

KNOW YOUR RIGHTS

From A Legal Perspective



IMPORTANT INFORMATION



INITIAL ADVICE



BE PREPARED,
PLAN!!!!!!



You have heard:
“Mass deportations, deporting whole families, including U.S. citizens.” This is rhetoric designed to stoke fear, but don't give in to fear!



If you need to talk with someone about your specific situation, talk **ONLY** to a licensed attorney.



Do not talk to a non-lawyer, a notary public or a “paralegal!”



There are non-profit organizations that offer assistance as well as workshops.

FINDING LEGAL ASSISTANCE

Notaries are not lawyers

Paralegals are not authorized to practice law unless supervised by an attorney.

Chicago Volunteer Legal Services

312- 332-1624



Legal Aid Chicago

312 -341-1070



Chicago Bar Association Lawyer Referrals

312- 554- 2000



Family Support Hotline

855- 455 -7693

Illinois Coalition for Immigrant and Refugee Rights

855-435-7693



ILLINOIS TRUST ACT



The **Illinois TRUST Act** protects immigrant communities by prohibiting local law enforcement from detaining individuals based solely on immigration detainers or administrative warrants. This measure prevents arbitrary detention for immigration purposes, fostering greater security and stability.

Recognizing that State law does not currently grant State or local law enforcement the authority to enforce federal civil immigration laws, it is the intent of the General Assembly that nothing in this Act shall be construed to authorize any law enforcement agency or law enforcement official to enforce federal civil immigration law.

THE CHICAGO WELCOMING ORDINANCE

2-173-005 Purpose and intent. The vitality of the City of Chicago (the "City"), one of the most ethnically, racially and religiously diverse cities in the world, where one-out-of-five of the City's residents is an immigrant, has been built on the strength of its immigrant communities. The City Council finds that the cooperation of all persons, both documented citizens and those without documentation status, is essential to achieve the City's goals of protecting life and property, preventing crime and resolving problems. The City Council further finds that assistance from a person, whether documented or not, who is a victim of, or a witness to, a crime is important to promoting the safety of all its residents. The cooperation of the City's immigrant communities is essential to prevent and solve crimes and maintain public order, safety and security in the entire City.



This statute prohibits the police from stopping, arresting, detaining, or making inquiries regarding the immigration status of anyone. The statute prohibits the police from cooperating with any immigration agency except under very specific situations.

CURRENT SITUATION

EVERYONE HAS BASIC RIGHTS GUARANTEED BY THE UNITED STATES CONSTITUTION, REGARDLESS OF THEIR IMMIGRATION STATUS, INCLUDING:

- The right to say nothing.
- The right to refuse entry into your home or private area at work, unless the Immigration agent has a search warrant signed by a JUDGE.
- The right to speak with an attorney.

THE IMMIGRATION SYSTEM

THE DEPARTMENT OF HOMELAND SECURITY

THE DEPARTMENT OF JUSTICE

Departments of the U.S. Citizenship and Immigration Services (“USCIS”):

Immigration and Customs Enforcement- enforcement agency

Customs and Border Patrol

Departments of the Department of Justice:

Executive Office for Immigration Review (“EOIR”)

Immigration Judges- hear cases. Administrative agency that can allow credible hearsay into evidence

Board of Immigration Appeals (“BIA”)

RIGHTS IF STOPPED BY AN ICE AGENT

If Stopped by Immigration Agents (ICE)

Where You Can Be Stopped:

Immigration agents can question you in **public places** like the dining area of a restaurant.

Areas like a restaurant kitchen are **private** unless agents have a **judicial warrant** or **permission to enter**.

Do Not Run: Stay calm and do not attempt to flee.

Know Your Rights:

You have the right to **remain silent** except to provide your name.

Anything you say can and will be used against you.

If questioned, state clearly that you **do not wish to speak** except with your lawyer.

Documentary Evidence of Presence:

It is highly recommended to carry an official document, such as a **driver's license**, that shows you have been in the U.S. for at least **two years**.

RIGHTS IN PRIVATE PLACES

Protecting Your Privacy and Property

Judicial Warrant Requirement

Entry into a private space, such as your home or a restricted business area, requires a warrant signed by a judge. Always ask to see the judicial warrant before granting access.

Verify Before You Open

- ✓ Inspect the warrant by requesting it be shown through a window or delivered through your mailbox or door slot.
- ✓ Never open your door or allow entry without confirming who is requesting access and verifying their purpose.

Educate Your Household and Friends

- ✓ Instruct all family members and trusted individuals not to open doors to anyone without confirming their identity and intent.
- ✓ Reinforce the importance of protecting private spaces by adhering to these precautions.

MORE RIGHTS IN PRIVATE PLACES

Know Your Rights: Verify a Judicial Warrant

What to Look for in a Judicial Warrant

A **judicial warrant** must be signed by a judge.

It must clearly specify the **address** and **places to be searched**.

The warrant must also describe any **items to be confiscated**.

Beware of Administrative Warrants

An **administrative warrant** is **not the same** as a judicial warrant.

Administrative warrants are signed by officials other than judges and do not carry the same legal authority for entry.

Key Verification Points

The judicial warrant should identify the **district court** that issued it.

Always ask to see the warrant before allowing anyone entry.

Write down badge numbers, and license plate numbers if anyone tries to force the door open.

TRAFFIC STOPS IN YOUR CAR

Ask the officer who pulled you over if they are city or state police officers or immigration police officers, such as Immigration and Custom Enforcement officers (ICE) or Customs and Border Patrol officers (CBP.)

If ICE or CBP pulls you over, you have the right not to talk with them or provide information to them before you speak with a lawyer.

Make sure you have your driver's license and that it is valid.

Have your valid employment authorization card with you, if you have one.

Do not carry false documents.

MORE INFO ON TRAFFIC STOPS

If you are stopped by the police, you will need to show them your driver's license, vehicle registration, and proof of insurance.

It is a crime to drive without these documents.

Police officers have more rights to search you and your vehicle.



YOUR CONDUCT IN PUBLIC

Important Reminders

Stay Low-Profile: Avoid actions that attract unnecessary attention.

Carry Only Valid Documents: Do not carry or use false identification or documentation.

Avoid Drug-Related Activities:

Do not possess, use, transport, or sell marijuana or any substances illegal under federal law.

Do not work for companies involved in selling or distributing these products.

Be Truthful: Never lie — providing false information can result in criminal charges.

Do Not Sign Documents: Do not sign anything without fully understanding it or without legal counsel present.

Protect Your Privacy: Discuss your legal status only with your attorney.

CREATE A JUST-IN- CASE PLAN

Important Family Preparedness Tips

Organize Critical Documents

Store all these documents together in a secure, easily accessible place.

Gather essential documents for every family member, including:

- ✓ Passports
- ✓ Birth and marriage certificates
- ✓ Divorce decrees
- ✓ Tax returns (past two years)
- ✓ Property deeds
- ✓ Vehicle titles
- ✓ Bank account records

Store all these documents together in a secure, easily accessible place.

Plan for Minor Children

Consider consulting an attorney to create a **short-term guardianship** plan for your children.

Selecting a Guardian

Ensure the chosen guardian:

- ✓ Has no criminal history
- ✓ Knows your child's medications, medical history, doctors, and schools
- ✓ Possesses the physical capability and financial means to provide proper care