

PROTECT YOUR RIGHTS:

DOs and DON'Ts

Immigrants are entitled to many of the same constitutional rights as are citizens of the United States. To protect your rights follow these recommendations on how to act, if questioned or detained by immigration, or other law enforcement authorities. Because of the increase in the level of immigration law enforcement, we strongly recommend that you have a plan in place, if you are at risk for deportation. Prepare legal documents to assign the custody of your children and give a power of attorney to handle your financial affairs to persons you trust.

DOs

- To check if you are at risk of deportation call 800-898-7180 (touch 2 for instructions in Spanish) and enter your alien number to hear a recorded message on your status. Seek legal advice if you have an outstanding order of deportation.
- If you have it, carry some **legal** form of identification issued in the U.S. (driver's license, green card, employer or school ID, tax payer ID). Do not carry ID from your country which would identify you as a foreign resident unless you need it for a specific reason.
- Carry a card with the name, address and phone number of an immigration attorney, minister, or community organization that can advise you in case of detention. If you are detained, you have the right to make a phone call.
- Ask for, and write down, the names of any law enforcement agents who enter your house, with or without a warrant, or who may stop you on the street, as well as the department or agency to which they belong. Get names and phone numbers of any witnesses. If you think your rights have been violated, report, or ask a witness to report, the incident to an attorney or community organization, like LALDEF, as soon as possible.
- If you are stopped on the street for no reason by law enforcement agents, you are not obligated to show identification, but you should provide your real name if questioned, unless you have reason to believe it might incriminate you. If so, you may choose to exercise your right to remain silent and respond only by saying you wish to speak with an attorney. If you are driving a car,

you are required to have in your possession a valid driver's license issued in the state where you reside, a card from the insurance company, and the vehicle registration card, and you must show this documentation to law enforcement agents, if asked. ***But you do not have to answer any questions, such as what is your nationality, address, place of work, or whether you are in this country legally or have a green card. You are also under no obligation to provide information on the whereabouts of another person.*** Don't be intimidated. If you have not done anything wrong, ask permission to leave, and walk or drive away.

- If you are told you are under arrest, ask where you are being taken and give the information to any relatives or friends who might be present. If you have children, ask to be allowed to make arrangements to have someone take care of them.
- Ask a relative or friend who is a citizen or legal resident to keep copies of any documents you may have received from, or filed with, immigration authorities, your passport, and the name and phone number of the immigration attorney who is helping you. Tell other family members or friends where these documents are kept. If you have a pending case with immigration, it is important to know what is the alien number you have been assigned (your "A" number). If you are detained this will facilitate getting assistance to you quickly.

DON'T

- DON'T ignore any documents you receive in the mail from the immigration department. Show them to your attorney, or go to a legal services agency for advice as soon as possible.
- ***DON'T let immigration agents or officers from any other law enforcement agency, enter your home without a search or arrest warrant.*** A warrant is a document signed by a judge that allows the arrest of specific person(s), or the search of specific premises. You should ask the person(s) named in the warrant to exit the house and give themselves up, but you don't have to allow the officers inside the house. Once you do, they may question everyone inside and search for documents to prove you are in the country illegally. You can ask the officers to leave if the person(s) named in the warrant are not in the house. Opening the door without a clear agreement that the officers will not go inside, can be taken as giving consent to their entering. You can ***speak with them through a closed door or window.***
- DON'T offer any physical resistance if you are arrested, or if law-enforcement agents enter your home, even without a warrant

- DON'T carry or present false documentation. Never give a false name, or lie, as you would be breaking the law.

- DON'T sign any documents you don't understand without the advice of an attorney. You might be told that you should sign a "Stipulated Request for Removal and Waiver of Hearing". This will expedite your deportation without a hearing in front of a judge. Don't be intimidated by threats of long incarceration, or high bail. If you do not have a prior order of deportation, you have the right to a hearing in front of a judge, to request to be released, with or without bail, and to hire an attorney to argue your case. If you had previously received a deportation order, you no longer have the right to a hearing. However, if you think your circumstances warrant it, you can ask for time to look for an attorney to petition to have your deportation stopped. Keep in mind that immigration agents are under no obligation to inform you of your rights.

These general recommendations are not a substitute for legal advice for your particular case which only a licensed attorney can provide.

COMMUNITY AGENCIES THAT PROVIDE REPRESENTATION AND ADVICE ON IMMIGRATION MATTERS

AMERICAN FRIENDS SERVICE COMMITTEE

Immigrants Rights Program
Director: Amy Gottlieb
89 Market Street, 6th Floor
Newark, NJ 07102
(973) 643-1924.

CAMDEN CENTER FOR LAW AND SOCIAL JUSTICE, INC.

Immigration Service Office
1845 Haddon Avenue
Camden, NJ 08103
(856) 342-4160
and

15 North California Avenue
Atlantic City, NJ 08401
(609) 348-2111

CATHOLIC COMMUNITY SERVICES

976 Broad Street
Newark, NJ 07102
(973) 733-351

CATHOLIC FAMILY & COMMUNITY SERVICES

24 DeGrasse Street
Paterson, NJ 07505
(973) 279-7100

EL CENTRO HISPANO AMERICANO
(Formerly the Center for Central American Refugees)

525 East Front Street
Plainfield, NJ 07060
(908) 753-8730

INTERNATIONAL INSTITUTE

1 Journal Sq. 4th floor
Jersey City, NJ 07306
(201) 653-3888 Ext. 20

LA CASA DE DON PEDRO

39 Broadway
Newark, NJ 07104
(973) 481-4713.

LA CASITA LEGAL SERVICES

First Hispanic Baptist Church of Trenton
123 Butler Street Trenton, NJ 08611
(609) 858-2885

LUTHERAN SOCIAL MINISTRIES OF NEW JERSEY

189 South Broad Street
Trenton, NJ 08601
(609) 393-4900

LEGAL SERVICES OF NEW JERSEY

100 Metroplex Drive
Plainfield Avenue
Edison, NJ 08818
(732) 572-9100, ext. 231
Hotline: 1-888-576-5529

THE HEBREW IMMIGRANT AID SOCIETY

333 Seventh Avenue
New York, NY 10001-5004
(212) 613-1420

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