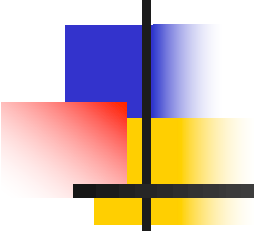


Understanding the Rights of Immigrants



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BASIC RIGHTS

- **You have the right to remain silent**
- **You have the right to demand a warrant before allowing anyone to enter your home**
- **You have the right to an attorney (at your own expense)**



Organization of Immigration System

- **DHS:** Department of Homeland Security
 - **CIS:** Citizenship and Immigration Services
 - Administrative applications for “benefits”
 - **ICE:** Immigration and Customs Enforcement
 - Detaining and removing those inside US
 - **CBP:** Customs and Border Protection
 - Airports, border, 100 miles inside border



Connecticut's Immigrant Population

- Connecticut's immigrants are of diverse origins: *See "Immigrants in Connecticut: Labor Market Experience and Health Care Access." November, 2005. Democracy Works*
 - 38% from Europe or Canada
 - 22% from Latin American countries
 - 22% from Asian countries
 - 14% from Caribbean countries
- Many households are made of people of mixed status



Who is most in danger of detention and removal

- **People who already have orders of removal**
- **People who are arrested**
- **People who work or hang out where other undocumented people are found**
- **People who travel on airplanes**
- **People who go too near the border**



Avoid contact with the immigration system

- **Don't get arrested for committing a crime**
- **However, if you get arrested, don't plead guilty without consulting an immigration attorney.**



Avoid contact with Immigration (continued)

Avoid these common problems that often lead to arrest

- Don't attempt to get a driver's license if you do not have one
- Don't try to transfer a driver's license from another state



Avoid contact with Immigration (continued)

Avoid these common problems that often lead to arrest

- **Be careful with alcohol.**
- **Don't use false documents or pay money to get a social security card**
- **End family arguments peacefully before they get out of control**



Avoid contact with Immigration (continued)

- To the best of your ability, avoid places where ICE is likely to show up**
- Worksites where large numbers of undocumented immigrants work**
 - Places where day laborers wait for work**
 - Don't associate with people who you know are criminals or who you believe might have deportation orders**



Be aware that ICE may be looking for you.

If you have a criminal conviction or a final order of deportation or removal:

- If the conviction or deportation order was a mistake, speak to a lawyer to fix it immediately
- Consider the impact on your family and neighbors if ICE comes looking for you. Plan accordingly



If ICE or the police stop you:

- **Try to be calm and speak respectfully to the officer.**
- **You should provide your name.**
- **If you are stopped while in your car, you will have to show your license etc.**
- **Do not provide information about your immigration status or where you were born.**
- **Do not lie! Do not provide false papers.**
- **Ask if you are free to leave.**



If ICE comes to your home:

- **ICE needs a warrant or your permission to enter your house.**
- **A warrant to search your home or to arrest you does not give Immigration the right to question you.**
- **If ICE or other law enforcement agency is in your home, ask other occupants to be witnesses to what happens.**



ICE at your home (continued)

- Any time you come into contact with a law enforcement officer
 - **Ask for the officer's name and badge number – write this information down.**
 - **Ask what agency the officer is from (Immigration – also known as “ICE”, or the local or state police).**
- Do **not** sign anything unless you understand and agree with it. If you don't understand it, ask to call your lawyer.



If ICE comes to your workplace:

- **ICE can enter areas open to the public.**
- **Even if ICE has a warrant, you always have the right to remain silent.**
- **ICE should only ask you questions if they have a good reason to believe that you are not a U.S. citizen.**
- **Do not run.** If all workers, documented or undocumented, behave in the same way or do the same thing (for example, remain silent and continue working), the Immigration Service may not have any good reason to arrest any workers.



If ICE arrests you, you can:

- **Remain silent.** If you tell ICE your immigration status they can use it to try to deport you.
- **Insist on talking with a lawyer**
- **Refuse to sign all papers** from the ICE especially an “Order of Voluntary Departure” or an admission that you were using fake documents, without talking with a lawyer first.



The Right to a Hearing before an Immigration Judge -

- In most cases, the Immigration Service cannot deport someone without a hearing before an Immigration Judge.
- A hearing is very important for any person who may have the possibility of remaining in the United States.



The Right to be Released after 48 Hours -

- In most situations, ICE has 48 hours to determine whether you should remain in custody or be released on bond.
- ICE must issue a “Notice to Appear” within 72 hours of arrest if it decides to keep someone in custody.



The Right to a Reasonable Bond

- To be released while waiting for a hearing before an Immigration judge.
- Request bond be lowered.



General precautions for immigrants:

- **Carry proof of your legal immigration status with you. Leave copies of such documents with friends or family in the event you are arrested.**
- **Do not carry false documents**
- **Give written authorization to another person to care for your children if you are arrested.**
- **Carry the name and telephone number of an attorney and of a relative you would want to call if you are arrested.**
- **If you have an alien registration number ("A#"), be sure that a friend or relative you trust has this number.**



Laws that protect immigrants regardless of status:

- Free public education for all children
- Housing Laws protect immigrants
- Access to the courts
- Others



Immigrants and Employment Law

- Immigrants with work authorization can collect Unemployment Compensation
- Wage and hour laws protect *all* workers
- Worker's Compensation laws protect *all* workers.
- Anti-discrimination laws protect *all* workers.



Where can immigrants get legal help?

- Private attorneys through CT Chapter of American Immigration Lawyers Association [AILA] 1-800-954-0254.
- Connecticut's Legal Services Programs
- University of CT, and Yale Law Schools; Asylum, Human Rights and Criminal Clinics.
- International Institute of Connecticut



Useful links:

- **ASISTA (Advanced Immigration Technical Assistance)**
www.ASISTAonline.org
- **Immigrant Legal Resource Center, www.ilrc.org**
- **National Immigration Project, *of the National Lawyer's Guild*, www.nationalimmigrationproject.org**
- **United States Citizenship and Immigration Services,
www.uscis.gov**