

**KNOW YOUR
RIGHTS WITH
ICE**

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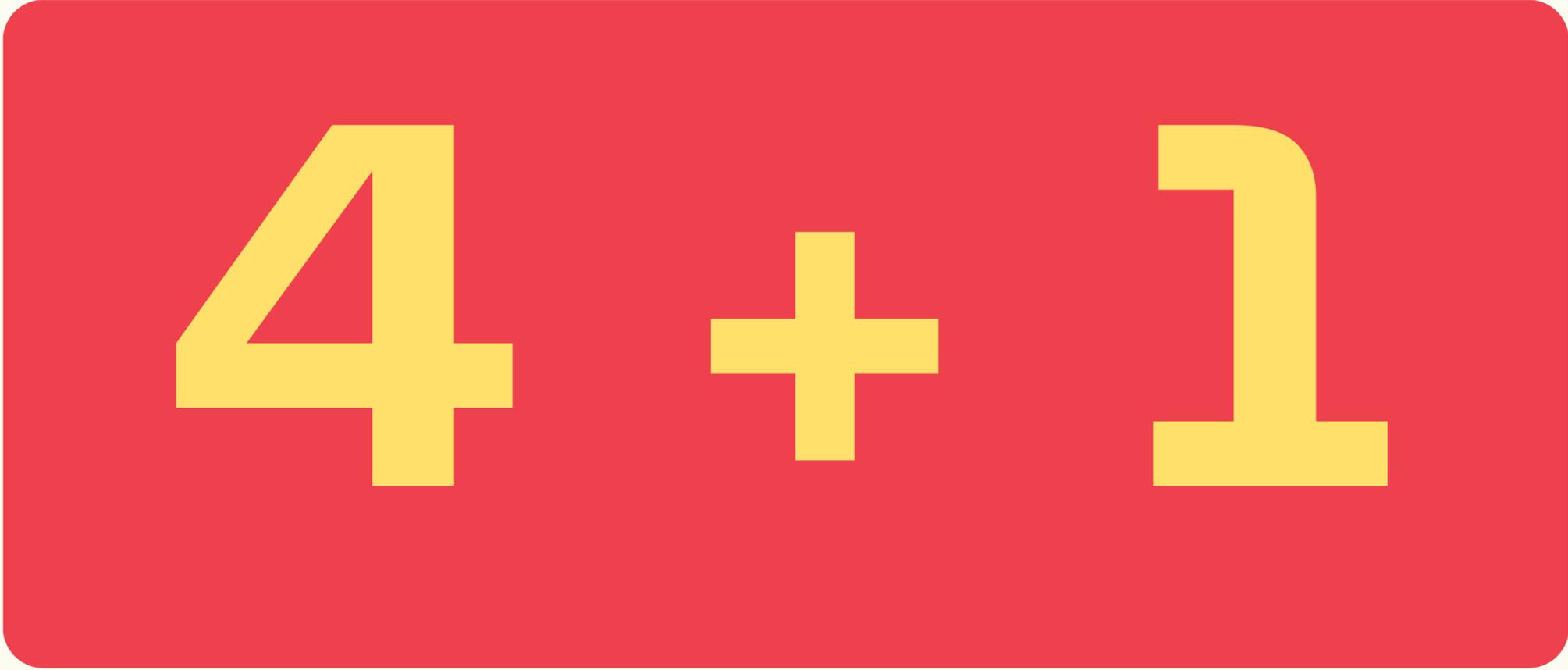
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defense**

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REMEMBER YOUR RIGHTS!



4 + 1

**Am I
free to
go?**

**¿Soy
libre de
irme?**

**I want to
remain
silent.**

**Quiero
permanecer en
silencio.**

**I don't
consent to
a search.**

**No doy mi
permiso
para una
búsqueda.**

**I want to
speak to
an
attorney.**

**Quiero
hablar con
un
abogado.**



**I don't consent
to your entry.**

**No doy mi
permiso para tu
entrada.**

YOUR RIGHTS



You have the right to remain silent

and do not have to discuss your immigration or citizenship status with police, immigration agents, or other officials.

If you want to exercise your right to remain silent, **say so out loud: “I want to remain silent.”**

To ask for your immigration documents, an officer must have a reasonable suspicion of a crime or a violation of immigration law. **If you do not answer any questions, law enforcement has less reason to ask for your immigration documents.**

YOUR RIGHTS



You do not have to answer any questions by law enforcement without an attorney present.

If the police or ICE question you, assert your right to remain silent and tell them **“I want to speak to an attorney.”**

Do NOT lie about your citizenship status or provide fake documents.

Do NOT sign anything unless you have spoken to an attorney.

EXCEPTIONS



If you are arrested by the police, you have the right to a government-provided attorney; if you are arrested by ICE you have the right to an attorney, **BUT the government does not have to provide one.**

In Minnesota, you do not have to provide your name to law enforcement unless they suspect you of a crime, **BUT in some other states you do** (like North Dakota or Wisconsin).

If an immigration agent asks to search you, you have the right to say no.

You do not have to consent to a search by law enforcement, **BUT they may pat you down if they suspect a weapon.**

KNOW YOUR WARRANTS

A **judicial warrant** is **signed by a judge**. There are two main types:

1. A **search warrant** allows law enforcement to enter the address listed on the warrant, but officers can only search the areas and for the items listed.
2. An **arrest warrant** allows law enforcement to enter the home/workplace of the person listed on the warrant if they believe the person is inside.

An **administrative warrant** (“ICE warrant”) does NOT allow officers to enter a home/workplace without consent. **This is NOT signed by a judge.**

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

ICE "WARRANTS"

DEPARTMENT OF HOMELAND SECURITY U.S. Immigration and Customs Enforcement

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

To any immigration officer of the United States Department of Homeland Security:

(Full name of alien)
who entered the United States at _____ on _____
(Place of entry) (Date of entry)

subject to removal/deportation from the United States, based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
- a designated official
- the Board of Immigration Appeals
- a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

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:

(Signature of immigration officer)

(Title of immigration officer)

(Date and office location)

NOT issued by a court

NOT signed by a judge

SAMPLE

SAMPLE

UNITED STATES DISTRICT COURT

Southern District of Mississippi

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

KOCH FOODS OF MISSISSIPPI, LLC
108 Morris Tullos Dr, Morton, MS 39117
as described in Attachment A

Case No. 3:19 mj 205 LRA

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and swear under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Southern District of Mississippi, there is now concealed (identify the person or describe the property to be seized):
See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
8 USC 1324(a)	Unlawful Employment of Aliens

The application is based on these facts:

See affidavit of SA Anthony Todd Williams, Jr., which is attached and incorporated by reference herein.

- Continued on the attached sheet.
- Delayed notice of 30 days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

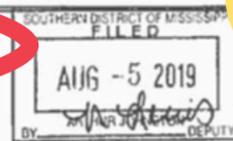
Anthony Todd Williams, Jr.
Applicant's signature
Anthony Todd Williams, Jr., SA HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 08/05/2019

Linda R. Anderson
Judge's signature
Linda R. Anderson, United States Magistrate Judge
Printed name and title

City and state: Jackson, MS



JUDICIAL WARRANTS

YES issued by a court

YES signed by a judge

UNITED STATES DISTRICT COURT

NORTHERN

IOWA

In the Matter of the Search of
(Name, address or brief description of person, person or premises to be searched)
Agriculture, Incorporated and/or Naval Properties,
Corporation with complete description of premises to be searched incorporated in Attachment 1

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

Case Number: 08-MJ-110

I, Senior Special Agent David Hougland

being duly sworn

Senior Special Agent

and have reason to believe

that the person of or on the property or premises known as (name, description and/or location) is in possession, custody, control, or constructive possession of evidence of the commission of a federal offense, and property designed or intended for use or which is or has been used as the means of committing a criminal offense.

Northern District of Iowa

there is now concealed a certain person or property, namely (describe the person or property to be seized)

(See Attachment 2)

which is contraband, fruits of crime, or other items illegally possessed, property designed for use, intended for use, or used in committing a criminal offense, and property designed or intended for use or which is or has been used as the means of committing a criminal offense.

concerning a violation of Title 18 U.S.C. 42 United States code, Section(s) 1324, 1326 & 1546, 1016, 1028A&408, and a finding of probable cause are as follows:

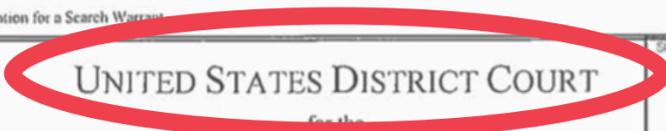
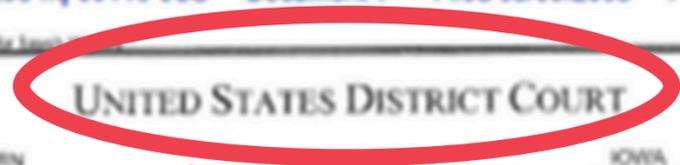
Continued on the attached sheet and made a part hereof.

Yes No
David Hougland
Signature of Affiant

Sworn to before me and subscribed in my presence,

May 9, 2008
at Des Moines IA

Jon Stewart Seales Magistrate
Name of Judge Title of Judge
[Signature]
Signature of Judge



IF ICE COMES TO YOUR HOME



Ask if they are ICE or CBP agents and why they are there. Have them show you their identification through a window or peephole.

Do NOT open the door. Tell the agents **“I do not consent to your entry.”**

Ask them if they have a warrant **signed by a judge**; if they do, ask them to slide it under the door or hold it up to a window for inspection.

IF ICE COMES TO YOUR HOME



Read the warrant carefully; even if it is **signed by a judge**, to be valid it must correctly state the address and/or the name of the person they are looking for, and be within the time period listed on the warrant.

If the person named on an arrest warrant is home, send them out to talk to ICE instead of letting agents in.

If they do not produce a valid judicial warrant, **keep the door closed**. Tell them: **"I do not consent to your entry."**

IF ICE COMES TO YOUR HOME



If agents force their way in, stay calm and do not resist. If you wish to exercise your rights, state: **"I do not consent to your entry or to your search. I want to remain silent. I want to speak with an attorney."**

IF agents have a valid warrant signed by a judge, you must let them in. **BUT** continue to assert your rights aloud.

Make sure your children and elders know not to open the door or talk to ICE!

IF ICE PULLS YOU OVER DRIVING



If you are pulled over by law enforcement, ask if they are ICE or CBP agents and why you have been stopped. **Do NOT open the car door.**

When you are pulled over driving, you must show law enforcement your driver's license, registration and insurance. Do not lie or give them fake documents.

If an officer asks to search your car, ask if they have a warrant signed by a judge. If not, tell them **"I do not consent to your search of my vehicle."**

IF ICE PULLS YOU OVER DRIVING



If an officer continues asking you questions, ask **“Am I free to go?”** If they say yes, then calmly drive away. If they say no, assert your rights aloud.

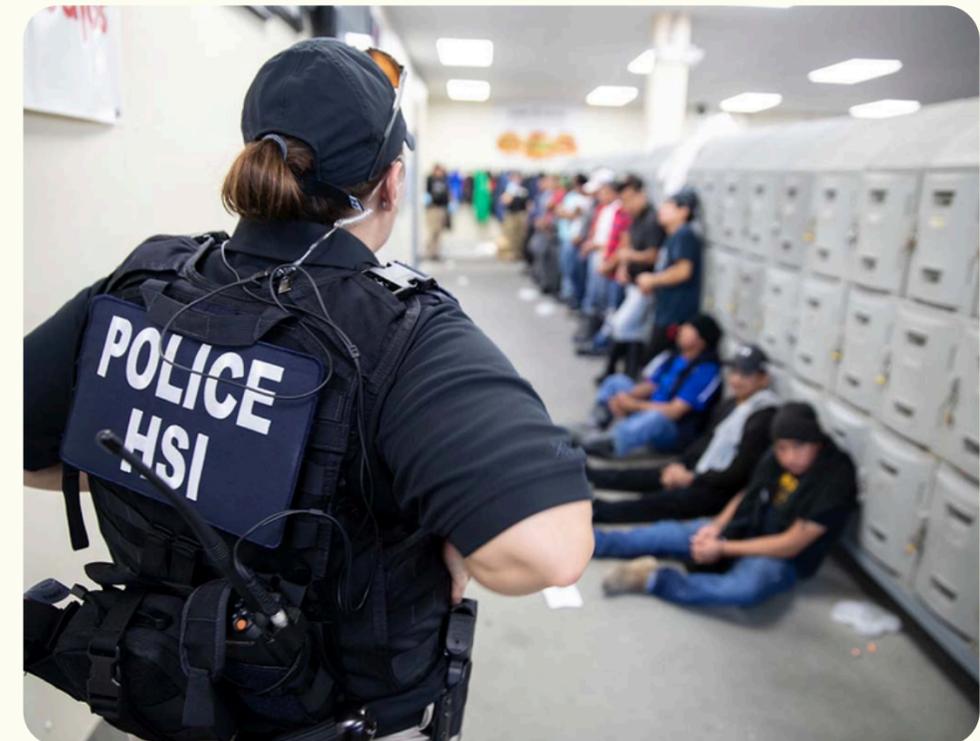
Passengers in your car do **NOT** have to speak to law enforcement, and they do **NOT** have to show any immigration documents or identification.

IF ICE COMES TO YOUR WORK

ICE must have an arrest or search warrant **signed by a judge** to enter the building, **OR permission from your employer.**

If an agent approaches you, ask: **“Am I free to go?”** If they say no, tell them **“I want to remain silent.”** If they say yes, calmly walk away.

No matter what ICE does, **stay calm and do not run.** Do not interfere or resist.



IF ICE COMES TO YOUR WORK

If officers ask to search you, your property or your workspace, state: **“I do not consent to a search.”** Do not resist if they attempt to search your belongings without your consent.

If safe, write down officers’ names, badge numbers, what they take, or who they arrest. You have the right to take out your phone and record the officers as long as you do not interfere with what they are doing.



IF ICE COMES TO YOUR WORK

If officers tell you to **line up** with others based on your immigration status, **you have the right to stay where you are**, or you can calmly move to a safe place that is not part of the line. Tell officers **“I want to remain silent.”** If you are forced to move, do not resist.



EMPLOYERS' RIGHTS WITH ICE



Employers have a **“reasonable expectation of privacy”** in their place of business. To protect employees, business owners must be loud and assert their right to privacy.

Be aware of what counts as “public” and “private” under the law. ICE can access fields, barns, porches, & “public-facing” parts of businesses without a warrant, even if fenced off and/or a “no trespassing” sign is posted.

Post signs to mark private areas inside your business.

THE LAKEN RILEY ACT

What is the Laken Riley Act?

- Mandatory detention for individuals who **entered the US without inspection** accused of (1) theft offenses; (2) assaulting a law enforcement officer; or (3) any crime resulting in death or serious bodily injury
- **No opportunity for release** while case is pending
- Laken Riley does NOT require you to be **convicted** of a crime – just **accused**



BE PREPARED



If someone you know is detained by ICE, as soon as possible write down every detail you remember. Include things like times, dates, officers' names, badge numbers, items they took, individuals they arrested, or any other actions.

If you asserted your rights out loud, make a note of this – especially if officers ignored you.

If you are arrested, **do NOT discuss your immigration status with ANYONE—not even other arrested people.** Only discuss it with your attorney.

If you are arrested, ask your attorney about how a criminal conviction or plea will affect your immigration status.

BE PREPARED



If you have a green card, carry it with you at all times. For all other immigration documents, keep them somewhere secure and carry a copy.

Keep a copy of your immigration documents with someone you trust.

Make sure your family has copies of all your immigration documents.

If you have had a **continuous presence in the US for over two years**, consider creating a packet of information to show this and keep it somewhere secure.

BE PREPARED



Talk to an immigration attorney **BEFORE** you encounter ICE. Memorize your attorney's name and number.

Consider creating a **Power of Attorney** and/or **DOPAs** (Delegations of Parental Authority). A Power of Attorney will allow another adult to act on your behalf legally, and DOPAs will allow another adult to care for your children.

Make sure your family has the following information:

1. **Your legal name, A# and date of birth.**
2. Your attorney's contact information.
3. Your union representative or employer's contact information.
4. Contact information for any person named in Powers of Attorney/DOPAs.
5. The number of your local ICE field office.

BE PREPARED: DOPAS



More info on DOPAs

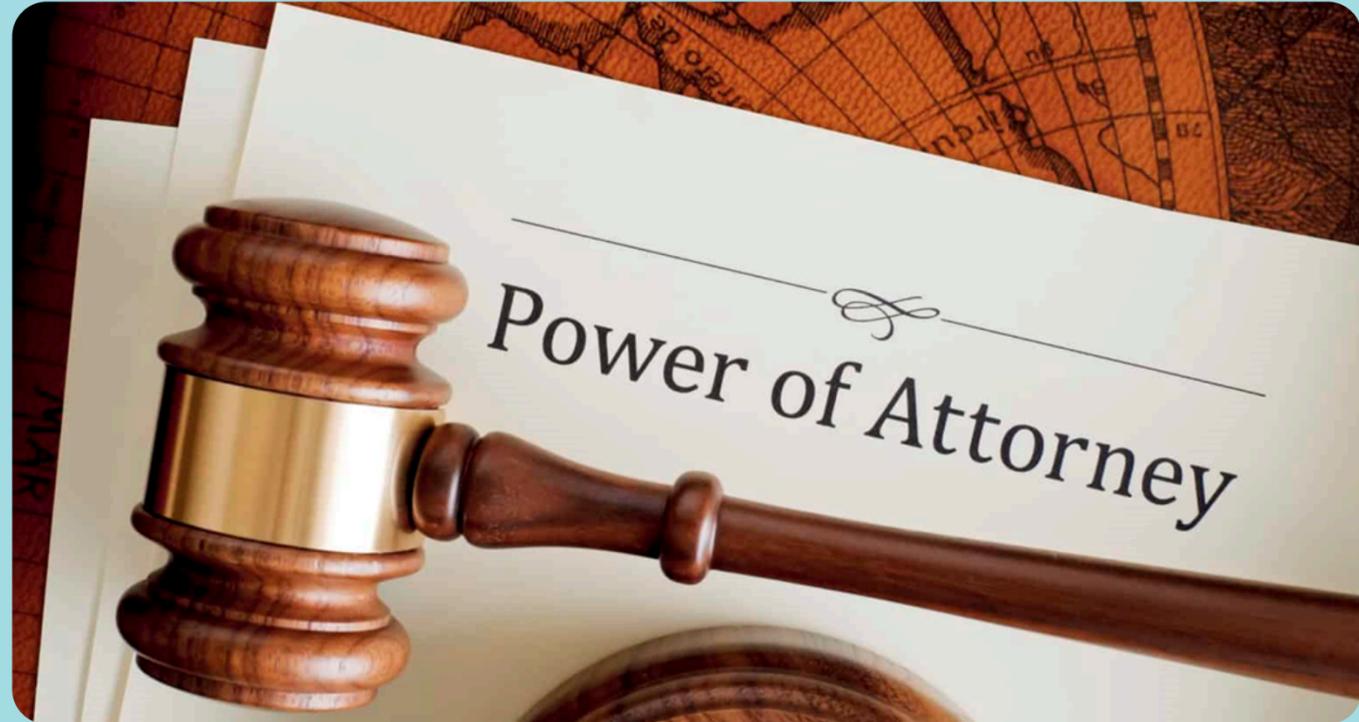


Do it yourself DOPA

POWERS OF ATTORNEY



[More info on Powers of Attorney](#)



ICE COMMUNITY DEFENSE



Use your privilege as a citizen to keep your immigrant neighbors safe! Approach potential ICE agents and ask if they are with ICE. Ask to see identification, ask why they are here, and ask if they have a warrant **signed by a judge.**

You are allowed to film ICE in public so long as you do not obstruct their activities.

ICE COMMUNITY DEFENSE



Draw attention to ICE! Loudly follow agents around your neighborhood until they leave.

Shout KYR information to houses that ICE agents approach (“don’t open the door, it’s ICE!”); a megaphone can be useful for this.

Keep asking ICE what they are doing and why.

ICE COMMUNITY DEFENSE



PROTECT EACH OTHER

WHY A WHISTLE?

- A SIMPLE TOOL FOR FAST ALERTS.
- LOUD. RECOGNIZABLE. IMPOSSIBLE TO IGNORE.
- OUR VOICES ARE STRONGER TOGETHER.

ON THE STREETS

WHISTLES GUIDE PEOPLE TO:

- FOLLOW ICE CARAVANS
- CATCH UP WITH THE CROWD
- ALERT NEIGHBORS TO JOIN IN

NOISE = VISIBILITY.



"Whistle Warrior" Drive

ICE COMMUNITY DEFENSE



Standing together to protect our communities.

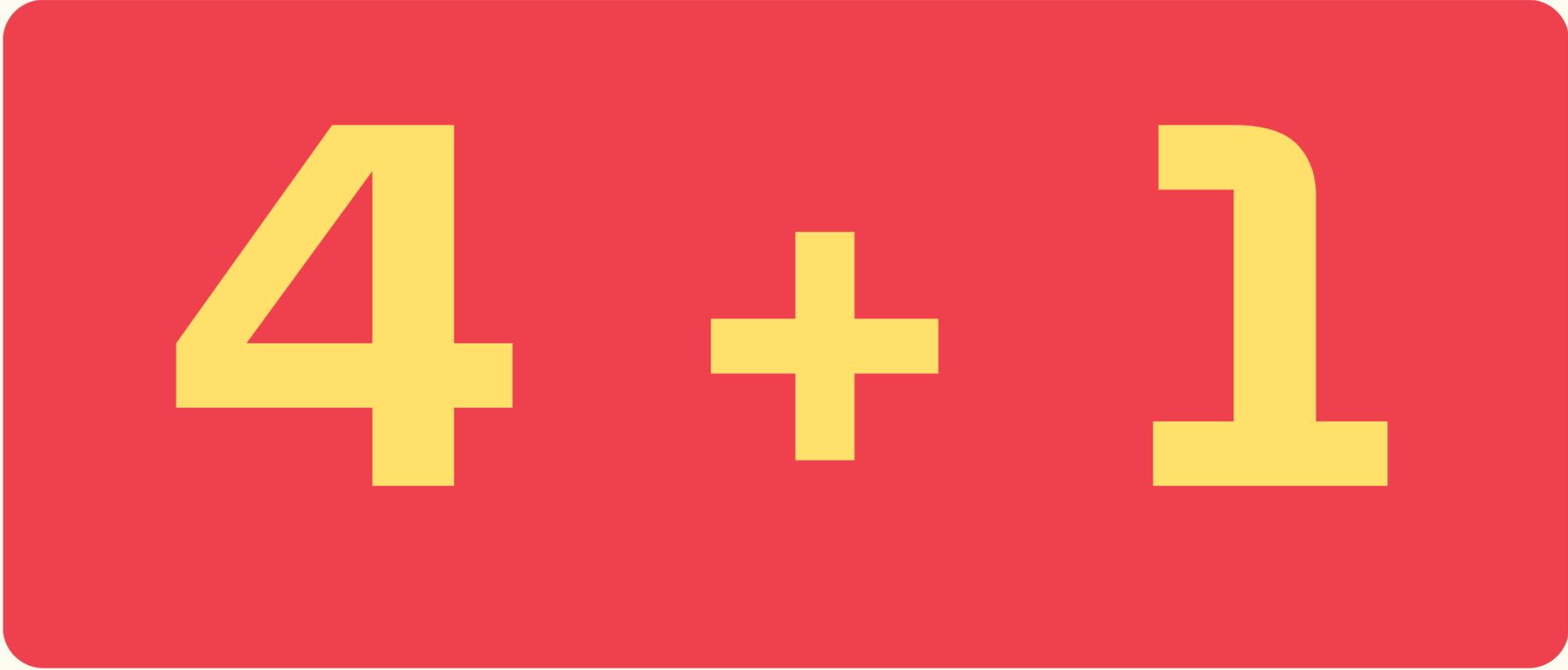


612-441-2881



Hotline & trainings

REMEMBER YOUR RIGHTS?



4 + 1

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ROLEPLAY ACTIVITY



ACLU OF MINNESOTA



KNOW YOUR RIGHTS

ACLU
MIN



REQUEST ASSISTANCE