



STATE OF CONNECTICUT

## GOVERNOR NED LAMONT

### **Guidance for Connecticut State Agencies on Interactions with Immigration and Customs Enforcement Visits**

This guidance provides Connecticut state agencies with clear instructions on how to handle visits or inquiries from Immigration and Customs Enforcement (“ICE”) agents to ensure compliance with state and federal laws, uphold the privacy rights of individuals, and maintain the integrity of state operations.

#### **Purpose**

To establish consistent practices for responding to visits or inquiries from ICE agents to ensure transparency, compliance with legal obligations, and the protection of individuals’ constitutional and statutory rights.

#### **Scope**

This guidance applies to all Connecticut state agencies, their employees, contractors, and volunteers.

#### **Key Principles**

1. **Respect for Privacy:** Agencies must protect the privacy of individuals and only share information as explicitly required by law.
2. **Adherence to State Law:** Connecticut law limits the extent to which state resources may be used to assist federal immigration enforcement, as outlined in the Trust Act.
3. **Legal Compliance:** Agencies must comply with federal and state legal obligations.

#### **Guidance for Agencies**

1. **Initial Steps When ICE Visits:**
  - Politely request the purpose of the visit and identification from the ICE agent(s).

- Immediately notify the agency's legal counsel or designated point of contact for immigration-related matters.
- Do not provide any information or documents until legal counsel reviews the request.

## **2. Handling Requests for Information:**

- Do not disclose any non-public information, including personal or immigration status, unless presented with a valid judicial warrant or subpoena.
- All requests for documents or data should be referred to legal counsel.

## **3. Judicial Warrants and Subpoenas:**

- Verify the validity of any presented warrant or subpoena with legal counsel before taking any action.
- It is critical to understand that ICE cannot enter non-public areas of an agency without consent, or a valid judicial warrant signed by a federal judge, absent exigent circumstances (such as some sort of urgent national security or public safety threat).
- A judicial warrant is one that is issued by a federal court and signed by a federal judge and will include a time frame within which the search must be conducted, a description of the premises to be searched, and a list of items to be searched for and seized.
- An administrative arrest or removal warrant issued by the Department of Homeland Security ("DHS") (Form I-200 or I-205) is not a judicial warrant and does not authorize DHS officers to enter private areas of a premises without consent.
- After establishing the agent's identity and credentials, it is essential to inquire with the agent whether they have a warrant and if they do, to have legal counsel carefully examine the warrant to identify the type.
- If the officers claim exigent circumstances, employees or other representatives should not interfere with their attempts to gain access to non-public areas of the establishment (however, you are not required to consent to the entry).

## **4. Access to Non-Public Areas:**

- ICE agents are not permitted to access non-public areas of state agency facilities without a judicial warrant or explicit approval, which should only be given upon advice from agency legal counsel.
- Staff should politely inform ICE agents of this policy and contact your agency legal counsel immediately.
- It is equally as important to understand that agencies generally have no control over what ICE does in public areas of the establishment or outside of the physical premises of a facility (such as a parking lot).

- State employees should not be an obstacle to ICE agents in public areas or outside the premises. Obstructing or otherwise interfering with certain ICE activity can be a crime subject to prosecution under federal law.

#### **5. Employee and Public Rights:**

- Employees have the right to remain silent and not provide personal information to ICE agents.
- Inform individuals present at the agency that they have the right to remain silent and the right to an attorney if approached by ICE agents.
- Do not hide or assist employees (or patients/students/etc., as applicable) in leaving premises, provide false or misleading information, or discard any important documents or information. Obstructing or otherwise interfering with certain ICE activity can be a crime.

#### **6. Training and Awareness:**

- Agencies should provide training to employees on how to respond to ICE visits in accordance with this guidance.
- Ensure employees are familiar with the Connecticut Trust Act and other applicable state laws.

### **Reporting Requirements**

- Document all interactions with ICE agents, including the date, time, names of agents, and the nature of the request.
- Submit a report of the incident to the agency's legal counsel and, if required, to the designated state authority.

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