

ICE and Other Government Enforcement Actions Against Employers, Employees and Communities: Lessons from on the Ground

September 17, 2026

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Agenda

1. Summary of “Operation Metro Surge” Enforcement
2. How should Individuals Prepare for ICE Interactions
3. What Happens in a Worksite Enforcement Investigation
4. How to Prepare for Immigration Worksite Enforcement and Raids
5. I-9 Audits

Summary of “Operation Metro Surge” Enforcement

General Developments in Immigration Enforcement

Massive increase in enforcement staff & funding

ICE “Meet and Greet” Outreach & E-Verify Communications

Increased Site Visits

Increased ICE Audits

Changing agency priorities

Rescission of Sensitive Locations Memorandum

Rescission of DHS Sensitive Locations Memo

- 2011 DHS Sensitive Locations Memo directed ICE/CBP to refrain to “fullest extent possible” from enforcement action in/near “Protected Areas.”
 - Protected Areas included:
 - Medical & mental health care facilities (hospitals, health clinics, vaccination/testing sites, urgent care centers, sites serving pregnant individuals and CHCs)
 - Social service providers
 - Schools
 - Churches and places of worship
 - Courthouses
- DHS enforcement in Protected Areas only with prior permission or exigent circumstances where:
 - National security threat
 - Imminent risk of death/violence/physical harm
 - Hot pursuit of individual who poses public safety threat OR who was personally witnessed crossing border
 - Imminent risk of spoliation of evidence in criminal case
 - Safe alternative location does not exist

Rescission of DHS Sensitive Locations Memo

- January 20, 2025 (Inauguration Day) - President Trump rescinded 2011 Sensitive Locations Memo that enshrined longstanding policy.
- In place of DHS Sensitive Locations Memo, DHS agents are instructed to use “common sense.”

Operation Metro Surge Enforcement Impacted Sensitive Locations

- Medical Centers
- Schools
- Courthouses
- Daycares

Twin Cities ICE Operations

- Operation Twin Shield (9/19-28)
 - 1,000 cases reviewed > 900+ site visits & interviews
 - 4 people arrested, 42 cases referred to ICE
- Somali Operation (12/2026)
 - >400 arrests in Dec. '26
- Operation PARRIS (1/2026 – present)
 - Targeted 5,600 – 6,000 refugees in MN

Twin Cities ICE Operations

- Operation Metro Surge (1/2026 – 3/2026)
 - 3,000+ ICE/CBP officers
 - >3,700 Minnesota residents arrested
 - >75% had no criminal record
 - Only 13% had pending criminal charges
 - 35% were collateral arrests
 - >1,200 habeas corpus petitions filed in MN federal court

Immigration arrests by country of origin during Operation Metro Surge

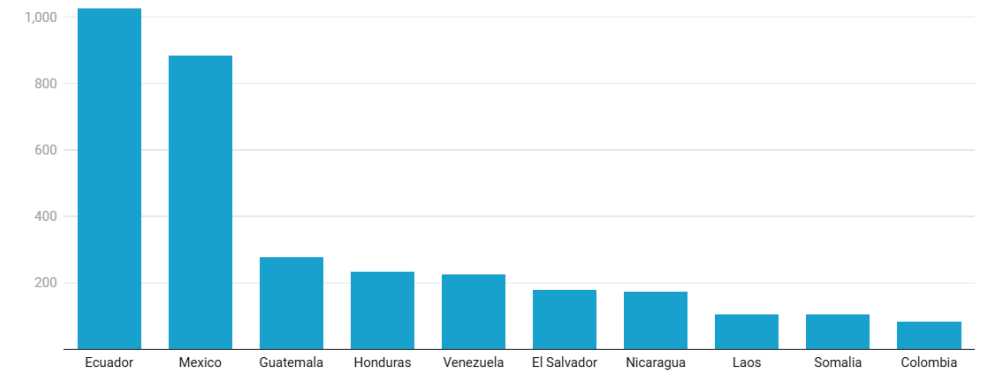


Chart: MPR News • Source: Deportation Data Project • [Get the data](#) • Created with [Datawrapper](#)

<https://www.mprnews.org/story/2026/03/31/ice-arrests-in-minnesota-three-quarters-of-arrestees-had-no-criminal-record-data-shows>

“Operation Metro Surge” Enforcement

ICE Tactics and Trends from MN Operation Metro Surge

Massive Increase in I-9 Audits

- Detention of undocumented employees at home address listed on I-9 Form
- Expedited removal and/or out-of-state transfer of employees (USC/LPR/undocumented)
- FedEx service of NOI

Notices of Inspection

- Instruct employers not to terminate employees during I-9 Audit
- Subpoena Requests are expansive

“Operation Metro Surge” Enforcement

Kavanaugh Stops

Retaliatory Audits

Warrantless Entries

ICE “Fishing” Tactics

- “Meet and Greet”
- Food deliveries
- Fake car accident
- Request for help
- Domestic flight manifests (not just international)
- International groceries and restaurants
- Remote Worksites
- Detention of AOS applicants without status

Expedited Removals, Rapid Transfers, and Deployments

- CBP/ICE/National Guard Deployments & Operations
- Expedited Removals & Rapid Transfers
 - Habeas Corpus
 - Access to Legal Counsel



<https://www.nytimes.com/interactive/2025/10/24/us/us-federal-agents-national-guard-ice-fbi.html>

How should Individuals Prepare for ICE Interactions

Documents for People in Nonimmigrant Status

- Individuals in lawful nonimmigrant status in US (such as H-1B, F-1, J-1, TPS or HP status) are required to carry proof of legal status always
- The following documents should be carried:
 - **Valid/unexpired Passport** or a **REAL ID driver's license (or paper copy)**;
 - **I-94 record** [Most recent record may be attached at bottom of most recent I-797 USCIS Approval Notice or from more recent reentry to US [here](#)];
 - **Copy of Current Status Documentation, which varies according to status as follows:**
 - F-1 Students – Form I-20 (signed)
 - J-1 Scholars and Exchange Program Visitors – Form DS-2019 (signed)
 - H-1B Professional Employees – Form I-797 Approval Notice
 - Other Statuses – You should contact your immigration attorney to determine what specific documentation is required to document your registration and lawful nonimmigrant status
- Individuals with pending immigration applications should carefully consider domestic air travel

Documents for Lawful Permanent Residents & US Citizens

- Lawful Permanent Residents should always carry a copy of their green card
- US Citizens are not required to carry documentation of status, but they are advised to carry the following:
 - Driver's license, and
 - Copy of US passport biographical page OR Copy of naturalization certificate



Document Safeguarding and Retention

- Advisable to retain copies of relevant documents on electronic devices (including cell phone)
- Copies should be saved locally on your device in an organized folder that is easy to access without internet
- Paper copies of relevant docs should also be kept on your person & in other secure places (car, backpack, wallet/purse)
- If original required documents are lost, stolen, or destroyed, replacements should be promptly requested & the receipt notice for replacement application should be carried

Additional Personal Safeguards

- Emergency contacts should be updated with employer, daycare, schools, etc.
- Trusted contacts should be given copies of relevant documents
- Business card for immigration attorney (if appropriate) should be carried
- Know Your Rights card
- Delegation of Parental Authority should be considered in the event parents might be detained/separated from children
- Consider guardianship and/or Power of Attorney documents
- Communication Plan



What Happens in a Worksite Enforcement Action

Types of Worksite Enforcement Actions & Agencies

DHS/Homeland Security Investigations - ICE

- Criminal Activities: Alien smuggling, human trafficking, money laundering, document fraud, worker exploitation and/or substandard wage and working conditions
- Administrative enforcement against undocumented immigrants/employees (including warrants and subpoenas)
- I-9 Audits
- Removal Orders

DHS/USCIS

- Fraud Detection National Security (FDNS) Investigations
 - H-1B, H-2, L-1, R-1, F-1 STEM OPT employees
- Warrants and subpoenas

Types of Worksite Enforcement Actions & Agencies

DOL – Wage and Hour Division

- LCA violations
- Labor certification audits
- Wage/hour investigations

DOJ

- Anti-discrimination audits/investigations

USCIS-FDNS Investigations



FDNS Officer may appear at worksite to confirm representations in a nonimmigrant petition (e.g., H-1B, H-2A, H-2B, L-1)



Train employees to connect the FDNS officer to designated company representative for FDNS visits



Employer must cooperate with FDNS and provide requested information related to the nonimmigrant petition

Department of Labor - WHD Investigations



Agents can make unannounced visits to worksites to conduct investigations

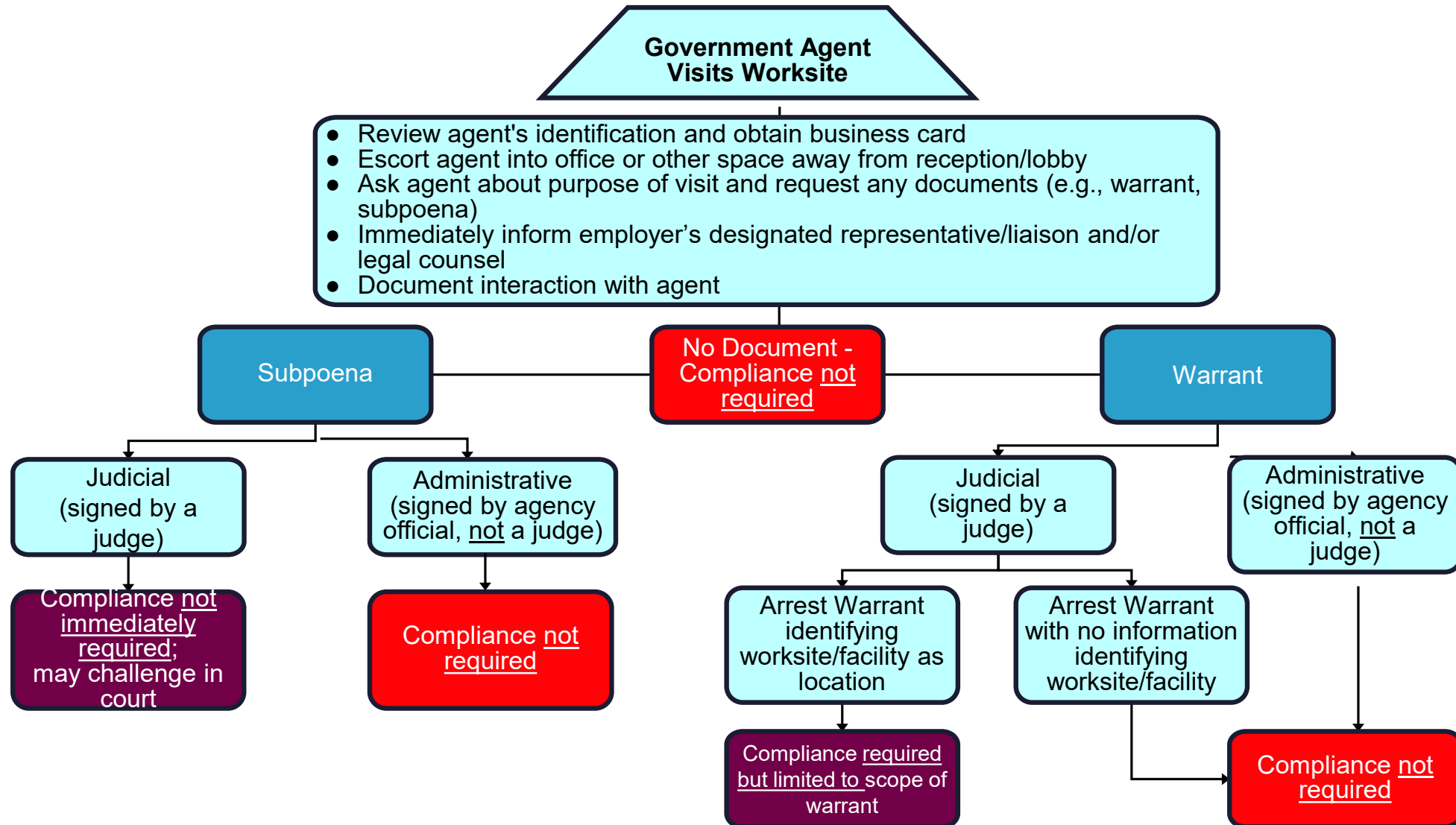


Purpose is to establish a record of employer compliance or non-compliance with program requirements



May interview non-management or non-supervisory employees without employer's consent

Enforcement Actions & Process



No Judge

No Budge

No Grudge



UNITED STATES DISTRICT COURT
for the

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

)
)
) Case No.
)
)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search
of the following person or property located in the _____ District of _____
(identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property
described above, and that such search will reveal *(identify the person or describe the property to be seized):*

SAMPLE

YOU ARE COMMANDED to execute this warrant on or before _____ *(not to exceed 14 days)*
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good 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)

☐ Pursuant to 18 U.S.C. § 3103a(b), 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 *(check the appropriate box)*

☐ for _____ days *(not to exceed 30)* ☐ until, the facts justifying, the later specific date of _____

Date and time issued: _____
Judge's signature

City and state: _____
Printed name and title

Judicial Warrant

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 pendency of ongoing removal proceedings against the subject;
- ☐ 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)_____
(Printed Name and 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 _____ on _____, and the contents of this
(Name of Alien) (Date of Service)

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

Name and Signature of Officer_____
Name or Number of Interpreter (if applicable)

Immigration- related/ Administrative Warrant

Immigration Detainer (Administrative)

DEPARTMENT OF HOMELAND SECURITY IMMIGRATION DETAINER - NOTICE OF ACTION	
Subject ID: Event #:	File No: Date:
TO: (Name and Title of Institution - OR Any Subsequent Law Enforcement Agency)	FROM: (Department of Homeland Security Office Address)
Name of Alien: _____	
Date of Birth: _____ Citizenship: _____ Sex: _____	
1. DHS HAS DETERMINED THAT PROBABLE CAUSE EXISTS THAT THE SUBJECT IS A REMOVABLE ALIEN. THIS DETERMINATION IS BASED ON (complete box 1 or 2).	
☐ A final order of removal against the alien; ☐ The pendency of ongoing removal proceedings against the alien; ☐ Biometric confirmation of the alien's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or ☐ Statements made by the alien to an immigration officer and/or other reliable evidence that affirmatively indicate the alien either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.	
2. DHS TRANSFERRED THE ALIEN TO YOUR CUSTODY FOR A PROCEEDING OR INVESTIGATION (complete box 1 or 2).	
☐ Upon completion of the proceeding or investigation for which the alien was transferred to your custody, DHS intends to resume custody of the alien to complete processing and/or make an admissibility determination.	
IT IS THEREFORE REQUESTED THAT YOU:	
• Notify DHS as early as practicable (at least 48 hours, if possible) before the alien is released from your custody. Please notify DHS by calling ☐ U.S. Immigration and Customs Enforcement (ICE) or ☐ U.S. Customs and Border Protection (CBP) at _____. If you cannot reach an official at the number(s) provided, please contact the Law Enforcement Support Center at: (802) 872-6020. • Maintain custody of the alien for a period NOT TO EXCEED 48 HOURS beyond the time when he/she would otherwise have been released from your custody to allow DHS to assume custody. The alien must be served with a copy of this form for the detainer to take effect. This detainer arises from DHS authorities and should not impact decisions about the alien's bail, rehabilitation, parole, release, diversion, custody classification, work, quarter assignments, or other matters • Relay this detainer to any other law enforcement agency to which you transfer custody of the alien. • Notify this office in the event of the alien's death, hospitalization or transfer to another institution.	
☐ If checked: please cancel the detainer related to this alien previously submitted to you on _____ (date).	
_____ (Name and title of Immigration Officer)	_____ (Signature of Immigration Officer) (Sign in ink)
Notice: If the alien may be the victim of a crime or you want the alien to remain in the United States for a law enforcement purpose, notify the ICE Law Enforcement Support Center at (802) 872-6020. You may also call this number if you have any other questions or concerns about this matter.	
TO BE COMPLETED BY THE LAW ENFORCEMENT AGENCY CURRENTLY HOLDING THE ALIEN WHO IS THE SUBJECT OF THIS NOTICE:	
Please provide the information below, sign, and return to DHS by mailing, emailing or faxing a copy to _____.	
Local Booking/Inmate #: _____ Estimated release date/time: _____	
Date of latest criminal charge/conviction: _____ Last offense charged/conviction: _____	
This form was served upon the alien on _____, in the following manner:	
☐ in person ☐ by inmate mail delivery ☐ other (please specify): _____	
_____ (Name and title of Officer)	_____ (Signature of Officer) (Sign in ink)

Summary of Various Enforcement Documents

Document Type	Description	Use	Effect on organization
Administrative Warrant	Document signed by ICE official <u>not judge</u>	Arrests or to confiscate records	Compliance not required
Judicial Warrant	Document signed by <u>judge</u>	Arrests or to confiscate records	Compliance required <i>if organization identified on warrant</i>
Deportation Order	Document stating person subject to removal order (deportation)	Deporting person from U.S.	Compliance not required
Administrative Subpoena	Document signed by ICE <u>not judge</u>	Require person's appearance in court or production of documents by certain date	Compliance not required
Judicial Subpoena	Document signed by <u>judge</u>	Require person's appearance in court or production of documents by certain date	Compliance not immediately required; <i>employer may challenge in court</i>

How to Prepare for Immigration Worksite Enforcement and Raids

Preparing for Worksite Enforcement: Establish Worksite Enforcement Action Plan

1

Centralize:

Designate Company Representative(s)/ Liaison(s) who will be point of contact with government & contact legal counsel

2

Communicate:

- Provide legal counsel's contact information
- Establish internal communication plan

3

Train:

Conduct trainings and drills with front-line employees and managers (i.e., receptionists, administrative assistants, etc...).

Preparing for Worksite Enforcement: Designate & Document Public/Private Areas

Develop and communicate policy to staff regarding public and private areas

- Lobby, Parking lot & sidewalk – public
- Patient waiting rooms – private
- Bathrooms/Staff Lounges – private
- File room – private

Post signs clearly marking spaces & enforce uniformly

Install barriers between public & private (if none exist)

Keep private information out of public view

Resources

- <https://www.fredlaw.com/immigration-resources>

Immigration Resources

   Add to Packet

Know Your Rights

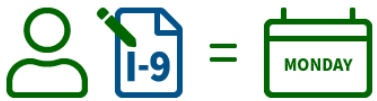
- Minnesota Know Your Rights Resources
- Delegation of Parental Authority (DOPA)
- If ICE Visits Your Home
- If Contacted by a Government Agent | [Full Page](#) or [Trifold](#)
- What to Expect and How to Prepare for Worksite Visits
- Red Cards | [Hmong](#) or [Spanish](#)
- No ICE Access Poster
- Sample Policy and Protocols: Government Investigation Protocol for Immigration & Law Enforcement Actions ([Word doc](#))
- Preparing Your Workforce for Immigration Enforcement & I-9 Compliance
YouTube video recorded January 8, 2026
- How to Prepare for Immigration Enforcement at Your Worksite and in Your Community
Webinar recorded February 5, 2025
- Reminder: Carrying Documentation of Immigration Status
- When ICE Comes Knocking, Know Your Rights – And Protect Your Staff and Patients
- Immigration Update and Lawful Permanent Resident Options for Foreign Nationals
Webinar recorded January 27, 2026
- ICE Advice for Contractors and Landlords: What To Do When ICE Enters Your Worksite or Rental Properties

I-9 Audits

I-9 Requirements



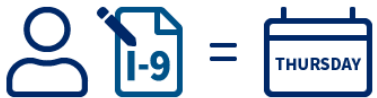
Employee **accepts offer** for employment



Employee **completes Section 1** of the form no later than first day of work for pay



Employee **gives documents and form** to employer



Employer **completes Section 2** of the form no later than 3rd business day employee starts work for pay

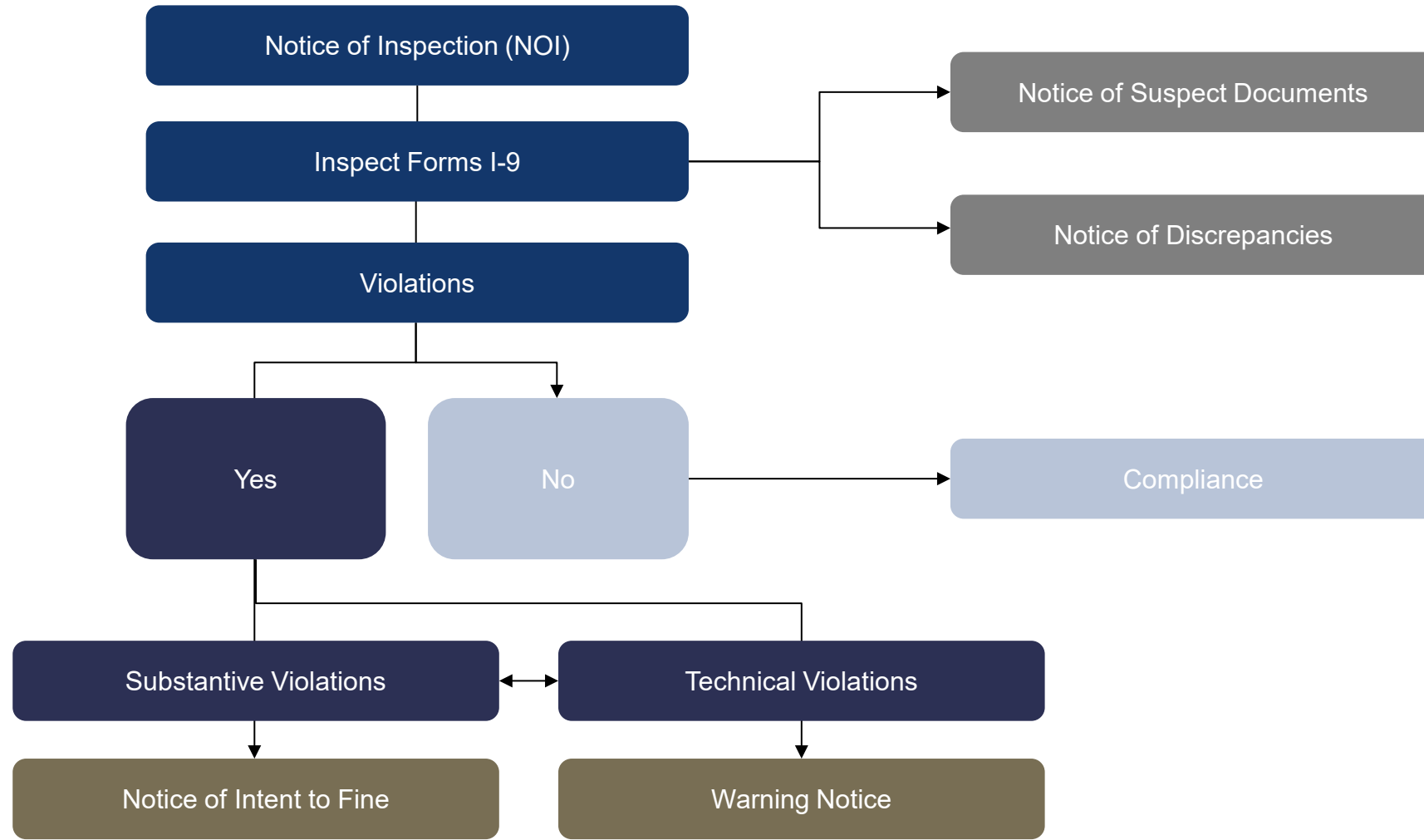


If Employee's work authorization expires, **complete Supplement B**

All employees must have an I-9 Form on record.

I-9 Forms are required even for remote and traveling employees.

I-9 Audits: Anatomy of an I-9 Audit



I-9 Audits – Preparing for an I-9 Audit



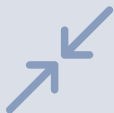
Designate a central I-9 Administrator



Establish a written I-9 Policy



Have legal counsel conduct internal I-9 audit



Prepare new I-9s for employees with no I-9s on file

I-9 Compliance – Practice Tips

Correct

- Correct all errors where possible
- Use a different color pen
- Strike out errors with a single line
- Correct, initial, note “per audit on _____”

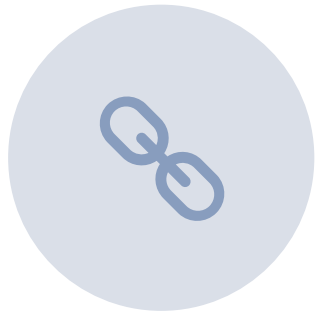
Correct Correctly

- Never backdate I-9 corrections.
- Never use white-out

Maintain copies of documents

- Consider maintaining copies of I-9 supporting documents to avoid substantive I-9 fines

Responding to an I-9 Notice of Inspection



DESIGNATE A CENTRAL
POINT OF CONTACT
FOR INITIAL
COMMUNICATION WITH
ICE/HSI



CONTACT LEGAL
COUNSEL



EMPLOYERS HAVE
THREE BUSINESS
DAYS TO PRESENT
THE I-9S



MAKE COPIES OF ALL
COMMUNICATION/
DOCUMENTATION
PROVIDED TO ICE

I-9 Audits: Best Practices

- Annual I-9 Trainings
 - ICE Webinars
 - Customized or Recorded Trainings
 - Attendance Sheets & Slide Decks
- I-9 Audits
 - Global Audit & Corrections
 - Annual/Regular Ongoing Audits
- Systematized Docketing and Ticklers
- “Fire Drills” & Gov’t Agent Trainings
- Immigration Policy & Procedures
- Immigration Sponsorship
- Review of I-9 Vendor Documentation & Systems
 - Walk-throughs are essential
 - No safe harbor but carefully review any agreements

Presenters



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