

February 27, 2017

To our Hispanic Community,

Upon request of our members and in coordination with the Ohio Latino Affairs Commission (OCHLA), the following is to update you with the latest information on the new immigration policies formally released by the Department of Homeland Security. Given the new policies, it is critically important to understand that the Constitution protects everyone, regardless of immigration status, from discrimination based on race or national origin. Below, we are providing general information about your rights and guidelines on how to protect yourself. The information contained here is for informational purposes only and does not constitute legal advice.

What is the new policy?

The goal is to make it easier to deport more immigrants. Under the new policy, law enforcement may pursue a wide category of undocumented immigrants, including anyone "with a chargeable criminal offense."

Will deportations be faster?

Yes. The new policy expands a process called expedited removal, which gives law enforcement more authority to detain and deport an individual, within 24 hours, without access to safeguards like seeing a lawyer or judge. Proponents say this approach streamlines the process. Opponents say fewer safeguards increase the risk of errors and human rights violations.

Expedited removal was already in use for a narrow group of cases. The Obama administration applied it to situations where people were close to the border and recently entered the country. The new Trump policy expands it to a much wider group of people - all over the country, not just near the border, and even for those who have been here up to two years.

What about undocumented children or the "Dreamers" program?

The new policies do not end the Obama Administration's policy of Deferred Action for Childhood Arrivals ("DACA").

For undocumented children who came to this country before the age of 16, that policy allowed them to defer removal proceedings and get permission to work.

The Trump administration could still change or end that policy in the future.

What about undocumented immigrants who access public benefits?

Trump's policy calls for deportations of undocumented immigrants who abuse public benefits.

This is a sticky rule. On the one hand, there is precedent for barring the entry of potential immigrants who are "likely to become a public charge." Federal immigration law draws that line, in order to protect the U.S. from potential freeloaders. It is not clear, however, how DHS would define "abuse" and who would make that call.

150 South Front Street
Suite 200
Columbus, OH 43215



Website: www.hccolumbus.com
Email: contact@hccolumbus
Phone: (614) 225-6916

Know Your Rights!

How to Protect Yourself During an Immigration Raid

Immigrants and refugees are now facing increased enforcement actions, including unannounced and arbitrary home raids. The information contained here is for informational purposes only and does not constitute legal advice.

You Have Rights Under Our Constitution

The Constitution protects everyone, regardless of immigration status, from discrimination based on race or national origin. In the United States, everyone is entitled to certain protections, including the right to be treated fairly in court, to free speech, religious freedom, and other core civil rights.

Your Basic Rights During a Home Raid

- Stay calm.
- You do not have to open your door. If you wish to assert your rights, you should keep your door closed and speak to agents through the door.
- Ask the agents who they are and what they are there for.
- Sometimes agents will use a ruse or false information, so be extra cautious!
- If you are a Spanish-speaker and the agents do not speak Spanish, ask for an interpreter.
- If the agents want to enter, ask them if they have a warrant signed by a judge. An administrative warrant of removal from immigration authorities is not enough.
- If they say they have a warrant, ask them to slip the warrant under the door.
- Look at the top and at the signature line to see if it was issued by a court and signed by a judge or issued by DHS or ICE and signed by a DHS or ICE employee. Only a court warrant signed by a judge allows entry into your premises.
- Read and review the warrant carefully. Do not open your door unless ICE shows you a warrant naming a person in your residence and/or areas to be searched at your address.
- In all other cases, keep the door closed and state clearly: "I do not consent to your entry."
- If agents force their way in anyway, do not attempt to resist. State clearly: "I do not consent to your entry or to your search of these premises. I am exercising my right to remain silent. I wish to speak with a lawyer as soon as possible." Everyone in the residence may also exercise the right to remain silent.
- DO NOT LIE OR SHOW FALSE DOCUMENTS.
- DO NOT SIGN ANY PAPERS WITHOUT SPEAKING TO A LAWYER.



What to do if you are Detained by ICE

- You have a right to an attorney, however, neither ICE nor any government agent has to provide you one. If you do not have an attorney, ask for a list of providers of free or low cost legal services.
- You have a right to communicate with your consulate or to have an agent notify your consulate of your arrest.
- Let the agent know you wish to remain silent. Do not speak about your immigration status or why you are in the U.S. with anyone other than your attorney.
- Do not sign anything! If you sign a document without first speaking with an attorney, you may be waiving an opportunity to remain in the U.S.
- Stay calm at all times. As much as possible, try to remain calm and think clearly despite being harassed or intimidated.
- Remember your immigration number (“A Number”) and share it with your family. This will help your family find you.
- Keep copies of all of your immigration documents with someone you trust.
- Do not provide any false documents or information, as they may be used against you in a deportation proceeding.

For additional Immigration Resources and Information as listed below, please go to the Ohio Latino Affairs Commission (OCHLA) website:

<http://ochla.ohio.gov/PublicPolicy/ImmigrationUpdatesResources.aspx>

- [Family Preparedness Plan Booklet](#) (SPA & ENG) (Source: Immigrant Legal Resource Center)

This packet will help everyone create a Family Preparedness Plan, regardless of immigration status.

- [Red Cards](#) (Source: Immigrant Legal Resource Center)

All people in the United States, regardless of immigration status, have certain rights and protections under the U.S. Constitution. The Red Cards were created to help people assert their rights and defend themselves against constitutional violations.

- [The Legal Assistance Search Tool for Immigrants](#) (Source: Univision News)

An interactive digital tool designed to help U.S. immigrants find local nonprofit organizations that offer immigration-related advice and/or legal services free of charge or at a low cost.

- [Safe Place Fact Sheet](#) (Source: U.S. Department of Education)

All children have a right to a free public education, regardless of their actual or perceived immigration or citizenship status or that of their parents. The U.S. Department of Education has worked with the U.S. Department of Homeland Security to prepare this fact sheet, intended to help parents, families, educators, and other school staff understand the DHS guidance.

- [Limited Power of Attorney for Child Care Form](#)

For parents who may have to leave the country and are in need of having a Power of Attorney document they can issue for their children who may stay in the country.

150 South Front Street
Suite 200
Columbus, OH 43215



Website: www.hccolumbus.com
Email: contact@hccolumbus
Phone: (614) 225-6916