

Lawyers' Phones Are Ringing: What Should Employers Do If ICE Raids Their Business?

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Scott Bettridge and David Adams were quoted in a Law.com article discussing immigration enforcement actions in New Jersey. ICE raids pose threats not only to individuals but also to businesses, as seen with recent detainments in Newark. Adams, who has been receiving calls from clients concerned about being targeted, said ICE decides where to conduct immigration raids, in part, based on problems that arise in audits of records that employers keep of workers' immigration statuses.

"When conducting a raid, ICE officials are seeking individuals who are on a list of migrants who are both undocumented and involved in criminal activity," added Bettridge. "They'll have the list, and they have the list of locations where the individual could be, and they're coming in with a specific intent to detain and ultimately deport that individual that's on the list. However, if, while they're on the premises, they discover other individuals, they would use that opportunity to detain them as well. The first priority here is not so much illegal aliens, but illegal criminal aliens."

Adams noted that conducting raids without a search warrant is a gray issue. Under Biden's administration, ICE was barred from entering sensitive locations; this is not the case under the new presidency. Ultimately, agents cannot be stopped from entering private areas to conduct an investigation. "You could document the agents' name and badge number, you could record them, but you cannot prevent them," he said. There is a lack of guidance on how far into a business an agent can enter, but employers are cautioned to be careful when agents arrive. "Our point is we don't want individuals saying, 'I'm going to stand my ground right in this moment.' I don't think that's the right move at all," Bettridge concluded.

To read more, [click here](#).

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