

KNOW YOUR RIGHTS: ICE IN OUR COMMUNITIES

Who is ICE?

- "ICE" stands for Immigration and Customs Enforcement. ICE is a federal agency that arrests people suspected of immigration violations.
 - ICE agents may be in uniforms or in plain clothing.
 - ICE agents often pretend to be local police and ask you to talk about an ongoing investigation.
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Am I protected from ICE arrests?

People who are not U.S. Citizens (non-USCs) with pending immigration applications are not automatically protected from immigration enforcement actions. However, ICE states that it will generally not arrest or deport victims of crimes, especially if they have pending applications for victim-based relief, like U Visas, T Visas, VAWA petitions, and Special Immigrant Juvenile Status.

Who can be deported from the United States?

Immigration officers can start removal proceedings against anyone who they "have probable cause to believe" is in the U.S. in violation of immigration laws. In general, the following noncitizens are at greater risk of arrest, detention, or removal:

- Non-USC with a criminal conviction
- Non-USC who are defendants in an active criminal case;
- Non-USC charged with having committed a crime;
- Non-USC who have committed fraud or lied to any governmental agency;
- Non-USC who have abused any program related to public benefits;
- Non-USC who have a prior removal order but have not left the U.S.;
- Non-USC who have a prior removal order, left the U.S., and reentered the U.S. unlawfully;
- Non-USC who are "a risk to public safety or national security"

* However, ICE currently states it will not target applicants for victim-based immigration relief unless the person poses a national security concern or risk of death, violence or physical harm to another person.

Immediate Tips

- ✓ If you are a crime victim, carry copies of police reports and orders of protection with you;
 - ✓ Create a plan in case you are arrested, detained or removed;
 - ✓ Speak with an attorney before you plan on traveling outside of New York City; ICE has been more active in areas outside the 5 boroughs.
 - ✓ Update the "blue card" at your child's school with current info about your emergency contacts;
 - ✓ Carry copies of receipt notices and approvals of any immigration applications.
 - ✓ Do not fall prey to schemes by fraudulent lawyers or notaries;
 - ✓ Do not lie on an immigration application. Before you sign any official document, make sure you fully understand what it means;
 - ✓ Do not lie when speaking with law enforcement, including ICE.
 - ✓ Do not lie when applying for public assistance.
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If an ICE officer appears at your home:

- Never immediately open the door if law enforcement appears at home.
- Ask the person at the door to identify themselves.
- Ask if they have a warrant and if so if they can slip it under the door. Only with a signed order from a judge can they enter without your permission.
- If they don't have a warrant, politely ask them to leave.
- Call your lawyer.
- Never lie!

If you are stopped by ICE outside your home

- Remain silent and ask for a lawyer.
- Do not sign any documents.
- Ask them, "Am I free to go?" before answering any questions.
- If they say "yes," say "I don't want to answer questions" and walk away.
- If they say "no," use your right to remain silent and say, "I want to use my right not to answer questions. I want to speak to a lawyer."
- If ICE agents try to search your pockets or belongings, say, "I do not consent to a search."
- Do not say your name or anything else.



Domestic
Violence
Project

Urban Justice Center
Domestic Violence Project
Intake Line: 1-833-321-4DVP

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