

PROTECT YOUR RIGHTS:

DOs and DON'Ts

Immigrants are entitled to many of the same constitutional rights as are citizens of the United States. To protect your rights follow these recommendations on how to act, if questioned or detained by immigration, or other law enforcement authorities. We strongly recommend that you have a plan in place, and seek the advice of an immigration attorney, if you are at risk for deportation. Authorize a person you trust to take care of your possessions, bank accounts, bills and other matters. Temporarily assign, in writing, the custody of your children and give a power of attorney to someone to handle your affairs.

DOs

To check if you are at risk of deportation call **800-898-7180** (touch 2 for instructions in Spanish) and enter the 9-digit "A number" assigned to you by the U.S. Customs and Immigration Services (USCIS), which appears on your documents, and you'll hear a recorded message of the status of your case. Seek legal advice if you find out you have an outstanding order of deportation, or an upcoming immigration court hearing.

Carry some **legal** form of identification issued in the U.S. (driver's license, green card, employer or school ID, the Mercer County Community ID card, IRS tax payer card). Do not carry ID that identifies you as a citizen of another country, which could lead to further questioning by an immigration agent.

Carry a card with the name, address and phone number of an immigration attorney, activist, minister, or community organization that can advise you in case of detention. Contact them as soon as you can, if you feel you are in danger of detention. If you are detained, you have the right to make a phone call, but you may have to insist.

Ask for, and write down, the names of any law enforcement agents who enter your house, with or without a warrant, and the department or agency to which they belong. Get names and phone numbers of any witnesses. Report, or ask a witness to report, the incident to an attorney or community organization, like LALDEF, as soon as

possible.

If you are stopped on the street for no apparent reason by law enforcement agents, you are not obligated to show identification, but you should provide your real name, unless you have reason to believe it might incriminate you. You may choose to exercise your right to remain silent and respond only by saying you wish to speak with an attorney. ***You do not have to answer any questions, such as what is your nationality, address, place of work, or whether you are in this country legally or have a green card. You are also under no obligation to provide information on the whereabouts of another person.*** Remain calm, ask permission to leave, and walk away.

If you are told you are under arrest, ask where you are being taken and give the information to any relatives or friends who might be present. If you have children, ask to be allowed to make arrangements to have someone take care of them.

Ask someone you trust, who is a citizen or legal resident, to safe keep copies of any documents you may have received from, or filed with, immigration authorities, your passport, birth and marriage certificates, and the name and phone number of the immigration attorney who is representing you. Or you can keep these documents in a safe deposit box in your bank, and give copies of the key to a person you trust. These documents could be confiscated by law enforcement agents if they are found in your house while you are being arrested. If you have a pending case with immigration, it is important to know the 9-digit case number you have been assigned, (A number). If you are detained, it will facilitate getting help to you faster.

DON'Ts

DON'T ignore any documents you receive in the mail from the immigration department. Show them to your attorney, or go to a legal services agency for advice as soon as possible.

DON'T let immigration agents, or officers from any other law enforcement agency, enter your home without a search or arrest warrant. A warrant is a document signed by a judge that allows the arrest of specific person(s), or the search of specific premises. You should ask the person(s) named in the warrant to exit the house and give themselves up, but you don't have to allow the officers inside the house. Once you do, they may question everyone inside. You can ask

the officers to leave if the person(s) named in the warrant are not in the house. Opening the door without a clear agreement that the officers will not go inside, can be taken as giving consent to their entering. You can ***speak with them through a closed door or window.***

DON'T run or offer any physical resistance if you are arrested, or if law-enforcement agents enter your home, even without a warrant

DON'T sign any documents you don't understand without the advice of an attorney. You might be told that you should sign a "Stipulated Request For Removal and Waiver of Hearing". This will expedite your deportation without a hearing in front of a judge. Don't be intimidated by threats of long incarceration, or high bail. If you do not have a prior order of deportation, you have the right to a hearing in front of a judge, to request to be released, with or without bail, and to hire an attorney to argue your case. If you had previously received a deportation order, you no longer have the right to a hearing. However, if you think your circumstances warrant it, you can ask for time to look for an attorney to petition to have your deportation stopped. Immigration agents are under no obligation to inform you of your rights.

These general recommendations are not a substitute for legal advice for your particular case which only a licensed attorney can provide.

LALDEF does not provide representation to immigrants in detention, but can assist with general legal orientation, and referrals to competent attorneys, and with the preparation and filing of immigration applications.

OTHER COMMUNITY AGENCIES THAT PROVIDE IMMIGRATION REPRESENTATION AND ADVICE

AFRICAN HISPANIC IMMIGRATION ORGANIZATION (AHIO)

5 Central Ave.
Newark, NJ 07102
973-370-0907

AMERICAN FRIENDS SERVICE COMMITTEE

972 Broad Street, 6th Floor
Newark, NJ 07102
(973) 643-1924.

HUMAN RIGHTS FIRST

75 Broad St. Piso 31
New York, NY 10004
(212) 845-5200
(212) 629-6170, Línea de asistencia para personas detenidas por inmigración (2-5pm lunes – viernes)

CAMDEN CENTER FOR LAW AND SOCIAL JUSTICE, INC.

Immigration Service Office
126 Broadway
Camden, NJ 08102
(856) 583-2950

CATHOLIC COMMUNITY SERVICES

976 Broad Street
Newark, NJ 07102
(973) 733-3516

LA CASA DE DON PEDRO

39 Broadway
Newark, NJ 07104
(973) 481-4713.

CATHOLIC FAMILY & COMMUNITY SERVICES

24 DeGrasse Street
Paterson, NJ 07505
(973) 279-7100

LEGAL SERVICES OF NEW JERSEY

100 Metroplex Drive
Plainfield Avenue
Edison, NJ 08818
1-888-576-5529

EL CENTRO HISPANO AMERICANO

525 East Front Street
Plainfield, NJ 07060
(908) 753-8730

THE HEBREW IMMIGRANT AID SOCIETY

333 Seventh Avenue
New York, NY 10001-5004
(212) 613-1420

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