

Cornerstone Behavioral Healthcare

ICE Visit Policy and Protocol

Definitions:

- **Administrative Warrant:** A document issued by ICE that does NOT authorize entry into private areas or access to confidential records without consent
- **ICE:** U.S. Immigration and Customs Enforcement, a federal law enforcement agency
- **Judicial Warrant:** A warrant signed by a judge or magistrate authorizing entry, search, arrest, or seizure
- **Leadership:** CEO, Clinical Director, Program Managers, Operations Manager
- **Private Areas:** Clinical areas, offices, records rooms, staff-only spaces, billing, HR, Executive Suite, community room, and treatment rooms
- **Public Areas:** Spaces open to the general public: waiting rooms and hallways
- **Staff:** Employees not defined as Leadership

- A. **Purpose:** To establish a clear policy and procedure for responding to visits or inquiries by ICE at agency facilities, ensuring:
1. Protection of staff and client confidentiality and privacy
 2. Compliance with federal and state laws
 3. Maintenance of a safe, respectful, and therapeutic environment
 4. Consistent, lawful, and trauma-informed staff responses
- B. **Scope:** This policy applies to employees, contractors, and interns within all agency-owned, -leased, or -operated facilities, and when in the community conducting Cornerstone Behavioral Healthcare (CBH) business.
- C. **Guiding Principles:** CBH prioritizes staff and client confidentiality, dignity, safety, and trust.
1. CBH will not obstruct lawful law enforcement activity, but will require proper legal authority prior to providing access, information, or records.
 2. CBH will not disclose client or staff information unless legally compelled by valid court order or warrant.
 3. CBH will not inquire about or document client immigration status unless required for program eligibility under law.
- D. **Policy Statement:**
1. CBH will not permit ICE agents to enter non-public areas without a valid judicial warrant.
 2. CBH will not provide access to staff or client records, or confirm staff or client presence without proper legal authority.
 3. CBH will not create any unnecessary barriers or delays.
 4. All ICE encounters will be handled calmly, respectfully, and in coordination with CBH leadership.
- E. **Procedure:**
1. If ICE Arrives at a CBH site, first-contact staff will:
 - a. Remain calm and professional
 - b. Tell ICE Agents: **“Our agency policy requires leadership review of all law enforcement requests. Please wait while I notify our administrator”**
 - c. Immediately notify agency leadership in the following order:
 - Chief Executive Officer
 - Clinical Director
 - Managers
 - d. Leadership will:

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- Ask the purpose of the visit
- Request official identification
- Request any legal documentation (warrant or subpoena) by stating, **"Our agency policy requires review of all legal documents by leadership or legal counsel before any access is provided."**

2. Review of Legal Documents
 - a. Only authorized leadership or legal counsel will review legal documents.
 - b. Judicial warrant required for:
 - Entry into private areas
 - Access to staff and client records
 - c. Administrative Warrants:
 - Do NOT permit entry into private spaces
 - Do NOT permit access to staff and client records

3. Access to facility areas

Area	ICE Access Allowed?
Lobby/Reception	Yes (Public area)
Clinical Areas	No, without judicial warrant
Offices	No, without judicial warrant
Records rooms	No, without judicial warrant
Treatment Rooms	No, without judicial warrant
Break Rooms	No, without judicial warrant

4. CBH will not disclose the following without a judicial warrant or a court-issued subpoena reviewed by legal counsel:
 - a. Whether an individual is an employee or a client
 - b. Appointment schedules
 - c. Staff or client presence in the building
 - d. Immigration status of an employee or client
 - e. Clinical or demographic records or personnel files
5. If ICE presents a judicial warrant:
 - a. Leadership will coordinate to provide only what is specifically listed in the warrant
 - b. Do not provide additional records or information**
 - c. Document the encounter in an email to your supervisor, Leadership, and Human Resources. See H.Documentation
6. If ICE requests to detain or arrest an employee or client:
 - a. CBH will not assist in identifying or locating staff or clients
 - b. Staff will not interfere with lawful enforcement
 - c. Clinical safety protocols should be activated to minimize disruption and trauma**

F. Client Privacy & HIPAA Compliance:

1. All disclosures must comply with HIPAA, 42 CFR Part 2, and applicable Maine confidentiality laws.
2. Disclosure without proper legal authority may result in legal penalties, civil liability, and regulatory sanctions.

G. Trauma-Informed Approach: Recognizing the heightened anxiety ICE presence can cause, staff will:

1. Remain calm and respectful
2. Avoid alarmist behavior
3. Provide emotional support to staff and clients as clinically appropriate

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4. Minimize disruption of services

H. Documentation: Every CBH employee that interacts with ICE, or witnesses an interaction with ICE, will document the event, including as much of the information below as possible:

1. Date and time
2. Names and badge numbers of agents
3. Reason for visit
4. Documents presented
5. Actions taken
6. Leadership notified

I. Employee Training: CBH will provide training on:

1. This policy
2. Legal rights and obligations
3. De-escalation techniques
4. Trauma-informed response (e.g., Critical incident stress de-briefing intervention)

CEO Frank Willard Date: 03/31/2026