

SAFE SPACES FOR IMMIGRANT FAMILIES



All children have a right to a free public education, regardless of their actual or perceived immigration or citizenship status or that of their parents.

The Federal Government limits ICE Enforcement in sensitive locations. It is important that parents, teachers, school staff, and even children know their rights in case of an emergency. On February 21, 2017, the Department of Homeland Security ("DHS") confirmed in a written FAQ that "the sensitive locations guidance remains in effect for both ICE and CBP." Although there have been many immigration enforcement changes under the Trump administration, this statement says that ICE and CBP will continue to follow the guidance on sensitive locations that provides safe spaces for immigrant families.

In general, the Department of Homeland Security has explained that immigration enforcement actions may not occur at or in "sensitive locations." These locations include:



Schools, such as known and licensed daycares, pre-schools and other early learning programs; primary schools; secondary schools; post-secondary schools up to and including colleges and universities; as well as scholastic or education-related activities or events.



School bus stops that are marked and/or known to the officer, during periods when children are present at the stop.



Medical treatment and health care facilities, such as hospitals, doctors' offices, accredited health clinics, and emergent or urgent care facilities.



Places of worship, such as churches, synagogues, mosques, and temples.



Religious, civil ceremonies, or observances such as a funeral or a wedding.



During a public demonstration such as a march, rally, or parade.

Will enforcement actions ever occur at sensitive locations?

The sensitive locations policy provides assurance that immigration enforcement will not generally take place at schools, health care facilities, places of worship, religious or civil ceremonies, or demonstrations. However, it also states that there are certain special circumstances when immigration enforcement may take place, including:

- someone who poses an imminent threat, such as a national security risk
- immediate pursuit of a felon or person who poses danger to the public
- risk of destruction of property

These special circumstances are very limited and are disfavored. For that reason, if an immigration enforcement action takes place at such a location, you should follow the steps below.

What should I do if I believe an enforcement action has taken place that is inconsistent with this guidance?

An immigration action that takes place in a sensitive location must be carried out as required in the DHS guidance and as required under the U.S. Constitution.

It's important to know that all people in the United States, regardless of their immigration status, have certain rights under the U.S. Constitution. If the immigration action that takes place violates those Constitutional rights, it is not legal. Under the Constitution you have the right to remain silent. Also ICE officers are not allowed to enter buildings without either a judicial warrant or permission.

If you are a witness to an immigration enforcement action, you can take notes about what is occurring, including collecting officer names and badge numbers. You can also call your local union to make sure that the union has the names of anyone arrested by ICE and your notes.

Who should I contact if i believe an enforcement action has taken place that is inconsistent with this guidance?

