

# **Immigrant Defense Project Spring 2020**



## **Know Your Rights: ICE Raids**



# About Us

**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 have been monitoring Immigration and Customs Enforcement (ICE) raids and community arrests—with a focus on the New York City area—since 2013.



# Technical questions?

For technical issues with GoToWebinar, please see <https://bit.ly/34y3i4> or call 1-888-860-6814 to reach GoToWebcast.

For webinar link or registration questions, please contact Joseph Celestin at [joseph@immdefense.org](mailto:joseph@immdefense.org).

# Today's Presenters



- **Mizue Aizeki**, Deputy Director
- **Genia Blaser**, Senior Staff Attorney
- **Jose Chapa**, Senior Policy Associate
- **Em Puhl**, Senior Staff Attorney



# Agenda



1. **Who:** Who is at risk of ICE detention and deportation?
  2. **Why:** Era of mass deportation and the “criminal alien”
  3. **What:** What are the trends in ICE enforcement?
  4. **How:** How does ICE find people?
- Break** (5 minutes)
5. **Rights:** What are your rights when interacting with ICE?
  6. **Witnessing:** What to do if you witness an ICE raid
  7. **Resources and Q&A:** Resources for trainers and communities

# FORMAT OF TODAY'S TRAINING

- This is a Train the Trainer model and is meant to provide you with additional content and information that may be useful for giving your own KYR presentation.
- Throughout this training, we'll use slides labeled "context" to give you tips and background information.
- Some of the context slides will also provide tips for training on content.
- There will be time for Q& A at the end of the session. If you have questions during the session, enter them in the question box and someone will be moderating this.

# **STRATEGIES FOR A KYR TRAINING:**

## **Before the event**

- Tailor the content to your audience.
- Find local organizations to get more information about ICE practices and other resources.
- Plan interactive activities like role play to practice.
- Incorporate materials on emergency planning (child care, medical, financial).
- Create a plan for answering unexpected questions.

# **STRATEGIES FOR A KYR TRAINING:**

## **During the event**

- Discuss community defense strategies
- Encourage people who may be at risk of arrest to get screened by trusted agencies/advocates.
- Be mindful that audience members may be dealing with past trauma from interactions with ICE or police.

**Who is at risk of ICE  
detention and  
deportation?**

# A NOTE ABOUT IMMIGRATION STATUS

People often think only undocumented people are at risk of deportation but people with lawful status can also be at risk of deportation.

Immigration is complicated & many people are unsure about their status.

## **For example:**

- I came to the US as a child. I thought I got status through my parents but I don't know.
- I applied for something with an attorney but I don't know what happened.
- I was caught at the border and given paperwork I couldn't understand.

*NYC residents can get a free immigration consults through [ActionNYC](#) by calling 311.*



# WHO CAN BE DEPORTED?

People without  
lawful  
immigration  
status

- Overstayed a visa
- Walked across a border
- Arrived by boat

People with lawful  
immigration status who  
have certain criminal  
priors

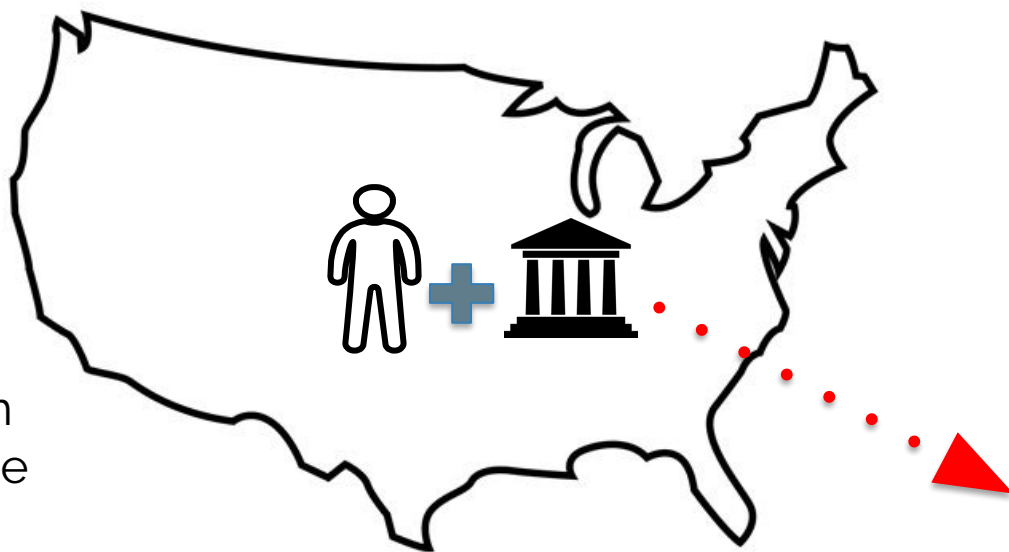
- Greencard holders (LPRs)
- Asylees
- Individuals on valid visas (student, work)
- Individuals with TPS, U/T visas
- DACA

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

- Post-final order (PFO)
- Has a deportation order



Some people, like greencard holders or asylees, could **become** deportable because of what happened in a Family or Criminal Court case.

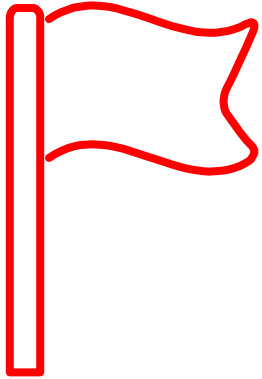


**Note:** Even cases from years or decades in the past can do this.

# Who is at risk of being detained & deported now?



Although the government can deport anyone who is vulnerable to deportation, in recent years ICE has targeted non-citizens who:



- ❑ have previously been ordered deported
- ❑ are undocumented and have had criminal contact (even pending charges)
- ❑ have overstayed their visa
- ❑ have status (e.g. green card holder, TPS, asylee) and certain criminal *convictions*

**“Mission critical”:  
Challenging mass  
deportation and the  
criminalization of  
immigrants**

# A NOTE ABOUT ICE & “PUBLIC SAFETY”

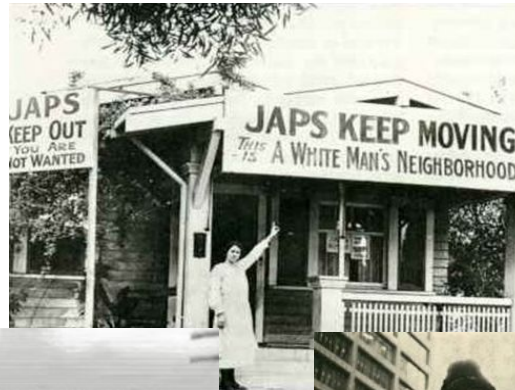
People often think ICE raids and arrests are justified if they are targeting people with criminal convictions. We cannot end mass detention and deportation without challenging criminalization.

Over the past decade, ICE has increasingly tapped into logics of the carceral state to justify mass deportation.

## For example:

- In the midst of the COVID-19 pandemic, ICE was able to deflect criticism by mainstream media by stating it “will focus enforcement on **public safety risks and individuals subject to mandatory detention based on criminal grounds.**”

# The U.S. is built on history of exclusion and expulsion, the justification evolves over time



# The Era of Mass Deportation: State of “Permanent Emergency”



From 1882-2000 (108 years), the U.S. deported a total of 2,630,532 people.



2,630,532

In 8 years, backed by the resources of the newly founded Department of Homeland Security (DHS), President Bush almost matched that number



2,012,539



And President Obama surpassed it



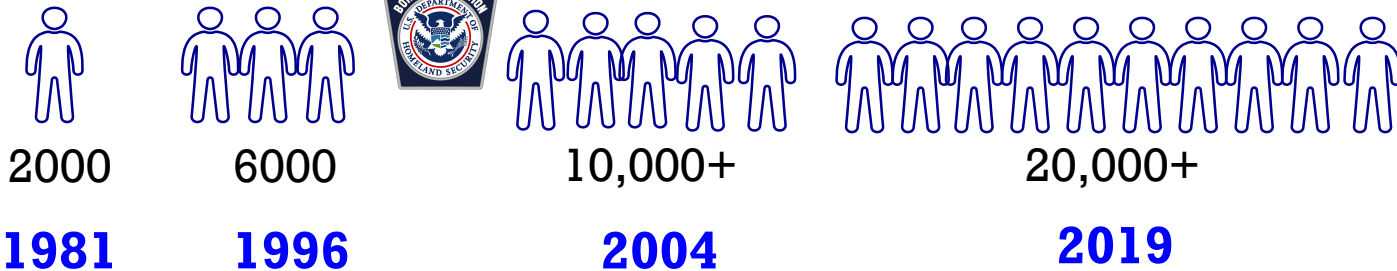
3,080,195

In 2003 CBP +  
ICE budget:  
\$9.2 billion  
In 2019:  
**> \$24 billion**

Founded in 2002, DHS enabled U.S. to  
maximize exclusion, detention & deportation



**BORDER  
PATROL  
AGENTS**



**DETENTION**

**54**

**8,500**



U.S. Immigration  
and Customs  
Enforcement

**33,400**

2009 bed quota

**50,000+**

bed quota ended 2017

**ICE  
AGENTS**

**2003**

8 FugOps Teams  
1900 arrests

**2009**

52 FugOps Teams  
15,467 arrests

**2019**

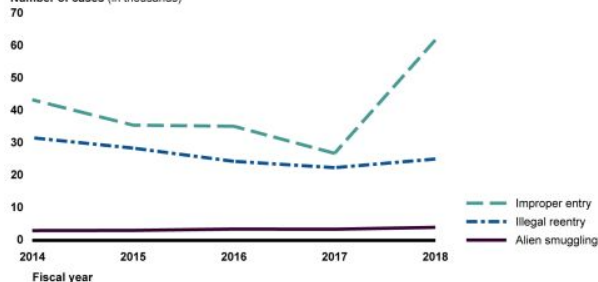
129 FugOps +ICE units  
35,666 arrests

# Criminalizing Migration:



Improper Entry, Illegal Reentry, and Alien Smuggling Cases Filed in U.S. Southwest Border Districts, by Lead Charge, Fiscal Years 2014-2018

Number of cases (in thousands)



Source: GAO analysis of Executive Office for U.S. Attorneys data. | GAO-25-172

Note: The lead charge is typically the most serious charged offense at the time the case is filed.

The US criminalized “illegal entry and reentry” originally in 1929 as a way to control labor flows from Mexico.

The U.S. significantly increased prosecutions after founding of DHS, but most notably during the Obama administration.

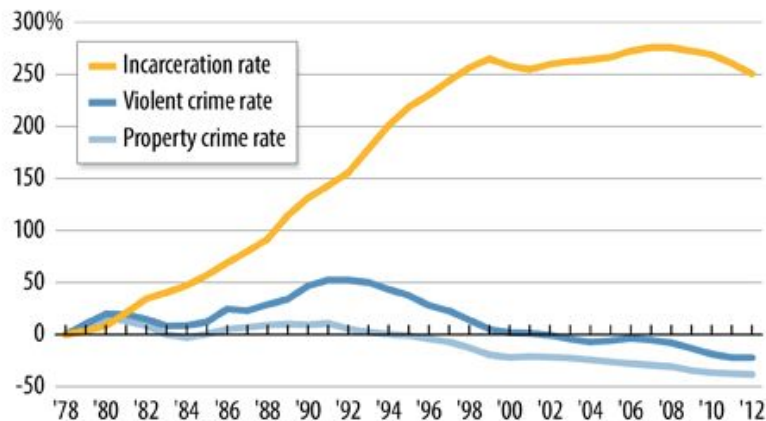
The criminal sentence for illegal reentry, a felony, can be up to 20 years in prison.





## **Incarceration Rose Even After Crime Fell, Relative to 1978**

Percent change in crime and incarceration



Source: U.S. Department of Justice, Bureau of Justice Statistics and FBI, Uniform Crime Reports

Center on Budget and Policy Priorities | [cbpp.org](http://cbpp.org)

# **Mass deportation mirrors mass incarceration**

**The US is the world leader in  
punishment and incarceration**

**Figure 9. Racial disparities in marijuana use in past month and marijuana possession arrests, 2010**

Usage rates



Blacks used marijuana at 1.3 times the rate of whites.

Arrest rates



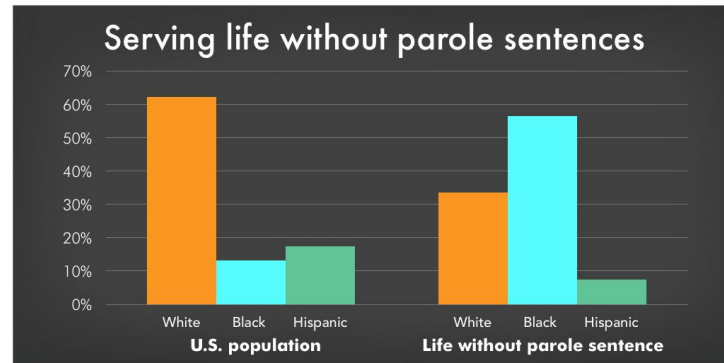
Blacks were arrested for marijuana possession at 3.7 times the rate of whites.

Source: Edwards, E. Bunting, W. Garcia, L. (2013). The War on Marijuana in Black and White. New York, NY: American Civil Liberties Union. Available at: <https://www.aclu.org/files/assets/1114413-mj-report-rfs-rel1.pdf> (p. 47); U.S. Department of Health and Human Services (2011). Results from the 2010 Survey on Drug Use and Health: Detailed Tables. Available at: <http://www.samhsa.gov/data/nsduh/2k10NSDUH/tabs/Section1to46.htm> (Tbl. 1.28B).

# ICE feeds off a racially and class biased criminal legal system



Arrest and conviction rates reflect a racial and class bias of who is targeted for arrest, prosecution, and perpetual punishment



Prison Policy Initiative 2016

# Currently, raids & mass deportation justified thru logics that fuel the carceral state



“And that’s why we’re going to keep focusing resources on actual threats to our security. Felons, not families. Criminals, not children. Gang members, not a mom who’s working hard to provide for her kids.”

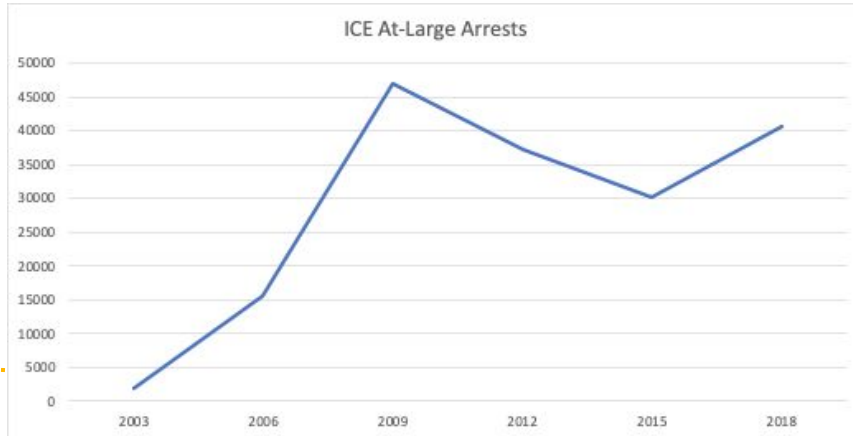
“What we are going to do is get the people that are criminal and have criminal records, gang members, drug dealers, where a lot of these people, probably 2 million, it could be even 3 million, we are getting them out of our country or we are going to incarcerate. But we’re getting them out of our country, they’re here illegally.”



**What are the trends in  
ICE enforcement?**

# ICE Raids Forces:

National Fugitive Operations Program	129 Fugitive Operations Teams ICE Probation and Parole Enforcement Mobile Criminal Alien Teams ERO's Special Response Teams
Criminal Alien Program	>1400 Officers
Homeland Security Investigations	>6200 investigators



## Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities

Agents from a special tactical team that normally confronts smugglers on the border are being sent to sanctuary cities across the country.



An agent with the U.S. Border Patrol Tactical Unit, known as BORTAC, an elite group that functions essentially as the SWAT of Border Patrol. Adrees Latif/Reuters

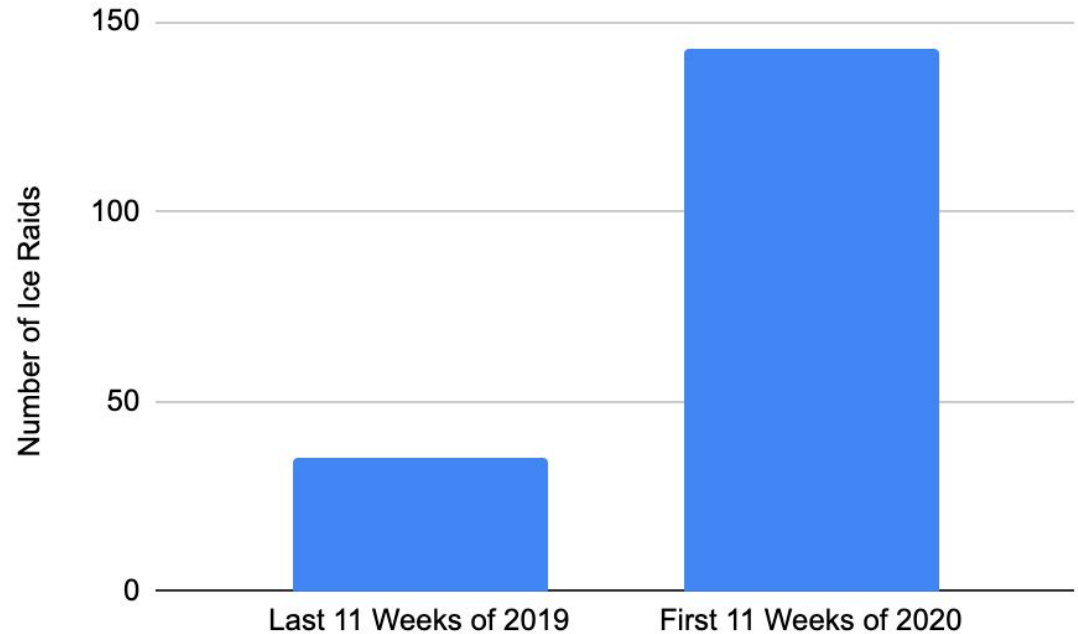


By Caitlin Dickerson and Zolan Kanno-Youngs

Feb. 14, 2020



## NYC Targeted by Trump:



# Increased enforcement in NYC



## Surveillance of individuals & additional task forces

- “Operation Palladium”: ICE agents surveilling apartment buildings and homes and attempt to make arrests in public (on the street, at the workplace)
- ICE Special Operations Unit, CBP and threat of BORTAC

## Arrests at Home

- More officers and increasingly aggressive tactics, including bringing and drawing weapons



# Increased enforcement in NYC



## Arrests in the community

- Arrests on street in front of home or down the block from home
- Often early in the morning when someone is on their way to work or court

## Arrests at & around courthouses (up 1700% under Trump in NY)

- Fingerprints at booking may put individual on ICE's radar
- ICE uses publicly available information to track next court appearance
- ICE usually targets specific individuals

## Car Stops

- ICE agents in unmarked cars stopping cars they believe to be carrying individuals they have targeted for arrest
- May question everyone in the car for ID

# Common Home Raid Tactics

- Often early in the morning, between 6-8 am
- Often 1 or 2 agents will come to the door knocking loudly and yelling "POLICE"
- ICE uses the ruse like local police to gather information or make arrests, asks to come inside the home or who is in the home
- If they haven't been invited in the home, they usually let themselves in when the door is opened. The rest of the agents (often 6 to 8) then appear. Multiple cars parked outside are almost always unmarked.

# Common street arrest tactic

- ICE officers are often dressed in plain clothes
- They commonly arrest someone who has left their home on their way to work, or sometimes on their way to or from court
- They also occasionally go to workplace if there is a public space (e.g., bodega or restaurant)
- Without identifying themselves, they often call out someone's name to confirm ID
- They most often don't identify themselves as ICE until after the person is arrested
- Sometimes they will ask others present for names or documents

# Collateral Arrests



- Although ICE generally targets a particular non-citizen for arrest, they may also arrest other non-citizen witnesses who are present and vulnerable to deportation. ICE calls these “**collateral**” arrests.
- ICE may identify “collaterals” through use of **mobile fingerprint devices** or through racial profiling
  - Reports of ICE going into homes, taking mobile fingerprints of multiple individuals and/or asking “do you have papers” and then arresting some non-targeted non-citizens
- Non-citizen witnesses to arrests should be mindful of the risk of talking with ICE about their immigration status.

# Are any locations off-limits for ICE?



ICE has an internal policy that agents should avoid arresting or detaining non-citizens at the following **“sensitive locations”** barring extraordinary circumstances:

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

**Note:** This remains current ICE policy.  
See [ICE memo on sensitive locations](#) at ice.gov.

**How does ICE find people?**

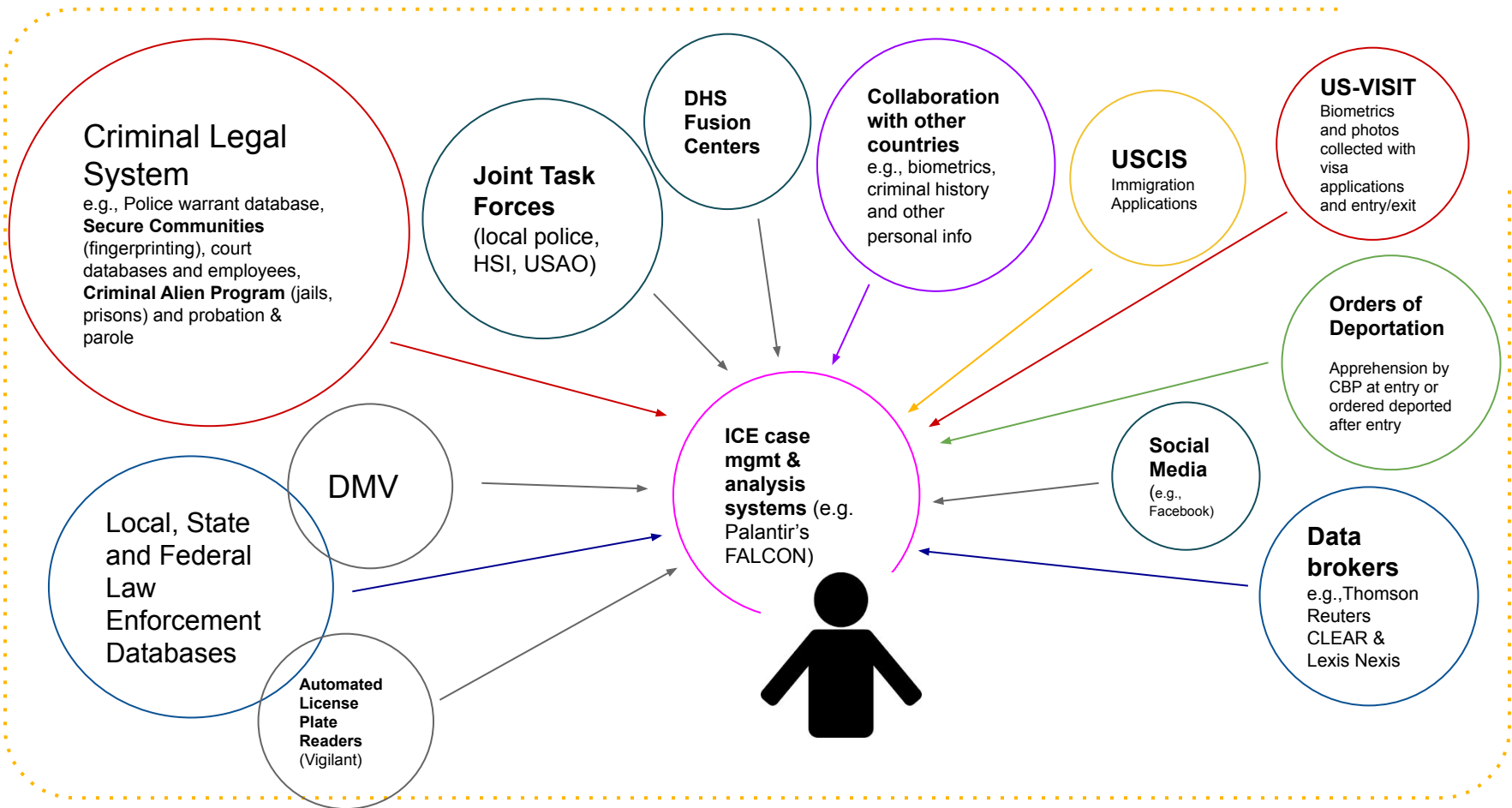
**All agencies under the Department of Homeland Security (DHS) help identify people to detain & try to deport.**



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

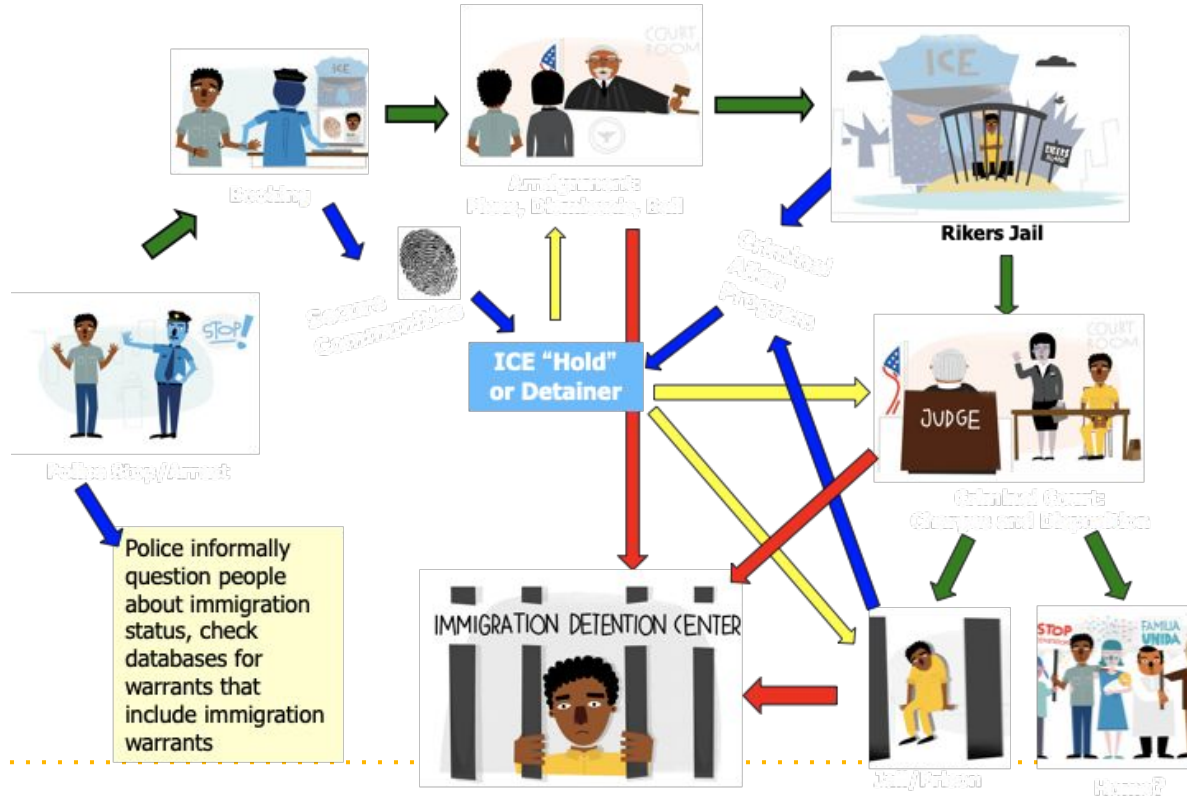
U.S. Citizenship &  
Immigration Services  
**Immigration applications**

Immigration & Customs  
Enforcement (ICE)  
**Immigration arrests,  
detention & removal**



# Criminal Legal System

HOW ICE ACCESS PROGRAMS INTERACT WITH THE CRIMINAL LEGAL SYSTEM



# Border Patrol Databases



In recent years, CBP has fingerprinted all non-citizens who attempt to enter the U.S. on the border.

**ICE can access CBP arrest information to target a person** and either put them into deportation proceedings or deport them.



# Aggressive Prosecution of Illegal Entry and Reentry



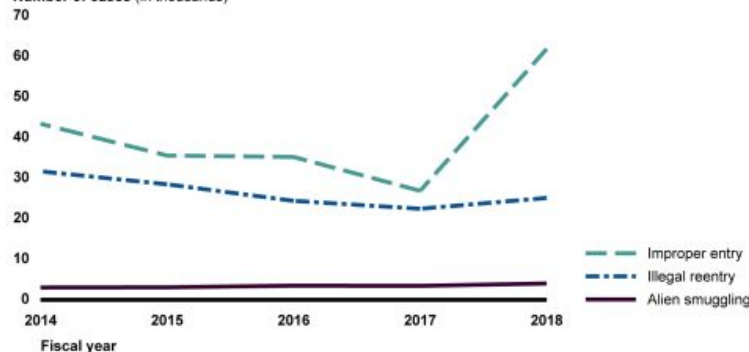
People who enter the U.S. after being deported are at a high risk of arrest and deportation.

ICE finds people by searching Border Patrol databases and criminal arrest information.

ICE also collaborates with state criminal justice support agencies and local law enforcement.

**Improper Entry, Illegal Reentry, and Alien Smuggling Cases Filed in U.S. Southwest Border Districts, by Lead Charge, Fiscal Years 2014-2018**

Number of cases (in thousands)



Source: GAO analysis of Executive Office for U.S. Attorneys data. | GAO-20-172

Note: The lead charge is typically the most serious charged offense at the time the case is filed.

# International Travel - US-VISIT



The U.S. collects biometrics and photographs of everyone applying for a visa. CBP fingerprints all non-citizens who attempt to enter the U.S. CBP agents identify people who can be deported, have open criminal cases, or orders of protection against them.

**CBP refers people to ICE**





# Immigration Applications

When people apply for status, green cards or citizenship, USCIS asks about court contacts and takes fingerprints.

**USCIS refers people to ICE**



**U.S. Citizenship  
and Immigration  
Services**

# Break (5 minutes)



We Know Our Rights - National Lawyers Guild: <https://www.youtube.com/watch?v=wqJLd-iTlgA>

**5**

**What are your rights  
when interacting with ICE  
in public, like on the  
street or in your car?**



# 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.
- ICE sometimes **collects information or fingerprints** from other people who are nearby during an arrest. ICE might arrest those people at the same time or come back to arrest them later.



# 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.

# TIPS ON GIVING YOUR NAME TO ICE

Everyone has a right to remain silent whenever ANY officer asks questions (ICE, local police, FBI, etc.). However, assess whether refusing to answer questions could escalate a situation.

Some tips on how to handle being asked for your name by an officer:

1. **Identify** who is questioning you (ICE, local police, FBI, etc.).
2. Second, **assess** whether refusing to give your name will escalate the situation
3. **Assert** your right to remain silent if that feels the safest in the moment.

**Remember:** DON'T lie to law enforcement or give false documents

# TIPS ON IDENTIFICATION DOCUMENTS

It is illegal for any law enforcement officer to stop a person based on their appearance, such as ethnicity, skin color, or dress. But some state laws require you to provide an ID to law enforcement when asked.

Tips for how to decide whether to give an ID:

1. **Identify** who is questioning you (ICE, local police, FBI, etc.).
2. **Assess** whether refusing to show your ID will escalate a situation.
3. If possible, **use a valid ID** that does not show your place of birth or immigration status.

**Remember:** DON'T lie to law enforcement or give false documents

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



- You can refuse to give your ID or passport.

SAY: **I DO NOT WANT TO GIVE YOU MY DOCUMENTS.**

- **Identify** whether the officer is ICE or another law enforcement officer before you do decide to give ID.
- If you can, show a valid ID that does not say your place of birth or immigration status.
- **REMEMBER: Never give foreign or false documents!**



## ACTIVITY IDEA!

**Ask audience members to look at the ID documents they have right now. What document could ICE use to try to deport them?**

- A. Municipal ID card (e.g. NYC ID)
- B. U.S. driver's license
- C. Library card
- D. ID from another country (e.g. passport or consular ID)
- E. Student ID (e.g. university or K-12 school)



# ANSWER: D

## (Document from another country)

Ask audience members to look at the ID documents they have right now. What documents could ICE use against them?

### Okay:

- Municipal ID card
- Library card
- U.S. driver's license
- Student ID

### Not okay:

- non-U.S. Passport
- Consular ID or Matricula
- Fake ID
- Someone else's ID



# Can ICE arrest me at work?

- ICE has arrested pre-identified people at their job, usually in a **public area of the workplace**. This can include:
  - The lobby
  - On the sidewalk in front of the building
  - When the person is driving or walking away after work.
- Sometimes ICE asks other employees about their immigration status and arrests them at the same time. These are known as **“collateral” arrests**.
- ICE often gets a person's work information by visiting their home, pretending to be police officers, and **asking someone in the home for the person's work address**.

These are different from larger workplace raids where HSI/ICE agents arrest many people while investigating the employer.

# TRAINING ON CAR STOPS

It is illegal for any law enforcement to stop people based on their appearance - ethnicity, skin color, dress, or the way someone talks.

ICE often stops a car because they have information about the criminal or immigration history of the driver or passenger

**Be careful!** ICE officers can sometimes be aggressive during a stop, and might:

1. Break a window if the driver doesn't roll it down
2. Ask everyone in the car for ID
3. Make everyone exit the car or pull someone out of the car
4. Take fingerprints of everyone in the car

# What should I do if ICE stops my car?



ICE usually pulls over a car when they are monitoring someone in the car who has violated an immigration law. ICE does **not need a judicial warrant** to stop a car.

It is safest to **pull over** and then **ask questions** to find out if the officers are ICE and why they stopped you.

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

# What if ICE asks for my ID?



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

**IMPORTANT: DON'T lie or show false or foreign documents.** Don't answer any questions about your criminal or immigration history.

# What if ICE tells me to get out of the car?



- ICE **can** demand that everyone get out of the car.
- Assess the situation: It might be safest to follow ICE orders. Keep asking: **WHY ARE YOU STOPPING ME?** or **STAY SILENT**
- **BUT!** ICE **cannot** search your pockets without a warrant or your consent. SAY: **I DON'T CONSENT TO YOU SEARCHING ME.**

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

# Can ICE search my belongings or my car?



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



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

# Quiz



**True or False:** ICE needs a **judicial warrant** to search someone in public or to search their car.



# Quiz



**True or False:** ICE needs a **judicial warrant** to search someone in public or to search their car.

**TRUE**

Although ICE does not need a judicial warrant to stop a person in a car or in public, they **cannot** search anyone's pockets, their car, or their belongings without **a judicial warrant**.



**What are your rights  
when interacting with ICE  
at your 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 a home.
- ICE needs a **judicial warrant** or **consent** to 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.

# 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 agents 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.

# Know Your Rights: Residences



What is the **home**?

→ The space inside a **dwelling** where someone **lives**

Examples:

- ☐ **House**
- ☐ **Apartment**
- ☐ **Bedroom** in shared housing
- ☐ **Exclusive space** in a shelter





# Know Your Rights: Residences

The home also 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 can be on your curtilage if the public can be there, but **they must leave if they don't have a warrant AND you tell them they can't be there.****

## FOCUSING ON WARRANTS CAN BE DISTRACTING.

In the home many people think of lack of a warrant as protection to stop ICE from entering. The truth is that ICE rarely has a judicial warrant so instead uses force or tricks people into inviting them into their homes using ruses. It's important the people know to ask about warrants but that it is not the only takeaway about rights in the home.

**In the 1400+ raids reports that IDP has verified, ICE rarely had a judicial warrant. They have lied or used force to enter a home almost every single time.** It's Important to train on this for communities to be prepared. *If ICE had a judicial warrant, they would not ask for permission to enter and would break down the door to get in if it wasn't opened.*

For training, it's good to mention the need for a judicial warrant OR consent and to give more context about ruses and ICE's use of force to enter homes so that communities are better prepared and able to assert their rights against ICE agents at the door.

Page 1056 of 2353

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.

# Why does ICE use ruses?



- **ICE agents are trained to lie get into homes or get information without a judicial warrant.**
- Without a warrant, ICE can legally enter a home only by getting consent. Agents intentionally mislead individuals to let them inside knowing if they said they were ICE, they wouldn't be let inside. (Other times they use force to get inside.)
- There are very few limits on ruses that ICE can use: ICE cannot use a ruse based on the threat of imminent danger (e.g. gas leak in the home or serial killer in backyard). They can use almost any other type of lie.



# Examples of ICE ruses

ICE ruses change given the context or may vary over time. Some examples include:

- **ICE agents pretend to be local police officers**
  - Very common
  - They may say they are investigating crime or that they need to speak to someone in the home. Sometimes they show a photo of a “suspect” or they ask the person to meet them at a precinct.
- **Other types of ruses**
  - Acting as if they are looking to hire someone to do construction work on a house
  - Asking if anyone in the home would like to “discuss the bible”
  - Knocking on the door looking for information and then asking to come in because it's cold outside

# TIPS: IDENTIFYING WHO IS AT THE DOOR

## Police:

- Should carry a badge
- If investigating a crime, have incentive to prove identity to you.

## ICE:

- Will be evasive or vague when identifying themselves
- Likely will not have a warrant
- If they have a warrant, likely to be an admin warrant

***Both police & ICE need consent or a judicial warrant to enter your home!***

# Identifying officers at the door



Figure out who they are **BEFORE** opening the door or answering any 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!

# WHAT TO DO IF ICE IGNORES YOUR RIGHTS

ICE agents often enter a home or search without consent. Explain in your training that everyone should decide whether following ICE's order is the safest option in the moment.

If ICE agents force their way into a home or search without consent, it's still important to **keep saying 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.



# QUIZ

Your roommate lets ICE agents into your apartment, thinking they are the police. You are in your bedroom with the door closed. The agents open your bedroom door, come inside, and ask “Are you Bill?”

**What should you do?**



Portland, Oregon - October 2017. Cell phone footage of ICE agents entering a home without a warrant.

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

# **What to do if you witness an ICE raid**

# Why should I document an ICE raid?



- If you witness ICE violating your rights or the rights of anyone else, it may help the person who is facing deportation.
- You can help the person's legal case by video recording or writing down details, even if you are not a family member. Share this info with an attorney or advocate.



# 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 agents say?**
  - Lied to enter the home, intimidated anyone, or used verbal/physical force?
- **Was consent was given?**
  - ICE officers' reaction if not given consent to enter/search



# ICE EN LA CASA

## ¡Entérate de tus derechos!



center for  
constitutional  
rights

¡Cuelga este póster cerca de los derechos, y así puedes recordar los detalles y derechos más importantes si ICE entra a tu casa!

### Si ICE se presenta en mi casa, ¿los tengo que dejar entrar?

Si los agentes de ICE no tienen una orden firmada por un juez, no pueden entrar a la casa sin el permiso de un residente que sea mayor de edad. Pídeles que te muestren una orden judicial y que la pasen por debajo de la puerta. Si no la tienen, diles, **"No les doy permiso de entrar."** Es muy probable que ICE trate de entrar sin una orden. Abrirles la puerta cuando tocan no significa que les hayas concedido el derecho de entrar.

**"No les doy permiso de entrar."**

**"Yo no quiero contestar a ninguna pregunta."**

### Si agentes de ICE logran entrar a mi casa, ¿puedo pedirles que se vayan?

NO MIENTAS. NO le des ninguna documentación falsa. NI CORRAS NI TE RESISTAS FÍSICAMENTE AL ARRESTO.

Dí, **"Yo no quiero contestar a ninguna pregunta,"** y pídeles que dejen sus datos de contacto. Si entran sin permiso, dí, **"No consiento a esto. Favor de irse de la casa."**

**"No consiento a esto. Favor de irse de la casa."**

### Si los agentes están adentro, ¿tienen el derecho de pasar buscando a ciertas personas o cosas donde quieran?

Si una orden legal firmada por un juez dándoles permiso de hacerlo, no deben de registrar tu casa o pertenencias sin permiso tuyo. Si empiezan a tocar cosas o a caminar por la casa, diles: **"No consiento a esto. Favor de irse de la casa."** Sigue diciéndolo, especialmente si buscan o tratan de llevarse o fotografiar documentos. Quizás no hagan caso, pero es importante que ejerzas este derecho y que informes a un abogado después. Te puede ayudar a ti o a un ser querido en el futuro.

**"No consiento a esta búsqueda. Favor de irse de la casa."**

Durante un arresto, los agentes de ICE frecuentemente exigen que se reúnan varios documentos de viaje. Solamente hacen esto para ayudar al gobierno a tratar de deportarte. Entrégale a ICE tu pasaporte o documentos consulares sólo si los agentes de ICE tienen en la mano una orden firmada por un juez que indica claramente tales cosas. Dí: **"No quiero llevar conmigo los documentos"** o **"No quiero entregarle nada."** NO les des ninguna documentación falsa o inválida (por ejemplo, una tarjeta de seguro social falsa o visa de inmigrante caducada).

**"No quiero llevar conmigo los documentos."**

**"No quiero entregarle nada."**

### Si agentes de ICE están en mi casa, ¿qué debería recordar?

Diles de inmediato si: **\*Hay niños o ancianos presentes. \* Estás enfermo, recibiendo tratamiento o medicina para una condición médica, o estás embarazada o amamantando. \* Te encargas de cuidar a un ser querido y tienes que coordinar su cuidado. \***

### ¿Qué información debo recordar sobre las interacciones con ICE?

Es importante notar cómo se portaron los agentes de ICE en tu casa y avisarle a un abogado. ¡Puede hacer la diferencia en el caso de inmigración! Usa la sección en el reverso del póster para anotar información importante una vez que ICE se haya marchado.

Si tu ser querido ha sido arrestado por ICE, puedes iniciar el plan de emergencia. Para aprender más sobre tus derechos con respecto a ICE, visita [www.immdefense.org/raids](http://www.immdefense.org/raids) o [KYR@immdefense.org](mailto:KYR@immdefense.org). Para reportar una redada de ICE en NY, comunicate al 212-725-6422. Para reportar redadas que ocurren afuera de NY, comunicate con United We Dream (Unidos Somos) al 1-844-363-1423.

Para ubicar a un ser querido en un centro de detención de ICE, busca en [www.locator.ice.gov](http://www.locator.ice.gov) o puedes encontrar el número telefónico del centro de detención en [www.ice.gov/detention-facilities](http://www.ice.gov/detention-facilities).

Para poder enterarte cuándo será la próxima cita en la corte de tu ser querido: llama a la línea de ayuda telefónica bilingüe 1-800-898-7180. Necesitas el número A ("Número de caso" o "Número A"), el cual comienza con la letra "A" y le siguen 8 o 9 números y aparece en todos los documentos de inmigración. Si es que no tenía un número A en el pasado, se le dará uno.

En algunos casos, tu ser querido no podrá ver a un juez de inmigración (por ejemplo, si regresó sin permiso después de haber sido deportado antes). Si es detenido, elegible a ver a un juez y vivió en NYC antes de ser detenido, puede ser elegible para recibir ayuda gratuita de un abogado por medio del Proyecto para la Unidad de Familias Inmigrantes en Nueva York (NYFUP por sus siglas en inglés).

Los familiares pueden obtener asesoría legal gratuita para los casos de inmigración que tienen que ver con las condenas penales a través de la línea de ayuda del Proyecto de Defensa al Inmigrante: 212-725-6422.

### Usa esta sección para anotar información importante una vez que ICE se haya marchado.

#### EN LA PUERTA:

¿La fecha de redada? \_\_\_\_\_ ¿La hora del día? \_\_\_\_\_

¿Cuántos agentes había? \_\_\_\_\_ ¿Les dijeron sus nombres? Sus nombres: \_\_\_\_\_

¿Sacaron o tocaron sus armas? \_\_\_\_\_

¿Cómo los identificaban sus uniformes (como policía, ICE, etc.)? \_\_\_\_\_

¿Cómo se identificaron los agentes? ¿De dónde dijeron que eran? \_\_\_\_\_

¿Los agentes hablaban solo inglés, o también español? \_\_\_\_\_

¿Qué te dijeron los agentes para entrar en tu casa? ¿Y en qué idioma la dijeron? \_\_\_\_\_

¿Mencionaron a quién buscaban? \_\_\_\_\_

Si vives en una casa, ¿sabes si había agentes de ICE vigilando las ventanas o en la parte de atrás de la casa?

¿Usaron insultos o amenazas o fuerza (como golpear fuerte en la puerta, gritar insultos, tocar o empujar a la persona que contestó la puerta) para entrar? Si lo hicieron, ¿qué hicieron? \_\_\_\_\_

¿Quién les abrió la puerta cuando entraron? ¿Tenía 16 años, o era menor de 16 años? ¿Qué edad tenía? \_\_\_\_\_

#### UNA VEZ QUE ICE YA HABÍA ENTRADO:

¿Les negaste verbalmente el derecho a entrar? Si lo hiciste, ¿qué les dijiste? \_\_\_\_\_

Si alguien les negó el derecho a entrar, ¿cómo reaccionaron? \_\_\_\_\_

¿Les negaste verbalmente el derecho a registrar la casa? Si lo hiciste, ¿qué les dijiste? \_\_\_\_\_

Si alguien les negó el derecho a registrar a la casa, ¿cómo reaccionaron? \_\_\_\_\_

¿Cuándo te dijeron que pertenecían a inmigración? ¿Antes de un arresto, o después? \_\_\_\_\_

¿Les gritaron a alguien? \_\_\_\_\_

¿Sacaron o tocaron sus armas dentro del hogar? Si lo hicieron, ¿fue antes o después de identificarse como agentes de ICE? \_\_\_\_\_

¿Impidieron que alguien pudiera moverse de un lado a otro libremente? \_\_\_\_\_

¿Entraron a los dormitorios? ¿Te pidieron permiso antes de entrar a los dormitorios? \_\_\_\_\_

¿Buscaron en los armarios o en los cajones? ¿Te pidieron permiso antes de hacerlo? \_\_\_\_\_

¿Les dijiste si había niños en la casa? ¿Si lo hiciste, qué hicieron? \_\_\_\_\_

¿Esposaron a alguien frente a los niños? \_\_\_\_\_

¿Mencionaste alguna preocupación, como el que necesitabas buscar a alguien para cuidar de los niños, o un problema médico? \_\_\_\_\_

¿Les sacaron fotografías a algún documento? Si lo hicieron, ¿a quién le pertenecía el documento que fotografiaron? ¿Cómo consiguieron los documentos que fotografiaron? \_\_\_\_\_

¿Les sacaron huellas digitales a alguien? Si lo hicieron, ¿a quién se las sacaron? \_\_\_\_\_

# 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:** ICE agents are armed. It could be dangerous to run to get a phone or reach into your pocket, just like when interacting with police. *Be aware of the physical safety of everyone involved.*
- You can document a raid by taking a photo (if safe) 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.**

# TIP ON REPORTING RAIDS

## Share information responsibly

- 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

## Connect to community-based organizations

- If you witness something, take a photo & share with local groups.
- IDP and WITNESS have a [training on filming ICE](#)
- Share & verify information first with local groups monitoring ICE activity

# Resources and Q&A

# IDP KYR resources for community members



- **Know Your Rights with ICE materials:** KYR flyers, booklets, home raid poster, car stop flyer, common police ruses flyer, webinars and tips of filming ICE
- **Infographics** that communicate ICE's deceptive methods
- **Guide** on when someone in detention has a right to see an immigration judge and what their rights are during the process.
- **ICEwatch**, an interactive map with over a thousand raids reports

[immdefense.org/kyr](https://immdefense.org/kyr)



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:

<b>Legal Permanent Residents (LPRs) with prior convictions</b> <b>Be aware:</b> You may be a target even if: <ul style="list-style-type: none"><li>• Your conviction is from years ago;</li><li>• You didn't serve time in jail;</li></ul>	<b>Undocumented people with violations or convictions:</b> <b>Be aware:</b> You may be a key target if you: <ul style="list-style-type: none"><li>• are undocumented and have a</li></ul>
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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](#)
- ❑ National Lawyers Guild SF Bay Area - [We Know Our Rights Videos](#)
- ❑ BDS and ACLU - [We have Rights Videos](#)
- ❑ Mijente - [Who's Behind ICE?](#)

# Where do you report a raid?



- **New York:**
  - **Attorneys/advocates:** use IDP's raids report form: <http://bit.ly/RaidsReport>
  - **Community members:** call IDP hotline: 212-725-6422
- **Outside of New York:**
  - Contact local immigrant rights organizations

# Resources if someone is detained



Make the Road New York has a Deportation Defense Manual in English and Spanish that includes information about:

- How to visit someone in detention
- How to send them money
- How to pay bond

Available at [www.immigrantdefensemanual.org](http://www.immigrantdefensemanual.org)

# NEW IDP KYR Website



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

- Best saved on a smartphone
- Easily accessible KYR information in English and Spanish
- Topics include:
  - ❑ How to prepare for a possible ICE raid
  - ❑ How to know who is at your door
  - ❑ What to do when ICE is here
  - ❑ What to do if someone is detained



# Questions?

You can contact us at 212-725-6422 or  
[kyr@immdefense.org](mailto:kyr@immdefense.org).



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