



## Immigration Institute of the Bay Area

Serving Immigrants and Refugees Since 1918

# Know Your Rights

12th Annual 4CD Dreamers Conference



**DVC**

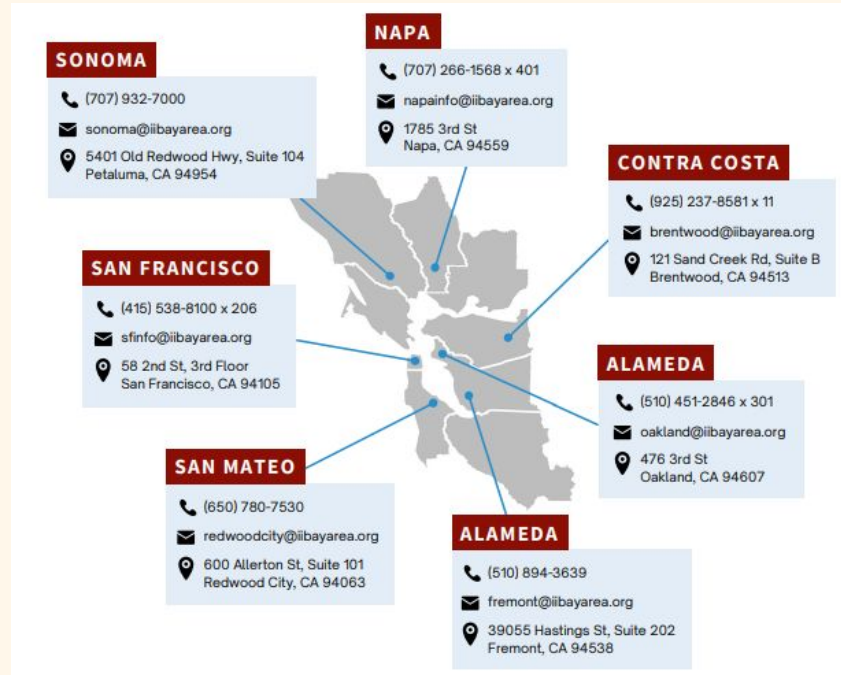
DIABLO VALLEY COLLEGE



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COSTA  
COLLEGE**

**LOS MEDANOS  
COLLEGE**

# IMMIGRATION INSTITUTE OF THE BAY AREA (IIBA)



The Immigration Institute of the Bay Area is a non-profit organization providing high-quality, affordable immigration legal services, education, and civic engagement opportunities throughout the San Francisco Bay Area since 1918.

- 7 offices throughout the San Francisco Bay Area
- FREE services to all California Community College students, staff, and faculty
- Low cost services to the community

# Free Immigration Legal Services

- IIBA is a select non-profit offering free legal services to ALL CCC students, staff, and faculty in the bay area through the Community College Immigration Services Program
- Services are free, confidential, and we have access to remote translators in various languages
- IIBA can also present on immigration updates and programs at classes, student organizations, or faculty departments

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01

# **Legal Updates & Terms to Know**

# Legal Updates

## Deferred Action for Childhood Arrivals (DACA)

- Decision by the U.S. Southern District of Texas:
  - DACA is an unlawful program
  - 2022 DACA Rule attempting to solidify DACA is also unlawful
- The case is now being appealed to the 5th Circuit Court of Appeals by the Biden Administration.
- Current State of DACA:
  - DACA renewals can continue
  - Advance Parole for DACA can continue
  - Appeals for DACA renewal denials can continue



# Legal Updates

## Temporary Protected Status (TPS)

- Program that allows migrants whose home countries are considered unsafe the right to live and work in the United States for a temporary, but extendable, period of time.
- Current Designated Countries:
  - Afghanistan; Burma (Myanmar); Cameroon; El Salvador; Ethiopia; Haiti; Honduras; Nepal; Nicaragua; Somalia; South Sudan; Sudan; Syria; Ukraine; Venezuela; Yemen
- Current Extensions (for those who already have TPS):
  - El Salvador; Haiti; Honduras; Nepal; Nicaragua; Sudan



# Agencies in Immigration Law

## **United States Border Patrol:**

In charge of securing the nation's land borders and coastal waters between ports of entry.





# Agencies in Immigration Law

## **Immigration & Customs Enforcement:**

Criminal investigations and enforcement of immigration laws to preserve national security and public safety.



# Agencies in Immigration Law

## **Customs & Border Protection (CBP):**

In charge of customs and immigration enforcements at U.S. Ports of Entry.



# Agencies in Immigration Law

## **U.S. Citizenship & Immigration Services**

In charge of processing immigration and naturalization applications, and establishing policies regarding immigration services.



**U.S. Citizenship and  
Immigration Services**

# Other Agencies

## State Level: California Highway Patrol

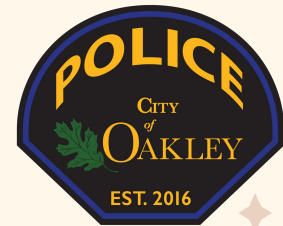
In charge of safety, service, and security of state highways, and protection for the Governor.

## County Level: Contra Costa County Sheriff

In charge of law enforcement at the county level, jails, and work camps.

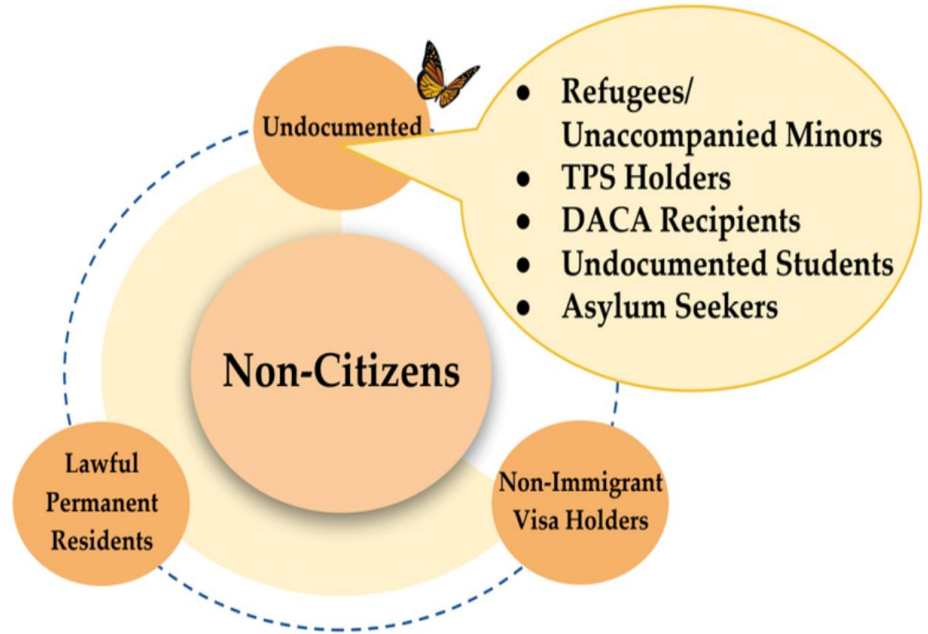
## City Law Enforcement: Local Police Dept.

In charge of public safety at the city level.



# Common Immigration Statuses

- Undocumented
- Lawful Permanent Resident
- Non-Immigrant
- U.S. Citizen



# Common Immigration Remedies

## Permanent Residency (Adjustment of Status; Family Petitions; Consular Processing)

- Also known as a “Green Card”
- Non-citizens who are lawfully authorized to live permanently in the United States





# Common Immigration Remedies

## Special Immigrant Juvenile Status

- For unmarried children under age 21 who have been declared dependent on a juvenile court or placed in custody of individual or entity appointed by court





# Common Immigration Remedies

## **Violence Against Women Act (VAWA)**

Self-petition done by spouse, child, or parent of Abusive Permanent Resident or Citizen. Eligible for Lawful Permanent Residency.

## **U-Visa: Victims of a qualifying crime**

4 year humanitarian visa for survivors of a qualifying crime

## **T-Visa: Victims of severe trafficking**

4 year humanitarian visa for survivors of human trafficking.



# Questions So Far?

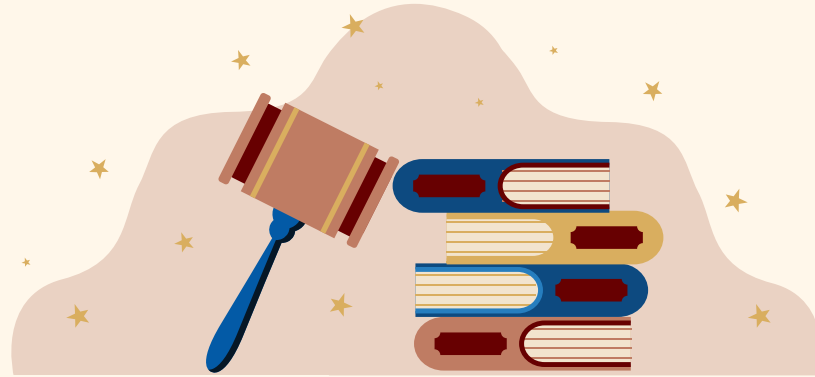


02

# KNOW YOUR RIGHTS



# EVERYONE HAS RIGHTS UNDER THE U.S. CONSTITUTION



# Your Rights



## To NOT Disclose

Where you were born or how you entered the U.S.



## To NOT open the door

ICE needs a warrant signed by a judge to enter. Do not open if no warrant!



## To NOT sign

Never sign documents without first speaking to a lawyer. If you do not understand it, do not sign it!

# RED CARD FOR ICE

**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.*

## CONTACT WITH LAW ENFORCEMENT

### Driver License

If asked by police, you must show your License.



### In Custody

Immediately request an attorney and remain silent

Police in California cannot ask for proof of immigration status

## CONTACT WITH ICE OR DHS

### Cooperate, BUT

Right to not disclose info of where you were born



### Custody

Call your emergency contact and attorney to inform them of the situation

# IF ICE ENTERS YOUR WORKPLACE



## **Do NOT Consent**

If ICE does not have a warrant, do not consent to enter the workplace nor to arrest anyone in your workplace.



## **Know the Law**

Under CA law, employers cannot turn over employee records or voluntarily allow immigration agents to enter non-public areas of the workplace without a judicial warrant.



## **No Warrant: Ask Them to Leave**

CALMLY ask them to leave and advise workers that they have the right to remain silent and do not have to answer their questions.



# IF ICE ENTERS YOUR WORKPLACE



## **With Warrant:**

Make sure that the warrant has the correct address for your workplace and that it is signed by a judge

**Agents cannot search areas or items not listed in the warrant!**



## **Stay Calm**

DO NOT run or direct others to run. This can lead to dangerous pursuits.



## **Call the Rapid Response Hotline in your Area**

**Fact: The Contra Costa Community College District is a Sanctuary for undocumented students. CCC will not release student information to ICE without a judicial warrant.**

# CALL!

**IN CASE OF  
IMMIGRATION ENFORCEMENT (ICE)  
CALL YOUR 24/7 HOTLINE**

**NORTHERN CALIFORNIA REGION**

**Alameda County: (510) 241-4011**

**Contra Costa County: (925) 900-5151**

**Humboldt County: (717) 282-5226**

**Marin County: (415) 991-4545**

**Sonoma & Napa Counties:**

**(707) 800-4544**

**Sacramento & Yolo Counties:**

**(916) 245-6773**

**San Francisco County: (415) 200-1548**

**Santa Clara County: (408) 290-1144**

**San Mateo County: (203) 666-4472**

**West Marin County: (415) 320-4826**

**SAVE - MEMORIZE - SHARE**



## SCENARIO ONE

Angela, an undocumented student attending Contra Costa College, is worried that I.C.E. will ask Contra Costa College for her immigration status.

What can we tell her?



## SCENARIO TWO

Jose, a DACA recipient, is stopped for speeding. The police officer asks for a green card or other proof of immigration status.

How should Jose proceed?

# WHAT CAN YOU DO TO PROTECT YOURSELF AND OTHERS?



## Prepare an Immigration File

Store all important documents in a folder or safe, and let a family member or close friend know where it is. Memorize that person's phone number!



## Records

Gather records relating to arrests or convictions, no matter if you think they are old convictions or you believe they are expunged from your record.

# WHAT CAN YOU DO TO PROTECT YOURSELF AND OTHERS?



## Make a Plan For Family

Who will care for your children or family? Find someone who is willing to help you should it be needed. Memorize their number!



## Children

Assure children they will be taken care of, without worrying them of course. Make sure they know who will care for them and have children memorize the person's number.

# WHAT CAN YOU DO TO PROTECT YOURSELF AND OTHERS?



## Save Money

Save money for a bond, should you need it. Save money for family and children as well!



03

# RESOURCES





# FREE IMMIGRATION LEGAL CONSULTATIONS



**Immigration Institute  
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- Free confidential immigration consults on campus.
- **Representation** in deportation matters (limited)
- **Legal assistance** for naturalization, U-visa, family petitions, DACA, TPS, Green card renewal/replacement, etc.
- Citizenship **workshops**
- **Classes** to study for your citizenship interview



# Immigrant Legal Defense

- Contra Costa College also has Immigrant Legal Defense as a resource (**virtual consultations only**).
- Book an appointment with ILD via the [www.findyourally.com](http://www.findyourally.com) website!
- For more information on ILD, visit their website at [www.ild.org](http://www.ild.org)



# AVOID FRAUD!

- Only get legal advice from attorneys and DOJ accredited representatives, NOT NOTARIES. An attorney will not be offended if you ask for their license number. To look up if a person is an attorney licensed to practice law in CA, visit [calbar.ca.gov](http://calbar.ca.gov)
- If something is too good to be true, it probably is.
- Notaries are NOT allowed to practice law in the United States.





04

**UNDOCUALLY**

# HOW TO BE AN UNDOCUALLY!



- Be the person someone else can rely on if they are taken into custody
- Stay informed of the legal updates that might impact your immigrant community
- If you are witnessing an ICE raid, do not bodily interfere with the detention
- You do have the right to record
- If you know who is being detained, alert their family members or friends and call THE HOTLINE

# CONTACT US!



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## **Immigration Institute of the Bay Area**

Community College Immigration Legal Services  
Program

Need an Immigration Consultation? Make an  
appointment online at:

<https://iibayarea.org/community-college>

Or At

<https://www.findyourally.com>

