios – part 1

- ▶ You see multiple ICE vehicles in the parking lot of an apartment complex on your street.
- ▶ As you are dropping off your child at daycare, ICE agents come into the building looking for a teacher.
- ▶ You are at the grocery store and see ICE agents pull into the parking lot and start questioning people.
- ▶ You are working at your laptop in a coffee shop and ICE agents enter, demanding of the barista to be allowed to go behind the counter.

## Consider on your own these additional scenarios – part 2

- ▶ You are driving down the street and see a car stopped by 4 unmarked SUVs and surrounded by multiple masked and armed people.
- ▶ You are walking down the street and witness ICE agents stop a person walking near you.
- ▶ You are walking on a college campus with a friend, going to lunch, and suddenly armed and masked people grab you both.
- ▶ You are visiting a relative in a hospital, and you hear ICE agents demanding a nurse in the hallway let them into a patient's room.

# Building and Creating Community Power

*What will you do to imagine and launch and sustain the massive campaign of nonviolent civil disobedience and non-cooperation that history informs us is now required?*

*Look to your hearts and find the abiding strength that dwells there. Look to the sky and all the magnificent beauty that surrounds us still. Look to those who stand proudly at your shoulders. Look to your ancestors and claim your future.*

*We are the people.*

*Now is the time.*

*This is the moment.*

Cleve Jones, No Kings Rally, San Francisco, October 18, 2025

# Organize to directly help **day laborers**

- ▶ Adopt a Day Labor Corner, organized by NDLON.org.
- ▶ “ICE-scrafer” Home Depot protests, organized by NDLON.
- ▶ Sign-up with NDLON to stay up to date on their innovative grass-roots organizing of laborers across the country.

# Organize and educate employers to respect workers

- Employers should know their rights; they can legally refuse ICE entry without a warrant.
- Most ICE workplace raids involve bullying and lying to seize and question employees without lawful authority.
- If employee paperwork is being officially audited (an “I-9 audit”) the employer legally has time to comply within the law and still be transparent to workers about what is going on.
- For more detailed information, look to linked documents below and three Employer slides at the end of this PowerPoint.

Immigration in the Workplace, NELP – NILC. **EXCELLENT EMPLOYER RESOURCE;**  
NILC Quick Guide to the USCIS Handbook for Employers

# Organize to help children and families at your **neighborhood school.**

- Does your local school have a safety plan for students and families? (required by Keep Washington Working Act)
- ▶ Can neighborhood community members contribute to that plan?
  - ▶ Monitoring surrounding streets for ICE surveillance.
  - ▶ Engaging with Parent/Teacher Association.
  - ▶ Assisting with a Family Safety Plan workshop.
  - ▶ Helping to monitor school drop off and pick-up.

# Help Community Members **Make a Plan**

- Help organize Family Safety Plan workshops.
- If a parent is arrested they should already have planned:
  - who will take care of children and take responsibility for their schooling and health care, if a parent is arrested.
  - ▶ what would need to happen with their business, possessions, paychecks, bank accounts, house or car.

# Advocate for protective state laws and prosecutions of ICE violence

- ▶ “LA County set to ban masks worn by ICE agents,” LA Times, Dec. 1, 2025.
- ▶ Advocate with local district attorneys and State Attorney General to prosecute illegal and violent ICE agents under state law. .” Steve Vladek, One First (Substack), 186. “When Can States Prosecute Federal Officers?,” Oct. 27, 2025.
- ▶ Mauling of Whilmar Toledon-Martinez on November 14, 2025 in Washington state.

## Other ways communities are activating.

- Carolina Towing company helping detained folks.
- Baltimore veteran chasing ICE presence on scooter.
- Whistle brigades (Chicago article)
- Childcare workers coordinating Family Safety Plans.
- ICE watches all over the country.
- More ideas from Chicago: Block Club Chicago article, Oct. 16, 2025; Charlotte: CNN article, Nov. 20, 2025.

How else can we show our Power?

# Are citizen allies who help their neighbors at risk?

- NSPM-7 –Trump order declaring political opinions as threats.
- 2025 surge of federal court prosecutions. The Atlantic, “... Criminalizing Dissent,” Nov. 18, 2025.
  - Illegal arrests with no charge.
  - Frivolous legal theories – threats or actual prosecutions; for example, the DHS claim that video-recording is an act of violence.
  - Lies and made-up evidence; LA arrests, The Guardian, July 28, 2025.
  - Exaggerated evidence, *de minimis* charges.
  - Over-charging real obstruction; The Guardian, Sept 2, 2025, (Spokane charges).
  - The exaggerated net of conspiracy.
- If arrested by federal agents, call the Federal Public Defender in Seattle or FPD Spokane/Yakima for legal representation and advice: Seattle (206) 553-1100; Spokane (509) 624-7606; Yakima (509) 248-8920.

# Protect yourself from prosecution

- Key is absolute adherence to non-violent action and speech;
- Do not resist or obstruct if agents contact you.
- Expect that even the most innocent contact with ICE agents might be treated as an assault -- know where your body is in relationship to others so that there is no contact made.
- State and federal courts have long held that we have a First Amendment right to video-record law enforcement in public or our own private spaces. See also Free Speech Center.
- Use **Community Power**. Prosecutors might charge one of us with “impeding” ICE for video-recording, but is unlikely to charge ten or twenty of us.



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QUIER PREGUNTA, QUIERO HABLAR  
hablar con nadie, contestar ninguna  
mis derechos legales, o consentir al  
bles, residencia, o propiedad hasta que  
de un abogado. YO NO LE DOY  
GAR A MENOS DE QUE TENGA UNA  
DA POR UN JUEZ.

# We don't **ask** questions.

- Several federal statutes make it a crime to assist unauthorized immigrants in various ways;
- These laws typically require proof that the defendant **"knew or recklessly disregarded"** that the Community Member was a non-citizen with no legal status;
- We need not ask questions about the back-ground of Community Members that we work with and help.



If I have no papers, and ICE is arresting me, should I just cooperate and tell them where I am from and I have no papers?

## ***You do not have to answer questions!***

If you answer questions, you will likely give ICE what they need to deport you.

***If you refuse to answer questions, you may have a chance to walk away. It can't hurt you to remain silent!***

***"I don't answer questions. I want to talk to my attorney!"***

If I have a green card, or have a pending immigration case, or have DACA status, why shouldn't I just answer questions?

Not answering questions could protect you from arrest if your status has changed without your knowledge.

**For any non-citizens, it is important to assess your personal comfort level and risk.**

If I am a US citizen, and not at risk of deportation, why shouldn't I just answer questions?

Not answering questions helps protect family, friends and neighbors who are more vulnerable, by presenting a united front where we all stand together.

When we all refuse to answer questions, we all resist the government's attempt to divide us into "good" people and "bad" people.

**These decisions remain personal, with different concerns for citizens of color compared to white citizen allies.**

Excellent resource, and great example

**ACLU and Brooklyn Defenders, We Have Rights**: Excellent series of five rights videos, with versions in different languages, including Spanish.

See also, this video taken during Trump 1.0 of a worker on a painting crew instinctively asserting Community Power in the face of an illegal search of the crew's workspace.



# Questions and Answers

## THE MUSIC – Eduardo Galeano

He was a magician with the harp. On the prairies of Colombia, no fiesta could take place without him. Mese Figueredo had to be there with his dancing fingers that delights the breeze and made legs go wild.

One night, on his way to a wedding, he was mugged on a lonely path. Mese was on one mule, the harp on another, when the robbers jumped him and beat him to a pulp.

The next day someone found him lying in the road, a bloody bunch of rags more dead than alive. In what remained of his voice, that scrap of flesh said, “They took the mules.”

He said, “They took the harp.”

“But,” he breathed and laughed, “they didn’t take the music.”



Employers

## How are employers different? I-9 Audits

- Comply with the law: Keep I-9 completions on file – good faith check of employee documents. You **do not have to keep copies** of the documents you accepted.
- **You don't need to over-respond or over-comply** -- insist that ICE follow all I-9 audit rules and regulations.
- Respond to I-9 audit – obtain legal counsel -- you must be given 3 days to produce paperwork – you may get an extension for good cause.
- Once I-9's turned over, ICE will respond in about a month, with a list of “no matches”: employees whose SS numbers do not match names.
- Request your legal right for you and your “no match” employees to have additional time to correct error or provide alternative documents.

[USCIS Handbook for Employers](#)

[NILC Quick Guide to the USCIS Handbook for Employers](#)

[Immigration in the Workplace, NELP – NILC. EXCELLENT EMPLOYER RESOURCE](#)

## How are employers the same?

- An I-9 audit does not give ICE or DHS the right to search your business, or question your employees.
- You, too, have the right to refuse consent for ICE to come onto your property without a judicial warrant.
- ***Workplace raids almost always start with lies about ICE's ability to enter. Be aware of the ruse of an I-9 audit that is really an unlawful entry and search.***
- You, too, have the right to not answer any questions that aren't related directly to the I-9 paperwork,
  - you can insist on having counsel present before answering any questions.

Immigration in the Workplace, NELP – NILC. EXCELLENT EMPLOYER RESOURCE

## How else can we legally show respect for our workers?

- **Assure your employees** that the business is a space you control and that you will not allow ICE to remain at your business unless they have a judicial warrant.
- Clearly **designate all non-public spaces as “employees only”**, and make those designations clear to your employees.
- **Talk to your employees**: tell them if ICE will be conducting an I-9 audit of documents, and the timing of that audit and follow-up.
- **Inform any “no match” employees** that there are questions about their documents and ask them to bring in additional proof of lawful status. Do not offer legal advice but describe the steps **you** must take.
- **Host a Know Your Rights Workshop** for your employees.

Immigration in the Workplace, NELP – NILC. **EXCELLENT EMPLOYER RESOURCE**

# Common myths about immigrants

## **Myth: the U.S. has been overrun by migrants at the border in recent years.**

- 30% of undocumented immigrants have been in U.S. for over 18 years; at least 51% have been here at least 5 years. Many are well-integrated into their communities - have US citizen children, own businesses and homes, and contribute to their communities.

## **Myth: Immigrants take advantage of the US social benefits system and are a drain on our economy.**

- Between 50% to 70% of unauthorized immigrants comply with Federal tax law, but are ineligible to receive Federal benefits. **THEY DO NOT GET FREE HEALTH INSURANCE.**

## **Myth: Undocumented immigrants should just get in line.**

- **There is no line** for the large majority of immigrants here without status; legal immigration is extremely difficult, and impossible for most; it is very difficult to win a case in immigration court; and even marriage to a US citizen seldom provides a path.

Sources: The Politics of Immigration: Questions and Answers, Guskin and Wilson (2d ed. 2017); Pew Research Center (pewresearch.org): 2024 report; PBS.org Feb. 6, 2025; "Who are the millions of immigrants Trump wants to deport?", New York Times, 01/24/25; **The Most Common Arguments Against Immigration . . .**, Nowrasteh, **The Cato Institute, 2021.**

# Common myths about immigrants

## **Myth: The majority of immigrants are criminals.**

- Incarceration rates of unauthorized immigrants have been found to be half that of native-born US citizens; immigrants are far more likely to be *victims* of crime.

## **Myth: ICE is arresting and deporting “worst of the worst” from your communities.**

- DHS has for years focused on arresting and deporting immigrants accused or convicted of serious offenses; there are simply not masses of undiscovered immigrants with criminal convictions for deportable crimes.
- The vast majority of immigrants caught up in the Trump administration’s highly publicized sweeps have had no criminal history at all.

Sources: The Politics of Immigration: Questions and Answers, Guskin and Wilson (2d ed. 2017); Pew Research Center (pewresearch.org): 2024 report; PBS.org Feb. 6, 2025; “Who are the millions of immigrants Trump wants to deport?”, New York Times, 01/24/25; **The Most Common Arguments Against Immigration . . .**, Nowrasteh, **The Cato Institute, 2021.**

# Selected Important Resources

- Family Safety Plan materials from Legal Council for Youth and Children. (bilingual source)
- In Defense of Organizing, NIP – NLG (2017).
- Immigration in the Workplace, NELP – NILC. **VERY GOOD EMPLOYER RESOURCE**
- Know Your Rights . . . No Matter Who the President Is, National Immigration Law Center. En español.
- Advisory to Nonprofit Organizations and Social Service Providers Regarding Immigration Enforcement, Northwest Immigrant Rights Project (2025).
- Know Your Rights resource page, Northwest Immigrant Rights Project.
- Know Your Rights Defend Your Rights (English), Mijente, En español.

# Know Your Rights Videos, News-links

- FRONTERA LIST: well curated, terrific news source (google list) for academics, journalists, and activists about the border and immigration issues.
- ACLU KYR Videos & Resources: ICE Visits, Traffic Stops, Airports, Protests, Anti-Muslim Discrimination and more. Many in Spanish.
- ACLU and Brooklyn Defenders, We Have Rights: Excellent series of five rights videos, with versions in different languages, including Spanish.
- Catholic Charities KYR Protocol for Agencies Video: Role play of a social service provider responding to ICE coming to the clinic and requesting information
- ICE Arrest Portland Man Without a Warrant Article & Video: Watch the video and observe what the co-worker did well with his interaction with ICE and what he could have done differently
- Community activist resisting search by ICE during a traffic stop in New York State.

# Selected resources -- Washington


- ▶ **American Civil Liberties Union – Washington**; 206-624-2184;  
[www.aclu-wa.org](http://www.aclu-wa.org)
- ▶ **Washington Immigrant Solidarity Network (WAISN)**; 844-724-3737; [www.waisn.org](http://www.waisn.org)
- ▶ **Northwest Immigrant Rights Project**; 206-587-4009;  
[www.nwirp.org](http://www.nwirp.org)
- ▶ (In progress) Governor's Rapid Response Team: [LINK](#)
- ▶ Office of the Attorney General:  
<https://www.atg.wa.gov/know-your-rights-civil-immigration-enforcement-washington>

## More Resources

- National Immigration Forum -- [immigrationforum.org](http://immigrationforum.org)
- The Politics of Immigration: Questions and Answers, Guskin and Wilson (2d ed. 2017).
- Pew Research Center -- [pewresearch.org](http://pewresearch.org)
- Transactional Records Access Clearinghouse -- [tracreports.org](http://tracreports.org)
- Center for Immigration Assistance -- [cfiaus.com](http://cfiaus.com)
- Immigration Policy Tracking -- [impolicytracking.org](http://impolicytracking.org)

Resist, don't be discouraged, we are in this together!

- ▶ Seek out alternative sources of information. Four daily newsletters that are favorites of mine:
  - ▶ Robert Hubbell
  - ▶ Heather Cox Richardson
  - ▶ Mark Elias
  - ▶ Jess Craven – Chop Wood, Carry Water
  - ▶ Rebecca Solnit – Meditations in an Emergency
- ▶ Build a democratic, just community from the bottom up.
- ▶ Educate your family, friends, and community.



*“Together we are very powerful, and we have a seldom-told, seldom-remembered history of victories and transformation that can give us confidence that yes, we can change the world because we have many times before.”*

*Rebecca Solnit, Hope in the Dark (2016), (p. xxvi).*

