

## ICE at Restaurants

Understanding what ICE can and cannot legally do is crucial for restaurant patrons and employees. Here's what restaurant workers, managers, and owners should know:

### PUBLIC vs PRIVATE SPACES

ICE can access public areas (dining area, bar, waiting area, public restrooms, patios, parking lots/sidewalks) without a warrant. However, they CANNOT enter private spaces (kitchen/food prep areas, behind the bar, offices, storage rooms, employee-only hallways, staff break rooms, basements, closed event spaces) without a judicial warrant or explicit consent from management.

### WHAT DOCUMENTS MATTER?

- Judicial warrant (judge-signed with specific location, person, and action) = Valid
- Administrative warrants or ICE detainers = NOT enough
- Restaurants can always verify documentation with legal counsel before allowing entry to protected areas.

### INDIVIDUAL RIGHTS:

- Right to remain silent and refuse to answer questions or discuss immigration status
- Right to ask, "Am I being detained?" If the answer is no, you can leave
- Decline to answer questions or be searched
- Not required to show ID, answer questions, or leave service unless legally ordered
- Right to remain silent and not answer questions without an attorney

### EMPLOYEE RECORDS


ICE cannot demand immediate access to any employee records (such as personnel files, I-9 forms, copies of IDs, schedules or timecards, payroll or tax records, security camera footage). They must provide a Notice of Inspection for I-9 audits.


### EMPLOYEE RECOMMENDATIONS

ICE is not allowed to question or detain workers without a judicial warrant. Front of house staff encountering ICE may say, "I'm not authorized to provide access or information. Please speak with the manager or owner." Management should not allow ICE in private areas. Document ICE agents and actions. Call legal counsel immediately.

### FOR MANAGERS

Prepare now by designating a point person, training staff on valid documents, establishing clear protocols, and documenting all ICE interactions thoroughly.

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