

TRAIN THE TRAINER: KNOW YOUR RIGHTS

ICE RAIDS IN THE COMMUNITY

March 2017





Immigrant Defense Project promotes fundamental fairness for immigrants accused or convicted of crimes.

We have been monitoring Immigration and Customs Enforcement (ICE) community arrests for over three years.



The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the U.S. Constitution.

Through Freedom of Information Act requests and litigation, we fight back against abusive immigration practices.

CLEAR

The CLEAR (Creating Law Enforcement Accountability & Responsibility) aims to meet the needs of NYC-area communities particularly affected by law enforcement's deployment of counterterrorism policy.



CLEAR



IMMIGRANT
DEFENSE
PROJECT

We are here today because many immigrants fear being arrested by ICE or profiled by law enforcement in their own communities.

AGENDA



1. CONTEXT
2. WHAT IS ICE?
3. WHO IS AT RISK OF BEING PICKED UP BY ICE?
4. WHERE HAVE WE SEEN ICE PICK PEOPLE UP?
5. HOW HAS ICE BEEN CONDUCTING RAIDS?

Use this information to tailor and inform your presentation

6. WHAT ARE YOUR RIGHTS?
7. STRATEGIES
 - a. WHEN YOU TRAVEL
 - b. WHEN ICE IS AT YOUR DOOR
 - c. WHEN ICE IS INSIDE YOUR HOME
 - d. WHEN ICE APPROACHES YOU IN PUBLIC
 - e. WHEN ICE STOPS YOU IN A CAR
8. FAQs & NOTES ON TRAINING

Convey these rights and strategies to your community

1.

CONTEXT

**Over the years,
immigration
authorities have
shifted amongst
different groups of
people to target
for deportation.**



One recent focus is deporting “criminal aliens.”

The federal government continually redefines who should be deemed a “criminal” and justifies its actions by citing vague public safety concerns.



Law enforcement has targeted Muslim, Arab, and South Asian communities.

It justifies indiscriminate profiling and harassment of these communities with unspecified claims about counter-terrorism and national security.

The logo for CLEAR, consisting of the word "CLEAR" in a bold, white, sans-serif font with a black outline, set against a black rectangular background that is slightly tilted.

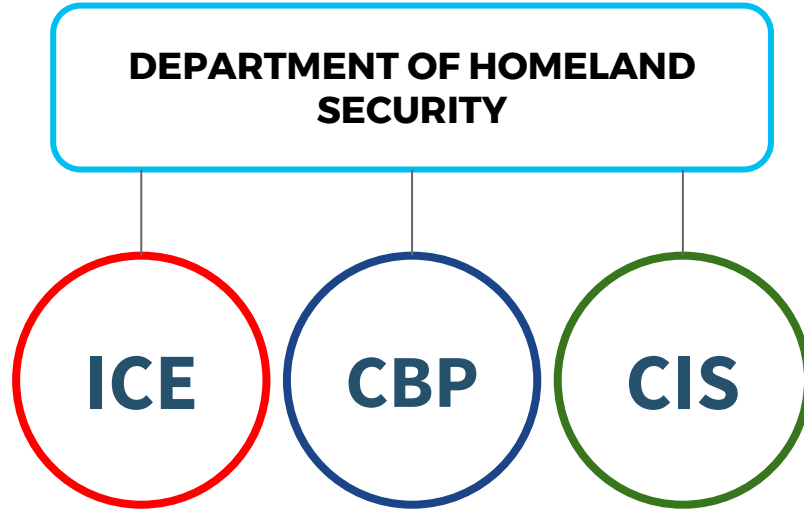


The federal government has used dehumanizing terms like “criminal” or “illegal” to justify the detention & deportation of millions of people.

2.

WHAT IS ICE?

ICE = IMMIGRATION AND CUSTOMS ENFORCEMENT



SINCE 2003,
ICE ENFORCES U.S.
IMMIGRATION LAWS BY
ARRESTING PEOPLE THE
FEDERAL GOVERNMENT
WANTS TO DEPORT



3.

**WHO IS AT RISK OF
BEING PICKED UP BY ICE?**

AT RISK OF BEING PICKED UP BY ICE



**PEOPLE WHO ARE
“REMOVABLE” UNDER
IMMIGRATION LAW**

PEOPLE WHO ARE REMOVABLE UNDER IMMIGRATION LAW

People present
in the U.S.
after being
ordered
removed.

People
without lawful
immigration
status

People with lawful
immigration status
who have certain
criminal priors

AT RISK OF BEING PICKED UP BY ICE



PEOPLE WHO ARE UNDOCUMENTED*

*This includes people who overstay a visa or enter without permission.

AT RISK OF BEING PICKED UP BY ICE



**PEOPLE WHO HAVE
BEEN ORDERED
DEPORTED***

*and have final orders of deportation

AT RISK OF BEING PICKED UP BY ICE



**ANYONE WHO IS NOT A U.S.
CITIZEN & HAS HAD
CONTACT WITH THE
CRIMINAL JUSTICE SYSTEM***

*This could include cases that were resolved with non-criminal violations, sealed cases, misdemeanor or felony convictions, and cases where there was no jail time.

4.

**WHERE HAVE WE SEEN ICE
PICK PEOPLE UP?**

TRADITIONAL TRIGGER POINTS



- **Some Jails**
- **Airports & Ports of Entry**
- **Residences**
- **In the Community**

SOME JAILS

- **This depends on local policy.**
- **Arrests can trigger action by ICE b/c in many places local enforcement cooperates with ICE.**



AIRPORTS & PORTS OF ENTRY

If someone removable tries to reenter the U.S. from abroad, it can trigger action by immigration authorities.

RESIDENCES

Private houses

Apartments

Shelters

Supportive housing



IN THE COMMUNITY

On the street

At criminal courthouses

At probation/parole

At CBP checkpoints



WHAT CHANGES COULD WE SEE?

- Uptick in enforcement actions
- Return of large-scale workplace raids
- Collateral arrests
- ICE in courthouses beyond criminal court



WORKPLACES?

- There have been some “targeted” arrests at and around workplaces
- Advocates anticipate that there could be a return of general workplace raids



COLLATERAL ARRESTS?

- Although ICE generally targets a particular non-citizen, sometimes they also arrest other non-citizen witnesses who are present. These are called “**collateral**” arrests.
- Advocates anticipate the return of more frequent collateral arrests



UNDER ICE POLICY, THEY SHOULD AVOID PICKING PEOPLE UP AT:



- Schools
- Religious institutions & funerals
- Hospitals
- Protests/public demonstrations

Note: This is current ICE policy and may change.
See ICE memo on sensitive locations at [ice.gov](https://www.ice.dhs.gov).

How do we address fear in communities?



● Responsible sharing of information.

- Try to verify information before putting it out in public
- **Do not** share unverified raids on social media even if you think it comes from a responsible source
- Verify information *first* to maintain credibility & not increase fear
- See DRUM guide to sharing raids on social media: <http://bit.ly/2I5cnuF>

● **Connect with local organizations**

- Share & verify information first with local groups
 - Many local groups are monitoring ICE activity so can help with verification of what has seen
- If you witness something, take a photo & share with local groups

**Today we will focus
on travel, home &
street arrests.**

5.

HOW HAS ICE BEEN CONDUCTING RAIDS IN COMMUNITIES?

WHAT IS A RAID?

We use “raid” to mean any ICE arrest in the community *regardless* of how many people are arrested.

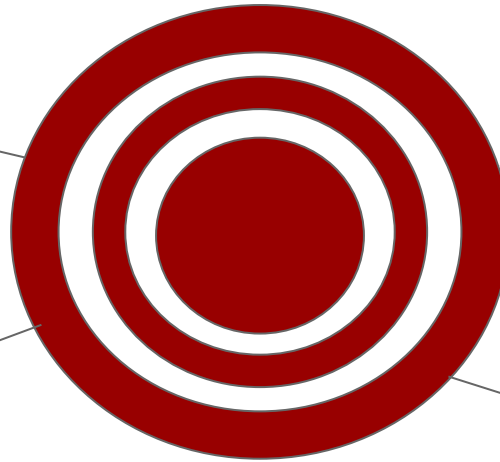
This recognizes the trauma that ICE actions inflict on not only the individual arrested but also to witnesses, families, & communities. We often use the term “raid” interchangeably with “arrest”.

First ICE identifies a person to target.



Info from law enforcement

Immigration application



Person attempting to re-enter U.S. from abroad

Random searches of local enforcement databases



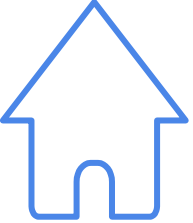


ICE uses database info & surveillance to identify possible location of person.

ICE agents look for the person in the community.



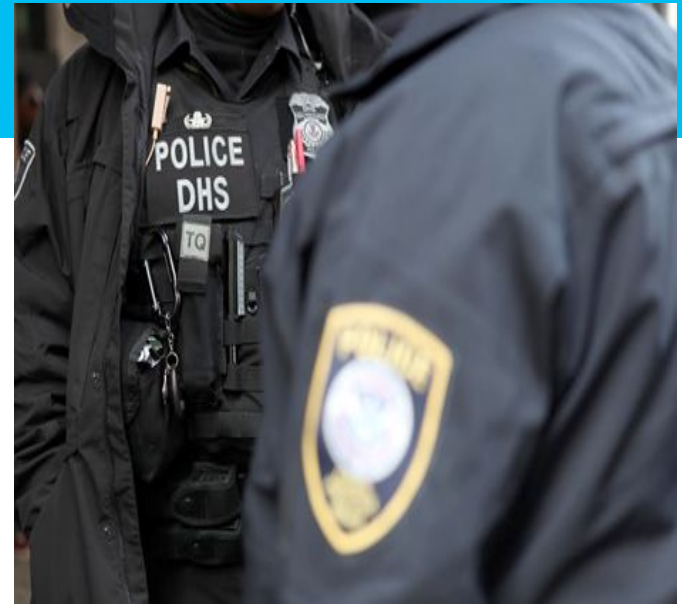
**If ICE agents see the person in a public space,
they confirm identity & detain them.**



**ICE also goes to & enters
homes to find and detain
the person they've
targeted.**

ICE HOME RAIDS

- Come in the early morning (5-8 am)
- Multiple armed officers
- Dressed like police, in bulletproof vests that say “police” or in plainclothes
- May state that are “police” or “federal police”



TO ENTER OR SEARCH A HOME



1. ICE needs a warrant signed by a judge

OR

2. They need permission from a resident to enter

ICE typically **doesn't** have a warrant signed by a judge.

They usually have a document signed by an ICE supervisor which has the word “warrant” written on it.

Warrant for Arrest of Alien

File No. [redacted]
Event No. [redacted]
Date: October 20, 2010

To any officer delegated authority pursuant to Section 287 of the Immigration and Nationality Act:

From evidence submitted to me, it appears that:

[redacted]
(If full name of alien)
an alien who entered the United States at or near [redacted] on
March 1, 2003 is within the country in violation of the immigration laws and is
therefore liable to being taken into custody as authorized by section 236 of the Immigration and
Nationality Act.

By virtue of the authority vested in me by the immigration laws of the United States and the
regulations issued pursuant thereto, I command you to take the above-named alien into custody for
proceedings in accordance with the applicable provisions of the immigration laws and regulations.

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

Certificate of Service

Served by me at NASHVILLE, TENNESSEE on October 20, 2010 at 12:00 AM
I certify that following such service, the alien was advised concerning his or her right to counsel and was
furnished a copy of this warrant.

[redacted]
[redacted]
[redacted]
[redacted]

Form 1-2011 (Rev. 06/07/07)

ICE Rule 26 00145
ICE 2014-FOIA-01578-000260



SAMPLE ICE
'WARRANT'
DOCUMENT

This does not permit ICE to enter
or search a home

Where ICE doesn't have a proper warrant...

...they can't just enter a home without permission from someone who lives there.



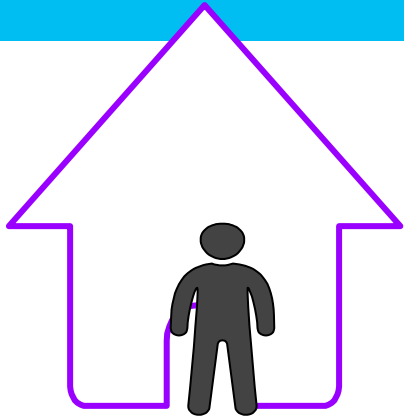
If ICE has a proper judicial warrant, they will enter the home regardless of whether they've been given permission to do so.

**IF ICE DOESN'T HAVE A WARRANT,
WHY WOULD SOMEONE LET ICE
INTO THEIR HOUSE?**

ICE uses **lies, tricks and
intimidation to get residents'
permission to enter the home.**



So how does ICE use lies and tricks to get into homes?





ICE agents often pretend to be the POLICE to get permission to enter a home.

Even if ICE lied to get inside, if they see the person they want to deport, they will arrest them.

LIES ICE HAS TOLD TO GET PERMISSION TO ENTER A HOME

- » **We need help w/criminal investigation**
 - » Looking for a criminal suspect/fugitive
 - » Want you to review photographs of criminal suspect
 - » Criminal suspect using your name
- » **We're trying to help the victim of identity theft/fraud**
- » **We need to talk to you about potential criminal issue**
 - » Need to look at your car b/c reported in an accident
 - » Need to look at your body b/c reported in a fight
 - » Need to talk to you about compliance with court case



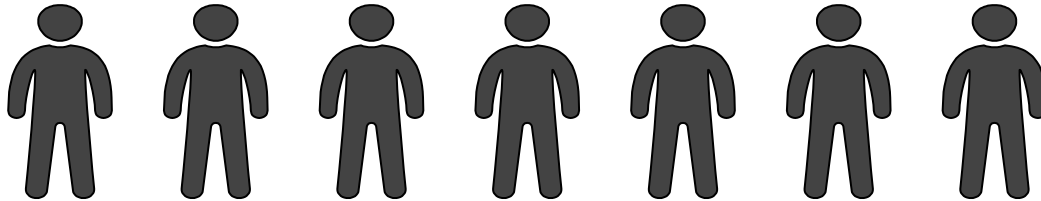
Once inside the home, ICE looks for the person they want to arrest.

Pretending to be police, ICE tries to get info from witnesses on where the person is or their phone #. If the person is not there, ICE often contacts the person to arrange a meeting while acting like police.



**Inside the home, if ICE sees
the person they are looking
for, agents detain
them.**

Once inside, sometimes the agents search the home.*



*without a proper search warrant, officers need permission to search unless it's for officer safety



TAKEAWAYS ABOUT ICE CONDUCT DURING COMMUNITY RAIDS

In order for individuals to exercise their rights, they have to understand what is happening in the moment.

Tell your audiences that ICE agents may lie about who they are and what they are doing there.



“National Security” Context

CLEAR

CLEAR

1a.

CONTEXT

REMINDER!

Law enforcement has targeted Muslim, Arab, and South Asian communities.

It justifies indiscriminate profiling and harassment of these communities with unspecified claims about counter-terrorism and national security.

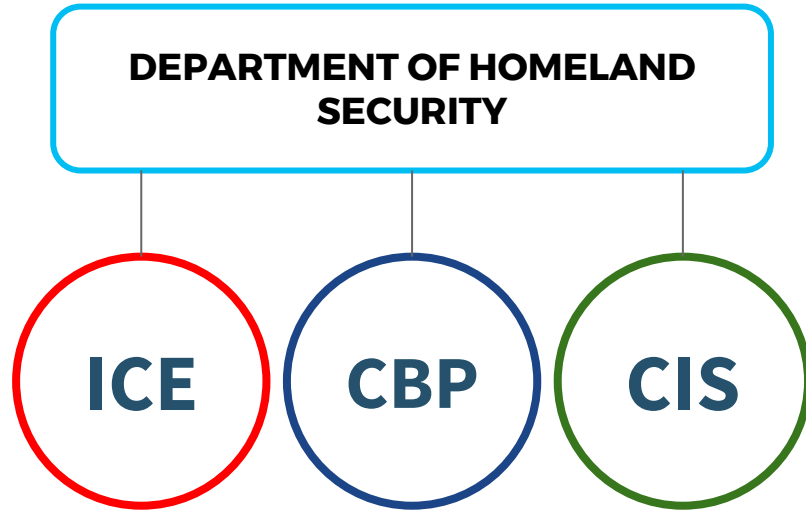
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CLEAR

2a.

WHO IS LAW ENFORCEMENT?

WHO IS LAW ENFORCEMENT?



CLEAR

BUT ALSO...



(est. 1980)

CLEAR

CLEAR

3a.

**WHO IS TARGETED, AND WHAT
ARE THE CONSEQUENCES?**

AT RISK OF BEING QUESTIONED BY LAW ENFORCEMENT

CLEAR

The Washington Post

Morning Mix

FBI questioned American Muslims in 8 states over weekend about possible pre-election terrorism, says civil rights group

By Katie Mettler November 7

A civil rights organization for American Muslims says the FBI questioned Muslims in at least eight states over the weekend seeking information about a possible threat from al-Qaeda to carry out pre-election terrorist attacks.

AT RISK OF BEING QUESTIONED BY LAW ENFORCEMENT



[S//NF] Exploiting U.S. Visa Data

Visa Basics

(U) Who issues visas?

- U.S. State Department

(U) What are the two types of visas?

- Immigrant (Legal Permanent Residents)
- Non-Immigrant (Temporary Status)

(U) Who has to get a visa?

- All foreign visitors (unless VWP)
- Visa Waiver Program (39 countries)

Visa Basics

• What does a visa look like?

Visa Basics

(U) How many non-immigrant (temporary) visas were issued in FY 2013?

9,164,349

Visa Basics

FY 2013 Visa Issuance			
Code	FY 2013	Previous	% Change
Immigrant	281,576	255,863	10%
Non-Immigrant	8,882,773	8,908,146	-0.3%
Total	9,164,349	9,164,009	0%
Refugees	71,200	75,968	-6%
Special Immigrant	38,319	38,319	0%
Employment	21,566	19,682	9%
Other	24,485	22,000	11%

Source: U.S. State Dept.

Exploiting Visa Data

Why exploit visa data?

- Identifying Strategic Trends
- Targeting – Source and Subject Identification
- Collecting Assessment Data
- Identifying Key Associates

Exploiting Visa Data

Visa data is found in 3 locations:

- USDT: State Department: Consular Consolidated Database (CCD) site
 - USDT: Consular Consolidated Database (CCD) site
- FBINET: Data Integration and Visualization System (DIVS)
 - USDT: Consular Consolidated Database (CCD) site

Exploiting Visa Data

- USDT: Consular Consolidated Database (CCD) site
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Exploiting Visa Data

Slides from an FBI/CBP training on exploiting U.S. Immigrants' visa data.

The Intercept.

WHAT ARE THE RISKS OF LAW ENFORCEMENT CONTACT?

- **CRIMINAL CONSEQUENCES**
 - FALSE STATEMENT CHARGES (18 USC §1001)
- **IMMIGRATION CONSEQUENCES**
 - Affirmative applications; reward & punishment
- **UNKNOWN CONSEQUENCES**
 - THEY KEEP COMING BACK!
 - IMPACT ON THE COMMUNITY

CLEAR

CLEAR

5a.

**HOW HAS LAW ENFORCEMENT
BEEN CONDUCTING THESE
ENCOUNTERS?**

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Law Enforcement *rarely* has a warrant to enter a home to conduct a 'voluntary interview.'

They instead rely on communities' lack of familiarity with their rights.

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Tell your audiences:

If Law Enforcement is asking for
your permission...

That means they need it!

TAKEAWAYS ABOUT LAW ENFORCEMENT CONTACT

Acknowledge to your audiences: This is not easy! It takes practice. Law enforcement will put pressure on you, but...

YOU HAVE THE POWER!

The logo for CLEAR, consisting of the word "CLEAR" in a bold, white, sans-serif font. The letters are slightly shadowed and appear to be on a dark, rectangular background that is tilted slightly to the right.

6.

**WHAT ARE YOUR RIGHTS DURING
AN ICE INTERACTION OR ARREST?**

EVERYONE HAS THE RIGHT TO...

- » REFUSE ENTRY TO YOUR HOME.**
- » REFUSE A SEARCH OF YOUR HOME.**
- » REMAIN SILENT.**
- » REFUSE TO GIVE INFORMATION ABOUT YOUR IMMIGRATION OR CRIMINAL HISTORY**
- » NOT SIGN ANYTHING.**



HOW TO INVOKE YOUR RIGHTS?

SAY:

**I DON'T WANT TO
ANSWER ANY QUESTIONS
WITHOUT A LAWYER.**

**REMAIN SILENT EVEN IF THEY
KEEP ASKING YOU QUESTIONS.**



If I don't speak English, should I still invoke my rights?

Yes! Invoke your rights *out loud* in whatever language you feel most comfortable.



ICE Raids & Language Issues



- At least one ICE officer is supposed to speak the known language of the individual they are targeting.
- **For training:** this is where practice and role play may be helpful. Practice various scenarios where individuals need to invoke their rights.

ICE THEM OUT

THINK:

- **NO INFO**
- **NO ENTRY**
- **NO SEARCH**

REPEAT OUT LOUD:

- I don't want to talk to you.
- I don't want you in my home.
- I don't want you to search.

If ICE is arresting you, the only thing you should tell them about is if you have **medical** or **childcare** needs.

DON'T SIGN ANYTHING.



Keep any papers ICE gives you. They will have important information to give to loved ones or a lawyer.

ALSO REMEMBER...

- **Don't lie to ICE.**
- **Don't physically interfere with an arrest. Doing this can harm you & loved ones.**

7. STRATEGIES AROUND CONTACT WITH ICE

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7-a.

STRATEGIES: WHEN YOU TRAVEL

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Can I refuse to be searched at the airport?

CBP's authority to search at the border is much broader than law enforcement's authority to search you on the street or at your home.

Searches: Your person

CLEAR

- Travelers are not required to go through the body scanners. You can ask for a pat-down instead.
- TSA can ask travelers to remove hijabs or other religious head coverings.

ASK

- » Can I be searched in a private area?
- » Can you please use the wand first?

Searches: Electronics

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CBP claims the authority to search and seize your phone without any level of suspicion or a warrant.

How to protect your electronics

CLEAR

DO

- Password protect your phone
- Turn off the Thumbprint ID
- Encrypt your phone

SAY

- “I do not feel comfortable giving you my password.”
- “My phone contains private information. I do not consent for you to search it.”

ASK

- If they take your phone, ask for a receipt.

Questioning at the airport

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Unlike questioning at home, on the street, in your car, etc., there are certain questions you must answer if questioned at the airport.

However, there are many questions that you are not required to answer.

Questions you must answer

CLEAR

- Identity: Name, date of birth, place of birth, address, anything else on your passport or other form of ID.
- Immigration status:
 - When did you get your green card?
 - What kind of visa did you have before you became an LPR?
- Current travel:
 - Where did you go? How long did you stay?
 - What was the purpose of your trip? How much money are you carrying?
- Employment

Questions you do not have to answer:

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- What mosque do you go to?
- Are you Salafi?
- How often do you pray?
- Do you listen to religious lecturers online? Who are your favorite lecturers?
- Is your family religious?
- What do you think about ISIS?
- What do you think about President Trump?
- What do you think about the travel ban?
- What do you think about what's happening in Syria?
- What do you think about the Sudanese (or any other) government?

Questions do you not have to answer, cont.

- What are your friends' names?
- Do you know X? How long have you known X?
- What is your uncle's name?
- Do any of your friends express anti-American views?
- Why did you travel to Egypt in 2011?
- What were you doing there?
- Who did you meet while you were there?
- Who paid for your tickets?

CLEAR

If you are asked questions about religion, political views, prior travel, etc.

SAY

“I do not feel comfortable answering that question.”

“I do not feel comfortable answering these questions without an attorney present.”

***You will not be able to access an attorney in secondary screening.**

CLEAR

7-b.

**STRATEGIES: WHEN ICE IS AT
YOUR DOOR**

GENERAL RULE

People at risk have less protection against arrest once ICE sees them.

So, if someone in a home is at risk of deportation, keep ICE out of the home.

Best chance of this is to **verbally deny ICE permission to enter.**



ICE AT YOUR DOOR: THE BASICS



THINK:

- **NO INFO**
- **NO ENTRY**
- **NO SEARCH**

1. DO NOT OPEN THE DOOR.
2. IDENTIFY WHO IS THERE: ASK FOR ID & WARRANT.
3. DON'T ANSWER QUESTIONS ABOUT YOURSELF OR LOVED ONES.

DO NOT OPEN THE DOOR



especially if you don't know who
it is.

Important because:

- It keeps ICE out if they don't have a judicial warrant.
- It prevents them from seeing anyone they can arrest and detain.

If I open the door to see who is there, does this give ICE permission to enter?

NO. Generally, opening the door itself is not permission for ICE to enter the home. If they push the door open, invoke your rights and **say:**
“I don’t give consent for you to enter my home. Please leave.”





Interacting with ICE at the door

For training: remember, if ICE sees the person they are targeting, they will arrest them regardless of whether they had permission to enter the home.

IF UNSURE WHO IS AT THE DOOR



**TRY TO FIGURE OUT WHO THEY ARE
*BEFORE ANSWERING ANY QUESTIONS.***

- Ask to see ID.
- Ask them to slide a card under the door.
- Ask, “Are you NYPD*?”
- If yes, ask what precinct they are from.

* or from your local police department

IF UNSURE WHO IS AT THE DOOR, con't.

Even if they say they are the police:

- **Ask if they have a warrant**
- **Ask to slip the warrant under the door**

Take a photo of anything slipped under the door.



ICE “WARRANT” = NO ENTRY



**Remember: ICE usually
doesn't have a warrant signed
by a judge.**

**This means they can't come in
when you say no.**

...and if they do enter, it may help you in court.

A NOTE ABOUT TRAINING ON WARRANTS

It can be hard to identify the type of warrant ICE may show.

Decide whether to train to ID an ICE warrant & deny entry or just to keep the door closed and deny entry.

Remember, if it's a proper warrant, ICE is coming in regardless.



DO NOT GIVE ANY INFO



ESPECIALLY ABOUT:

- Who is home
- Who lives there
- Where loved ones are
- Where you were born
- Immigration/criminal history

DO NOT GIVE ANY INFO, con't

IF ICE IS ASKING QUESTIONS OR LOOKING
FOR A LOVED ONE, DON'T LIE.

SAY:

**I DON'T WANT TO TALK TO
YOU. PLEASE LEAVE.**

You can ask them to leave their contact info.



WITH THE DOOR CLOSED

(or even if you have unintentionally opened the door)

SAY:

**I DON'T WANT YOU TO
COME IN. PLEASE LEAVE.**



7-C.

**STRATEGIES: WHEN ICE IS INSIDE
YOUR HOME**

ICE IN YOUR HOME: THE BASICS



THINK:

- **NO INFO**
- **NO ENTRY**
- **NO SEARCH**

1. ASK THEM TO LEAVE THE HOME.
2. DON'T ANSWER QUESTIONS ABOUT YOURSELF OR LOVED ONES.
3. DON'T GIVE THEM PERMISSION TO SEARCH.
4. DON'T GIVE THEM DOCUMENTS.

**ASK THEM TO LEAVE, EVEN IF
THEY ARE ALREADY INSIDE.**



**SAY: I DON'T WANT YOU IN MY
HOME. PLEASE LEAVE.**

Repeat this as long as they are inside.



If ICE has a judicial warrant, they may stay. Otherwise, they should leave.

Note: If they already see the person they want to deport, they will detain that person.

If you tell them to leave & they don't, it may help in court.

DO NOT GIVE ANY INFO



ESPECIALLY ABOUT:

- Who is home or who lives there
- Where loved ones are
- Where you were born
- Immigration/criminal history

SAY: I DON'T WANT TO TALK. PLEASE LEAVE.



DON'T LET THEM SEARCH YOUR HOME

**SAY: I DON'T WANT YOU TO SEARCH
MY HOME. PLEASE LEAVE.**

Repeat this wherever they search.



They may search anyway if they have a judicial warrant or claim it is for “officer safety.”

Otherwise, they should stop.

If you say don't search & they do, it may help in court.



DON'T GIVE THEM FOREIGN OR FALSE DOCUMENTS

ICE often asks people in the home to bring them the identity documents of the person they want to arrest.

Don't give them foreign or false documents. ICE wants documents to deport the person. A false document can lead to criminal prosecution.

DON'T GIVE THEM FOREIGN OR FALSE DOCUMENTS, con't



Okay:

Municipal ID card,
library card, U.S.
driver's license, U.S.
green card

Not okay:

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

If ICE asks to fingerprint me, do I have to let them?

If you are under arrest, it is legal for ICE to fingerprint you as part of the booking process.



If ICE asks to fingerprint me & I'm not under arrest, do I have to let them?

You may refuse fingerprinting but should be aware that this may result in an ICE arrest. **Say: NO. I DO NOT CONSENT TO HAVING YOU TAKE MY FINGERPRINTS.**

Do not physically resist if ICE fingerprints you. Repeat that you do not consent.



If I'm not under arrest and ICE asks for my documents, do I have to give them?

NO. If ICE asks for your documents **say: I DO NOT CONSENT TO GIVING YOU MY DOCUMENTS.**

Do not physically resist if ICE takes your documents. **Repeat** that you do not consent.



7-d.

**STRATEGIES: WHEN ICE
APPROACHES YOU IN PUBLIC**

ICE ARREST IN PUBLIC: THE BASICS



THINK:

- **NO INFO**
- **NO SEARCH**
- **NO DOCS**

1. ASK IF YOU ARE FREE TO GO
2. STAY SILENT
3. DON'T GIVE THEM FOREIGN/FALSE DOCUMENTS
4. DON'T GIVE THEM PERMISSION TO SEARCH



**IF ICE APPROACHES YOU IN
PUBLIC, IMMEDIATELY ASK:
AM I FREE TO GO?**

IF YES, WALK AWAY!



REMAIN SILENT.

**IF OFFICERS SAY NO, YOU ARE
BEING DETAINED,**

**SAY: I DON'T WANT TO TALK
WITHOUT LAWYER.**

Then, stay silent or repeat this to answer all their questions.

If ICE asks me, do I have to give my name?

Depends on the state. Investigate whether your state has “stop and identify” laws requiring individuals to provide their name to law enforcement.





Telling ICE your name: Considerations

- Before giving your name, identify who is questioning you (ICE, police, FBI, etc).
- Your name could be incriminating and you can use your right to remain silent.



DON'T GIVE THEM FOREIGN OR FALSE DOCUMENTS

Okay:

Municipal ID card,
library card, U.S.
driver's license, U.S.
green card

Not okay:

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

If ICE asks for it, do I have to give my ID/passport?

No. You have a right to refuse to give your ID/passport. **Say: I DO NOT CONSENT TO GIVING YOU MY DOCUMENTS.**

But consider...



Giving ICE ID: Considerations

- Before giving ID, identify who is asking you for it.
- **For training:** important to assess the situation. Will refusal escalate the situation? If you have a valid ID that does not show place of birth, better to give this than a foreign-issued document.

Should I carry proof of my immigration status on me?

If you have valid status, you must carry proof. This includes green card holders.

For training: assess importance of carrying around docs against risk of violating laws requiring it.



**DON'T GIVE ICE PERMISSION TO
SEARCH YOU OR YOUR
BELONGINGS.**



**If they search you, say: I DON'T
CONSENT TO YOU SEARCHING
ME.**

**They may search anyway
(& claim it is for officer safety),
but you should still say you
don't consent.**

It may help you in court.

Is it okay to videotape ICE during an arrest?

Depends on the state. Investigate the laws of your state before training since this is a common question.

Also, consider...





Videotaping ICE: Considerations

ICE agents care mainly about their safety. Running to get a phone or reaching into your pocket could escalate the situation & be dangerous.

For training: train people to assess a situation before filming & about different ways to document a raid.

Can ICE take away my phone if I'm videotaping them?

If you decide to record a raid on your phone and ICE officers ask you to hand over your phone, don't physically resist them but **say: I don't consent to giving my phone. I don't consent to a search of my phone.**



7-e.

**STRATEGIES: WHEN ICE STOPS
YOU IN A CAR**

ICE CAR STOP: THE BASICS



THINK:

- **NO INFO**
- **NO SEARCH**
- **NO DOCS**

1. STAY SILENT
2. DON'T GIVE THEM FOREIGN/FALSE DOCUMENTS
3. DON'T GIVE THEM PERMISSION TO SEARCH THE CAR

CAR STOPS: WHAT IF ICE ASKS FOR ID?



The **DRIVER** of the car must give their ID

- *Hand over a valid driver's license or any document that does not show a foreign place of birth.*

CAR STOPS: WHAT IF ICE ASKS FOR ID?



PASSENGERS in the car do not have to give IDs

- If ICE agents threaten arrest and/or force to them show ID, do not physically resist. **Say: I do not consent to giving you my ID. Repeat this.**
- Ask if they are ordering you to hand over the ID before giving it to them.

ONCE I'M STOPPED, CAN ICE OFFICERS START SEARCHING MY CAR?



ICE cannot search a car without *permission*, including opening the trunk, glove compartment or any bag in the car, unless they have probable cause that there is evidence of criminal activity.



WHAT DO I DO IF ICE OFFICERS BEGIN TO SEARCH THE CAR?

Sometimes ICE will ask if they can search a car. Other times they just begin searching *even if it isn't lawful*.

If ICE asks to search a car – or begins searching – **say: I do not consent to a search & repeat** while they search.

5 GOLDEN RULES IN LAW ENFORCEMENT CONTACT



1. Don't Let Them In.
2. Don't Speak to Them Without an Attorney Present.
3. Ask for ID.
4. Tell Them Your Lawyer Will Call Them.
5. Don't Let Them Search Your Home.

8.

FREQUENTLY ASKED QUESTIONS



What can I do if I witnessed a raid?

- Document what happened & tell a lawyer *even if you are not a family member.*
- If you witness ICE violating your rights or the rights of anyone else, it may help the person facing deportation.
- **For training:** reminder that no one should interrupt an ICE arrest, it could escalate the situation. If person being arrested has medical or childcare needs, witnesses should inform ICE.



WHAT DO I NEED TO DOCUMENT?

- **Where/when was encounter with ICE**
- **How did ICE officers present themselves**
 - Pretend to be police? Refused to identify themselves?
- **What ICE agents said**
 - Lied to enter the home, intimidated anyone, or used verbal/physical force?
- **Whether consent was given**
 - Reaction if no consent to enter/search



WHERE DO I REPORT A RAID?

In New York, call IDP: 212-725-6422

In California, call TRUST hotline:

844-878-7801

In other states, call United We Dream:

844-363-1423 or find local hotlines



**Won't it appear suspicious if I
don't answer their questions? I
have nothing to hide!**

CLEAR

Will deleting photos, social media, other personal information protect me?

CLEAR

STRATEGIES FOR TRAINING COMMUNITY MEMBERS p. I

- Tailor it to your audience.
- Reach out to local orgs for local practices
- Create audience-participation role plays*
- Practice invoking rights & refusing to give information
- Crowdsourcing responses to questions
- Create a plan for answering unexpected questions

*think through how to do this ahead of time without triggering audience

STRATEGIES FOR TRAINING COMMUNITY MEMBERS p. II

- Discuss community defense strategies
- Create a list of resources
- Incorporate materials on emergency planning (child care, medical, financial)
- Encourage people who may be at risk to get screened by trusted agencies/advocates

OTHER QUESTIONS?



LOOKING FOR KYR MATERIALS AND RESOURCES?

For IDP's updated training & community education resources:

immdefense.org/ice-arrests



@immdefense



@immdefense



**MORE QUESTIONS WHILE PREPARING A LAW
ENFORCEMENT CONTACT TRAINING?**

**For CLEAR's updated training & community
education resources:**

cunyclear.org/links-materials/

Email: cunyclear@law.cuny.edu



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