

# Nonprofit Federal Policy Response Network

## PREPARING NONPROFITS FOR ICE INTERACTIONS

*Morgen Cheshire, Esq., Beth Dougherty, Esq. & Diane “DJ” Stoeberl, Esq.*

**With special thanks to PANO and The Pittsburgh Foundation!**

*May 8, 2026*



## Our exclusive focus is nonprofit law.

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We're also the publisher of [PAnonprofitlaw.com](https://pnonprofitlaw.com), a new legal resource offering downloadable legal tools and templates that help support the legal needs of Pennsylvania nonprofit organizations, so that nonprofit leaders can stay mission focused.



Cheshire Law Group awarded the 2024 Pennsylvania Bar Association Solo and Small Firm Section Award.



Founder and managing attorney, Morgen Cheshire, named the 2024 Outstanding Nonprofit Lawyer of the Year by the American Bar Association.

# Introductory Notes

*This is an **educational informational** session – this webinar is an executive summary that distills the law, it is not comprehensive of all developments and points that ought to be considered on the topics covered.*

***No legal advice** will be given to attendees. Any attendees seeking legal advice should engage legal counsel.*

***Attendance does not establish an attorney-client relationship** even if you ask questions and receive responses.*

*Any **opinions are our own**, not attributable any attendees, course providers and session hosts, funders, project partners, or other speakers.*

***Slides will be made available by the Nonprofit Federal Policy Response Network.***

# Overview / Goals for today's training

- Introduction/current climate
- Brief overview of the law
- Preparing for potential ICE (U.S. Immigration and Customs Enforcement) interaction
- Resources

# Resilience in Challenging Times



Taking a moment to acknowledge what is happening

# Voices of American Leaders on Immigration

"I had always hoped that this land might become a safe and agreeable asylum to the virtuous and persecuted part of mankind, to whatever nation they might belong."

**President George Washington**

"Every aspect of the American economy has profited from the contributions of immigrants."

**President John F. Kennedy**

"We have become not a melting pot but a beautiful mosaic. Different people, different beliefs, different yearnings, different hopes, different dreams."

**President Jimmy Carter**

"If we ever closed the door to new Americans, our leadership in the world would soon be lost."

**President Ronald Reagan**

"We are a nation of immigrants. We are the children and grandchildren and great-grandchildren of the ones who wanted a better life, the driven ones, the ones who woke up at night hearing that voice telling them that life in that place called America could be better."

**Senator Mitt Romney**

# Brief Overview of DHS/ICE

- The Department of Homeland Security (DHS) was established in 2003.
- Immigration and Customs Enforcement (ICE) is an agency within DHS.
- Powers of ICE immigration officers
  - Statute: 8 United States Code section 1357
  - Regulations: 8 Code of Federal Regulations part 287
- Although the statute has not been amended since 2006, ICE processes/practices have changed over time based upon DHS's interpretation of what the law allows

# Current Climate

- In 2025, ICE hired more than 12,000 new agents, doubling their personnel from 10,000 to over 22,000.
- OB3 (One Big Beautiful Bill Act) included \$170 billion earmarked for immigration and border enforcement.
- DHS lowered the minimum age for ICE agents from 21 to 18, and shortened the required training program, and ICE agents often conceal their identities with masks, plain clothes, and unmarked vehicles.
- The number of people held in immigration detention increased from approximately 40,000 in January 2025 to over 68,000 by December 2025, an almost 75% increase.
- 2025 was the deadliest year for individuals in ICE custody since 2004, and outside of ICE detention settings, there have been numerous deaths and injuries resulting from ICE interactions, including the fatal shootings of Renee Nicole Good and Alex Pretti in Minnesota.



# Current Climate



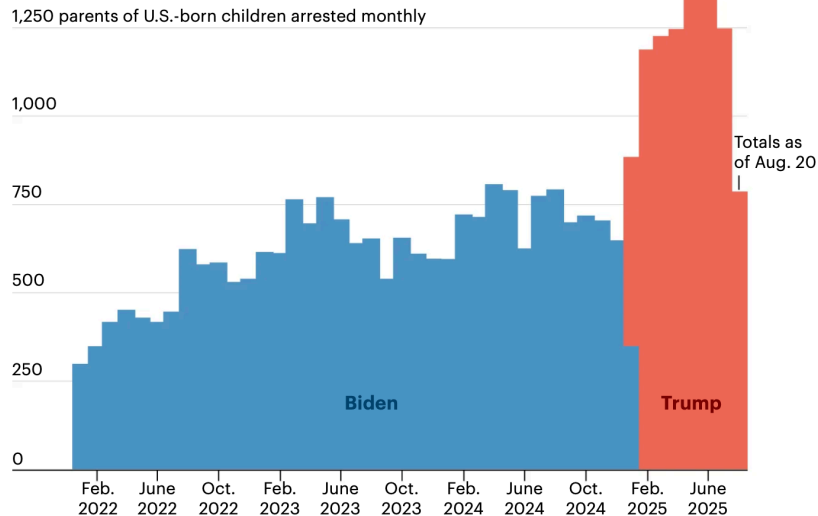
## Trump Has Detained the Parents of More Than 11,000 U.S. Citizen Kids

by Jeff Ernsthansen, Mario Ariza, McKenzie Funk, Mica Rosenberg and Gabriel Sandoval

March 23, 2026, 5:30 am

### Under Trump, Arrests of Immigrant Parents With U.S.-Born Children Surged

ICE arrests of parents doubled in the first seven months of Trump's second term compared with the Biden administration.



Note: Arrest figures for both administrations represent an undercount due to data limitations. See our methodology for more details. Source: ProPublica analysis of ICE data obtained by the University of Washington Center for Human Rights. Chris Alcantara/ProPublica

## Shapiro admin tells ICE to drop plans for Pa. detention centers, warns facilities may not get permits

by Sarah Anne Hughes of Spotlight PA | Feb. 13, 2026



## PENNSYLVANIA CAPITAL-STAR

### Cities and counties across Pennsylvania are passing legislation for when ICE comes to town

Elected leaders are learning on the fly what they can and can't do to rein in or support a well-funded federal law enforcement agency.

BY: IAN KARBAL - MARCH 16, 2026 5:09 AM



# Current Climate

PENNSYLVANIA  CAPITAL-STAR

## At May Day rally, immigrants' rights advocates call on Gov. Shapiro to end ICE collaboration in Pa.

BY: IAN KARBAL - MAY 1, 2026

Shapiro's office says he has 'repeatedly taken action to protect the people of Pennsylvania from federal overreach.'

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## Pa. county jails earn millions of dollars detaining immigrants for ICE

by Kate Huangpu and Danielle Ohl of Spotlight PA | April 6, 2026

**SPOTLIGHT**   
Journalism that Gets Results<sup>SM</sup>

# Current Climate

The Philadelphia Inquirer

Monday, May 4, 2026

## More immigrants are being arrested by ICE in Pa. and N.J., but a smaller percentage have criminal records

### ICE Is Arresting More People in Pa. With No Criminal Background

Prior to President Donald Trump's second term, convicted criminals and those with pending charges represented the vast majority of immigration arrests. In recent months, however, people without criminal records represent the largest group of people arrested.

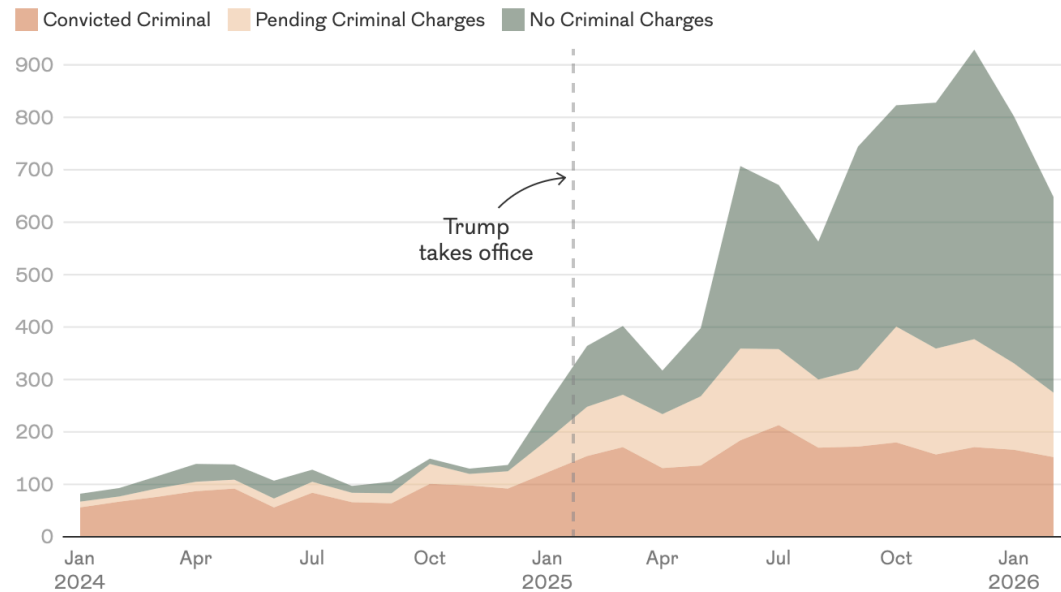


Chart: Stephen Stirling / Staff • Source: [Deportation Data Project](#); [Department of Homeland Security](#)

### ICE Is Arresting More People in N.J. With No Criminal Background

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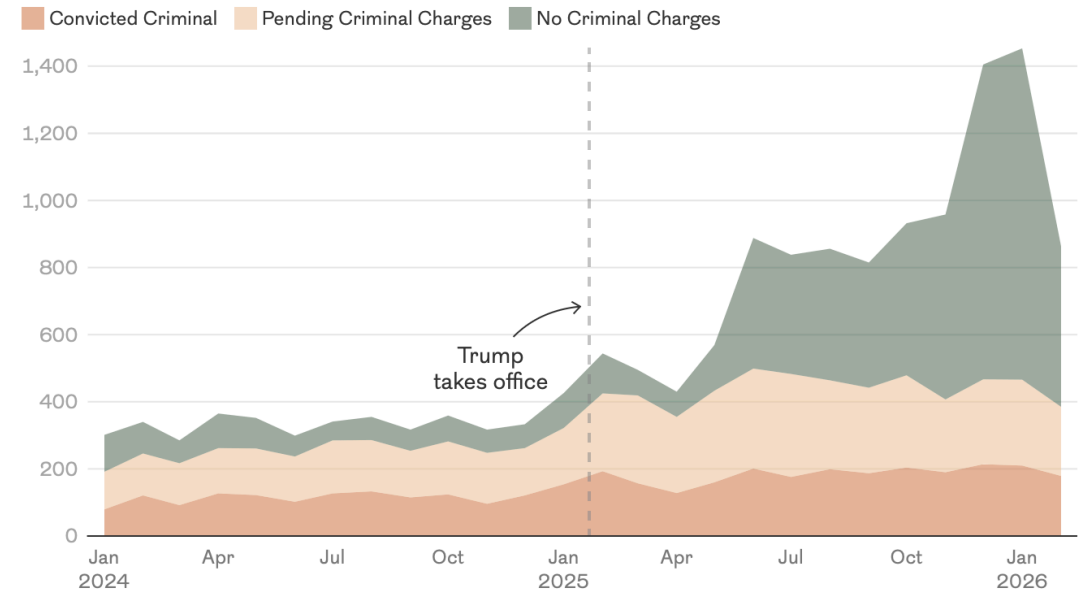


Chart: Stephen Stirling / Staff • Source: [Deportation Data Project](#); [Department of Homeland Security](#)

# Current Climate

## ICE has quietly expanded in Pittsburgh, acquiring second office for operations

THE LAWTON  
**CONSTITUTION**

Jacob Geanous ·

Pittsburgh Post-Gazette (TNS)

Apr 28, 2026

PITTSBURGH — Immigration and Customs Enforcement has been quietly expanding its presence in the Pittsburgh area after leasing space in a five-story office in the western suburbs late last year.

For months, the federal government worked in lockstep to keep the expansion under the radar as the Post-Gazette checked records and requested documents to determine the plans for ICE's new space in Findlay, Pennsylvania.

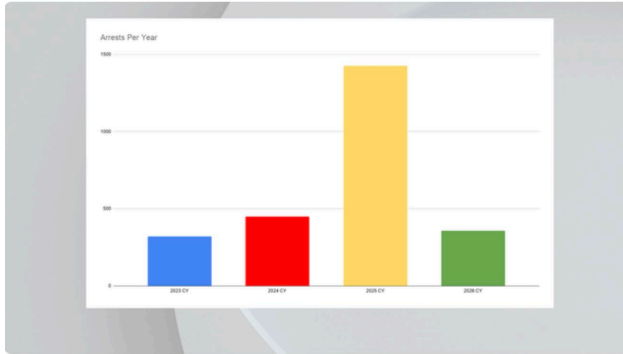
Every federal agency asked about the Findlay property — which was leased in November for just under \$600,000 in annual rent — declined to provide information about what it was being used for. Leasing documents obtained through a public records request were heavily redacted.

# Current Climate

## Data shows dramatic increase in arrests by ICE in Pittsburgh area

By [Andy Sheehan](#), Tory Wegerski

April 7, 2026 / 7:23 PM EDT / CBS Pittsburgh

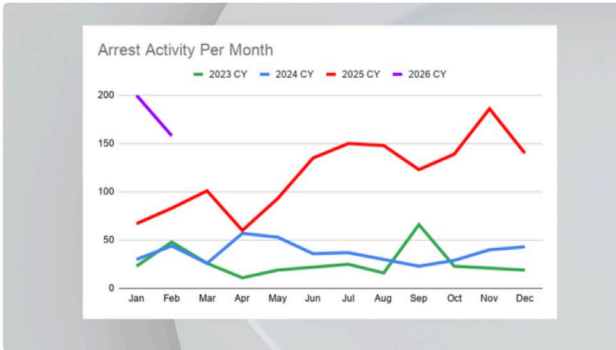


ICE arrests per year in western Pennsylvania



Cumulative ICE arrests per month in western Pennsylvania

(Photo: KDKA)



ICE arrest activity per month in western Pennsylvania

(Photo: KDKA)

KDKA Investigators obtained and analyzed years of arrest data from the Department of Homeland Security via a Freedom of Information Act request by the [Deportation Data Project](#). Since President Trump took office, the rise in ICE arrests in the Pittsburgh area has been dramatic, jumping from 448 in the final year of the Biden administration to 1,425 in the Trump administration's first year in 2025. That's an increase of 218%.

And with 358 ICE arrests just in January and February of this year, that pace appears to be increasing.

<https://www.cbsnews.com/pittsburgh/news/ice-arrests-increase-pittsburgh-area/>

# Current Climate

## Immigration raid at Pittsburgh gutter company captured on video, several workers detained

By Lauren Linder

Updated on: May 6, 2026 / 8:51 AM EDT / CBS Pittsburgh



A business owner in Pittsburgh said six of his workers were detained by immigration enforcement agents during a raid on Tuesday morning.

Surveillance video shows employees of OK Service standing by their vans at Orchard Place and Knox Avenue in Mount Oliver just before 8 a.m., when a black car pulls up. Workers can be seen running away as agents begin chasing them.

Katie Murphy was just feet away at Hilltop Community Children's Center, where she's a preschool teacher, when the raid happened.

"My son, who is 8, saw more than I did. His comment to me when it was over was, 'I thought monsters weren't real,'" Murphy said.

# Immigration Executive Orders

**Executive Order 14159 “Protecting the American People Against Invasion”** [so-called “sanctuary jurisdictions” will not receive access to federal funds]

**Executive Order 14160 “Protecting the Meaning and Value of American Citizenship”** [challenges birthright citizenship]

**Executive Order 14163 “Realigning the United States Refugee Admissions Program”** [suspension of the Refugee Admissions Program]

**Executive Order 14218 “Ending Taxpayer Subsidization of Open Borders”** [eligibility for federally funded programs]

**Executive Order 14165 “Securing Our Borders”** [physical wall, prevention of entry, detention, removal]

**Executive Order 14287 “Protecting American Communities From Criminal Aliens”** [signed on April 28, 2025, and declared that “some State and local officials . . . continue to use their authority to violate, obstruct, and defy the enforcement of Federal immigration laws” and directed the publication of a list of such jurisdictions]

- **Executive Orders generate a lot of attention, but keep in mind:**
  - The President (executive branch) cannot make law. Every Executive Order must have a basis in an underlying statute or the Constitution.
  - Executive Orders can be (and are) challenged in the Courts and can be (and are) being struck down.

# Executive Order 14159

## Impact on Sanctuary Jurisdictions

Sec. 17. Sanctuary Jurisdictions. The Attorney General and the Secretary of Homeland Security shall, to the maximum extent possible under law, evaluate and undertake any lawful actions to ensure that so-called “sanctuary” jurisdictions, which seek to interfere with the lawful exercise of Federal law enforcement operations, do not receive access to Federal funds. Further, the Attorney General and the Secretary of Homeland Security shall evaluate and undertake any other lawful actions, criminal or civil, that they deem warranted based on any such jurisdiction’s practices that interfere with the enforcement of Federal law.

# Sanctuary Jurisdictions

- There is no universal definition of a sanctuary jurisdiction. State and local governments throughout the United States take different approaches. The rationale is that state and local governments cannot be compelled by the federal government to take part in immigration enforcement activities.
- The common theme: a **limit on the cooperation** between state/local officials and federal officials.
- **Sanctuary jurisdictions distinguish limiting cooperation from actively preventing/interfering with federal officials from carrying out their duties.**
- One typical policy is not agreeing to house immigrants in state/local jails following issuance of an ICE “detainer.”
  - An ICE “detainer” is a nonbinding official request for a state/local government to take custody of an individual for up to 48 hours until ICE can arrange for their custody.

# Sanctuary Jurisdictions - Pennsylvania

- On August 5, 2025, the Trump Administration's Department of Justice published a list of jurisdictions it identified as sanctuary jurisdictions.
  - Neither Pennsylvania nor any of its counties were on the list – the **City of Philadelphia was the only sanctuary jurisdiction in Pennsylvania on the DOJ list.**
- Other publicly available lists of sanctuary jurisdictions include other Pennsylvania counties in addition to Philadelphia (see next slide).
- There are two pending House Bills in the Pennsylvania General Assembly that would (if passed) impact sanctuary jurisdictions (see Appendix for more information):
  - **House Bill 403**
    - Prohibits municipalities or counties from adopting policies that prohibit or limit law enforcement, corrections, and/or judicial officers/staff from enforcing immigration law and imposes a duty on municipalities/law enforcement to communicate with and cooperate with federal immigration requests; establishes a private cause of action.
  - **House Bill 1693**
    - Imposes duties on law enforcement agencies and municipalities to comply with immigration detainer requests and to provide information to ICE regarding persons in custody.
    - Provides a private cause of action for “adversely affected” individuals against governmental officials who adopt and/or enforce policies that prohibit or limit cooperation and communication with ICE.

# Sanctuary Jurisdictions - Pennsylvania

**Notably, publicly available lists of sanctuary cities vary widely depending on the source producing the lists.**

According to Wikipedia (as of March 13, 2026), there are 17 sanctuary jurisdictions in Pennsylvania:

Bradford County  
Bucks County  
Delaware County  
Erie County  
Franklin County  
Lebanon County  
Lehigh County  
Lycoming County  
Montgomery County  
Montour County  
Perry County  
Philadelphia County  
Pike County  
Westmoreland County



**NOTE:** The Center for Immigration Studies (CIS) lists these same jurisdictions, but adds the following Pennsylvania counties to its list (last updated on March 10, 2026):

Allegheny County  
Chester County  
Northampton County  
Washington County  
York County

# Sensitive Locations

- Since 2011, the **Department of Homeland Security (DHS)** had designated **certain sites – schools, medical facilities, places of worship, social service agencies, disaster relief sites, and public demonstrations – as “sensitive locations” or “protected areas”** where ICE actions (such as arrests, interviews, or searches) were prohibited absent unusual or exigent circumstances.
- The Trump Administration ended this long-standing policy on January 20, 2025 through a directive from the Department of Homeland Security (acting under the authority granted it by Executive Order 14159).
- This policy change has been challenged with several court cases currently pending.

# Cooperation with ICE – PA Legislation

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## Senate Bill 1193    Keep ICE Off Pennsylvania's Property

Pennsylvania General Assembly **Senate Bill 1193** (Keep ICE Off Pennsylvania's Property), if passed, would prevent civil immigration arrests inside, or within 1,000 feet of, Commonwealth owned facilities and facilities owned or leased by political subdivisions unless authorized by a judicial warrant. Senate Bill 1193 was introduced and referred to the Senate Judiciary Committee on February 27, 2026.

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**Within Pennsylvania, different local jurisdictions (cities, counties) and law enforcement agencies have taken different approaches (highlighted on the next few slides)**

# Cooperation with ICE - ICE 287(g) Program

## ICE's 287(g) Program

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 added Section 287(g) to the Immigration and Nationality Act (INA), authorizing U.S. Immigration and Customs Enforcement (ICE) to delegate state and local law enforcement officers the authority to perform specified immigration officer functions under ICE's direction and oversight. Likewise, Title 25 USC 2804(e) also allows federal agencies to enter into agreements with Indian tribes to carry out laws of the United States, such as immigration laws.



U.S. Immigration  
and Customs  
Enforcement

### ICE OPERATES THREE 287(g) MODELS:

**The Jail Enforcement Model** allows your officers to identify and process removable aliens who have pending or active criminal charges.

**The Task Force Model** allows your officers to enforce limited immigration authority while performing routine police duties or as an active participant in an ICE-led task force.

**The Warrant Service Officer** allows your officers to serve and execute administrative warrants on aliens in your custody.

#### Participating

- Jail Enforcement Model
- Task Force Model
- Warrant Service Officer



<https://www.ice.gov/identify-and-arrest/287g>

# Cooperation with ICE - ICE 287(g) Program

PITTSBURGH'S  
**Public Source**



Quinn Glabicki

April 27, 2026

Since the second Trump administration began its immigration crackdown 16 months ago, 86 law enforcement agencies in Pennsylvania have [active agreements](#) to cooperate with ICE under the agency's 287(g) program, which delegates some immigration enforcement functions to local police.

In Allegheny County, those include the police departments of Stowe Township and Springdale Borough, while others, including Robinson, Munhall and Coraopolis, [terminated](#) agreements with ICE after public scrutiny. Some municipalities — Bellevue, McCandless and Swissvale, as well as [Allegheny County](#) — [passed](#) resolutions prohibiting local police from cooperating with ICE. The City of Pittsburgh is [considering](#) similar legislation.

## Emails between ICE and local police show cash incentives and voter loss fears

Why would local police team up with ICE? Reimbursement for officer salaries, benefits and overtime — plus new vehicles — may be part of the equation.

Prior to the second Trump administration's immigration crackdown and significant increases to ICE's budget, there were no financial incentives for the 287(g) program, which first emerged in the wake of 9/11 as a force multiplier for the newly formed ICE, said David Harris, a law professor at the University of Pittsburgh who has researched 287(g) issues for 20 years.

<https://www.publicsource.org/why-do-local-police-cooperate-with-ice/>

# Cooperation with ICE – Allegheny County



## OFFICIAL STATEMENT: IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) ACTIONS

Feb 5, 2026 | News, Press Release

**PITTSBURGH** — In response to recently receiving inquiries about the office’s position on ICE actions, The Office of the District Attorney of Allegheny County has no jurisdiction over the determination of an individual’s immigration status, nor the enforcement of immigration laws. This office is responsible for and has jurisdiction in Allegheny County to investigate and prosecute offenses committed by an individual in violation of the Pennsylvania Crimes Code.

Our mission is to protect public safety and ensure that the United States and Pennsylvania Constitutional rights are not infringed during the investigation and prosecution of violations of the Pennsylvania Crimes Code. The United States and Pennsylvania Constitutions similarly protect an individual’s right to freedom of speech and association, the right to bear arms and the right to be free from unreasonable searches and seizures.

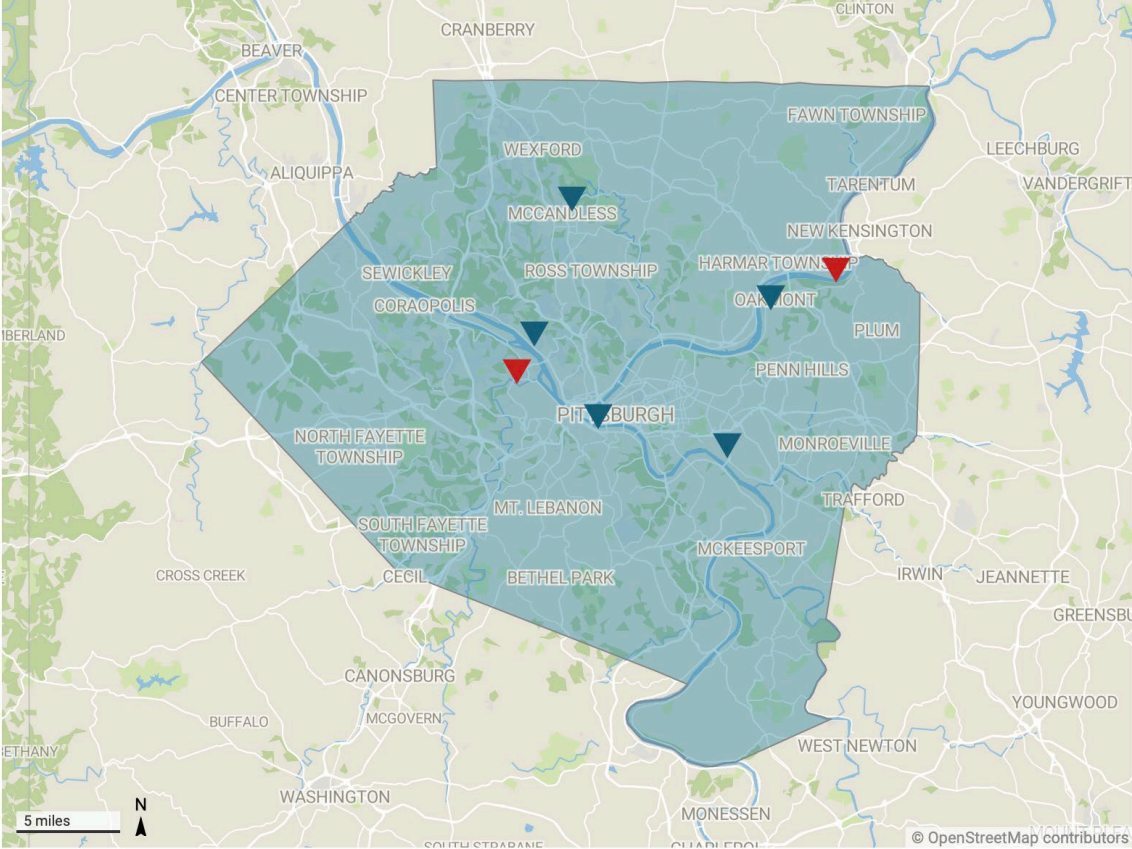
When an individual is arrested and prosecuted in Allegheny County for a PA crime, information regarding that arrest is entered into the state and local law enforcement databases. We do not separately communicate arrests on state charges to federal immigration authorities. While we cannot impede the execution of a lawful immigration detainer, we do not assist with those detentions.

Any individual alleged to have committed a violation of the Pennsylvania Crimes Code in Allegheny County is subject to investigation and prosecution if warranted.

# Cooperation with ICE – County Comparison

## Allegheny County sees more anti-ICE legislation than ICE pacts

Allegheny County now has an ordinance largely barring cooperation with ICE, and five (marked in blue) of its 130 municipalities have passed comparable legislation. As of April 2026, two municipalities (marked in red) had active 287(g) agreements formalizing collaboration with ICE.

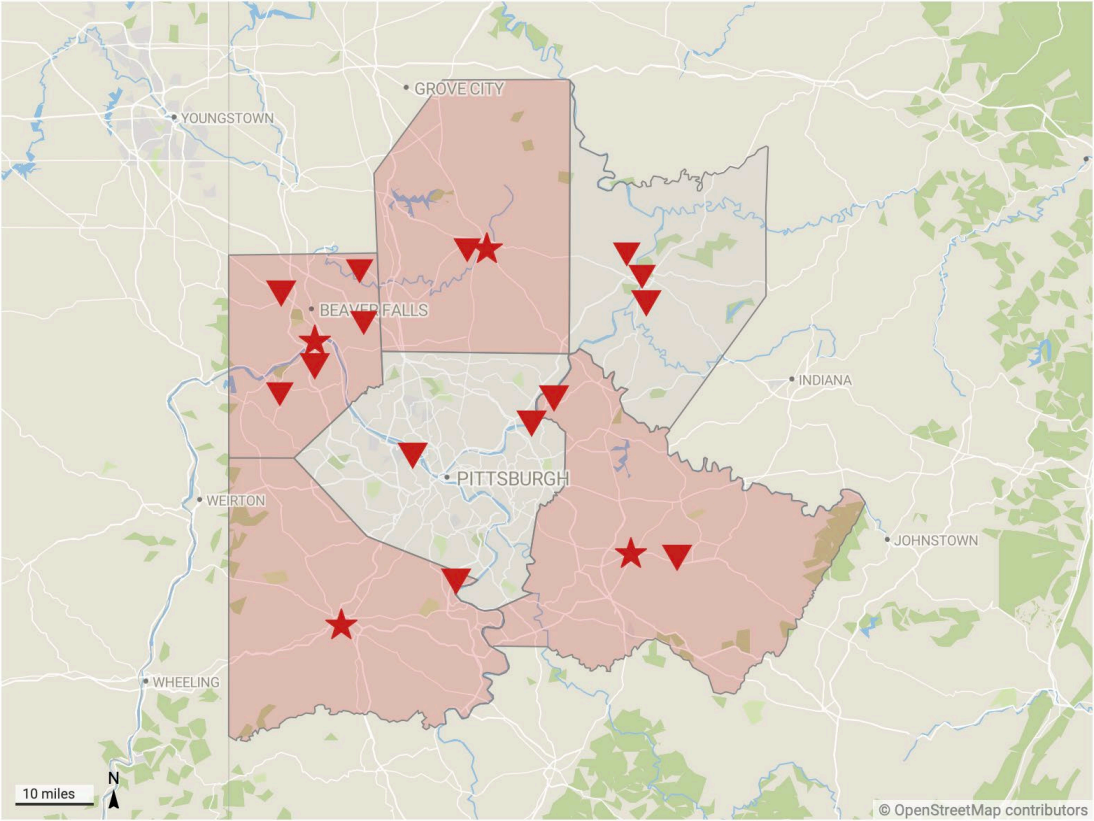


If your municipality has passed ICE-related legislation not reflected here, please email [jamie@publicsource.org](mailto:jamie@publicsource.org).  
Map: Katherine Weaver/Pittsburgh's Public Source • Source: Public records and media reports • Created with [Datawrapper](#)

## Law enforcement agencies with ICE agreements ring Allegheny County

The counties that surround Allegheny all include police agencies that have joined ICE's 287(g) program, in which some immigration enforcement work is delegated to locals in return for financial incentives. Two municipalities within Allegheny County also have signed on.

★ County sheriff's office ▼ Borough or township police department



Map: Katherine Weaver/Public Source • [Download image](#) • Created with [Datawrapper](#)

# Cooperation with ICE - Philadelphia City Council “ICE OUT Package”

- Introduced on January 29, 2026, and advanced out of Committee (unanimously) on April 13, 2026
- Passed by City Council on April 23, 2026 (five bills by a 16– 1 vote; two bills by a 15 – 2 vote)
- All seven bills became law
  - Mayor Parker signed six of the bills on May 7, 2026
  - Mayor Parker did not veto the remaining bill (banning law enforcement agents from concealing their identities and requiring officers to display badges) so it also became law

## DETAILS OF THE ICE OUT PACKAGE INCLUDE:



- Prohibits ICE and other law enforcement agents from concealing their identities with face masks or unmarked vehicles and requires officers to display badges
- Codifies executive orders banning 287(g) agreements, which allow local police to act as ICE agents
- Prohibits city agencies from collaborating with ICE
- Prevents city agencies from collecting citizenship or immigration status information or sharing personal data with ICE
- Prohibits discrimination or denial of services based on citizenship or immigration status by the City, employers, housing providers, or private businesses.
- Prohibits ICE from using city-owned properties as staging locations for raids.
- Bars city employees from granting ICE access to city-owned spaces—such as libraries, shelters, health centers, and recreation centers—without a judicial warrant.

Modeled on successful [legislation](#) from [cities](#) and [states](#) across the country, the ICE OUT package enshrines existing policies into law and establishes clear limits on how ICE can operate within Philadelphia.

# Prepare for ICE Interaction

- Prepare a plan
- Practice the plan
- Perform the plan

# Prepare for ICE Interaction – Put a Plan in Place

## Public vs. Nonpublic Areas

- Clearly mark nonpublic spaces within your organization with appropriate signage
  - This makes it easier for your organization to assert its Fourth Amendment rights against unreasonable searches and seizures
- Evaluate physical layout and consider possible changes (balancing welcoming vs. boundaries)
- Keep nonpublic areas private and secure (doors locked; do not prop open doors; demarcations of private outdoor spaces, etc.)
- Do not leave sensitive information accessible in public areas

**Note:** If your organization conducts activities/programs outdoors and/or in shared spaces, it may be challenging to assert these spaces are nonpublic

# Prepare for ICE Interaction – Put a Plan in Place

## Designated Response Person

- Designate a point of contact (and a backup or multiple backups) from your leadership team to handle all ICE interactions (“Designated Response Person”)
- Ensure all staff and volunteers, and especially site directors and reception area team members) have current contact information (cell number/direct dial and email) for Designated Response Person(s)
- Designated Response Person(s) should familiarize themselves with sample administrative and judicial warrants (further information to follow)
  - This does not take the place of legal counsel review

# Prepare for ICE Interaction – Put a Plan in Place

## Safety and Readiness

- Provide staff/volunteers with printed instructions for handling ICE interactions
- If you have a reception desk, keep a copy of these printed instructions in a readily accessible spot
- Consider processes and procedures to help keep your staff, volunteers, and those you serve safe from harm
- Conduct “role playing” sessions for all staff/volunteers to prepare and train them for ICE interactions
  - Identify those who have primary responsibility for reception duties and provide additional training opportunities for them

# Prepare for ICE Interaction – Put a Plan in Place

## Safety and Readiness cont.

- Consider additional processes/procedures to protect persons/populations who might be more likely to suffer heightened trauma from ICE enforcement activities, such as children and persons with cognitive disabilities
- Prepare (or order) “Red Cards” for your team and individuals your organization serves (these cards, which come in different languages, help individuals understand their legal rights)
  - See <https://www.ilrc.org/community-resources> for more information about Red Cards and other resources if your organization is serving immigrant populations

**Stress the importance of remaining calm and following the plan.**

# Prepare for ICE Interaction – Put a Plan in Place

## Engage Legal Counsel

- Proactively engage legal counsel who can be available at any time if your organization is faced with ICE inquiries/actions
- Provide Designated Response Person(s) with contact information for legal counsel (including contact information for after hours and weekends)
- Work with legal counsel to review and consider whether to update your organization's Document Retention & Whistleblower Policies
- Work with legal counsel to conduct an internal I-9 audit, to make sure your organization's paperwork is in order

# If ICE Agents Arrive at Your Organization

## Initial Response and Action - Staff/Volunteers

- Immediately contact Designated Response Person
- Inform agents that staff/volunteers are contacting person within organization who has authority to provide access to facility
- Advise agents that staff members/volunteers do not have authority to consent to agent's entry into private areas or access to documents– only Designated Response Person can provide this consent
- If agents claim to have a warrant:
  - ask for a copy of the warrant; and
  - take a photo or scan of warrant and **send immediately** to Designated Response Person so that time and date of interaction are documented

# If ICE Agents Arrive at Your Organization

## Initial Response and Action - Staff/Volunteers cont.

- Request that agents wait in a designated waiting area (which should be a public space like a waiting room or outside of the office) until Designated Response Person arrives at site
- Staff/volunteers are not required to provide information about programs or persons your organization serves
- Staff/volunteers should not answer questions from ICE agents without direction from the Designated Response Person and/or legal counsel
- If questioned directly, they may state they are not authorized to answer

# If ICE Agents Arrive at Your Organization

## Initial Response and Action - Staff/Volunteers cont.

- Staff should be especially wary of statements that are used by agents to gain access to a non-public area, and that they may try to do so without a warrant
  - Agents may say things like “can you help us identify this person;” “is [name] here?”; or “we are investigating a crime” - remember that law enforcement needs a warrant in order to lawfully enter non-public spaces of your organization’s facilities

**Note:** Consider having printed cards for staff members/volunteers

- can serve as a script to read and can be handed over to ICE agents

# If ICE Agents Arrive at Your Organization

## Initial Response/Action – Designated Response Person

- If staff/volunteers were presented with a warrant, immediately send copy of warrant to legal counsel to confirm validity/legitimacy
- Go to site immediately
- Once on site, obtain name and contact information for lead agent and inform lead agent that organization's legal counsel has been contacted
- Connect legal counsel to lead agent, so that counsel can communicate directly with lead agent

# If ICE Agents Arrive at Your Organization

## Initial Response/Action – Designated Response Person cont.

- If applicable, review warrant to ensure it is (i) signed by judge or magistrate; (ii) describes your facility as the place to be searched; (iii) it has the correct date and was issued within the past 14 days; and (iv) the proposed search by agents does not exceed the scope of items authorized in the warrant
  - This does not take the place of legal counsel review
- Inform agent that absent exigent circumstances, organization is not consenting to search until legal counsel has an opportunity to assess the warrant and determine appropriate next steps

# If ICE Agents Arrive at Your Organization

## Initial Response/Action – Designated Response Person cont.

- If agent declares existence of an exigent circumstance and demands immediate access, Designated Response Person may request additional information but should comply with the request and immediately notify legal counsel
- Following any interaction with government agents, the Designated Response Person and involved staff members/volunteers should document and record all relevant information regarding the interaction and follow up with legal counsel as necessary

# If ICE Agents Arrive at Your Organization

## Initial Response/Action – Designated Response Person cont.

- Consult with counsel before providing any records that contain personally identifiable information of individuals
  - While records must be provided in response to a court order (such as a judicial warrant or a court-ordered subpoena), state and federal laws may protect the privacy of certain records (such as those pertaining to students)
- When reaching out to counsel, mark all written communications with counsel as **“CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS”**

# If ICE Agents Arrive at Your Organization

## Judicial vs. Administrative Warrants

- Entry into private areas of your organization's premises is permissible only with a court-issued (judicial) warrant that meets very specific qualifications: (i) signed by judge or magistrate; (ii) describes your facility as the place to be searched; (iii) it has the correct date and was issued within the past 14 days; and (iv) the proposed search by agents does not exceed the scope of items authorized in the warrant
- There is an important difference between a judicial search or arrest warrant and an administrative or ICE warrant (examples of each to follow)

# If ICE Agents Arrive at Your Organization

## Judicial vs. Administrative Warrants cont.

- If immigration agents have a judicial warrant, your organization must provide access to the specific areas and documents identified in the warrant (it need not provide access to any others)
- An administrative warrant is not sufficient to require admittance to your facility or access to documents. For example, an ICE Warrant for Arrest of Alien (Form I-200) is a warrant often used by ICE agents but is not a judicial warrant and does not authorize entry

# If ICE Agents Arrive at Your Organization

## Judicial vs. Administrative Warrants cont.

### Important Notes:

- The Department of Homeland Security (DHS) issued a memorandum in May 2025 (made public in January 2026) providing that administrative warrants do provide ICE agents access to private areas
- On February 3, 2026, House Judiciary Committee Democrats called for the rescission of that memorandum, but DHS has not rescind it, and the memorandum continues to reflect DHS's position
- The issue of ICE enforcement without a judicial warrant was an important factor in the 76-day DHS government shutdown that ended on April 30, 2026
- The bill ending the shutdown and funding DHS specifically did NOT include funding for immigration enforcement (ICE & Customs and Border Protection (CBP))
  - ICE and CBP continue to operate using funding from the OBBBA of 2025 (\$75 billion for ICE)
  - Republicans are seeking to have ICE and CBP funding restored in future legislation

# If ICE Agents Arrive at Your Organization

## Judicial vs. Administrative Warrants cont.



### Record-long Department of Homeland Security shutdown ends

April 30, 2026, 12:30 PM EDT / Updated April 30, 2026, 8:27 PM EDT

By Scott Wong, Melanie Zanona and Kyle Stewart

WASHINGTON – The House on Thursday approved a Senate-passed bill that would fund much of the Department of Homeland Security, ending the record 75-day shutdown of the sprawling federal agency.

President [Donald Trump](#), who had urged lawmakers to pass the bill, signed the measure into law Thursday afternoon, funding DHS agencies such as the Federal Emergency Management Agency, the Coast Guard, the Transportation Security Administration and the Secret Service through the end of September.

The bill does not provide new funding for Immigration and Customs Enforcement or the Border Patrol, however, as Democrats demand changes to immigration enforcement. Both ICE and border enforcement had funding during the shutdown, and Republicans will try in the coming weeks to keep them funded for the rest of Trump's term.

# If ICE Agents Arrive at Your Organization

## Warrant Examples

# If ICE Agents Arrive at Your Organization

## Interference with Agent Activity; Recording and Other Rights

- Staff and/or volunteers may not interfere with/impede the actions of ICE agents and must remain a reasonable distance away from agents at all times
- Anyone present may record/take a video of any interactions with and/or ICE agent activity, even prior to submission of a warrant, but must clearly and audibly announce they are doing so in order to put parties on notice of recording
  - Statement should be made as soon as recording/video begins, to provide documentation that announcement was made
- Anyone recording and/or taking a video must remain a reasonable distance away from agents so as to not interfere with their actions and/or put themselves in harms way

# If ICE Agents Arrive at Your Organization

## Interference with Agent Activity; Recording and Other Rights cont.

- Designated Response Person may inform staff, volunteers, and/or persons served by organization who are questioned by ICE agents that they may ask the agents if they are free to leave
- If advised by agents that they are not, Designated Response Person may inform these individuals that they have the right to consult legal counsel and the right to remain silent
  - Note:** While your organization may advise persons of their right to remain silent, your organization may not direct them to be silent
- Your organization may send staff and volunteers home and contact staff and volunteers not on the premises and advise them to stay home until further notice

# If ICE Agents Arrive at Your Organization

## Prohibited Actions

- Your organization may not aid someone trying to escape/hide from ICE agents and may not hide or destroy documents
- Never provide false information to ICE agents – this can result in criminal penalties including fines and imprisonment
- Never provide false “tips” to ICE regarding persons alleged to be in the United States unlawfully - this can lead to potential civil liability and defamation claims

# If ICE Agents Arrive at Your Organization

## What About Injuries?

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Workers' compensation – “no fault” system covering work-related injuries

<https://www.pa.gov/agencies/dli/programs-services/workers-compensation>

Workers' compensation is a system that provides benefits to employees who are injured or become ill due to their job duties. It covers medical expenses and lost wages for workers who are unable to return to work due to a work-related injury or illness.

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Claims against ICE – Federal Tort Claims Act

<https://www.ice.gov/opla/ftca>

The Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346, 2671-2680, provides for monetary damages on account of damage to or loss of property, or personal injury or death, allegedly caused by the negligent or wrongful act of a federal government employee acting within the scope of his or her employment. Claims made to an agency under the FTCA are referred to as “administrative claims,” and must be received within two years of the date the claim accrued. Within U.S. Immigration and Customs Enforcement (ICE), the Office of the Principal Legal Advisor is responsible for processing administrative claims made against the agency.

# Critical Communications in the Current Climate

- It is important for your organization's senior leadership and Board to work together to prepare and respond to the current challenges while remaining mission-focused
- It is important for your organization to connect with peer organizations and associations of nonprofits to share information and collaborate
- Your role as team members is very important!
- You are encouraged to share your experiences, insights, and questions.

# Thank You and Questions

- We appreciate your hard work and dedication - the work you do is so important
- Special thanks to PANO and The Pittsburgh Foundation
- Cheshire Law Group is honored to provide this educational session
- We hope this training has helped you to feel more informed and prepared
- Should follow up questions arise, please feel free to reach out
- Thank you for attending today's training!



# APPENDIX

# Resource Links

# Resources

**Juntos:** <https://www.vamosjuntos.org>

Rapid Response Line

Know Your Rights and other resources available

**ACLU Pennsylvania:** <https://www.aclupa.org/issues/immigrants-rights/>

Know Your Rights Resources

**Justice at Work PA:** <https://www.justiceatworklegalaid.org>

Assists low-wage workers in Pennsylvania with issues like unpaid wages, discrimination at work, and workplace exploitation.

**HIAS:** <https://hias.org>

Provides vital services to refugees, asylum seekers, and other forcibly displaced and stateless persons around the world.

**Pennsylvania Immigration Resource Center (PIRC):** <https://www.pirclaw.org>

Provides high quality legal services to vulnerable immigrants and their families focused on access to justice.

# Resources

**Frontline Dignity:** <https://frontlinedignity.org/about/>

Robust Resources & hotline

**Pennsylvania Immigration Coalition (PIC):** <https://www.paimmigrant.org>

Rapid Response Information

Resources (ICE Resistance, Voting, and others)

**Education Law Center:** <https://www.elc-pa.org/resource/resource-page-immigrant-students-rights/>

Provides key resources for immigrant students that explain students' rights, schools' responsibilities, and tools for navigating these issues.

**Nationalities Service Center:** <https://nscphila.org>

Offers comprehensive services in language access, legal protections, community integration, employment, and health and wellness for immigrants and refugees.

**The Welcoming Center (TWC):** <https://welcomingcenter.org>

Strengthens communities and helps immigrants build skills, confidence, and agency to overcome barriers and achieve economic mobility.

# Pennsylvania Know Your Rights Guide Sheet



## KNOW YOUR RIGHTS

**Information for Individuals on Interacting with Immigration Authorities  
or Law Enforcement**

<https://www.pa.gov/content/dam/copapwp-pagov/en/governor/documents/rights/know-your-rights-individuals.pdf>

# Sanctuary Jurisdictions, Legislative Updates, & Sensitive Locations

# Sanctuaries in Pennsylvania – Legislative Update

## House Bill 403

2025-2026 REGULAR SESSION

An Act amending Title 29 (Federal Relations) of the Pennsylvania Consolidated Statutes, providing for immigration preemption and cooperation; and establishing the Immigration Cooperation Fund.

This bill was introduced on January 28, 2025 and was referred to the House Judiciary Committee on January 31, 2025

[Ending Sanctuary Cities in Pennsylvania](#)

## Prime Sponsor



**Representative Ryan Warner**

**R** House District 52

# Pennsylvania Legislative Update cont.

- The proposed legislation would do the following:
  - prohibit municipalities or counties from adopting policies that prohibit or limit law enforcement, corrections, and/or judicial officers/staff from enforcing immigration law
  - establish a cause of action for those “adversely affected” by such municipal/county policy with the prevailing party recovering reasonable expenses, actual damages, and liquidated damages of \$100,000 for each day the policy was in effect or \$1,000,000 (whichever is greater) to be paid into the Immigration Cooperation Fund
  - impose a duty on municipalities/law enforcement to communicate with and cooperate with federal immigration requests
- If passed, House Bill 403 would likely decrease the number of (or eliminate) sanctuary jurisdictions in Pennsylvania due to the threat of claims by individuals “adversely affected” (which is defined very broadly)
- The bill is still pending (still showing referral to committee as last action)

# Sanctuaries in Pennsylvania – Legislative Update

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## House Bill 1693

2025-2026 REGULAR SESSION

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An Act amending Title 29 (Federal Relations) of the Pennsylvania Consolidated Statutes, providing for immigration compliance and public safety.

This bill was introduced on July 2, 2025 and was referred to the House Judiciary Committee on July 2, 2025

**Allowing Private Cause of Action Against Public Officials Violating Federal Immigration Detainers**

### Prime Sponsor

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**Representative Craig Williams**

**R** House District 160

# Pennsylvania Legislative Update cont.

- This proposed legislation would do the following:
  - impose a duty on law enforcement agencies and municipalities to comply with immigration detainer requests from ICE
  - impose a duty on law enforcement agencies and municipalities to provide ICE with information about the immigration status of persons in their custody
  - create a private cause of action that could be asserted against government officials for harm from such official's adoption or enforcement of a policy that prohibits or materially limits local law enforcement from complying with these duties
  - create a statutory exception to sovereign and governmental immunity.
- If passed, House Bill 1693 would likely decrease the number of (or eliminate) sanctuary jurisdictions in Pennsylvania due to the threat of claims by “adversely affected” individuals against governmental officials who adopt and/or enforce policies that prohibit or limit cooperation and communication with ICE
- The bill is still pending (still showing referral to committee as last action)

# Sensitive Locations – Challenge to Enforcement



| by admin | posted on 2nd February 2026 in [International Activism](#) |

## Quakers versus ICE: Friends' legal challenge over places of faith

### Timeline: from policy shift to national controversy

- **January 2025** — **DHS changes guidance:** internal rules discouraging arrests in churches and Meeting Houses are rescinded.
- **27 January 2025** — **Quaker lawsuit filed:** plaintiffs argue worship and community life are burdened.
- **February 2025** — **preliminary injunction:** a judge blocks enforcement at specific plaintiff congregations.
- **Spring–Autumn 2025** — **appeals and parallel cases:** other faith groups sue; results differ across courts.
- **Early 2026** — **unresolved:** appellate courts consider the broader constitutional stakes.
- **2026** — **immigration dominates politics:** interior enforcement becomes one of the nation's fiercest flashpoints.

<https://youthquakenow.com/churches-courts-and-the-quaker-legal-challenge>

<https://www.nea.org/nea-today/all-news-articles/nea-files-emergency-motion-stop-ice-enforcement-near-schools>

neaToday

By: [Mary Ellen Flannery](#)

Published: February 13, 2026

## NEA Files Emergency Motion to Stop ICE Enforcement Near Schools

The chaos and fear caused by federal agents around schools, churches, and other sensitive locations needs to end now.

# Form I-9 Compliance

# Form I-9 Compliance – What is Form I-9?

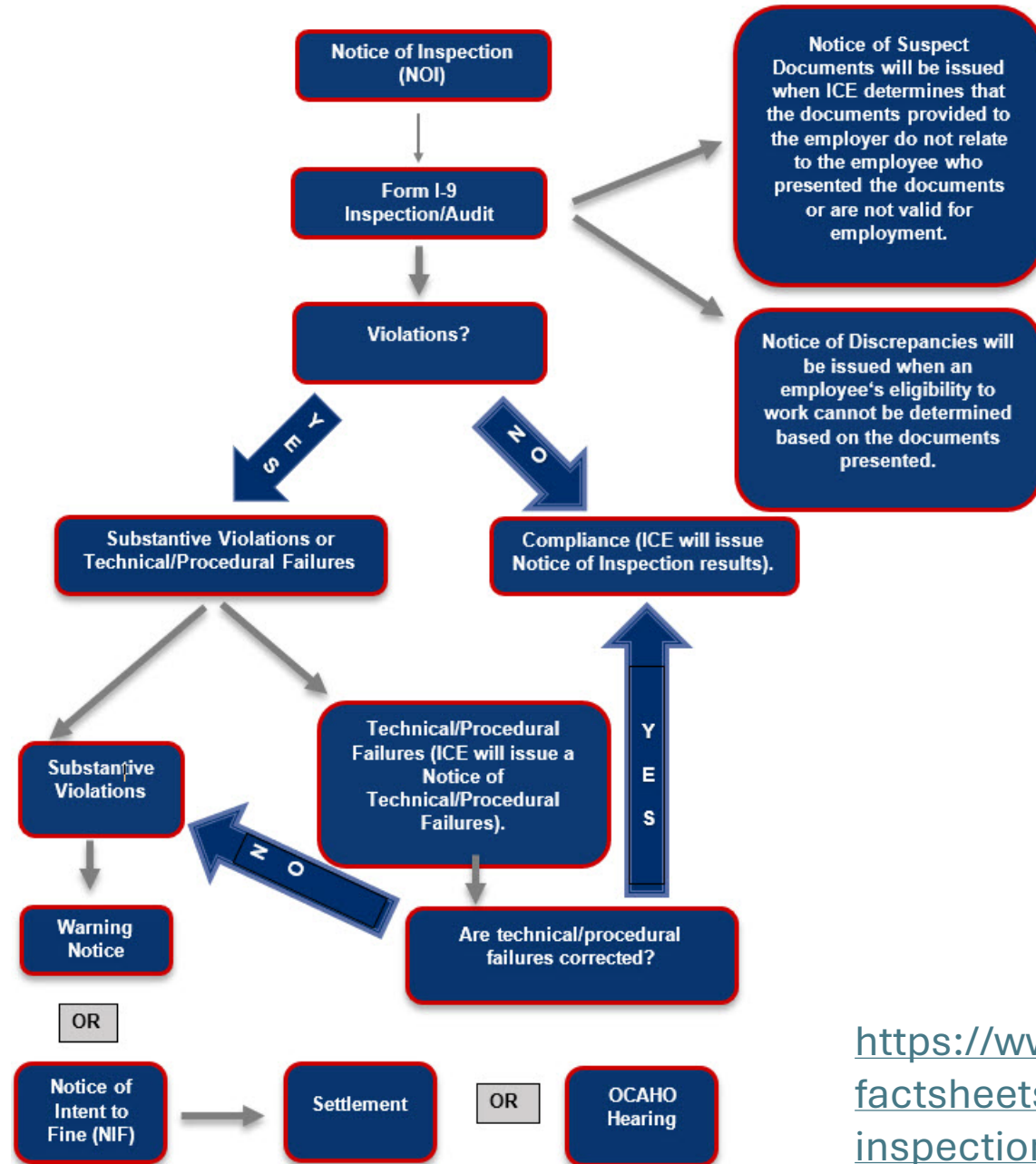
- United States employers (including nonprofits) are required to complete Forms I-9 (Department of Homeland Security U.S. Citizenship and Immigration Services Employment Eligibility Verification Form) for all employees.
- Section 1 of the Form I-9 must be completed by the employee (after accepting a job offer and no later than their first day of work) and includes their name, contact information, and citizenship/immigration status.
- Section 2 of the Form I-9 must be completed by the employer (within three days of the employee's first day of work) attesting that the employer has reviewed and verified documents establishing the employee's identity and employment authorization.

# I-9 Compliance – Retaining Forms I-9

- Employers do not file USCIS Form I-9 with the government.
- Rather, employers must maintain completed ICIS Forms I-9 in their files:
  - For all current employees (except those hired before November 5, 1986)
  - For an employee who is no longer working for an employer, until the later of (a) three years from the date of hire, or (b) one year from the date of termination.
- Employers are required to make Forms I-9 available for inspection upon request by the U.S. Department of Homeland Security, Department of Labor, or Department of Justice.

# I-9 Audits by ICE

- We expect an increased number of audits under the new Administration.
- If you receive an ICE Notice of Inspection (NOI), contact legal counsel immediately (for example, you have 72 hours to post a notice to employees).



<https://www.ice.gov/factsheets/i9-inspection>

# I-9 Compliance – Revised Guidance (March 2026)

- Errors and/or omissions on Form I-9 can be technical/procedural or substantive
  - For technical/procedural failures, employers must have at least ten days to correct them
  - For “substantive” violations, employers are not required to have a correction opportunity
- In March 2026, ICE published guidance that narrowed its interpretation of what constitutes a technical or procedural error
- For example, ICE clarified that the following errors (previously considered technical or procedural) constitute substantive violations:
  - A missing or incomplete date of birth
  - A missing or incomplete US Citizenship and Immigration Services number
  - Failure to properly date a required section of the form
  - Failure to include a preparer or translator’s complete name, address, signature and date (if a preparer or translator was used to assist the employee)
- Without the opportunity to correct errors/omissions, employers face an increased risk of penalties (Note: penalties for I-9 paperwork violations currently range from \$288 – \$2,861)

# I-9 Compliance – Penalties for non-compliance

Increased penalty amounts for I-9 violations were announced on January 2, 2025

Table 2—U.S. Immigration and Customs Enforcement Civil Penalties Adjustments

Penalty name	Citation	Penalty amount as adjusted in the 2024 FR	Multiplier *	New penalty as adjusted by this final rule
Civil penalties for knowingly hiring, recruiting, referral, or retention of unauthorized aliens— Penalty for first offense (per unauthorized alien)	8 CFR 274a.10(b)(1)(ii)(A)	\$698-\$5,579	1.02598	\$716-\$5,724.
Penalty for second offense (per unauthorized alien)	8 CFR 274a.10(b)(1)(ii)(B)	\$5,579-\$13,946	1.02598	\$5,724-\$14,308.
Penalty for third or subsequent offense (per unauthorized alien)	8 CFR 274a.10(b)(1)(ii)(C)	\$8,369-\$27,894	1.02598	\$8,586-\$28,619.
Civil penalties for I-9 paperwork violations	8 CFR 274a.10(b)(2)	\$281-\$2,789	1.02598	\$288-\$2,861.



# I-9 Compliance – Self-audits

- Self-audits are a voluntary process in which an employer conducts its own internal audit of its I-9 compliance.
- These audits should not be retaliatory or discriminatory (for example, only auditing employees of certain national origins or employees who reported a workplace violation).
- Conducting self-audits (and addressing any missing or incorrect forms) can help reduce the risk of penalties.

# I-9 Compliance – Self-audits

- Regular self-audits should be performed by a trained employee or outside consultant. ***Immigration counsel should be consulted to assist with correcting errors and taking corrective actions (as required).***
- Verify that company has Forms I-9 on file for all current employees.
- Verify that company has required Forms I-9 on file for all terminated employees (required to be retained until later of (a) three years from the date of hire, or (b) one year from the date of termination).
- Verify that Forms I-9 on file are properly completed.
- Complete an audit form for each (if any) incorrect Form I-9 (identify the error).
- Correct all Forms I-9 that can be corrected.
- ***If the self-audit discloses compliance issues, work with immigration counsel to take corrective actions. Time is of the essence.***