

AGENCY RESOURCE

Supporting and Serving Undocumented Communities



Food is a human right. Food Lifeline believes that everyone deserves to eat, regardless of their citizenship status. We created this guide to support you—to help you understand Immigrations and Customs Enforcement's (ICE) authority at food banks, share what we've learned from agencies in the network, and help you better accommodate undocumented clients in your community.

UNDERSTANDING THE AUTHORITY OF ICE OFFICERS AT YOUR ORGANIZATION

Can Immigration and Customs Enforcement (ICE) agents enter food banks or meal programs?

Open areas yes, private areas (an area with a door that locks) no, unless they have a judicial warrant.

Can ICE stop and question individuals about their immigration status while at my food bank or meal program? ICE agents can question anyone to determine whether they have documentation to live in the U.S. Physical appearance alone isn't justification to stop. ICE agents *can* consider appearance along with other indicators such as difficulty speaking English or appearing nervous. The U.S. Border Patrol doesn't need a warrant to search vehicles or ask people for documentation within 100 air miles of any external border. For more information, see: www.aclu.org/know-your-rights-100-mile-border-zone

Can ICE take data or documents from food banks or partnering agencies? Not without your agency's consent or with a judicial search warrant granting them access to search for the listed items. A judge or magistrate must have signed the warrant within the past 14 days. Northwest Harvest's Immigration Rights and Resources Toolkit says that evidence seized without a warrant can still be used in civil deportation proceedings.

AGENCY OPERATIONS

Can I serve clients outside of my city/town? Yes! All Food Lifeline product can feed anyone in need. We do not restrict access to boundaries determined by the city or county.

What client information is required for Food Lifeline reporting? We ask our food bank partners to track the number of individuals they give food to each year (unduplicated visits). We also ask the number of return visits (duplicated visits). Separate these counts into four age ranges. We need no proof of residence or identity: no addresses, no names, no phone numbers.

Do I need to take client's names and addresses? No! When distributing donated food: You can decide how to track duplicated and unduplicated client counts. For example, one partner agency uses numbers when registering clients; they do not collect names. When distributing government (TEFAP) food: We ask King County agencies to collect signatures from TEFAP recipients. The USDA contract only asks clients to state that they don't receive TEFAP from anywhere else. We are planning to remove our signature rule soon. Contact whomever distributes TEFAP in your county to find out what they request.

How can I reach clients who do not feel comfortable or safe coming to the food bank? Often religious institutions or community-based groups are already serving these populations. Reach out to them to learn how your agency can be most helpful. Don't show up unannounced to seasonal farmworker camps! You may not have authority to do so by the property owner, and other groups may already be working with these camps. You could be putting these communities at further risk.

Can I partner with a local organization to supply food to undocumented communities? Yes. A mobile or satellite food pantry might be easier for communities to access. Someone from your food bank must always be there to ensure the food stays safe and is going to people in need. Please contact the Agency Relations team for guidance setting up a mobile or satellite distribution.

How can Food Lifeline support our existing mobile distribution? Mobile distributions are a great way to get food to people in need! Please contact the Agency Relations team to tell us about your mobile sites so we can schedule a visit, log your safe food handling practices, and provide extra food and support to your operation.

TIPS FOR ADJUSTING YOUR FOOD DISTRIBUTION TO BEST SUPPORT UNDOCUMENTED CLIENTS

Here are some suggestions yielded from Food Lifeline and agencies around the network on how to best support clients who are undocumented.

Make Intake Less Intimidating:

- Post signage to tell visitors about your policies and state that everyone is welcome.
- Describe exactly what client information you will and won't collect during intake. Post this information outside your entrance, on your Facebook page, and online.
- Allow clients to register with an alias or an assigned number.
- Use your agency address for clients who don't have or want to share their own address.
- If collecting housing type, check "unhoused" for undocumented clients.
- Limit the number and/or types of questions you ask clients during intake and tell them which ones are optional.
- Rehearse with volunteers and staff so they are familiar with your intake process.
- Seek out people trusted by immigrant communities. Ask them to help advocate for services and act as a greeter during client intake.

Address Client Privacy and Safety:

Educate yourself and your staff on privacy and security laws. Teach staff and volunteers how protect data and how to respond to a search warrant or seizure of records. The Immigration Rights & Resources Toolkit created by Northwest Harvest is a great resource for this information (a link is below).

Tell clients why you collect certain data. Explain how you will protect this data, such as:

- Tell clients how you will and won't use their information.
- Explain how reporting the number of people you serve helps you access more food.
- Explain what information you need to connect them to other resources and services (like SNAP).

Create a mitigation plan if asked to produce/share data:

- Don't collect clients' identifying information. You can't turn over what you don't collect.
- Create a policy that says you will not release client information without consent. If you're required by law to release that information, ask for a valid subpoena or warrant. Write this policy on cards to hand to an ICE officer if they come to your site.
- Train staff on how to act during an ICE visit. Teach them to ask for a copy of the warrant or subpoena and ask for the officer's contact information. Ask staff to consult with a supervisor before complying with their requests.
- Educate all supervisors on your organization's rights and the rights of your clients.

Consider Alternate Distribution Models to Reach People Who Are Hungry:

- Find different ways to serve the communities you're trying to reach. Work with organizations already established and trusted by the community. Work with school counselors and social workers you already know.
- Use their guidance and feedback to make your organization a safe and supportive place to be.
- Allow proxy shoppers to access food on behalf of clients who don't feel comfortable coming to a food bank.

More Resources for Agencies:

- Northwest Harvest Immigration Rights and Resources Toolkit:
www.northwestharvest.org/advocacy-toolkits
- Immigration 101 video by Northwest Immigrant Rights Project:
www.youtube.com/watch?v=NCSfOsoGhfk
- Bellingham Food Bank's ICE Policy:
<https://foodlifeline.org/wp-content/uploads/2019/06/Bellingham-Food-Bank-ICE-Policy.pdf>

Share your suggestions, feedback, and questions with us about accommodating undocumented communities, so we can share with the network. Contact the Agency Relations team at agencyrelations@foodlifeline.org or 206-492-5530.