



ICE courthouse and sensitive locations update: Safety planning and guidance for gender-based violence organizations

President Trump has issued Executive Orders and Memorandums that will strip away protections from immigrants in courthouses and “sensitive locations,” such as schools, hospitals, and social services establishments which includes gender-based violence (GBV) programs.

Guidance for GBV organizations

Organizations can take steps to protect themselves and their clients, for example:

- **Minimize public areas:** Consider rearranging waiting areas and other public spaces so they are behind closed doors rather than in open entry areas. Mark all spaces as “private”.
- **In the event ICE shows up to your organization:**
 - ▶ **Ask:** “This is a private area. Do you have a judicial warrant signed by a judge? If so, can you please show me?”
 - **If not,** you are legally entitled to tell the agents to leave the premises.
 - **If yes,** ask the agent to wait to enter nonpublic areas until staff can contact counsel, **but** agents do not need to wait if the judicial warrant authorizes them to enter nonpublic areas.
 - **Encourage** clients, participants, or survivor to stay calm and not to leave.
 - **Remind** clients to remain silent and to ask for an attorney.
 - **Do not** attempt to hide or conceal the client, participant or survivor.
 - ▶ **Remain silent:** If staff are questioned by ICE, ask the agent if you are free to go.
 - **If they say yes,** you can end the conversation and leave.
 - **If they say no,** ask to consult with an attorney and continue to remain silent.
 - **Never** make false statements and simply decline to answer questions.



- **If a client, participant, or survivor is detained**, staff can observe from a reasonable distance but should not interfere with the actions of ICE agents.
 - ▶ **Identify** a staff member who is trained to interact with immigration enforcement.
 - ▶ **Ask and document** the name and badge number of the ICE agents. Staff may lawfully take videos to make a record of the interaction with the agent.
- **Emotional support:** The [Corazon Norte Toolkit](#) offers resources for advocates, including an Emotional Self-Preservation Guide to support wellness through political and policy changes affecting served communities.

Protections still in place for Immigrant communities

- **Fourth Amendment:** Protects all individuals from unreasonable searches and seizures.
 - ▶ These protections are reduced if the individual is within 100 miles of a land or sea border.
 - ▶ ICE will still need a judicial warrant to enter previously protected areas but only if they are considered “private”. Private spaces are spaces only accessible to certain people, like homes, businesses, and non-profit organizations. Lobbies, waiting areas, and parking lots are considered public spaces.
 - ▶ Individuals can only be arrested if ICE has a valid administrative warrant or if they have probable cause to believe the person is “removable” from the U.S.
- **Fifth Amendment:** Ensures the right to remain silent when confronted with law enforcement
 - ▶ Probable cause can be established if an individual voluntarily discloses their immigration status or presents documents indicating they are not a U.S. citizen during questioning. Therefore, remaining silent is vital!

Administrative and Judicial Warrants: Administrative warrants are often issued by immigration authorities and do not grant permission to enter private areas. They will say “Department of Homeland Security” and are on Forms I-200 or I-205. Judicial warrants, signed by a judge, are required for entry into private spaces and carry more authority.

Safety planning for survivors

Service providers working with immigrant survivors, especially undocumented individuals, should incorporate immigration detainment preparedness into safety plans and stay informed on related policies. Service providers should prioritize these key steps:

- **Legal support:** Connect survivors with qualified immigration attorneys. Service providers can access legal resources through



the [National Immigration Legal Services Directory](#). Ensure that individuals have the name and number of their attorney on their person at all times.

- **Documentation preparedness:** Inform survivors that they should maintain copies of important papers, including identification documents, application receipts, and any pending immigration paperwork. The Immigration Legal Resource Center (ILRC) provides essential “[Red Cards](#)” in 14 languages, which nonprofits can order for free or anyone can download and print.
- **Family preparedness plans:** Include family preparedness plans for survivors with children as part of their safety plan. The ILRC Step-by-Step [Family Preparedness Plan](#) provides guidance on identifying potential legal guardians, obtaining valid passports for children, creating contact sheets, and understanding the [ICE Detainee Locator System](#).
Note: Some plan details are specific to California but can serve as a general guide.

Key differences in US Immigration and customs enforcement (ICE) courthouse and “sensitive locations”* enforcement policies

Policy element	Biden administration 2021	Trump administration 2025
Guiding principle	Focused on preserving access to justice , ensuring safety for victims, and maintaining equal protection under the law.	Prioritizes enforcement efficiency and “public safety” , particularly in jurisdictions refusing to cooperate with ICE.
Enforcement scope	Enforcement limited to rare cases in courthouses and prohibited actions in “sensitive locations”. Prohibited action in non-criminal courtrooms except in rare cases with senior approval.	Broader scope allows ICE actions in courthouses and “sensitive locations”. Allows broader enforcement actions in non-criminal court areas with case-by-case discretion.



Policy element	Biden administration 2021	Trump administration 2025
Individuals targeted	Limited to those posing clear and immediate threats , such as individuals deemed national security or public safety risks.	Expanded to include individuals with criminal convictions, suspected gang members, or without legal status and those with outstanding removal orders or re-entering after removal.
Impact on accompanying individuals	Discouraged enforcement actions against accompanying individuals (e.g., family members, friends, or witnesses) to avoid deterring court access.	Allows enforcement actions against accompanying individuals on a case-by-case basis, considering the totality of circumstances.

*“Sensitive locations” were defined as schools, healthcare facilities, places of worship, social services establishments (*includes GBV programs*), disaster response sites, weddings, funerals, and religious ceremonies, and parades, demonstrations, and rallies.

Further information and links to both ICE policies are available at: [ICE Issues Interim Guidance for Civil Immigration Enforcement in or near Courthouses | Immigration Policy Tracking Project](#) & [Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole](#)

References: [Trump’s Rescission of Protected Areas Policies Undermines Safety for All](#) & [New York Lawyers for the Public Interest Guidance to Nonprofits Regarding Immigration Enforcement](#)

Looking for more resources? Check out the [Alliance of Immigrant Survivors Resource List](#)