**KNOW YOUR RIGHTS with ICE**

**Who is a t risk for being deported: Anyone who is not a U.S. citizen can be vulnerable if they fall under a ground of deportation such as criminal charges or a prior order of deportation.**

* + Unauthorized / Undocumented immigrants
	+ People with asylum or refugee status or some other form of protection
	+ Lawful permanent residents (green card holders)
	+ Non-immigrants (visitors, students, etc.)

**Reasons for Deportation:**

* Lack of lawful Status
* Criminal grounds, including:

- Nearly all drug convictions

- Some domestic violence, violation of protection order

- Some theft, fraud, and much more!

* Immigration violations/Fraud
* Security related grounds (gang affiliation, terrorism)

**Everyone has basic rights, know what they are and exercise them!**

**If Immigration Comes to Your Home...**

 **\*\*\*\*\*\* Do not immediately open the door: \*\*\*\*\*\***

* Legally, you do not need to open the door unless the officer provides you with a warrant signed by a judge.
* Ask officers to identify themselves (agency, name, ID)
* Ask if they have a warrant signed by a judge
* Slide a “Know Your Rights” card under the door
* You have the right to remain silent and to an attorney. If you choose to invoke that, state to officers “I request my right to silence and to an attorney.”
* Call a US citizen friend or family or an attorney.

**If you’re stopped when driving…**

* Stay in the car. Place your hands on the steering wheel so the officer can see them.
* You do not need to answer any questions but driver must provide name and address. Show your KYR card.
* Police can search your car if they have probable cause to believe you have been involved in a crime
	+ STATE CLEARLY THAT YOU DO NOT CONSENT TO THE SEARCH
* Do not provide false documents

**If Immigration or Police Stops You in Public…**

* Stay calm - Do not run or resist arrest!
* Ask if you are under arrest or free to leave.
* Remain silent and say you want to speak to an attorney.
* You have the right not to be fingerprinted unless you’re being arrested.
* Police can search you if they have a reasonable suspicion that you are armed and dangerous.
* If you have valid immigration documents and are over the age of 18, the law requires you to carry those documents on you.
* You have the right to an attorney. Ask to call a lawyer.

**Never provide false documents!**

**Arrest and Detention…**

* If you are arrested or detained, **DO NOT**:
	+ Sign anything or take “voluntary departure” without the guidance of a lawyer
	+ Rely on immigration agents to provide you with information about your rights; ask a lawyer for facts.
* You have a right to:
	+ **Remain silent**.
	+ Call a lawyer or family member
	+ Be visited in detention by a lawyer
	+ Contact your consulate

**You can visit https://locator.ice.gov/odls/#/search to find someone who has been detained by immigration**

**Parental Rights**

* You have the right to make decisions about your children regardless of immigration status
* You do not have to provide information about your children, but you may want to tell immigration if you are the primary caretaker.
* You have the right to decide for child’s care
* You can ask for a phone call at the time of apprehension, and you can ask how you will be able to contact your children
* If your children are in the foster care system, you have the right to participate in child welfare proceedings from detention and after deportation unless you have had parental rights terminated
* Detention and deportation do not constitute abandonment

Make **a Plan in case you’re arrested**

**Update school contacts**: make sure you have the correct contact information for a few people you trust to pick your child up from school in case you cannot.  Tell the school you want to “opt-out,” in any directory information the school puts out to protect your information.

**Register your child’s birth with your foreign consulate**: if your child wants to travel or move to your home country, it could be easier if their birth is already registered with the consulate.

**Apply for passports for your child**: most governments require that both parents give permission for their child to get a passport. If you have sole legal custody or a specific court order you do not need the other parents’ permission.

**Write a travel letter**: if your child needs to travel outside the U.S., they may need a notarized letter that gives them permission to travel with a trusted adult. You may want to contact an airline or your consulate to get exact instructions.

**Who can give advice or represent me in an immigration case?**

* **An Attorney** with a valid license to practice law
* **An “Accredited Representative”** working for a non-profit organization who has received training and special authorization from the US government to help people with immigration cases.

Notary Publics (notarios) are not lawyers in the US and cannot provide legal advice.

Interpreters or tax preparers cannot provide legal advice. The interpreter can translate legal documents that you may need for your immigration case.