ICIRR ILLINOIS COALITION FOR IMMIGRANT AND REFUGEE RIGHTS

KNOW YOUR RIGHTS

ILLINOIS COALITION FOR IMMIGRANTS AND REFUGEES RIGHTS

ICIRR is dedicated to promoting the rights of immigrants and refugees to full and equal participation in the civic, cultural, social, and political life of our diverse society.

In partnership with our member organizations, the Coalition:

- educates and organizes immigrant and refugee communities to assert their rights;
- promotes citizenship and civic participation; monitors, analyzes, and
- advocates on immigrant-related issues; and
- informs the general public about the contributions of immigrants and refugees.

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First they came for the Communists And I did not speak out Because I was not a Communist. Then they came for the Socialists And I did not speak out Because I was not a Socialist. Then they came for the trade unionists And I did not speak out Because I was not a trade unionist. Then they came for the Jews And I did not speak out Because I was not a Jew. Then they came for me And there was no one left."
Martin Niemoller, Lutheran Pastor

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KNOW YOUR RIGHTS

- **WITH THE POLICE**
- **WITH IMMIGRATION**
- **POLICE VS IMMIGRATION**
- **AT WORK**
- **EMERGENCY PLAN**
- **FAMILY SUPPORT HOTLINE**

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EDUCATE

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CURRENT LANDSCAPE

City	• City Ordinance • Municipal ID's
State	• TRUST Act • VOICES Act • Immigrant Services Line Item
Federal	• **Increased Enforcement!**

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YOUR RIGHTS!

Law Enforcement= Police and Immigration

The **US Constitution** guarantees basic rights to ALL of the people of the United States--***regardless of immigration status***

ACTION

INFORM 1 TRUSTED FAMILY/FRIEND OF YOUR ACTION PLAN & REMEMBER THEIR PHONE #

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YOU HAVE RIGHTS

Regardless of your immigration status, you have the right to:

REMAIN SILENT-ANYTHING YOU SAY CAN BE USED AGAINST YOU.
If you have a KYR card you can use it!

SPEAK WITH AND BE REPRESENTED BY AN ATTORNEY
In immigration court you need to find and pay for your own attorney.

REQUEST A LOCAL TELEPHONE CALL
Memorize phone numbers of family/friends with legal status

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Immigration Enforcement – Who does what?

U.S. Citizenship and Immigration Services

U.S. BORDER PATROL

ICE

Executive Office for Immigration Review (EOIR)

Immigration Judges

Board of Immigration Appeals (BIA)

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GOVERNMENT AGENCIES

Chicago Police Department

Focuses on safety of community residents in Chicago

Transportation Security Administration

Focuses on security of the traveling public in the US

Immigration and Customs Enforcement

Enforces immigration laws in the US.

Customs and Border Protection

Inspects at Ports of Entry and determines admissibility

Homeland Security Investigations

Conducts Investigations regarding immigration

ACTION LEARN TO RECOGNIZE THEIR BADGES AND UNIFORMS

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NOTE:

- Be on the lookout, there are law enforcements agencies that might identify themselves as police officers or might be wearing attire with the word POLICE written on it.
- Do not share information that you see on social networks about raids. Many times the information is false and sharing it further can cause panic in the community. Find out what is happening before sharing any information that might affect others negatively

ACTION

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WITH THE POLICE

WHAT TO DO

- **DO** tell the police your name BUT NOTHING ELSE.
- **DO** tell the police you want to remain silent and want to talk to a lawyer. They should stop questioning you after that.

If POLICE arrests you:

- If you are driving **DO** ask if you can park your car in a safe place or have a licensed driver take it away, to avoid towing or impoundment fees.
- **MEMORIZE** phone numbers for three family members or friends whom you can call.

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WITH THE POLICE

WHAT NOT TO DO

- **DON'T LIE.** Tell the police you want to remain silent. DON'T give explanations, excuses, or stories.
- **DON'T SIGN** any document if you don't know what it is.
- **DON'T DISCUSS** your citizenship or immigration status with anyone other than your lawyer

WITH THE POLICE

Don’t give police an excuse to pull you over while driving

- Don’t hang any objects from your rearview mirror or block your car windows or windshield with anything.
- Make sure all the lights in your car work.
- Keep your city sticker up to date.
- Obey all traffic laws

ACTION

APPLY FOR A TVDL

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WITH IMMIGRATION

WHAT TO DO

- **REMAIN SILENT--** anything you say can be used against you. **Tell the agent that you will not speak until you speak with a lawyer first.**

If immigration or the police comes to your house:

- **Ask** the agents if they have a warrant. If they say they have one then **ASK** them to slip the warrant under the door or hold it up to the window so you can inspect it.
- If they try to force the door open: Write down the officers badge number, and the license plate of the police car.

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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JUDICIAL SEARCH WARRANT

These orders allow ICE to enter non-public areas.

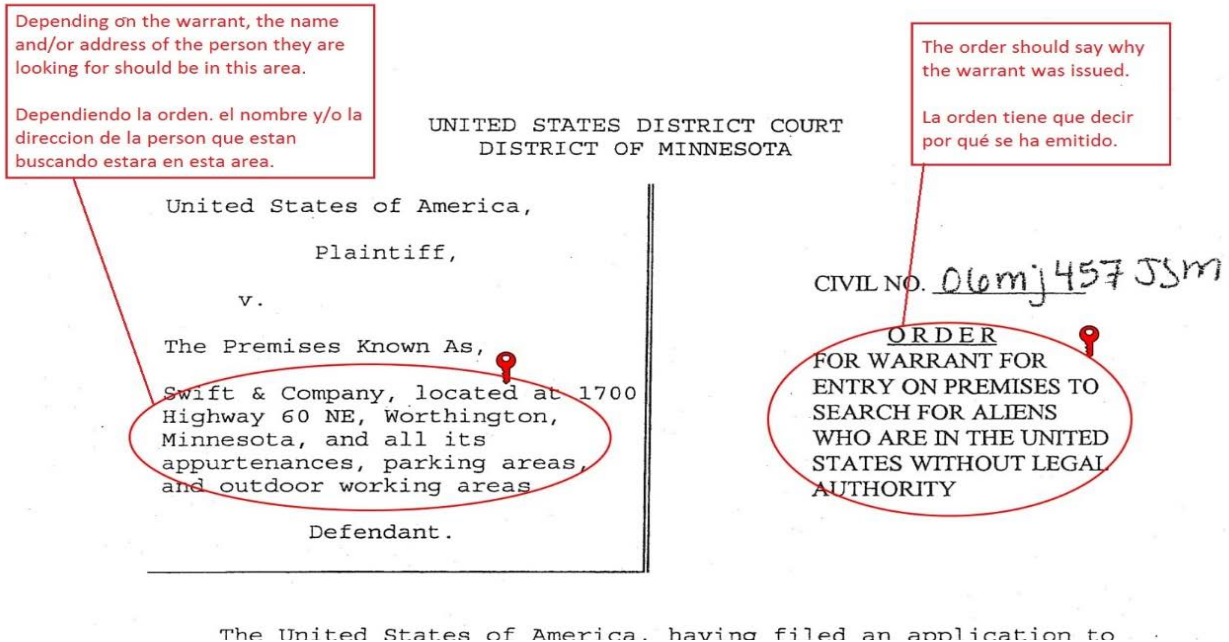
A search warrant is signed by a judge and allows Law Enforcement to register specific, identified premises and to confiscate identified items.

IMPORTANT: Make sure that it correctly identifies the places to be searched, including the address of your residency/business or the items that will be confiscated.

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

WARRANT SIGNED BY A JUDGE



Depending on the warrant, the name and/or address of the person they are looking for should be in this area.

Dependiendo la orden. el nombre y/o la direccion de la person que estan buscando estara en esta area.

The order should say why the warrant was issued.

La orden tiene que decir por qué se ha emitido.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, and all its appurtenances, parking areas, and outdoor working areas

Defendant.

CIVIL NO. 06mj457 JSM

ORDER
FOR WARRANT FOR ENTRY ON PREMISES TO SEARCH FOR ALIENS WHO ARE IN THE UNITED STATES WITHOUT LEGAL AUTHORITY

The United States of America, having filed an application to

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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IT IS FURTHER ORDERED that U.S. Immigration and Customs Enforcement shall conduct the entry and search during daylight hours with ten (10) days of the issuance of this warrant, and make its return to this Court with ten (10) days of the date the entry and search have been completed.

Dated: December 8, 2006

JANIE S. MAYERON
United States Magistrate Judge

Make sure the date is recent (A few months)

Revise que la fecha sea reciente (De unos meses)

Make sure it is signed by a JUDGE

Revise que este firmada por un JUEZ (Judge)

2

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

ADMINISTRATIVE IMMIGRATION WARRANT

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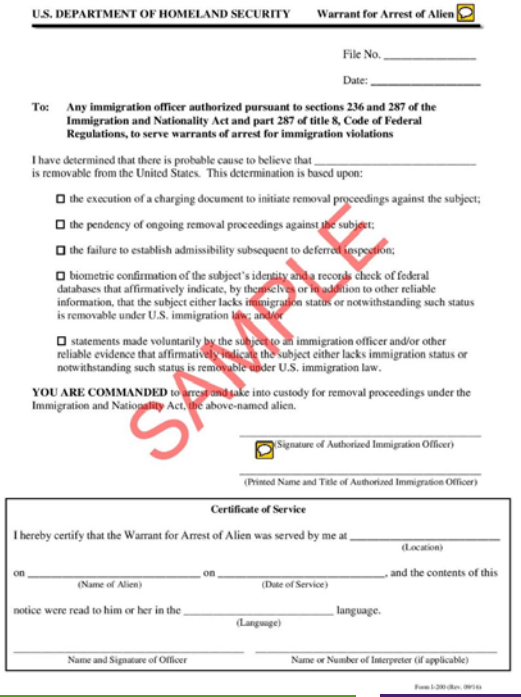

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____

Date: _____

To: **Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations**

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- ☐ the execution of a charging document to initiate removal proceedings against the subject;
- ☐ the pendency of ongoing removal proceedings against the subject;
- ☐ the failure to establish admissibility subsequent to deferred inspection;
- ☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

SAMPLE

_____
☐ Signature of Authorized Immigration Officer)

_____
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

_____ Name and Signature of Officer

_____ Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

Administrative Immigration Warrant:

- These orders do not allow ICE to enter non-public areas.
- These orders are intended to authorize ICE agents to detain people suspected of breaking immigration laws.
- These orders are signed by an immigration officer and not by a judge.

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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WITH IMMIGRATION

WHAT NOT TO DO

- **DO NOT CARRY FALSE DOCUMENTS**- Carrying false documents is a federal offense.
- **DON'T LIE**. Tell law enforcement agents you want to remain silent. DON'T give explanations, excuses, or stories.

  Do not claim to be a US Citizen if you are not!
- **DON'T SIGN** any document that you don't understand.
- **DON'T DISCUSS** your citizenship or immigration status with anyone other than your lawyer

ACTION

REPORT ANY INCIDENTS TO OUR FAMILY SUPPORT HOTLINE, TAKE PICTURES/VIDEO!

POLICE VS IMMIGRATION

POLICE

Court: If you have court or probation and you do not go = **Warrant for your ARREST**

Bond: If you pay **10%** of your bond you can go free.

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POLICE VS IMMIGRATION

IMMIGRATION

Court: If you have court or probation, and you do not go = **Order of Deportation**

Bond: If you pay 100% of the bond, you can go free. The person who pays must be a U.S. citizen. The bond is refundable.

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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AT THE WORKPLACE

If ICE shows up at your workplace, the first step is to determine the purpose of the ICE's visit:

- The primary contact should ask ICE what is the purpose of their visit. For example, check if it is an I-9 audit or an on-the-job raid.

- **RAID:** If it is an immigration raid, **ask them to show you the search warrant signed by a judge**. If they do not have it, you can deny them entry to the private areas of your business/organization.

IMMIGRATION AGENTS DO NOT NEED A WARRANT TO BE IN PUBLIC SPACES AT YOUR WORKSITE

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AT THE WORKPLACE

WHAT TO DO

- Stay Calm.
- You have the right to remain silent.
- Tell the officer you want to speak to a lawyer.

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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AT THE WORKPLACE

WHAT NOT TO DO

- **DO NOT RUN!** This may be viewed as an admission that you have something to hide.
- **DO NOT TELL** the immigration officer where you were born or your immigration status.

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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WORKPLACE PRIMARY CONTACT

- If you work at a friendly location ask your employer about setting up a plan in case of an ICE Raid or I-9 Audit.
- As part of the plan, there should be someone trained to speak with ICE Agents such as the owner of the business, manager, or a union steward.
  - They will be responsible for asking ICE to show them the warrant and to inform ICE that they do not have permission to enter the non-public areas of the business (unless stated in the warrant).
- It is recommended that this person is trained to contact the local rapid response network.
- As a security measure it is recommended that there is more than one person trained for this in case the primary contact is not available.

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I-9 AUDIT

I-9 = Form to Verify Eligibility for Employment in the US.

If the reason of the ICE visit is an I-9 audit

- Employers must be given at least three business days to present the employee's I-9 form.
- If not given notice by ICE they **cannot immediately** inspect I-9's

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FINDING SOMEONE IN DETENTION

To find someone who has been detained by ICE:

Go online to locator.ice.gov and find the person using:

- Name, birthdate and country of birth.
- If available use the A-number and country of birth.

ACTION

THE A NUMBER IS LOCATED IN THE BRACELET FOR PEOPLE WHO ARE DETAINED- 9 DIGITS

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PREPARE

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USEFUL VOCABULARY

- I wish to remain silent. (Quiero mantenerme el silencio.)
- I wish to make a phone call. (Quiero hacer una llamada telefónica.)
- I wish to speak with a lawyer. (Quiero hablar con un abogado.)
- I do not consent to your entry or search. (No le doy permiso para que entre y revise.)
- I will not sign any document I do not understand. (No firmaré ningún documento que no entienda.)

ACTION

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

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HAVE AN EMERGENCY PLAN!

Deportation Safety Plan

- Choose a responsible person for the care of your children
- Have a plan in writing
- Have your documents ready AND in a safe place!
- Carry with you a list of important phone numbers, including your consulate.
- GET INVOLVED with a local community organization!

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TEMPORARY LEGAL GUARDIANSHIP

- A Letter of Guardianship must be made for all of your children under the age of 18. It is important to have a Temporary Guardianship letter in case you and/or your partner are detained by immigration (ICE) to make sure your children are protected.

- If the letter is for less than one year (365 days) it does not have to be done by a lawyer unless that is what you want to do.

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POWER OF ATTORNEY FOR PROPERTIES

If you have any questions about what will happen to your home and other property, or would like legal help writing a power of attorney letter, contact:

LEGAL ASSISTANCE FOUNDATION
Phone: (312) 341-1070
Address: 111 W Jackson Blvd, Chicago, IL 60604

CHICAGO VOLUNTEER LEGAL SERVICES
Phone: (312) 332-1624
Address: 33 N Dearborn St #400 Chicago, IL 60602

ACTION

LOOK UP ALL OF YOUR OPTIONS BEFORE YOU DECIDE TO DO A POWER OF ATTORNEY

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IMMIGRATION SERVICES

FOR IMMIGRATION SERVICES CONTACT :

NATIONAL IMMIGRANT JUSTICE CENTER:
If you have any questions or if a family member is detained by ICE.
Phone: (312) 660-1370
Address: 208 S La Salle St #1300, Chicago, IL 60604

CHICAGO LAW & EDUCATION FOUNDATION:
If you have legal questions and would like to go to a legal clinic
Phone: (872) 215-2673
Address: 3120 S. Kostner Ave. Chicago, IL 60623

ACTION

VISIT OUR WEBSITE FOR A LIST OF IMMIGRATION SERVICES AND REFERRALS WWW.ICIRR.ORG

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OTHER RESOURCES

Other important resources and benefits might be available for you at your consulate.

Find your consulates information here:
https://www.embassypages.com/city/chicago

ACTION

CONTACT YOUR CONSULATE TO FIND OUT THE SERVICES THAT THEY OFFER

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REPORT

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RECORDING INTERACTIONS WITH POLICE/ICE?

DO I HAVE THE RIGHT TO RECORD INTERACTIONS WITH POLICE/ICE?

You have a right to film or photograph police officers in:

- ✓ Public places
- ✓ Your property
- ✓ This extends to other law enforcement, such as sheriff's deputies, state police, or ICE agents

A law enforcement officer may not confiscate or demand to view your digital photographs or video ***without a warrant***

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HOW TO DOCUMENT A RAID

RECORDINGS BY AUDIO, VIDEO OR WRITTEN:

- How many agents were there
- Name of the agents
- The number found on the agents' badges
- If the agents carried weapons and if they used them
- If the agents blocked the exits or if they limited the movement or activities of the employees.
- The license plate number of the vehicles
- All goods taken / registered
- The names of the people questioned
- The names of the people detained
- The names of the other witnesses
- Any detail regarding the use of intimidation or force by officers

NOTE: Don't interfere with the raid--not even if someone is arrested or if you see the ICE agents using force.

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FAMILY SUPPORT NETWORK HOTLINE

What is the Family Support Network Hotline?

- ✓ **Toll-free hotline offers help to Illinois families facing deportation.**
- ✓ **The hotline is staffed by trained volunteers who will listen to families and offer referrals to lawyers, social service agencies, pastors, and other community supporters.**
- ✓ **The hotline is staffed in English, Spanish, Polish, Arabic and Korean.**

1-855-435-7693

ACTION

REPORT ANY ICE ACTIVITY TO THE HOTLINE
BECOME A COMMUNITY NAVIGATOR!

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QUESTIONS?

THIS TRAINING WAS DEVELOPED BY THE IL KYR TASKFORCE

The Know Your Rights taskforce comprehends a team of legal service providers, attorneys, community organizers and educator whose goal is to create and share updated information, materials and organizing strategies to promote Know Your Rights informational sessions that will help our community exercise their rights. Member of the taskforce include:

Ahlam Jbara, Community Leader
Arab American Family Services
Asian Americans Advancing Justice |Chicago
Bea & VandenBerk Attorneys at Law
Brighton Park Neighborhood Council (BPNC)
Centro de Trabajadores Unidos-Immigrant Workers Project (CTU-IWP)
Council of American Islamic Relations (CAIR)
DePaul University Legal Clinic
ENLACE Chicago
Erie Neighborhood House
Family Focus Aurora
Father Gary Graf Center
Federación de Clubes Michoacanas de Illinois (FEDECMI)
H.A.C.E.S.
Highland Park-Highwood Legal Aid Clinic
Illinois Dream Fund
Jennifer Gershowitz, Community Leader
Jewish Child & Family Services (JCFS)

Logan Square Neighborhood Association (LSNA)
Mano a Mano Family Resource Center
Mexican American Legal Defense & Education Fund (MALDEF)
National Immigrant Justice Center (NIJC)
Northeastern Illinois University (NEIU)
Northside Community Resources
Oliwia Pac, Community Leader
Paredes Law Office
Polish American Association
Proyecto de Accion de los Suburbios del Oeste (PASO)
Ruth Lopez-McCarthy, Attorney
Sargent Shriver National Center on Poverty Law
South Suburban Immigrant Project (SSIP)
Tim Myers, Attorney
Yvette Lopez, Community Leader
Zsazsa Pimintel, ICIRR Intern