



Preparing for Immigration Enforcement: Keeping Music and Performing Arts Venues, Staff, Artists, and Audiences Safe

As the government's immigration priorities continue to evolve, live music and arts venues across the country face new challenges. Knowing the law, having a plan, and training our staff are critical for keeping our venues, staff, contracted artists, and audiences safe and in compliance with the law. This guide aims to help music and performing arts venues prepare for encounters with immigration law enforcement. It is not legal advice, and venues should develop policies and procedures specific to their circumstances with the guidance of counsel.

Make a "Call List."

Venues should prepare an emergency contact list for the venue's staff. Staff need to know whom to contact if ICE shows up. Who is in charge? The list should make it clear that staff should, "contact this person first, and if that person can't be reached, call this person next." The "Call List" should also specify if there are other individuals who should be notified in the event of ICE action, potentially including leadership and legal counsel.

Evaluate your venue's spaces.

Venues should identify which spaces in the venue are public and which are private, because ICE ordinarily* can only enter private spaces with a very specific kind of warrant.

- **Public spaces:** ICE may freely enter any public space. In general, public spaces are anywhere the general public can go without passing security or ticketing staff. Public spaces may include your parking lot, outdoor areas in front of your venue, or your public lobby.
- **Private spaces:** ICE ordinarily* cannot enter private spaces without permission unless it has a Judicial Warrant. [Learn more about the different kinds of warrants here.](#) Often private spaces can only be accessed by passing security or ticketing staff, or are behind locked doors. Private spaces may include offices, lobbies, bars, backstage, or the "house" areas of a venue.

For private indoor venues, identifying what is a private space and what is a public space will be fairly simple. For outdoor venues it can be harder to determine what is public and what is private, especially if access to the venue is uncontrolled and unticketed, in which case what constitutes private may be only the stage and restricted backstage areas.

Consider installing signage: Venues should consider placing signage that clearly states "Private Area" at all points of access to private areas.

Issues to Consider:

How much will you voluntarily cooperate with ICE?

Leadership must decide whether it will invite ICE to enter private spaces that ICE cannot enter without being invited. Tamizdat does not recommend inviting ICE to enter private spaces if ICE does not have a Judicial Warrant. [Learn more about the different kinds of warrants here.](#) We recognize that some venues may decide otherwise.

Consider conducting an I-9 Audit: The I-9 verifies that staff are eligible for employment. Venues should consider conducting an internal audit so you can confirm if all employees are in compliance with the law. (Venues do not typically need to obtain an I-9 for a performer who is an independent contractor.)

Consider communicating with police: In some cities, police may be helpful for managing public safety concerns in the event of ICE activities. Venues may wish to build relationships with local law enforcement and communicate in advance about how and when to contact them in the event of ICE activities.

Consider connecting with local immigration organizations: Many communities have organizations that support immigrant communities. Being in ongoing contact with these organizations may help venues assess current risks and better prepare for a visit from ICE.

Be an ally in your local communities: Art spaces are critical to our communities. It is more important than ever to program for the needs of immigrant and at-risk communities.

Prepare a Leadership Guide & Train Your Leadership.

Venues should prepare a clearly written Leadership Guide, and leadership need to be thoroughly trained to execute its guidance. The Leadership Guide should be for the people on the “Call List,” should explain that there are four reasons ICE might show up at your venue, and that each suggests a different response. [Lean more about the different kinds of warrants here.](#)

- If ICE shows up to execute a *Notice of Inspection* to audit the staff’s I-9s, it ordinarily* needs permission to proceed beyond public spaces. If the venue has decided to provide ICE with the legal minimum cooperation, leadership should not permit them to enter private spaces. The venue should obtain contact information from ICE, and inform the officers that venue’s counsel will contact them within three days.
- If ICE shows up to execute an *Administrative Warrant*, seeking to detain a particular employee, artist, or audience member, it ordinarily* needs the venue’s permission to proceed beyond public spaces. If the venue has decided to provide ICE with the legal minimum cooperation, leadership should not permit them to enter private spaces, and should tell the officers, “I do not authorize you to enter this venue’s private spaces without a Judicial Warrant.”
- If ICE shows up to execute a *Judicial Warrant*, it *does not need permission to proceed beyond public spaces to enter private spaces*. ICE officers must be permitted to go wherever the judicial warrant authorizes.
- ICE might show up *without any authority*. ICE ordinarily* needs permission to proceed beyond public spaces. If the venue has decided to provide ICE with minimum cooperation, leadership should not permit them to enter private spaces. ICE has been known to try to trick staff into permitting them to enter private spaces—for example, by claiming that someone is on the roof and the officers just need to come in to deal with a possible burglary.

Leadership should not obstruct ICE, even if ICE officers are doing something they are not supposed to do. If ICE attempts to enter private spaces without permission, leadership should not try to stop them, but should consider contacting local public officials or immigrant rights organizations.

The Leadership Guide should explain that in the event of a visit from ICE, it is leadership’s responsibility to...

- ask ICE the purpose of their presence, request that ICE present documentation, and make a copy or take a picture of any documentation ICE provides,
- determine if ICE will be allowed into the venue’s private areas, and inform ICE accordingly, and
- notify the venue’s leadership and counsel according to plan.

The Leadership Guide must make it clear that leadership will manage all contact with ICE; all efforts should be made to ensure that non-leadership staff has minimal obligations to respond to ICE officers.

Prepare a Staff Guide & Train Your Staff.

Venues should prepare a clearly written Staff Guide, and staff need to be thoroughly trained regarding its guidance. The Staff Guide should explain the venue’s procedures:

- A visit from ICE may feel like a crisis, but it is crucial that staff take the time to think and then follow the plan—take a breath before responding to ICE officers.
- The guide should explain which spaces in and around your venue are public and which spaces are private. Explain that ICE may freely enter public spaces, and staff should not try to stop ICE from doing so. If ICE requests access to private spaces, staff should say, “I cannot authorize you to enter this venue’s private spaces. I am contacting my supervisor.” Staff should then contact their supervisor and wait for them to arrive to manage the situation. **Staff should not attempt to determine whether or not ICE should be permitted to enter the venue’s private spaces.**
- Staff should not obstruct ICE, even if ICE officers are doing something they are not supposed to do. If ICE attempts to enter private spaces without permission, staff should not try to stop them.
- If a staff member mistakenly gives ICE permission to enter private spaces, that permission can be withdrawn by saying, “I withdraw my permission to enter this venue’s private areas, and you must now leave.”
- Venues should decide whether or not they wish to encourage staff to film any ICE activities, especially if those ICE activities are unauthorized. Having a video record could be useful later, but the act of filming could antagonize ICE officers.
- Venues should decide whether or not to provide staff with a “Know Your Rights” guide. Providing such a guide could help staff feel safe and prepared, but providing KYR guides may also create confusion about staff members’ responsibilities; what you can do as a private citizen is not necessarily what you should do as a staff member.

*There are very limited and narrowly defined exceptions when ICE may enter private spaces without permission or a Judicial Warrant. These are emergency situations where the immediate need to act outweighs the general requirement for a warrant. Such situations might include an agent actively pursuing a fleeing suspect who runs into a private space (“hot pursuit”), if ICE has a reasonable belief that someone inside is in imminent danger (e.g., hearing screams for help), or if there’s a credible risk that crucial evidence of a serious crime will be immediately destroyed if ICE doesn’t act.

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