
Conoce Tus Derechos

Know Your Rights

THURSDAY, JANUARY 30TH

JUEVES, 30 DE ENERO

LEGAL SERVICES FOR
CHILDREN



Las "redadas" de ICE / The ICE "raids"

- Las redadas que ocurrieron unas semanas antes de que Trump tomara posesión, en realidad ocurren todo el tiempo
- Normalmente buscan personas específicas con órdenes de deportación o historial criminal
- Oficina de ICE en San Francisco (la gente trabaja allí y a veces usa el transporte público)
- The raids that happened a few weeks before Trump was inaugurated, actually happen all the time
- Normally they are looking for specific people with removal orders or criminal history
- There is an ICE office in San Francisco (people work there and use public transit sometimes)

**TENEMOS DERECHOS
EN NUESTRAS COMUNIDADES,
EN NUESTRAS CALLES**

**WE HAVE RIGHTS
IN OUR COMMUNITIES, IN OUR STREETS**

Scenario #1:

Unos policías de ICE llegan a tu puerta de tu hogar diciendo que tienen que hablar contigo.

- **NO** abra la puerta, pero mantenga la calma. Usted tiene derechos!
- Pregunte por que estan ahí, (y solicite un interprete si necesita uno)
- Si piden entrar a su casa, pregunteles si tienen una orden firmada por un juez. Si la tienen, digales que se la muestren por debajo de la puerta o por ventana.
- Si ellos **no** tienen una orden firmada por un juez, puede negarse a dejarlos entrar.
- Si entran a la fuerza, no se resista
- Si es arrestado, permanezca en silencio y no firme nada hasta que hable con un abogado.
 - "Usare mi derecho de permanecerme callado/a."

Scenario #1:

ICE police arrive at your door saying they have to talk to you.

- DO NOT open the door, but stay calm. You have rights!
 - Ask why they are there, (and ask for an interpreter if you need one)
 - If they ask to enter your home, ask if they have a warrant signed by a judge. If they have it, tell them to show it to you under the door or through the window.
 - If they don't have an order signed by a judge, you can refuse to let them in.
 - If they enter by force, do not resist
 - If you are arrested, remain silent and do not sign anything until you speak with a lawyer. "I will use my right to remain silent."
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**TENEMOS DERECHOS
CUANDO ICE ESTÁ
AFUERA DE NUESTRAS PUERTAS**

**WE HAVE RIGHTS
WHEN ICE IS OUTSIDE OUR DOORS**

Scenario #2:

Unos policías de ICE vienen a tu lugar de trabajo.

- **No consientas.** Declara que no consientes a una revisión de tu persona o tus pertenencias. Los agentes de ICE pueden entrar a áreas abiertas al público general (comedor, estacionamiento, sala de espera) de un negocio sin permiso.
 - **Pregunta si poseen una orden.** Si los agentes no cuentan con una orden, tranquilamente pídeles retirarse.
 - **Si ICE dispone de una orden firmada por un juez:** Asegura que la orden tenga la dirección correcta de tu lugar de trabajo. Examina la orden para ver cuales áreas y artículos está autorizada de revisar ICE.
 - **Mantén la calma. No corras.** ICE puede usar eso como motivo suficiente para tu arresto. No incites a nadie de escapar o esconderse.
 - **Conoce la ley.** Bajo la ley de California, los empleadores no pueden entregarles los registros de los empleados o voluntariamente permitir a agentes de migración de entrar a áreas no-públicas del lugar de trabajo sin una orden jurídica.
 - **Pide ver identificación.** Anota los nombres, los contactos, y los números de placa de los oficiales o agentes. Si el agente se niega a proporcionar documentación, anota tal. Documenta muestras de violencia o abuso. Documenta los detalles de la revisión, y personas o propiedad confiscada.
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Scenario #2:

Some ICE police come to your workplace.

- **Do not consent.** Declare that you do not consent to a search of your person or your belongings. ICE agents can enter areas open to the general public (dining room, parking lot, waiting room) of a business without permission.
- **Ask if they have an order.** If the officers do not have a warrant, calmly ask them to leave.
- **If ICE has an order signed by a judge:** Make sure the order has the correct address of your workplace. Examine the order to see which areas and items ICE is authorized to search.
- **Stay calm.** Don't run. ICE can use that as sufficient reason for your arrest. Do not encourage anyone to escape or hide.
- **Know the law.** Under California law, employers cannot turn over employee records or voluntarily allow immigration agents to enter non-public areas of the workplace without a legal order.
- **Ask to see identification.** Write down the names, contacts, and badge numbers of the officers or agents. If the agent refuses to provide documentation, make a note of this. Document signs of violence or abuse. Document the details of the search, and people or property seized.

**TENEMOS DERECHOS
DENTRO DE NUESTROS HOGARES**

**WE HAVE RIGHTS
INSIDE OUR HOMES**

Formas en las que Puedes Prepararte/Ways You Can Prepare

- VERY IMPORTANT: Avoid association with criminal activity (includes marijuana)
- Look for legal assistance
- Create an emergency/safety plan
- Keep important documents in safe place
 - For those clients with EAD, do you have CA ID? (carry that instead)
 - If you don't have an EAD or ID, connect w/ SW to get CA ID.
 - Risk of losing important docs and can be harder to renew, but doing what makes you feel more comfortable.
 - Email copies/photos of important docs to self
- MUY IMPORTANTE: Evitar la asociación con actividades criminales (incluyendo marijuana)
- Busca una consulta legal
- Crear un plan de seguridad
- Mantener documentos importantes en un lugar seguro
 - Para aquellos con permiso de trabajo ¿tienes CA ID? (Llévalo en su lugar)
 - Si no tiene un permiso de trabajo o ID, conéctese con TS para obtener CA ID.
 - Corre el riesgo de perder documentos importantes y puede ser más difícil de renovar, pero hacer lo que te hace sentir más cómodo.
 - Mandarse copias por correo electrónico

Cómo reducir el riesgo para usted y otras cosas a tener en cuenta:

- Mantén la calma. No corra, discuta, se resista ni obstruya al oficial, incluso si cree que se están violando sus derechos. Mantenga sus manos donde la policía pueda verlas.
- No mientas sobre tu estado ni proporciones documentos falsos. Si un agente de inmigración le pregunta si puede registrarla, tiene derecho a decir que no. Los agentes no tienen derecho a registrarla a usted ni a sus pertenencias sin su consentimiento o causa probable.
- Si está conduciendo y lo detienen, el oficial puede exigirle que muestre su licencia, registro del vehículo y comprobante de seguro, pero no tiene que responder preguntas sobre su estado migratorio.
- Los agentes de la Patrulla Fronteriza pueden abordar autobuses y trenes en la región fronteriza de 100 millas, ya sea en la estación o mientras el autobús está en viaje. Por lo general, más de un oficial sube al autobús y les hará preguntas a los pasajeros sobre su estatus migratorio, les pedirán que les muestren documentos de inmigración, o ambas cosas. ** Estas preguntas deben ser breves y estar relacionadas con la verificación de la presencia legal de una persona en los EE. UU. No es necesario que responda y puede simplemente decir que no desea hacerlo. Como siempre, tienes derecho a guardar silencio.**
- Se sabe que ICE miente a las personas para intentar sacarlas de su casa. ¡No caigas en sus trucos!

How to reduce risk to yourself and other things to note:

- Stay calm. Don't run, argue, resist, or obstruct the officer, even if you believe your rights are being violated. Keep your hands where police can see them.
- Don't lie about your status or provide false documents.
If an immigration agent asks if they can search you, you have the right to say no. Agents do not have the right to search you or your belongings without your consent or probable cause.

If you are driving and are pulled over, the officer can require you to show your license, vehicle registration and proof of insurance, but you don't have to answer questions about your immigration status.

- Border Patrol agents may board buses and trains in the 100-mile border region either at the station or while the bus is on its journey. More than one officer usually boards the bus, and they will ask passengers questions about their immigration status, ask passengers to show them immigration documents, or both.
** These questions should be brief and related to verifying one's lawful presence in the U.S. You are not required to answer and can simply say you do not wish to do so. As always, you have the right to remain silent.**
 - ICE is known to lie to people to try and lure them out of their home. Do not fall for their tricks!
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ADMINISTRATIVE WARRANT VS. JUDICIAL WARRANT

ICE utilizes administrative warrants as a tactic to enter the premises. The key aspect to remember is:

- Judicial warrants must have your name and a signature from a Magistrate Judge, as well as all of the correct information including date issued, name and address.
- If the warrant was issued by ICE, they can not enter the premises unless they are given consent.
- ICE has been known to enter if the door was opened, therefore it is highly suggested to NOT open the door

<p>DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement</p> <p>WARRANT OF REMOVAL/DEPORTATION</p> <p>This is a warrant for civil immigration violations, not a crime. It is generally not enforceable by local law enforcement officers.</p> <p>To any immigration officer of the United States Department of Homeland Security:</p> <p>File No: _____ Date: _____</p> <p>who entered the United States at _____ on _____ (Place of entry) (Full name of alien)</p> <p>is subject to removal/deportation from the United States, based upon a final order by:</p> <p><input type="checkbox"/> an immigration judge in exclusion, deportation, or removal proceedings <input type="checkbox"/> a designated official → Many removal orders are issued by ICE or CBP agents without a hearing before a judge. These include expedited removal orders, administrative removal orders, and stipulated removal orders. <input type="checkbox"/> the Board of Immigration Appeals <input type="checkbox"/> a United States District or Magistrate Court Judge</p> <p>and pursuant to the following provisions of the Immigration and Nationality Act:</p> <p>Although the underlying removal order may have been issued by a judge, this warrant for a new arrest still lacks any finding of probable cause by a neutral magistrate, which is the minimum standard for a constitutionally sufficient warrant.</p> <p>I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:</p> <p>This warrant directs ICE or CBP to arrest and deport the person without any further hearing or judicial review.</p> <p>(Signature of immigration officer) (Title of immigration officer) (Date and office location)</p> <p style="text-align: center; color: red; font-size: 2em;">SAMPLE</p>	<p>RETURN</p> <table border="1"><tr><td>Date Warrant Received 12-18-06</td><td>Date and Time Executed 12-12-06 0733</td><td>Copy of Warrant and Receipt for Items Left with G. M. WACHTER V.P. GENERAL MANAGER SWIFT Company</td></tr><tr><td colspan="3">Inventory Made in the Presence of GERALD COYLE</td></tr><tr><td colspan="3">Inventory of Person or Property Taken Pursuant to the Warrant</td></tr><tr><td colspan="3">SEE ATTACHED LIST OF PERSONS DISCOVERED AND ARRESTED</td></tr></table> <p>CERTIFICATION</p> <p>I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.</p> <p>Subscribed, sworn to, and returned before me this 15th day of December, 2006.</p> <p>Affiant United States Magistrate Judge</p>	Date Warrant Received 12-18-06	Date and Time Executed 12-12-06 0733	Copy of Warrant and Receipt for Items Left with G. M. WACHTER V.P. GENERAL MANAGER SWIFT Company	Inventory Made in the Presence of GERALD COYLE			Inventory of Person or Property Taken Pursuant to the Warrant			SEE ATTACHED LIST OF PERSONS DISCOVERED AND ARRESTED		
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ORDEN ADMINISTRATIVA VS. ORDEN JUDICIAL

ICE utiliza órdenes administrativas como una táctica para entrar a los hogares o establecimientos. El aspecto clave a recordar es:

- Las órdenes judiciales deben tener su nombre y una firma de un juez de primera instancia, así como toda la información correcta, incluyendo la fecha, nombre y dirección.
- Si la orden fue emitida por ICE, no pueden ingresar a menos que se les de permiso
- Se sabe que ICE se mete a hogares se alguien abre la puerta, por lo tanto, se recomienda NO abrir la puerta

Las Protecciones en California y San Francisco

Protections in California and San Francisco

- No todas las leyes y políticas son iguales en los diferentes estados y ciudades
- ¿Qué es un *estado/ciudad santuario*?
 - Esto significa que las autoridades locales tienen una cooperación limitada con las autoridades federales de inmigración.
- CA = Estado Santuario
- Oakland, San Francisco = Ciudades Santuario
- SFUSD
 - "El oficial NO recibirá información sobre estudiantes o familias ni se le ofrecerá acceso al campus excepto a la oficina principal". "excepto cuando así lo exija una orden válida u orden judicial firmada por un juez federal o estatal"
- Not all laws and policies are the same in every state and city
- What is a *sanctuary state/city*?
 - This means that local law enforcement has limited cooperation with federal immigration authorities.
- CA = Sanctuary State
- Oakland, San Francisco = Sanctuary Cities
- SFUSD
 - "The officer will NOT be provided with information about students or families or offered access to campus except to the front office." "except when mandated pursuant to a valid warrant or court order signed by a federal or state judge"

Red de Respuesta Rápida de SF

La Red de Respuesta Rápida de San Francisco es una colaboración entre diferentes agencias en SF

- o organizaron e implementaron este sistema para responder a las acciones de la ley intensificadas por parte de ICE

Nuestro sistema consta de los siguientes tres componentes:

1. **Numero de 24 horas** - El número es 415-200-1548. Tenemos capacidad lingüística en español, árabe y chino (tanto cantonés como mandarín). Si la línea está ocupada es porque estamos hablando con alguien más.
 - o **Usa la línea solo para reportar la actividad de ICE en San Francisco. El condado de Alameda también tiene una línea directa al 510-241-4011.**
 2. **Verificación de redadas** - Hacemos verificación de redadas para todas las llamadas dentro de San Francisco. La verificación de la actividad de ICE es un componente importante de nuestro trabajo para disipar los mitos y disminuir el miedo.
 3. **Activación del abogado** - Si alguien es detenido después de una redada de ICE o actividad de ICE, activaremos a nuestros abogados para ir a 630 Sansome (centro de procesamiento de inmigración) para solicitar la representación del individuo. También trabajaremos para asegurar la representación a largo plazo si la persona lo necesita.
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SF Rapid Response Network

The [San Francisco Rapid Response Network](#) is a collaboration between different agencies in SF
o organized and implemented this system to respond to heightened enforcement actions by ICE

Our system consists of the following three components:

1. **24 Hour Hotline.** The number is [415-200-1548](#). We have language capacity in Spanish, Arabic, and Chinese (both Cantonese and Mandarin).
 - o If the line is busy it is because we are speaking with someone else.
 - o **Use the line only to report ICE activity in San Francisco. Alameda County also has a hotline at 510-241-4011.**
 2. **Raid Verification** - We do raid verification for all calls of alleged ICE Enforcement activity within San Francisco. Raid verification is an important component of our work in order to dispel myths and lessen fear.
 3. **Attorney Activation** - If an individual is detained after an ICE raid or ICE Activity we will activate our attorneys to go down to 630 Sansome (immigration processing center) to file for representation of the individual. We will also work to secure long term representation if the person needs it.
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Superando el Estrés y la Ansiedad en Torno a ICE

Managing Stress and Anxiety surrounding ICE

- Respiraciones profundas
 - Establezca límites con las personas que causan más miedo o ansiedad.
 - Consumir menos redes sociales
 - Nuestros cerebros no están diseñados para absorber tanta información
 - Alguna de la información es falsa o exagerada
 - ¡TIENES UNA COMUNIDAD QUE TE APOYA!
- Deep breaths
 - Set boundaries with people who cause more fear or anxiety
 - Consume less social media
 - Our brains are not designed to take in that much information
 - Some information is false or exaggerated
 - YOU HAVE A COMMUNITY THAT SUPPORTS YOU!

Cuentas de Redes Sociales a Seguir Social Media Accounts to Follow

Kathleen Martinez - Immigration Lawyer/ Abogada de Inmigracion

Instagram: @attornewmartinez / Espanol: @laabogadamartinez

TikTok: @attornewmartinez / Espanol: @abogadaamartinez

Aaron Parnas - Indepent Reporter/ Lawyer

Instagram: @aaronparnas

TikTok: @aaron.parnas

Immigrant Legal Resource Center - Nonprofit Organization

Instagram: @the_ilrc

ACLU - Nonprofit Organization

Instagram: aclu_nationwide

Links to "Know Your Rights" Videos / Enlaces para videos "Conozca sus derechos"

<https://www.wehaverights.us/spanish>

<https://www.wehaverights.us/english>

Preguntas? / Questions?
