



## Michigan Immigrant Rights Center



# KNOW YOUR RIGHTS

[www.MichiganImmigrant.org](http://www.MichiganImmigrant.org)  
Find us on   @MichImmigrant

# Yes, you have rights!



- ❧ Although you are not a citizen, you still have important rights when interacting with law enforcement.
- ❧ The purpose of this presentation is to educate you about your rights so that you can **be prepared, and take measures to protect yourself and your family.**
- ❧ If you do not have papers, it is even more important that you know your rights in the event of an encounter.

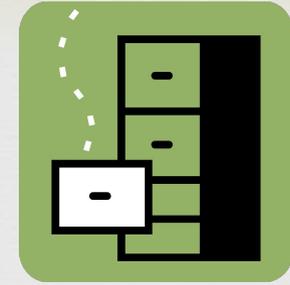
# Part I



## Prevention



# Be ready



- Keep copies of your immigration documents in your house and with someone who you trust
- Memorize your A# (if you have one) and share it with someone you trust
- Consult with an immigration attorney to see if you are eligible for immigration status
- If you are a permanent resident, consider naturalizing. U.S. citizens cannot be deported

# Prepare for your children



- ❧ Make a plan for your children in case you are detained.
- ❧ Be ready with your children's passports.
- ❧ If possible, try to obtain dual citizenship for your children
- ❧ Register with the consulate

# Prepare for your children



- ❖ When you pay your taxes, declare all of your children.
- ❖ Don't buy other's Social Security numbers
- ❖ Additionally, don't sell/share your children's numbers with someone else

# Avoiding encounters



- ❖ Stay away from the Ambassador Bridge or Bluewater Bridge
  - ❖ There are some roads near the bridge where you cannot turn around. Please be careful and avoid these roads. You may not be able to come back.
- ❖ If you find yourself here, it is very likely that the border patrol will interrogate you.



# Avoid *notarios*



- ❖ Be careful with *notarios*. They are not attorneys, and they are not permitted to prepare immigration filings
- ❖ Be careful with attorneys who guarantee or promise specific results.
- ❖ Keep your receipts and representation agreements.
- ❖ Ask nonprofit legal service providers for referrals. Contact the Michigan Immigrant Rights Center 734-239-6863 for a private attorney referral list.

# Part II



## Encounters with Immigration

# General information



- ❖ **Don't lie** or give false names or documents to any employer or U.S. government agent.
- ❖ **Don't give any information about your immigration status** to any government agent without consulting with an attorney.
- ❖ **Do give your name.**



# General information



- ❧ **Do not tell** the government agents what country you come from.
  
- ❧ Make sure to **use your full name** with the government agents
  - ❧ For example: Ana María Martínez González
  - ❧ If you use false names, your family will be unable to find you.

# In your house



- ❧ Do not open your door to immigration enforcement/ICE.
- ❧ Law enforcement cannot enter your house unless they have a warrant **signed by a judge** OR you give them permission to enter. ICE generally does not have a judicial warrant.
- ❧ If you open the door at all, ICE may claim you gave permission to enter.
- ❧ Inform all of your family and children of this requirement for entering your house.

# In your house



- ❧ If an ICE or police officer enters your property without a warrant, do not oppose with physical resistance.
- ❧ Ask for names and identification numbers from the officers and tell that they do not have your permission to enter.
  - ❧ Write down names, addresses, and phone numbers of any person who was a witness to the incident.
- ❧ Ask for permission to observe while the search is ongoing
  - ❧ Take note of the things you see and the things that are taken



# In your car



- ❖ Stop your vehicle in a safe place as soon as possible.
- ❖ Stay in your car, turn on your interior lights, open the window, and place your hands on the wheel.
- ❖ Show your license, registration, and insurance if you have them.
- ❖ **Do not show false documents**
- ❖ The driver, along with the passengers, has the right to remain silent.

# In your car



- ❖ The police cannot search your car without a warrant
  - ❖ Do not consent to the police searching the vehicle
- ❖ If you have documents that show your right to be in the United States, always keep them with you and show the officer.
  - ❖ Failure to show those documents could result in your arrest

# On the street



- Ask if you have the right to leave
  - If s/he says yes, walk away calmly
- You can tell the officer that you decline to continue answering questions at any point



# At work



- ❧ If an ICE agent is at your workplace, remember that you have the right to remain silent
- ❧ Do not give information about your immigration status or where you were born
- ❧ **Never say** that you are an American citizen unless you are.
- ❧ You do not have to line up according to your immigration status.

# At work



- 🐜 Ask to be let go, but do not run
  - 🐜 The agents might think that you don't have papers and could chase after you
- 🐜 Do not sign any paperwork (that you do not understand)
- 🐜 Do not show false documents



# Part III



After being detained

# In detention



- You have the right to remain silent. This is your right under the Fifth Amendment
- Feel free to show the card about your rights
- Contact/consult an immigration attorney



# In detention



- ❖ You do not have to answer questions about:
  - ❖ your country of birth, your nationality, nor the manner in which you entered the United States
- ❖ Of course, never say that you are an American citizen unless you are

# In detention



- ❧ **Do not sign any paper** until you have consulted with an attorney
- ❧ Obtain the name, agency, ID#, and telephone number of any officer detaining you
  - ❧ You have the right to ask for this information.
- ❧ **Ask for bond** so that your family can help you be released

# In detention



- ❧ You have the right to an attorney
  - ❧ Talk to an attorney because immigration law is quite complex and it is important that you understand all of your options
  
- ❧ You have the right to contact your embassy/consulate
  - ❧ Ask the agent to notify your embassy/consulate
  
- ❧ If you are arrested, you have the right to know why

# In detention



- ❧ Tell the officer **and** your attorney that you are scared to return to your home country, if that is true.
- ❧ Do not make any deal or sign any papers without understanding the consequences
- ❧ The system to find detainees online is <http://locator.ice.gov> or by phone at (313) 568-6049 in Michigan
  - ❧ Another option: <https://vinelink.dhs.gov/>

# In detention



- ❧ According to federal guidance, a person should be released by local law enforcement within 48 hours after paying bond or being allowed to go.
- ❧ If detained longer, contact an attorney right away to be released
- ❧ **It is unlawful** to be detained for longer than 48 hours after being otherwise allowed to leave by local law enforcement

# If you are charged with a crime



- ❖ Some penalties for criminal acts and some deals made with the police or prosecutor can have **significant immigration consequences**
  - ❖ including deportation or an inability to return to the United States, ever.
  - ❖ even if the police officer, prosecutor, or judge says that it will disappear from your record
- ❖ An immigration attorney can advise you fully about what the immigration consequences can be and could help you minimize these



# Detention and your kids



- Find someone who you trust and is able to care for your kids
- If you are detained and your children are in school and nobody will be home, the State of Michigan, through Child Protective Services (CPS), can take temporary custody of them.
- You can ask a friend or family member to care for them
- If possible, write a Power of Attorney
  - Note: Power of Attorney expires after 6 months.



# Part IV



## Conclusion

# Remember your rights

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- You have the right to remain silent
- You have the right to review an arrest or search warrant
- You have the right to talk to an attorney
- You have the right to make a phone call
- You have the right to notify your embassy/consulate

# Our information



Michigan Immigrant Rights Center

[www.michiganimmigrant.org](http://www.michiganimmigrant.org)

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