Safe Spaces:
Child Care Provider Checklist on How to Respond to Immigration Enforcement Actions

WHAT TO DO IF ICE SHOWS UP AT YOUR FACILITY:

- ☑ **Locate the designated point person on your staff.**
- ☑ **Remain calm.** Calmly and firmly explain to the agent that your facility has a security protocol in place that you are OBLIGATED to follow in situations like this. Keep the agents limited to one part of your facility such as a front entrance or outside the front door that is away from children and classrooms or shared hallways. "The [FACILITY NAME] has a safe spaces protocol in place. This is a procedure we are required to follow for the safety of children, staff, and parents. In order to minimize service disruptions, I am going to ask you to wait here. Can you tell me what you are here for?"
- ☑ **Ask the agents for the following credentials:** Badge and agency ID, and a judicial warrant signed by a judge (not an administrative warrant signed by a supervisor).
- ☑ **Look closely at the warrant.** An agent **MUST have a VALID judicial warrant signed by a judge** to enter. Only a judicial warrant, signed by a judge, gives federal agents the legal right to enter your facility. An administrative warrant does not give this authority! Look for "U.S. District Court" or "State Court" at the top of a judicial warrant.

What is a Safe Space Policy?

A Safe Space Policy is a formal plan early childhood programs can integrate into your existing site policies to protect the well-being of children and families—especially those at risk of immigration enforcement.

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If the agent does not have the proper credentials and a signed judicial warrant with the correct information...



The **designated staff member should refuse consent to enter the property** and politely request that the agent leave because the officer's presence is a disruption to normal operations.

If the agent does provide proper credentials and a signed judicial warrant...



The **designated staff member should allow entrance only to areas specified in the warrant and accompany the agent(s) while they are present on program property.** If the warrant gives permission for the agent to arrest a named person(s), you should ask the named person(s) to meet the agent directly outside of the facility to minimize your staff and clients' interactions with the agent and prevent additional arrests or trauma. You could additionally ask another employee to escort the named person(s) to accompany them to meet the agent outside the facility.

You have the right to record immigration enforcement actions as long as you don't physically interfere.

You have the right to ask to see a valid judicial warrant.

All children, **regardless of immigration status,** have the right to access public education. Schools and early learning programs cannot deny enrollment or services based on a child or family's immigration status.

You have the right to refuse entry to agents without proper credentials or a warrant.

You have the right to ask ICE agents to wait outside the facility while you evaluate their credentials.

Fourth Amendment

Everyone, regardless of immigration status, is protected from unlawful searches and seizures. **Immigration agents cannot enter private areas of your facility without a judicial warrant.**

Fifth Amendment

You have the right to remain silent. Staff are not required to answer questions or share information about children, families, or staff without proper legal documentation.

CHILDREN THRIVE ACTION NETWORK
CLASP
The Center for Law and Social Policy