

Know and Exercise Your Rights!



Steps to Prepare for the Potential Impact of the Trump Administration on Immigrant and Refugee Communities



Who is OneAmerica?

Advancing immigrant, civil, and human rights



Founded in the wake of 9/11 ONEAMERICA advances the fundamental principles of democracy and justice through building power in immigrant communities, in collaboration with key allies.

Organizing Power: Building leadership in community-groups across Washington

Policy Advocacy: Local, state and federal policy change to improve opportunities for immigrants

What We'll Cover Today

1: What we know about a Trump presidency

2: Your rights in the U.S. regardless of status

3: Making a safety plan

4: Immigration information (DACA, Visa)

5: Reporting hate crimes/ bullying

6: How to get involved

- ❖ *Disclosure: We are not attorneys and this training is in no way legal advice. We have done our best to gather information so communities can be informed and prepared.*
- ❖ *We are here today not only to deliver information but also to build community and a movement resisting hate and anti-immigrant sentiments.*
- ❖ *We are all impacted differently by this presentation. This information can be sensitive for people in the room. If you need someone to talk to during the presentation, please find a OneAmerica staff person in a teal T-shirt at any time.*



A Trump Presidency

Because Donald Trump has made anti-immigration statements, ICE and other law enforcement officers may think they can get away with violating your rights. We have also seen a rise in hate speech and crimes around certain target populations. This is why you **MUST** know rights.



What we know about a Trump presidency

- ❖ Donald Trump will become the president on January 20, 2017. The U.S. house and senate are also Republican controlled. Some of what he has proposed:
 - ❖ End Deferred Action for Childhood Arrivals (DACA) and significantly increase deportations of undocumented immigrants, separating families
 - ❖ Implement registration programs for Muslims, bans on immigration from certain Muslim countries.
 - ❖ Restricting legal immigration, visa programs and refugee resettlement programs.
- ❖ We can prepare for the unknown by getting information, seeking legal advice, knowing and exercising our rights, and supporting our communities

Know and Exercise Your Rights If Confronted by ICE



**You are valuable to this community
and if you are present in the U.S., you
have constitutional rights regardless
of immigration status**

What are your rights if confronted by law enforcement or ICE walking down the street or coming out of school?

STAY SILENT

- Don't answer any questions
- Don't say anything about where you were born or how you entered the U.S.

DON'T SIGN ANYTHING

- Refuse to show any documentation to an officer before you speak with your attorney
- You have the right to make a phone call and speak with your attorney

What are your rights if law enforcement or ICE comes to your home?

- DON'T OPEN THE DOOR

*Tell your kids not to open the door for anyone you are not expecting



If law enforcement or ICE asks to enter your home....

- They must have a warrant (piece of paper signed from the judge). It is rare that they actually have the warrant.
- You can ask an agent to hold the warrant against the window or slide under the door. It must have your correct name and address.
- Once inside they may expand their search to others in the residence
- Remember: You don't have to say anything, and if you choose not to, you can always request an attorney

Carry a 'Know Your Rights Card' and present it if an immigration officer stops you

KNOW YOUR RIGHTS!

If you are stopped by immigration or the police:

- ✓ Hand this card to the officer, and remain silent.
- ✓ The card explains that you are exercising your right to refuse to answer any questions until you have talked with a lawyer.

TO WHOM IT MAY CONCERN:

Please be informed that I am choosing to exercise my right to remain silent and my right to refuse to answer your questions. If I am detained, I request to contact an attorney immediately. I am also exercising my right to refuse to sign anything until I consult with my attorney. Thank you.

Usted tiene derechos constitucionales.

• NO ABRA LA PUERTA SI UN AGENTE DEL SERVICIO DE INMIGRACION ESTA TOCANDO A LA PUERTA.

• NO CONTESTE NINGUNA PREGUNTA DEL AGENTE DEL SERVICIO DE INMIGRACION SI EL TRATA DE HABLAR CON USTED. Usted tiene derecho a mantenerse callado. No tiene que dar su nombre al agente. Si está en el trabajo, pregunte al agente si está libre para salir y si el agente dice que sí, váyase. Usted tiene derecho de hablar con un abogado.

• ENTREGUE ESTA TARJETA AL AGENTE. NO ABRA LA PUERTA.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door. I do not give you permission to search any of my belongings based on my 4th Amendment rights.



I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

The card explains that you will remain silent and that you wish to speak with an attorney.

List of Documents

- ❖ Birth certificates and ID documents for everyone in the family
- ❖ Tax returns, but if you have not been paying taxes consult an accountant
- ❖ Proof of presence with address (lease, paystubs, medical records)
- ❖ If you feel afraid of returning to home country any evidence of risk in your country
- ❖ If you have a criminal record, all court records
- ❖ Letters of support



Key Things to Remember

- Don't carry documents from your country of origin and don't tell an officer about your country of origin
 - Don't run from immigration, as they will think you have something to hide
 - Remember that everyone has a right to go before an immigration judge
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School Safety



- Immigration officials (ICE) are generally not allowed to carry out their duties in sensitive locations including schools, early learning settings, and places of worship
 - They must have permission from a supervisory official or it must be an urgent situation for them to take action at a school
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Sanctuary Spaces



Sanctuary policies CAN NOT prohibit ICE from operating in the city, school or church to find or deport immigrants. It DOES send a strong message of resistance and welcome for immigrant and refugee communities. It also means:

- City will not actively collaborate with ICE
- In King County, jails will not hold people for purposes of being picked up by ICE

Create a Safety Plan



Plan with your friends and family

Memorize the name and phone number of a friend, family member and your attorney that you can call if arrested or detained.

If you take care of children or other people make a plan to have them taken care of if you are detained. Specify the plan for legal custody should you be detained or deported.

Keep important documents such as birth certificates and immigration documents in a safe place where close friends/family know they can access them.

Make sure your loved ones know you can use the ICE online detainee locator to find who is in immigration custody: <https://locator.ice.gov/odls/homePage.do>.

Make sure someone has your alien registration # to look this up.



Find Legal Help

ALWAYS consult an attorney.

We have a list of trusted attorneys we can share. Be careful to only use trusted attorneys and ask how fees are set.

We also have a list of trusted websites to search for free and low-cost attorneys.

Create a Financial Plan

Save money

Confirm who
has access
to your bank
account

Confirm who
would be in
charge of
selling your
possessions



Report and Document Raids and Arrests

- ❖ If possible and safe for you to do, take photos and videos of the raid and arrests. Also take notes on what happened.
- ❖ Record and get contact info for witnesses and write down what happened: what, when, where.
- ❖ Call United We Dream's Hotline to report a raid 1.844.363.1423



Information About Immigration Status



If you have a Green Card...

- ❖ Consider applying to be a citizen soon -- citizenship is the only permanent protection from deportation
- ❖ The cost of the citizenship application will increase from \$680 to \$725 on December 23 -- apply soon!
- ❖ <http://www.wanewamericans.org/> for free help or call 877-926-3924



Information on Other Types of Status

- ❖ If you have a visa, ask an attorney if you can apply for a Green Card
- ❖ If you are not a legal resident, ask an attorney if you are eligible for a visa or work permit
- ❖ If you have been arrested or have a criminal record, ask an attorney if there is a way to clear your record



Deferred Action for Childhood Arrivals (DACA)



- ❖ If you don't already have DACA we recommend that you DO NOT begin a new applications
- ❖ If you already have DACA and are eligible to renew, we encourage you to apply before Obama leaves office on January 20th. *Please know that Dec 23rd costs will increase to \$495
- ❖ Speak with an immigration attorney to see if you are eligible for any other immigration status

Education Rights and WA State Dream Act



- ❖ Remember students under 18 have a right to a free and equal education regardless of immigration status. Schools cannot inquire about the immigrant status of parents.
- ❖ As of now, DACA recipients and undocumented students who meet the requirements still qualify for in-state tuition and state financial aid.
- ❖ Information gathered through the WAFSA/FAFSA is protected under FERPA which prohibits schools from voluntarily providing any outside agency – including DHS – with information from a student's school file.

Hate Crimes and Bullying



Given the current political climate, there has been an increase in hate crimes and hate speech against immigrants, Muslims, Sikhs, Middle Easterners, LGBTQ individuals, and others.

What is a hate crime and hate speech?

- Hate Crime (according to the [U.S. Department of Justice](#))
 - “Violence of intolerance and bigotry, intended to hurt and intimidate someone because of their race, ethnicity, national origin, religion, sexual orientation, or disability.”
- Hate Speech (according to the American Bar Association)
 - “Speech that offends, threatens, or insults groups based on race, color, religion, national origin, sexual orientation, disability, or other traits.”

What is Bullying?



Bullying (according to the U.S. government):

- Unwanted, repeated aggression where a person who has more power, or thinks they have more power, attacks another person
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How do I know if my family members or myself are experiencing hate crimes, hate speech, or bullying?

❖ You may experience physical or verbal violence or aggression because of your race, immigration status, religion, sexual orientation, or ability:

- At work
- At school
- On the street
- On public transportation
- On your property (for example: graffiti or damage)

❖ Your child may:

- Have unexplained injuries
- Report headaches or stomach aches
- Change their eating or sleeping habits
- Feel hopeless
- Avoid social situations
- Practice self-harm, run away, or carry out other self-destructive behavior

What to do if you experience hate crimes or hate speech?

Report hate crimes, bullying, name calling, aggression

- ❖ Document who, what, when, where, and the length of time of the incident
- ❖ Get contact information from witnesses

Report the incident to:

- ❖ The Police (call 911 in the event of violence)
- ❖ Council on American-Islamic Relations (CAIR): 206-367-4081 or <http://cairseattle.org/get-help>
- ❖ Southern Poverty Law Center: <https://www.splcenter.org/contact-us>
- ❖ If in school, report to your school or ACLU: 206-624-2184

If your child is experiencing bullying:

- ❖ Document who, what, when, where, and the length of time of the incident
- ❖ Get contact information from any witnesses

Report the incident to:

- ❖ Authorities in the school - teachers, principal, school district directors
- ❖ If in school, report to your school or ACLU: 206-624-2184
- ❖ Council on American-Islamic Relations (CAIR): 206-367-4081 or <http://cairseattle.org/get-help>
- ❖ If necessary, the Police (call 911)

How can I support someone who has experienced a hate crime, hate speech, or bullying?

- ❖ Listen to them
- ❖ Show you support them
- ❖ Tell them the bullying, hate speech, or violence they experienced was not their fault
- ❖ If they want, help them report the incident, get medical attention, and speak with a counselor
- ❖ Share information you've learned with them

Driver's Licenses



- ❖ By January 2018, we anticipate some changes to the appearance of driver's licenses in Washington state. But we do not anticipate any changes to eligibility for undocumented populations.

These are the two things we want you to remember:

- 1) If confronted by ICE, **REMAIN SILENT**, say you have the right to speak with an attorney, give them your **RED CARD**
- 1) Do not open the door for ICE to your home

How To Get Involved



- ❖ Come to a OneAmerica base group meeting to build your leadership and join the movement for justice. Our next meeting is
- ❖ Get trained in how to facilitate these sessions for your community
- ❖ Advocate to keep Washington and your county, city, and school district welcoming for immigrants and refugees

Questions?

Contact us!

info@weareoneamerica.org

**Closing: What's one
commitment you will
make today to stand up
for immigrants and
refugees?**

Thank you to our partners for information they provided for this training:

-Northwest Immigrant Rights Project

-National Immigration Law Center

-American Immigration Lawyers Association

Resource Links

- [Teaching Tolerance](#)
- [Know Your Rights](#)
- [DACA resource](#)
- [NWIRP Immigration 101 Training](#)
- [Free or Low-Cost Legal Services in WA State](#)
- [Resource Guide: Supporting Undocumented Youth by the U.S. Department of Education](#)
- [How to Support College-Bound Undocumented Students: Advise for Parents by Educators for Fair Consideration](#)
- [How to Support Family and Friends Experiencing Hate Crimes](#)
- [Latest Hate Crime Statistics](#)