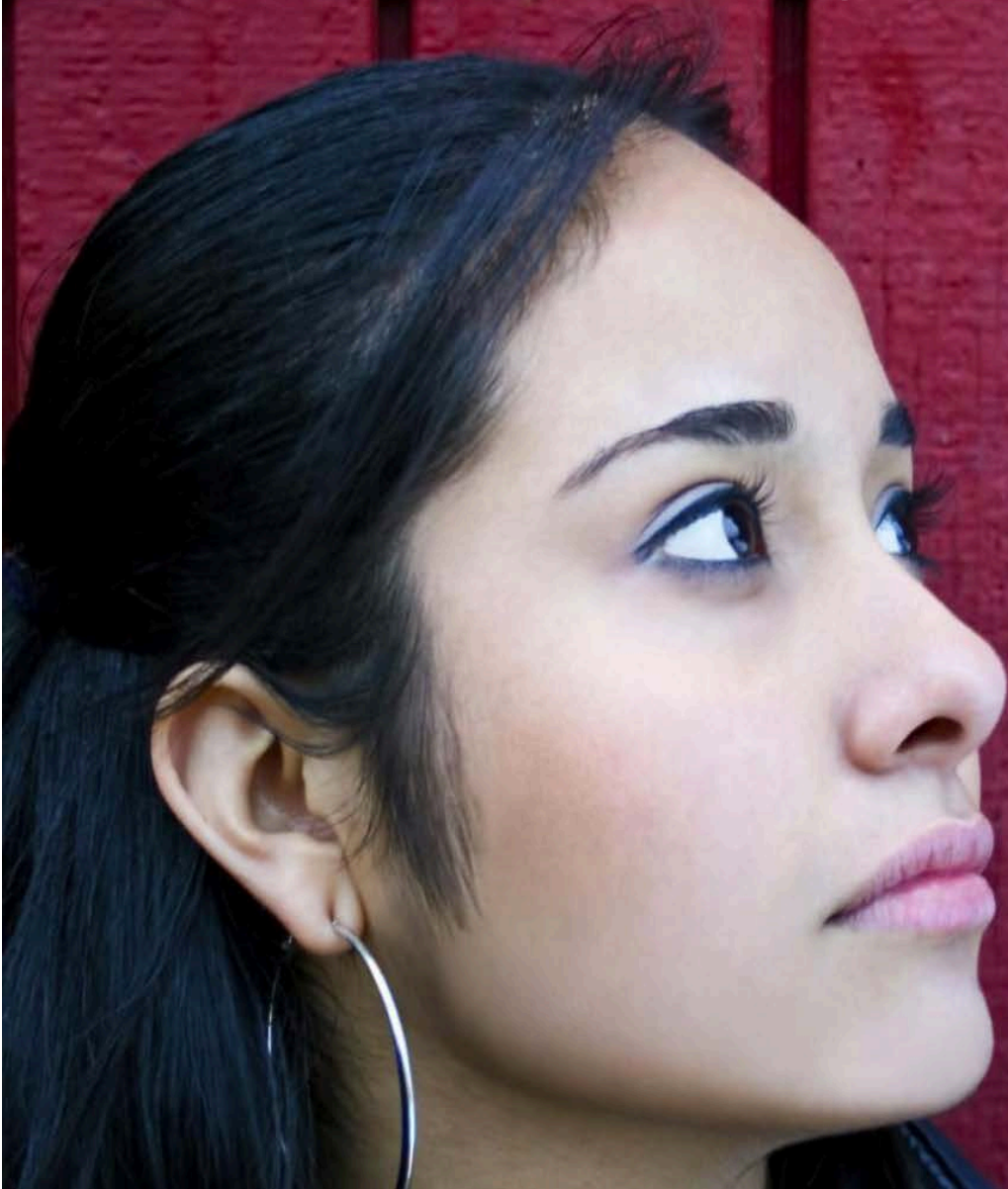


**KEEP CALM, KNOW YOUR
RIGHTS, AND PREPARE**



**CUNY
CITIZENSHIP
NOW!** 

- 1) Know Your Rights**
- 2) Prepare**
- 3) Find Help**



Overview

- New Administration recently issued several executive orders and other directives regarding detention and removal of immigrants
- Creates tremendous uncertainty among immigrant families in New York City, with children living in fear of losing their parents to detention and deportation
- Reports of ICE raids are flooding social media
- Many immigrants fear being arrested by ICE or profiled by law enforcement
- Since 2003, ICE (Immigrations and Customs Enforcement as part of the Department of Homeland Security) has enforced U.S. Immigration law by arresting people the federal government wants to deport



Overview – Cont'd

- Historically, both GW Bush and Obama administrations utilized raids
- The Obama administration was very active in deporting many unauthorized immigrants with focus on those convicted of crimes and those with outstanding deportation orders



Who Is At Risk?

- Two groups of people who are removable (deportable) under immigration law
 - 1) People who don't have lawful immigration status AND
 - 2) People with lawful immigration status with criminal records
- New "priorities" include not only anyone convicted of any crime, no matter how minor, but also anyone charged with a crime (so much for the presumption of innocence), or deemed by an immigration agent, not a judge, to have committed a crime (so much for due process).
- Now unlawful entry is a priority for deportation, even if never been charged or convicted



People without lawful immigration status

- This includes people who overstay a visa or who enter without permission
- Includes people who have been ordered deported or who have final orders of deportation

People with lawful immigration status

- Anyone who is not a U.S. Citizen and has a criminal conviction.
- If you violate your lawful non-immigrant status
Eg. Student on a F-1 visa working off campus without authorization



ICE and Other Law Enforcement Officials May Think They Can Violate Your Rights.

- Donald Trump has made various anti-immigrant comments, ICE and other law enforcement officials may think they can violate your rights without consequences.
- Very often ICE officers lie in order to get people to open the door or to sign documents giving up their rights.
- ICE can pretend to be New York City police officers, or say that they want to investigate something, when all they want is for you to open the door or give them permission to enter your home.



ICE Home & Community arrests

ICE HOME RAIDS: To enter or search a home

- 1) ICE needs a warrant signed by a JUDGE OR
- 2) Permission from a resident to enter

ICE ARRESTS IN PUBLIC: You have the right to

- 1) Ask if you are free to go
- 2) Remain silent
- 3) Do not give them your permission to search you or your belongings

WARNING: Do not give any false or foreign documents



What are your rights during any ICE interaction or arrest?

EVERYONE HAS THE RIGHT TO...

1. REFUSE ENTRY TO YOUR HOME, unless ICE has an judicial warrant
2. REFUSE A SEARCH OF YOUR HOME, unless ICE has an judicial warrant
3. REMAIN SILENT
4. REFUSE TO GIVE INFORMATION ABOUT IMMIGRATION OR CRIMINAL HISTORY
5. NOT TO SIGN ANYTHING



Don't Open the Door!

Unless ICE has a judicial warrant:

- You don't have to open the door to speak to the immigration agent(s). If you open the door, it is much harder to refuse to speak to them.
- If ICE does not have a proper warrant they CANNOT enter the home without permission from someone who lives there.
- Ask ICE agent to show you the warrant through the window or pass it under the door so you can check if it is signed by a judge.
- You also ask the agent to show you their official ID in the same way.
- To be valid, the judicial warrant (remember, signed by a judge) must have your correct name and address.



IF ICE does have a proper judicial warrant

- They will enter the home whether or not they have permission to do so
- Once inside, ICE will look for the person they want to arrest
- If they see the person, agents will detain them
- Once inside, agents are free to search the home



You have the right to remain silent!

- You have the right to remain silent, even if they keep asking you questions.
- You have the right not to speak to an immigration official.
- Do not answer any questions. You can also say you wish to remain silent.
- Don't give ANY information about where you were born or how you entered the United States.

You Have the Right to Speak to an Attorney!

You can simply say, “I need to speak to my attorney.”



Before You Sign Any Document, Speak to an Attorney!

- ICE agents may attempt to pressure you into signing documents where you give up your right to consult an attorney or appear before an immigration judge.
- Make sure you understand exactly what any document says before your sign it.
- Keep any papers ICE gives you! They will have important information to give your family or your lawyer.



If ICE is arresting you:

- The only thing you should tell them is about any childcare or medical needs
- DO NOT physically interfere with an arrest
- DO NOT LIE
- DO NOT give them false or foreign documents

OK (needs to be picture ID): Municipal ID Card (like NYCID), library card, U.S. Drivers license, U.S. green card. If you do not have a New York City ID get one.

NOT OK: Passport, consular ID, matricula, expired visa, anything fake or not yours



Always Carry Copies of Any Valid Immigration Documents

- For example, if you have a work permit or lawful permanent resident card (“green card”), make sure to bring a COPY with you in case you’re asked for ID.
- **DO NOT CARRY** documents from another country, like your foreign passport, national identity card, or consular ID. These documents may be used against you in deportation proceedings.



Come Up With an Emergency Plan

- Memorize the phone number for a friend, family member, or attorney that you can call if you're arrested.
- If you care for children or other persons, have a plan for someone to care for them if you are detained.
- In case you are detained, you can appoint a stand-by guardian through the family court or give a friend or family member power of attorney.
- To establish a stand-in guardian or power of attorney you must have a written document which names the person whom you want to care for your children in your absence and have 2 people witness your signature and sign the document.



Emergency Plan

- ☑ Make sure your family members have your Alien Number (A Number), if you have one.
- ☑ Keep important documents like birth certificates and immigration documents in a safe place where a friend or family member can find them if necessary.
- ☑ Begin collecting documentation that shows that you've been in the United States for at least the last 2 years. Bills, children's school records, taxes, birth certificates of children born in the United States.
- ☑ Have money saved for bail
- ☑ Setup a bank account that you can access outside of the United States or that has branch in your country.



Locating Someone Detained by ICE

- Call 212-264-5085 to locate anyone detained by ICE.
- Use the ICE detention locator available at:
<https://locator.ice.gov/odls/homePage.do>, to find adults in ICE custody.



Providers That Are Authorized to Help with Immigration cases:

1. Immigration Lawyers

2. Non profit organizations with **BIA Accredited Representatives** (The government of the United States authorizes accredited representatives to help with immigration matters).

- Do not go to any provider for immigration services that advertises themselves as a notary public. In the United States, notary publics are not lawyers.
- They are not allowed to give legal advice. They can only help fill out paperwork.



Get Legal Help

- You can find organizations that provide legal help either free or low cost at: www.immigrationlawhelp.org.
- The immigration court maintains a list of lawyers and organizations that provide free legal services : justice.gov/eoir/list-pro-bono-legal-service-providers-map.
- You can also find an attorney using the American Immigration Lawyers Association (AILA) directory, ailalawyer.com.



Warning! Do not Hire a Legal Provider That...

- Refuses to give your written contract.
- Charges your for blank immigration forms. You can get these forms for free at: uscis.gov/forms
- Charges your to place your on a “waitlist” or can “fast track” for immigration reform. There is no such thing as a waitlist or immigration reform at this time.



Warning! Do not Hire a Legal Provider That...

- Guarantees you a work permit or results in your favor based on his/her special immigration contacts.
- Takes your money and does not deliver the services promised.
- Asks you to lie on a form or that you sign a blank form. If you do so, your form may not be accepted.
- Keeps your original documents or charges you for your own documents.



Immigration Fraud Complaints

- NY State Attorney General's Office 1 (866) 390-2992

District Attorney- Immigration Affairs Units

- Manhattan: (212) 335-3600
- Bronx: (844) 590-7226
- Brooklyn: (718) 250-3333
- Queens: (718) 286-6690



Resources

- Office of New Americans (ONA) Hotline:
(212) 419 – 3737 / (800) 566-7636
- Report Raid in NY: (212) 725-6422
- CUNY Citizenship Now! (646) 344-7245

