

Immigration Enforcement

Frequently Asked Questions (FAQ)

Information for immigrant communities, families, employers, and faith organizations

Based on legal guidance from immigration attorneys Paul Hultgren and Naomi Perman

General Information

Q: What major changes are happening with immigration enforcement?

A: ICE (Immigration and Customs Enforcement) has significantly expanded who they detain. Previously, they focused primarily on individuals with criminal convictions. Now, virtually everyone without immigrant status—including people with pending asylum cases who did everything correctly—can be detained. Additionally, people who were previously considered protected, such as refugees who have been fully vetted and admitted to the U.S., are now being targeted for detention and deportation.

Q: What protections have changed or been eliminated?

A: Several protections that were previously in place are no longer being honored:

- Refugees who have been admitted and vetted are now being detained
- People with pending asylum applications are no longer protected from deportation
- Humanitarian parole and Temporary Protected Status (TPS) holders are facing early termination of their status
- Minors (children) can be deported, either with or without their parents

Understanding Risk

Q: Who is most at risk of being detained by ICE?

A: Unfortunately, the current enforcement appears to be based on racial profiling. People who are most at risk include:

- People of color, particularly those who appear to be from Somalia or other African nations
- People who speak with accents or speak languages other than English in public
- Women wearing headscarves
- Anyone ICE agents perceive to be foreign or not a U.S. citizen

Q: Are people with legal status safe from detention?

A: No. Even people who are here legally on work visas, student visas, or with pending green card applications have been detained. Having a work permit based on a pending

asylum case does NOT prevent detention. The safest approach is to stay home when possible and carry proper documentation at all times if you must go out.

Q: Can U.S. citizens be questioned or detained?

A: U.S. citizens are not obligated to prove their citizenship to ICE and should not be questioned or detained. However, ICE agents are not as well-trained as local law enforcement and may still question or briefly detain U.S. citizens, especially those who appear to be from other countries. U.S. citizens should carry a passport card or Real ID to quickly resolve any encounters.

Know Your Rights

Q: What rights do I have during an ICE encounter?

A: Legally, you have rights. However, those rights are frequently not being honored by ICE officers. While you have the right to remain silent and to refuse to answer questions without an attorney present, exercising these rights may result in aggressive treatment, including being thrown to the ground or handcuffed. The safest approach is:

- Remain calm and polite
- Keep your hands visible at all times
- Do not make sudden movements
- Answer questions in English if possible
- Have someone with you film the encounter if possible
- Do not run away—this is extremely dangerous and can result in being shot

Q: What if ICE comes to my home?

A: ICE must have a judicial warrant (signed by a federal judge from the Federal District Court) to enter your home. Ask to see the warrant through a window or under the door. An administrative warrant is NOT sufficient. However, even without a proper warrant, ICE has been known to break down doors. If ICE enters without a warrant, have someone record the encounter, as this may be grounds for a lawsuit. You can also call the police if ICE refuses to identify themselves or show proper documentation.

Q: Should I carry my immigration documents with me?

A: Yes. If you are not a U.S. citizen, you should carry copies of your immigration documents at all times. What you carry depends on your status:

- **U.S. Citizens:** Passport card or Real ID
- **Permanent Residents:** Green card
- **Work Visa Holders:** Most recent approval notice, I-94 form, valid visa (if required), recent paycheck
- **Students:** I-20 form, proof of admission, work authorization card (if applicable)
- **Pending Applications:** Receipt notice of pending application plus documentation of underlying status
- **Anyone with a criminal record:** Certified copy of court records showing case resolution

If Someone Is Detained

Q: How can I find someone who has been detained?

A: Use the ICE Online Detainee Locator System. Search online for 'ICE detainee locator' or 'ICE finder.' You can search by alien number (A-number) and country of origin. If the person was recently detained (within hours), they may not appear in the system yet. Currently in Minnesota, most detainees are first sent to the Whipple Federal Building near Fort Snelling for processing, then transferred to Sherburne County Jail or Kanabec County Jail in Wilmar.

Q: What if I can't find them in the system?

A: If someone cannot be located using the ICE system, contact your Congressional representative's office. Senator Tina Smith's office has been particularly responsive in helping locate detained individuals. Avoid Representative Tom Emmer's office, as it has been unhelpful to immigrant communities.

Q: What should we do immediately after someone is detained?

A: Contact an immigration attorney immediately. A writ of habeas corpus must be filed very quickly—often within days—to prevent the person from being transferred out of state (particularly to Texas, which is being used as a staging ground for deportations). Once a habeas corpus petition is filed with the federal court in Minnesota, ICE is not supposed to transfer the person out of state until the case is resolved.

Q: Can we visit someone who is detained?

A: It is extremely difficult to visit detainees at the Whipple Federal Building, even for clergy or family members. If the person is transferred to a county jail facility (Sherburne or Kanabec), normal visitation rules apply, though they vary by facility. If someone needs urgent medication (such as insulin), contact the detention facility, an immigration attorney, or your Congressional representative's office immediately.

Travel and Social Media

Q: Is it safe to travel right now?

A: It is strongly recommended that non-citizens avoid traveling outside the United States at this time. ICE is now operating at airports, and people with valid status have been unexpectedly detained. Additionally, if you need a visa to return to the U.S., processing may take months or be denied entirely. Even permanent residents (green card holders) with old criminal convictions (including DUIs from decades ago) are being detained when re-entering the country. If you must travel, consult with an immigration attorney first.

Q: Should I stay off social media?

A: Yes. Close all social media accounts immediately. ICE is monitoring social media and using it to build cases against immigrants. Do not post about your status, your

location, protests, or political opinions. Even seemingly harmless posts can be used against you.

Family Preparedness

Q: What if I have children and I'm detained?

A: Every family should have an emergency plan in place. Critical steps include:

- Prepare a Power of Attorney designating who can care for your children
- Complete a Designation of Parental Authority document
- Have emergency contacts written down and carried by all family members
- Write an immigration attorney's phone number on your arm in permanent marker
- Teach children how to behave if approached by ICE (stay calm, be polite, know emergency contacts)

Q: Should schools keep copies of our immigration documents?

A: Schools may retain copies if parents sign a waiver acknowledging the risks. Documents should be stored securely, and schools must have clear protocols for data protection. This can be helpful in emergencies but could also create liability for both the school and families if documents are leaked or exposed.

Staying Informed

Q: Where can I get accurate information about immigration changes?

A: Avoid social media, chat rooms, Reddit, and Fox News. These sources often contain false or misleading information. Instead, rely on:

- Local newspapers: Star Tribune, Pioneer Press
- National newspapers: New York Times, Washington Post, Wall Street Journal
- Public radio (NPR)
- American Immigration Lawyers Association (AILA) website
- American Immigration Council
- Immigrant Law Center of Minnesota
- Advocates for Human Rights

How Communities Can Help

Q: What can churches, employers, and community organizations do?

A: There are many practical ways to support immigrant families:

- Maintain emergency contact databases for community members
- Organize food drives and deliver groceries to families staying home
- Provide childcare for families whose parents have been detained
- Help families connect with immigration attorneys
- Offer financial support for legal fees and living expenses
- Spread accurate information and combat misinformation
- Provide emotional and spiritual support to families living in fear

Final Message of Hope

While the current situation may feel hopeless, it is not always hopeless. Federal courts are separate from ICE and the Department of Justice, and they are committed to seeking truth and upholding constitutional rights. Habeas corpus petitions are succeeding in getting people released from detention. This crisis will pass. Until then, be informed, be prepared, and know that you are not alone.

This FAQ is for educational purposes only and does not constitute legal advice.