

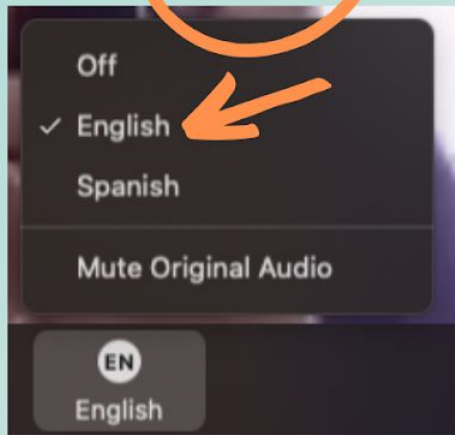
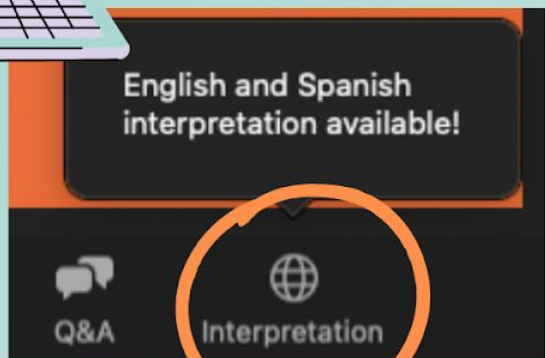
Be Informed:
Know Your Rights **ICE Raids**
(Session 2 of Our Workshop Series)

April 4, 2023

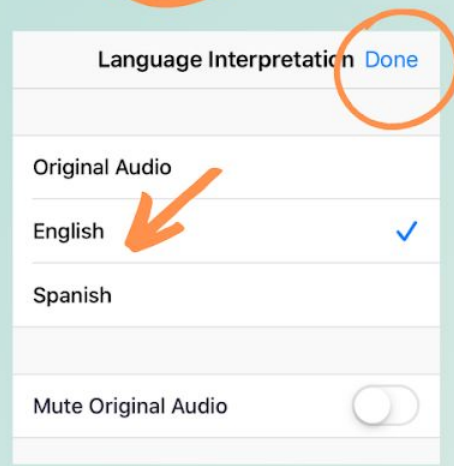
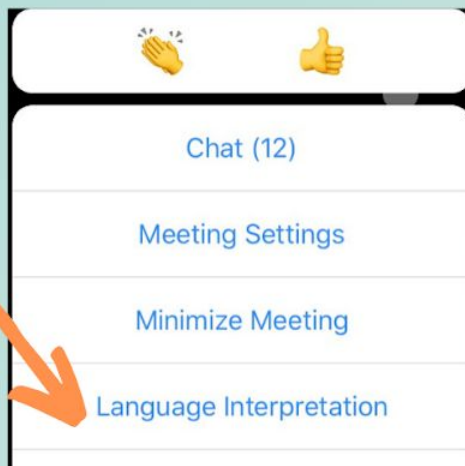
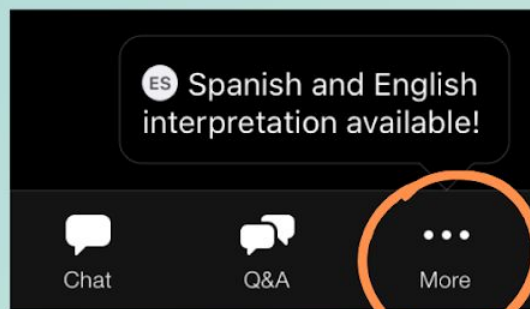
TO ACCESS INTERPRETATION



Via computer



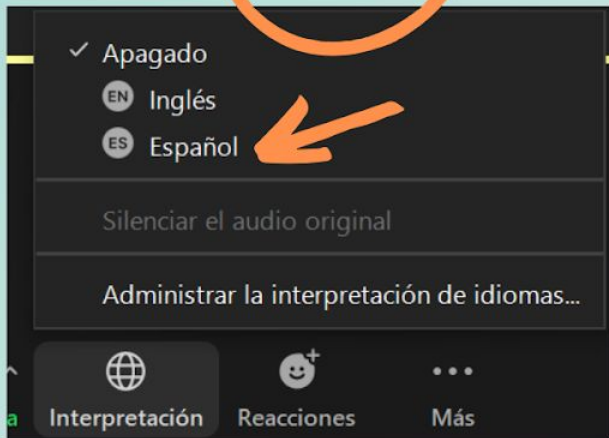
Via smartphone



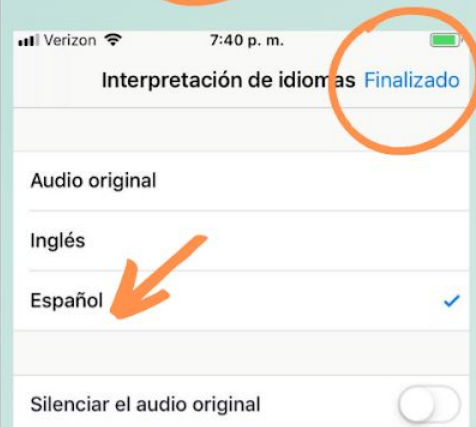
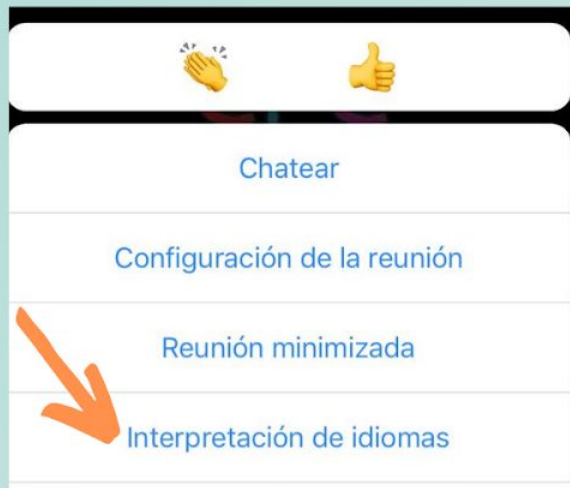
PARA ACCEDER A LA INTERPRETACIÓN



Por computador



Por teléfono inteligente



Housekeeping

- We're **recording** presenters and slides **only**
- **Spanish translation** is available
- Recordings and slides will be shared after Session 2
- Please put questions in the **chat**
- **Tech issues:** contact help@onpoint.pro

A note on language: for our training, we are using “noncitizen” to refer to people in the U.S. who are not U.S. citizens.

Who We Are

The **Immigrant Defense Project** fights to protect and expand the rights of all immigrants, with a particular focus on immigrants accused or convicted of crimes. We've spent a decade monitoring ICE policing and community arrests in the New York area.

The **Surveillance Resistance Lab** takes on state and corporate surveillance as one of the greatest threats to migrant justice, racial equity, economic justice, and democracy. We partner with organizers across movements to fight for government divestment from technologies that expand systems of control and punishment in public spaces, schools, workplaces, and at and across borders.

Today's Presenters

- **Gabby Dimaté**, Paralegal
- **Em Puhl**, Senior Staff Attorney

Workshop Series Agenda & Goals

Session 1: Baseline understanding of ICE policing

Session 2: Know Your Rights with ICE

- Review of Part 1
- Overview of Know-Your-Rights information in public and at a home
- What to do if you witness an ICE raid
- Discussion: Responses to ICE raids
- Resources and Q&A

STRATEGIES FOR A KYR TRAINING:

- Tailor the content to your audience.
- Contact and collaborate with local organizations.
- Discuss community defense strategies
- Be mindful that audience members may be dealing with past trauma from interactions with ICE or police.
- Create a plan for answering unexpected questions.
- Plan interactive activities to practice.

1

Overview of Part 1

All immigration agencies under DHS help identify people for ICE to target for deportation.



**Customs & Border
Protection (CBP)**
Border Patrol

**US Citizen & Immigration
Services (USCIS)**
Immigration Applications

**Immigration & Customs
Enforcement (ICE)**
Immigration arrests,
detentions, removals



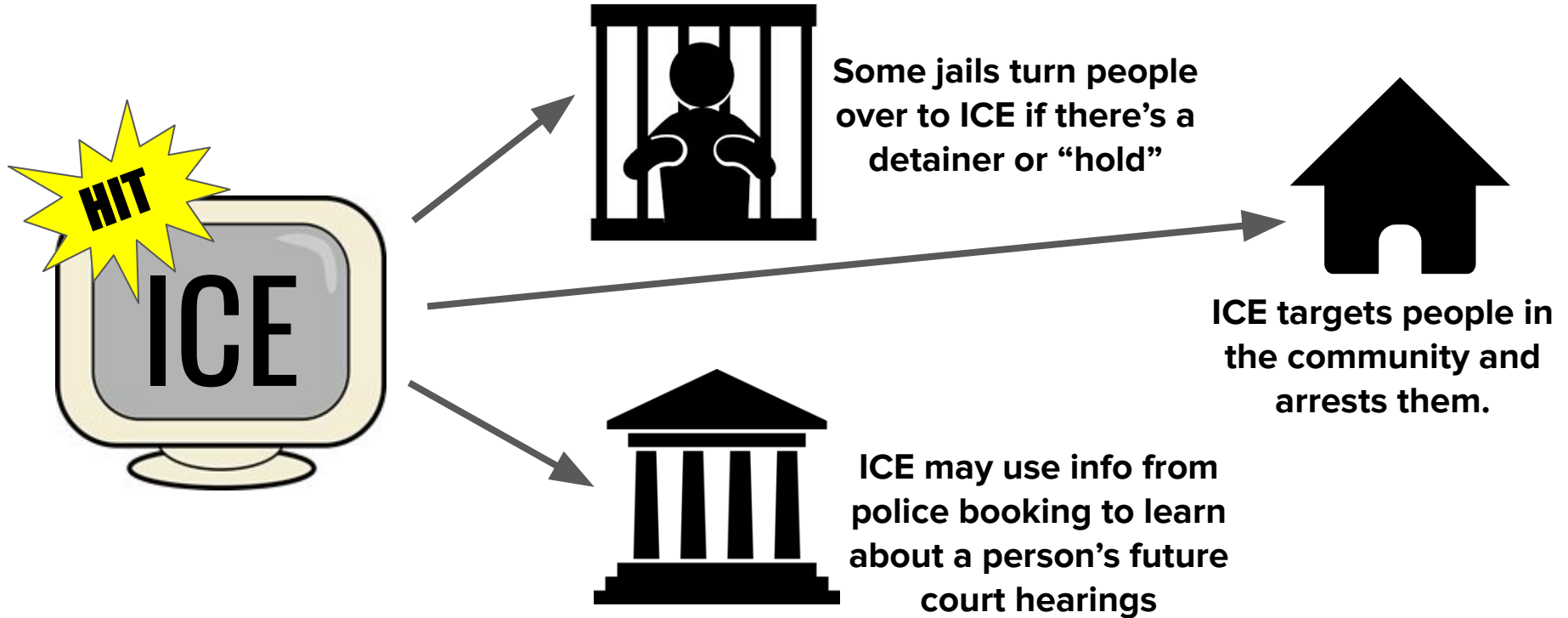
So what does ICE surveillance do?

- Denial of Rights
- Who does/does not belong

ICE relies on local police and the criminal legal system to identify and target noncitizens for arrest.



ICE then decides if they will try to deport the individual and where to find them



ICE Ruses and Intimidation

After ICE decides to arrest a person, they use two main tactics to ignore a person's rights:

Ruses:

Lies or tricks to prevent people from knowing that they are ICE officers

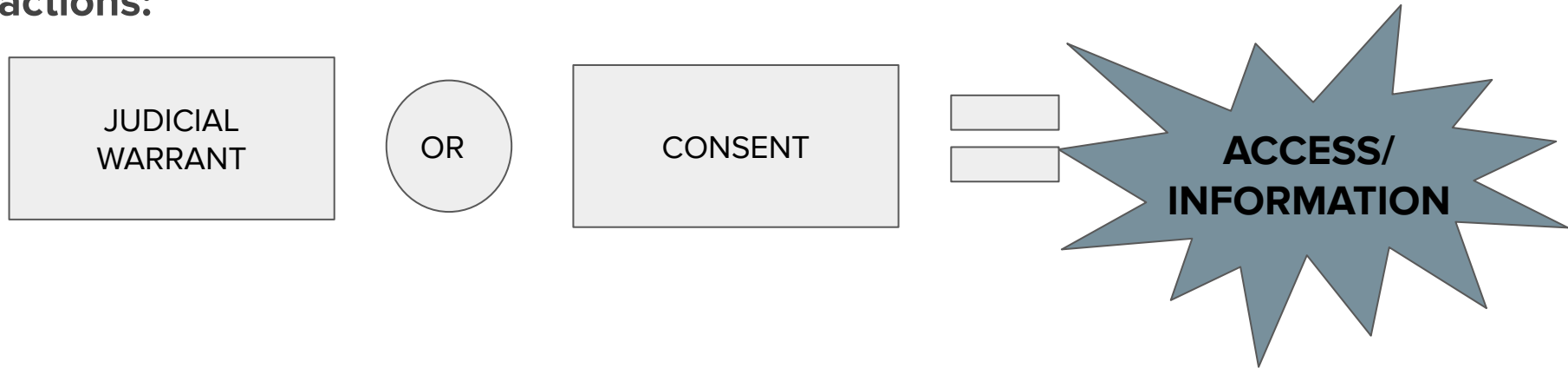
Intimidation:

Threats of harm (real and false) to scare a person

ICE uses these tactics to trick or convince people to follow their orders and claim that they have "consent" to take action.

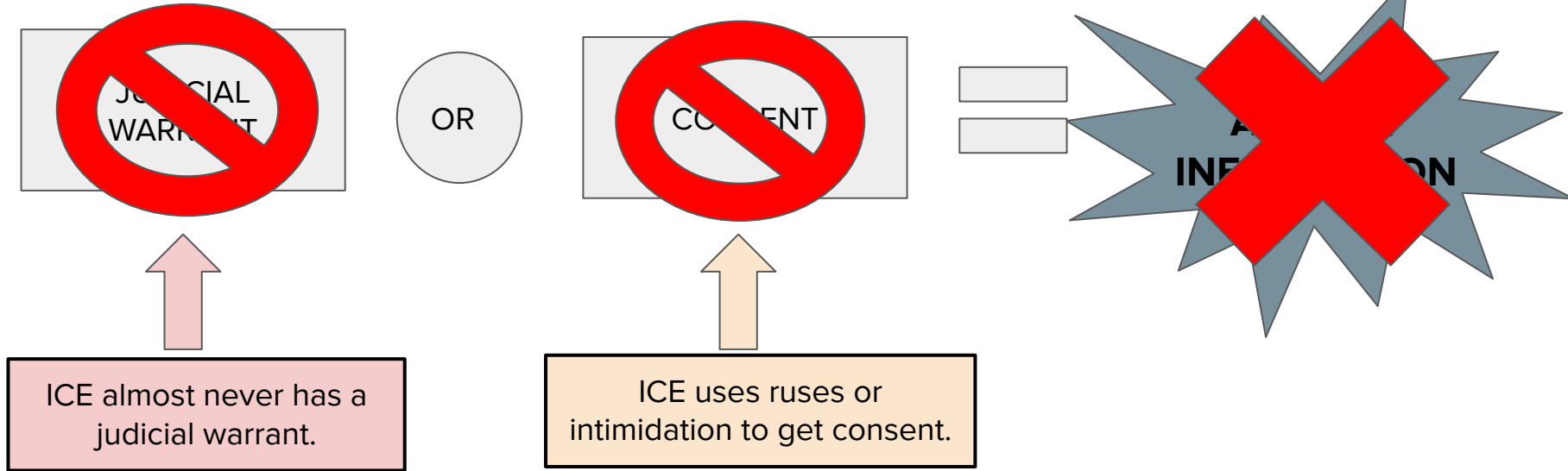
Why does ICE use ruses?

ICE officers are trained to use ruses to trick people into consenting to their actions:



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What are your rights
in public?

Know Your Rights: In Public Places

On the street

In public places in workplaces

At probation/parole

At courthouses

Driving or riding in a car

Know Your Rights: In Public Places

Important Points:

- ICE **doesn't need a judicial warrant** to arrest someone in public or to stop a car.
- ICE **usually knows the person** they are targeting and relies less on racial profiling.
 - This information could be gathered through surveillance or ruses
- ICE sometimes **collects information or fingerprints** from other people who are near an arrest.

Key Points: ICE ARREST IN PUBLIC

THINK:

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

1. Ask if you are free to go.
2. Stay silent.
3. Don't give false or foreign documents.
4. Don't give them permission to search.

★ These rights apply to everyone regardless of your immigration status.

What should I do if ICE stops my car?

ICE does **not need a judicial warrant** to stop a car.

Pull over and **ask questions** to find out if the officers are ICE and why they stopped you.

- **“ARE YOU THE POLICE?”**
- **“ARE YOU HIGHWAY PATROL?”**
- **“ARE YOU IMMIGRATION?”**
- **“WHY AM I BEING STOPPED?”**




BE SAFE!



ICE might not wait for you to roll down the window or get out of the car. They may try to open the door or break the window to pull someone out of the car.

What if ICE asks for my ID?

- If you are a **driver**:
 - ICE can demand your driver's license.
 - You still have the right to **remain silent**.
- If you are **not a driver**:
 - You have the right to **remain silent**
 - AND you can refuse to give an ID if ICE asks for it.*
 - SAY: **I DO NOT CONSENT TO GIVING YOU MY DOCUMENTS.**



**This could be different in each state. Talk to your local immigrant rights organization.*

IMPORTANT:

- DO NOT lie or show false or foreign documents.
- DO NOT answer any questions about your criminal or immigration history.

Can ICE search my belongings or my car?



ICE needs a judicial warrant or your consent to search anything!

- ICE **cannot** search your pockets without a warrant or your consent. SAY:

→ **I DON'T CONSENT TO YOU SEARCHING ME.**

- If officers search your belongings or your car, SAY:

→ **I DON'T CONSENT TO YOU SEARCHING MY BELONGINGS.**

→ **I DON'T CONSENT TO YOUR SEARCHING MY CAR.**

They may still search & claim it is for officer safety. You should repeat that you don't consent. It may help you in court.

3

What are your rights
at home?

Know Your Rights: Residences

Private houses

Apartments

Shelters

Supportive housing

Know Your Rights: Residences



Important Points:

- ICE needs a [judicial warrant](#) or [consent](#) to enter or search a home.
- ICE uses [intimidation and ruses](#) to prevent people from invoking their rights and to get inside the home.
- Some areas [just outside the home](#) are protected from ICE.

Know Your Rights: Residences

The home includes **curtilage**: the area immediately surrounding a home where home-related activities take place

Examples:

- ❑ Area just **outside a home entrance** (e.g. doorstep)
- ❑ **Garage** or driveway
- ❑ Space or yard **inside** of a closed **property fence or gate** (especially if locked!)
- ❑ **Hallways** inside of apartment buildings

****ICE must leave if they don't have a warrant AND you tell them they can't be there.****

Key Points: ICE AT YOUR HOME

THINK:

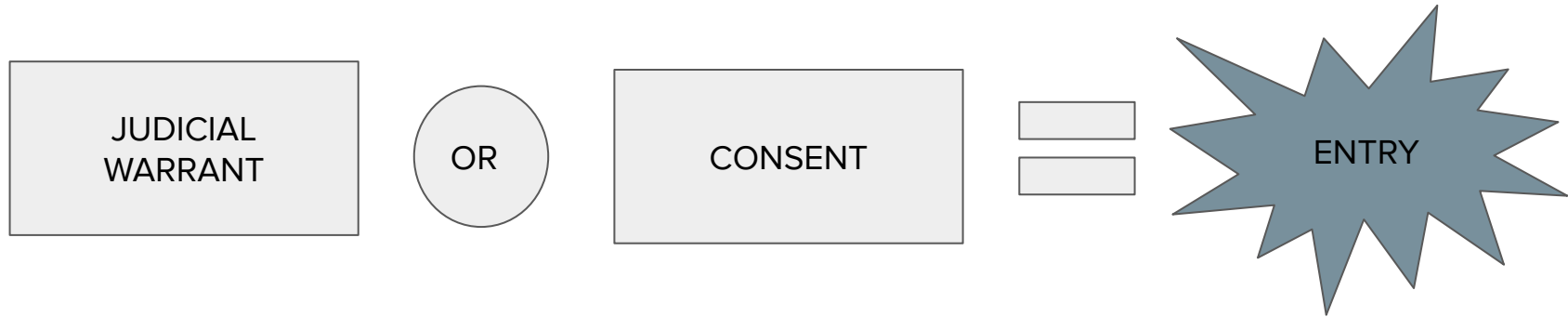
- **NO INFO**
- **NO ENTRY**
- **NO SEARCH**

1. Identify who you are talking to: ask for ID and a warrant.
2. Don't open the door. Ask ICE to leave.
3. If officers are inside, ask ICE to leave.
4. Don't give ICE documents or information.
5. Tell them you don't want them to search.

★ These rights apply to everyone regardless of your immigration status.

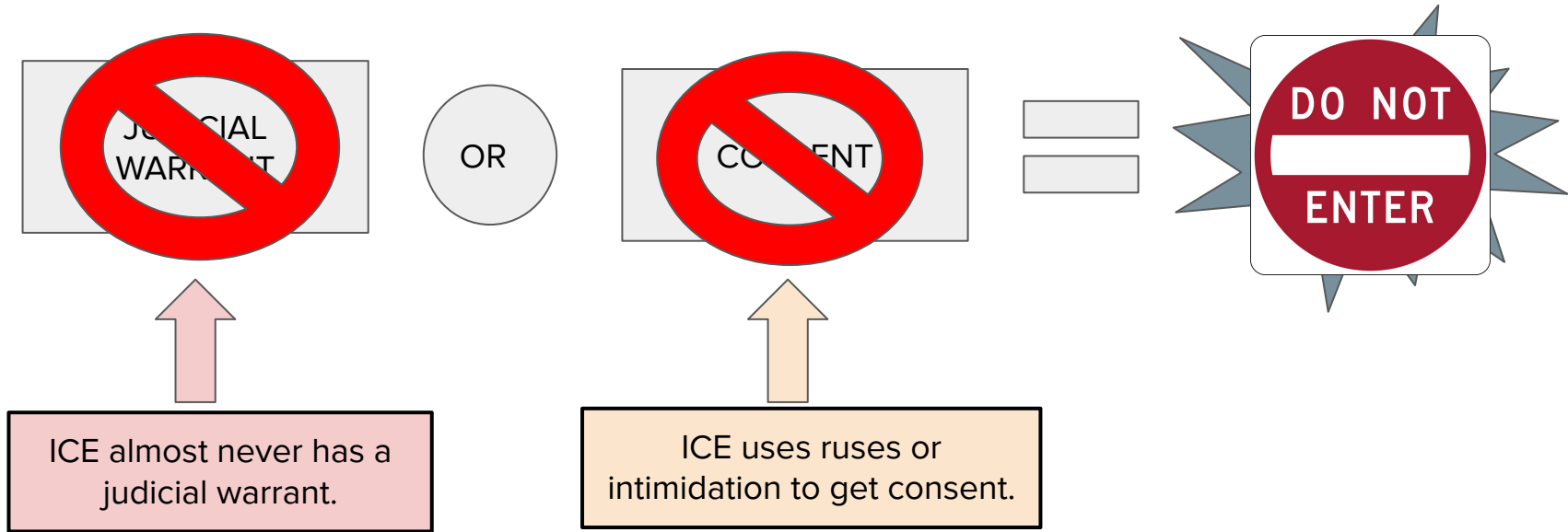
Why does ICE use ruses?

ICE officers are trained to lie to enter homes without a judicial warrant.



Why does ICE use ruses?

ICE officers are trained to lie to enter homes without a judicial warrant.



Immigration warrant = no entry

U.S. Department of Homeland Security

Warrant for Arrest of Alien

File No. (b)(6), (b)(7)(C) [REDACTED]
Event No. (b)(7)(C) [REDACTED]
Date: **October 20, 2010**

WING # (b)(6), (b)(7)(C) [REDACTED]

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

From evidence submitted to me, it appears that:
(b)(6), (b)(7)(C) [REDACTED]
(Full name of alien)

an alien who entered the United States at or near EAGLE PASS, TEXAS ON
March 1, 2003 (Date) 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.

(b)(6), (b)(7)(C) [REDACTED]
(Signature of Delegated Immigration Officer)
(b)(6), (b)(7)(C) [REDACTED]
(Delegated Immigration Officer)
BDDO
(Title)

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

They usually have a document signed by an ICE supervisor that has the word "warrant" written on it.

Administrative ICE warrants do not permit ICE to enter or search a home.

Examples of ICE ruses at homes



- **ICE officers pretend to be local police officers**
 - Say they are investigating crime or that they need to speak to a person in the home or at the precinct
 - Show a photo of a “suspect” to get information about people in the home
 - Say that the person missed a court date and the officers need to talk to them outside

- **Other types of ruses**
 - Say they are looking to hire for construction work on a house
 - Ask if anyone in the home would like to “discuss the bible”

Identify officers at the door

BEFORE opening the door or answering questions:

- Ask to see their **badge**
- Ask them for **their name** and to slide a card under the door.
- Ask: **ARE YOU NYPD (or local police)?**
- Ask them what **specific precinct** they work at
- Ask them if they have a **warrant** and to slide a warrant under the door. Take a photo of it!

If ICE Ignores Your Rights

If ICE agents force their way into a home or search without consent, you can still **say that you don't consent.**

Everyone can repeat these phrases in their best language:

- **I DO NOT CONSENT TO YOU BEING IN MY HOME.**
- **I DO NOT CONSENT TO THIS SEARCH.**
- **I DO NOT WANT TO GIVE YOU ANY DOCUMENTS.**

What to do if you witness an
ICE raid

Why should I document an ICE raid?

- You could help the person's legal case by video recording or writing down details, *even if you do not know the person being arrested.*
- Share this info responsibly with a trusted immigrant rights group in your community.
 - Try to verify information before putting it out in public
 - Do not share unverified raids on social media
 - DRUM published [a guide](#) to sharing raids on social media

What do I need to document?

- **Where and when was the encounter with ICE?**
- **How did ICE officers present themselves?**
 - Pretend to be police? Refused to identify themselves?
- **What did the ICE officers say?**
 - Lied to enter the home, intimidated anyone, or used verbal/physical force?
- **Was consent given?**
 - ICE officers' reaction if not given consent to enter/search

★ Find more information on [IDP's home raids poster!](#)

Be Safe While Recording a Raid

- You can film ICE as long as you don't "interfere" with their "duties" and don't do it in secret.
- **REMEMBER:** It could be dangerous to run to get a phone or reach into your pocket. *Be aware of the physical safety of everyone involved.*
- You can document a raid by taking a photo or by writing down what you witnessed after the fact.
- If ICE officers ask you to hand over your phone, don't physically resist them.
 - **SAY: I DON'T CONSENT TO GIVING YOU MY PHONE. I DON'T CONSENT TO A SEARCH OF MY PHONE.**

Discussion: Responses to ICE Arrests

Mentimeter - instructions!

Go to www.menti.com and use the code 6700 8088

 Mentimeter

Instructions

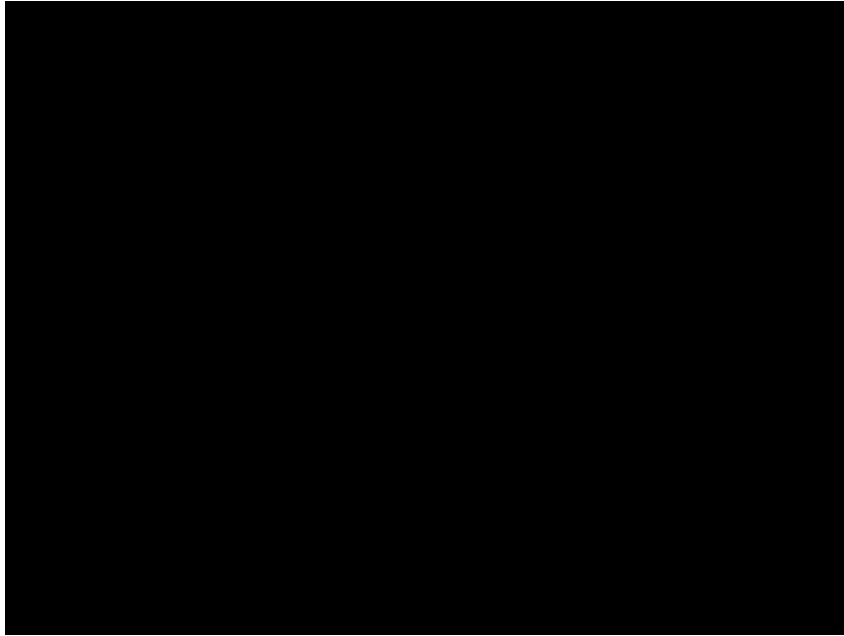
Go to
www.menti.com

Enter the code
6700 8088



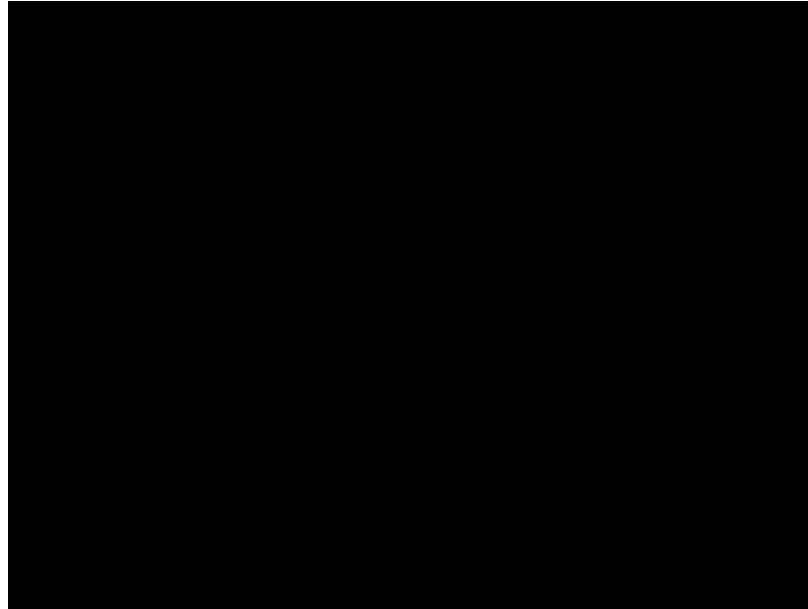
Or use QR code

Video of Car Stop



Footage of car stop in Hudson, NY on March 5, 2019.
Full video at: <https://www.youtube.com/watch?v=8z7HkHVP6oU>

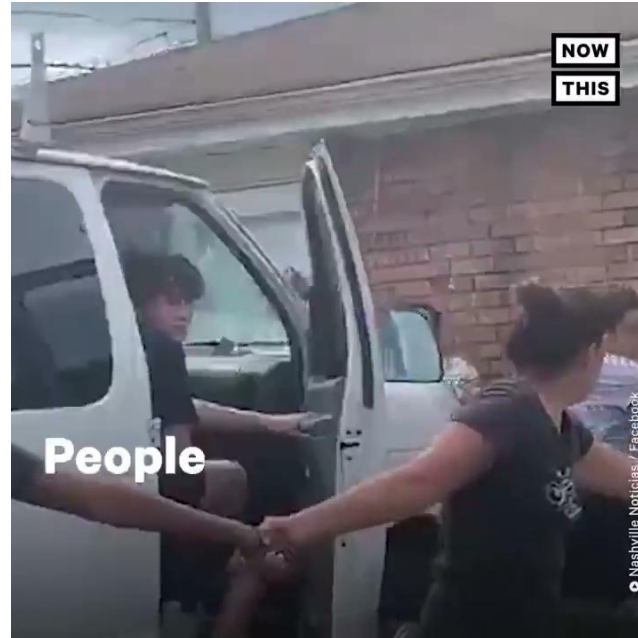
Video of ICE Arrest in a Home



Portland, Oregon - October 2017. Cell phone footage.

<https://www.youtube.com/watch?v=BjUCJf6PGJU>

Video of human chain



Tennessee - July 2019. NowThis News.
<https://www.youtube.com/watch?v=NAQ5A4pRtOU>

Resources and Q&A

IDP KYR Websites

www.immdefense.org/kyr

All of IDP's Know-Your-Rights materials:

- Posters and flyers
- Infographics
- Booklets

<https://knowyourrights.immdefense.org/>

KYR information in English and Spanish:

- Prepare for an ICE raid
- Know who is at your door
- What to do when ICE is here
- What to do if someone is detained



Immigrant Defense Project has been monitoring Immigration and Customs Enforcement (ICE) arrests in the community.

KNOW YOUR RIGHTS with ICE

Am I at risk of being arrested by ICE?
If you are potentially deportable, but ICE has common targets including:

Legal Permanent Residents (LPRs) with prior convictions Be aware: You may be a target even if...	Undocumented people with violations or convictions: Be aware: You may be a low target if...
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Other resources for organizers and advocates



- ❑ Make the Road - [Know Your Rights videos](#)
- ❑ Witness - [Documenting ICE at Your Door](#)
- ❑ Immigrant Legal Resource Center - [Know Your Rights Toolkit](#)
- ❑ United We Dream - [#HereToStay Toolkit](#)
- ❑ BDS and ACLU - [We have Rights Videos](#)
- ❑ DRUM - A [guide](#) to sharing raids on social media

Questions:

Em: em@immdefense.org

Gabby: gabby@immdefense.org

Train the Trainer KYR Series: www.immdefense.org/ttt

Immigrant Defense Project

www.immdefense.org



@immdefense

Surveillance Resistance Lab

www.surveillanceresistancelab.org



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