



CONOZCA SUS DERECHOS

Guía sobre sus derechos en relación a contacto con oficiales de inmigración o la policía

IRCO Immigration Legal Services

Theo Lenihan, Immigration Attorney
ircoils@irco.org



USTED TIENE DERECHOS

sin importar su
estado migratorio

**Para protegerse, a su
familia y a su
comunidad, usted tiene
que conocer sus
derechos.**

YOU HAVE RIGHTS

regardless of your
immigration status

**To protect yourself
and your family,
you must know
your rights.**

Quien es ICE? Who is ICE?

- U.S. Immigration and Customs Enforcement, the enforcement arm of the Department of Homeland Security
- “ERO” – Enforcement and Removal Operations – is the deportation arm of ICE



ICE



ERO

HOW WILL I KNOW IT IS ICE?



- A veces los oficiales de ICE llevan uniformes negros que se dicen "ICE" y "POLICE". Frecuentemente estan en ropa ordinaria sin identificacion.
- Tiene el derecho de pedir la identificacion de los oficiales, pero a menudo e los oficiales se negara a identifcarse o mostrar su numero de identificacion.
- A veces los agentes tienen papeles para presentarle a usted o su abogado; a veces no.
- ICE agents sometimes wear black uniforms that say both "ICE" and "POLICE" – but they often present in ordinary, plain clothes without any identification whatsoever.
- While you have a right to ask and should ask that law enforcement identify themselves, ICE agents frequently refuse to identify themselves or provide badge numbers.
- ICE agents may or may not have paperwork to present to you or your lawyer. Recently ICE agents have refused to identify themselves or provide paperwork when apprehending persons.

ACTUE AHORA

El conocimiento es poder.
No espere.
Esté preparado.

ACT NOW.

Knowledge Is Power.
Do Not Wait.
Be Prepared.



¿DÓNDE?:

Su hogar / Your Home

- Dos maneras de entrar a su casa:
 - orden judicial válida
 - con el permiso suyo
- NO ABRA LA PUERTA.
- SIEMPRE PIDA IDENTIFICACIÓN.
- PIDA VER UNA ORDEN JUDICIAL.
- Usted tiene el derecho a permanecer callado.

-
- Two ways to enter your home:
 - valid warrant
 - your permission
 - DO NOT OPEN THE DOOR
 - ALWAYS ASK FOR IDENTIFICATION
 - ASK TO SEE A WARRANT
 - You have the right to remain silent

Una Orden de Registro Válida

- Tiene que estar firmada por un juez, juez de paz o magistrado.
- Tiene que contener la dirección a ser registrada.
- Tiene que describir el área a ser registrada. Si oficiales entran a su casa, diga: “NO CONSIENTO A QUE USTED REGISTRE MI HOGAR”.

A Valid Search Warrant

- Must be signed by a judge, justice of the peace or magistrate
- Must contain the address of the home to be searched
- Must describe the area to be searched
- If officers enter your home, say “I DO NOT CONSENT TO YOU SEARCHING MY HOME.”

Una Orden de Arresto Válida

- Tiene que estar firmada por un juez, juez de paz o magistrado.
- Tiene que declarar el nombre de la persona a ser arrestada.
- Tiene que describir la persona a ser arrestada.

A Valid Arrest Warrant

- Must be signed by a judge, justice of the peace or magistrate
- Must state the name of the person to be arrested
- Must describe the person to be arrested

File No. [REDACTED]

Event No: PO01606000346

Date: September 1, 2016

FINS #: 1150253900

To any officer delegated authority pursuant to Section 287 of the Immigration and Nationality Act:

From evidence submitted to me, it appears that:

[REDACTED] (Full name of alien)

an alien who entered the United States at or near [REDACTED] on [REDACTED] (Port)

[REDACTED] (Date) is within the country in violation of the immigration laws and is

therefore liable to being taken into custody as authorized by section 236 of the Immigration and Nationality Act.

By virtue of the authority vested in me by the immigration laws of the United States and the regulations issued pursuant thereto, I command you to take the above-named alien into custody for proceedings in accordance with the applicable provisions of the immigration laws and regulations.

[Signature] (Signature of Designated Immigration Officer)
JOHN KOHLMAN (Print name of Designated Immigration Officer)

SDDO (Title)

Certificate of Service

Served by me at Portland, OR on September 28, 2016 at 06:20 AM
I certify that following such service, the alien was advised concerning his or her right to counsel and was furnished a copy of this warrant.

[Signature] (Signature of officer serving warrant)
ANDREW JOHNSON

Deportation Officer (Title of officer serving warrant)

Administrative Warrant

AO106 (Rev. 12/03) Affidavit for Search Warrant

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF IOWA

In the Matter of the Search of
(Name, address or brief description of person, property or premises to be searched)
Agriprocessors, Incorporated and/or Nevel Properties,
Corporation with complete description of premises to be
searched incorporated in Attachment 1

APPLICATION AND AFFIDAVIT
FOR SEARCH WARRANT

Case Number: 08-MJ-110

RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS HEADQUARTERS OFFICE
2008 MAY 12 AM 9:00

I, Senior Special Agent David Hoagland being duly sworn depose and
I am a(n) Senior Special Agent and have reason to believe
Official Title

that on the person of or on the property or premises known as (name, description and/or location)
Agriprocessors, Incorporated and/or Nevel Properties, Corporation with complete description of premises to be searched
incorporated in Attachment 1

in the Northern District of Iowa

there is now concealed a certain person or property, namely (describe the person or property to be seized)

See Attachment 2

which is (state one or more bases for search and seizure set forth under Rule 41(c) of the Federal Rules of Criminal Procedure)
contraband; property that constitutes evidence of the commission of a criminal offense; and property designed or intended
for use or which is or has been used as the means of committing a criminal offense.

concerning a violation of Title 8 & 18 & 42 United States code, Section(s) 1324,1326 &1546,1015,1028A&408
The facts to support a finding of probable cause are as follows:

See attached Affidavit

Continued on the attached sheet and made a part hereof:

Yes No

Signature of Affiant

Sworn to before me and subscribed in my presence,

Date May 9, 2008

at Cedar Rapids IA
City State

Jon Stuart Scoles Magistrate
Name of Judge Title of Judge

Signature of Judge

Judicial Warrant

**Orden de
remoción/deportación
(orden de inmigración)**

≠

**El derecho a entrar
a su casa**

**A warrant of
removal/deportation
(immigration warrant)**

≠

**The right to enter
your home.**

Si los oficiales entran a su casa

- Infórmeles si hay niños, ancianos o enfermos en la casa.
- ¡Diga que usted no lo consiente! **YOU MAY NOT ENTER, PLEASE LEAVE.**
- Ponga mucha atención dónde los oficiales registran.
- En cuanto se vayan escriba lo que sucedió.

If officers enter your home

- Inform them if there are children, elderly, or sick people in the house
- Say that you do not consent!
- Pay attention to where officers search
- Write down what happens as soon as they have left

¿DÓNDE? La calle o área pública / Street or Public Area

- NO CORRA.
 - Antes de decir cualquier cosa pregunte:
"¿Estoy libre para irme? Am I free to go?"
 - Usted tiene derecho a mantenerse callado.
 - En algunos estados usted tiene que dar su nombre.
 - Si es registrado, diga: "NO CONSIENTO A ESTE REGISTRO" "I do not consent to this search."
-
- DO NOT RUN
 - Before saying anything, ask "AM I FREE TO GO?"
 - You have the right to remain silent
 - In some states, you may have to give your name
 - If searched, say "I DO NOT CONSENT TO THIS SEARCH."





¿DÓNDE?:

Su lugar de trabajo

- Dos maneras de entrar
 - una orden judicial válida
 - permiso de su patrono
 - NO CORRA
 - Usted tiene derecho a permanecer callado.
 - ¡Haga un plan de emergencia en su trabajo!
-

- Two ways to enter
 - a valid warrant
 - permission from your employer
- DO NOT RUN
- You have the right to remain silent
- Make a plan with your coworkers!

Plan de Emergencia en su Trabajo

- Tener un plan le ayudará a protegerse a sí mismo y a sus compañeros de trabajo.
- Asegúrese que todos conocen sus derechos.
- Asegúrese que todos conocen el plan.
- Elijan por lo menos un representante del lugar de trabajo.
- Si usted es miembro de un sindicato, hable con su representante.

Your Workplace Checklist

- Having a plan will help protect you and your co-workers
- Make sure everyone knows their rights
- Make sure everyone knows the plan
- Elect at least one workplace representative
- If you are a member of a union, speak to your representative

¿DÓNDE?: Su carro / Your Car

- Distintas leyes aplican cuando usted está en su carro.
- Usted tiene que proveer su licencia, la licencia del vehículo y comprobante de seguro.
- No mienta ni provea documentos falsos.
- Si los oficiales registran su carro, diga "NO CONSIENTO A UN REGISTRO". "I DO NOT CONSENT TO THIS SEARCH."
- Usted tiene derecho a permanecer callado.

-
- Different laws apply when you are in your car
 - You must provide your license, registration, proof of insurance
 - Do not lie or provide false documents
 - If officers search your car, say "I DO NOT CONSENT TO A SEARCH."
 - You have the right to remain silent





DÓNDE: **En el Carro o en la Casa de Otra Persona/In Another Person's Car or Home**

- NO CORRA.
 - Pregunte si puede irse.
 - Usted tiene derecho a permanecer callado.
-

- DO NOT RUN
- Ask if you are free to leave
- You have the right to remain silent

¿DÓNDE?:

Bajo custodia de la policía/cárcel

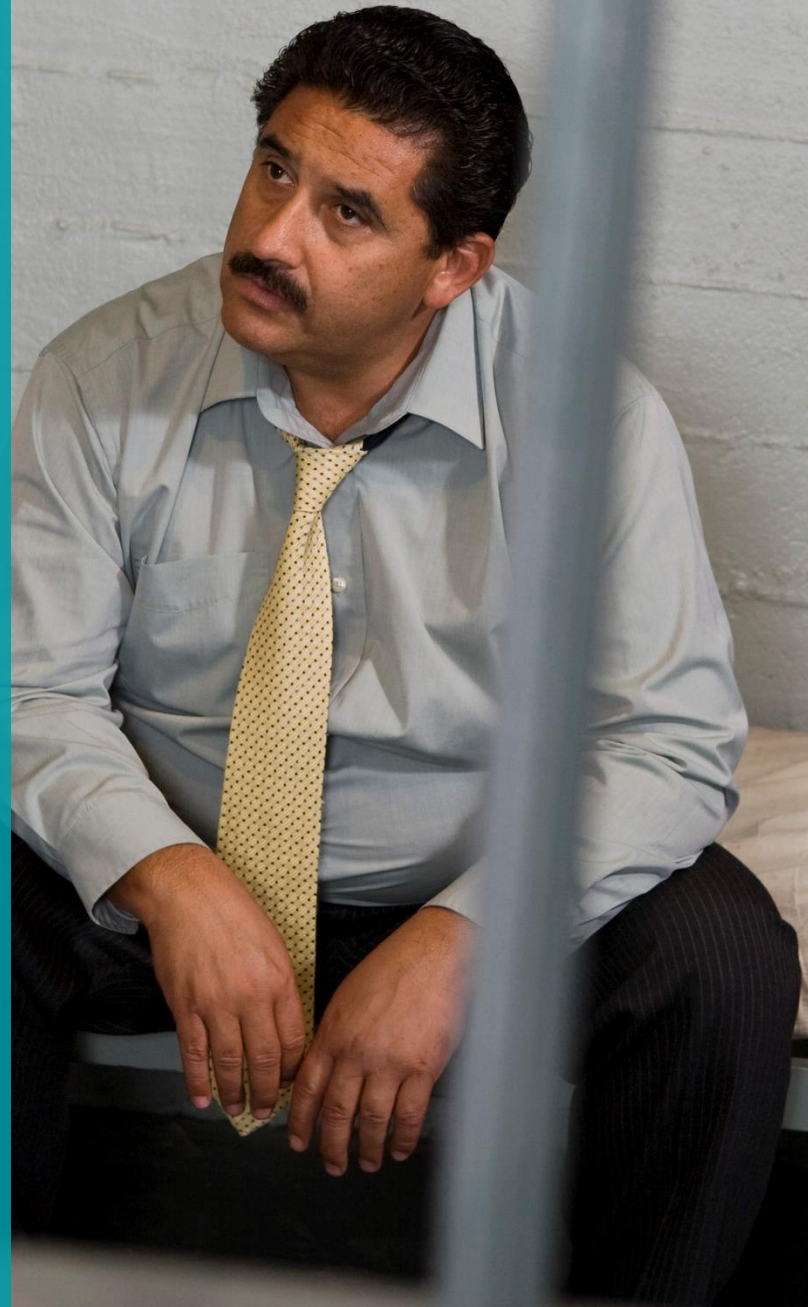
- Arrestos, acusaciones y condenas pueden afectar su estado migratorio.
- Usted tiene derecho a permanecer callado.
- Usted tiene derecho a hacer una llamada telefónica.
- Usted tiene derecho a abogado.
- **NO DISCUTA SU INFORMACIÓN DE INMIGRACIÓN CON NADIE QUE NO SEA SU ABOGADO.**
- Usted tiene derecho a negarse a firmar cualquier documento antes de hablar con su abogado.



WHERE:

Jail Or Police Custody

- Arrests, charges, and convictions can affect your immigration status
- You have the right to remain silent
- You have the right to a phone call
- You have the right to an attorney
- **DO NOT DISCUSS YOUR IMMIGRATION INFORMATION WITH ANYONE OTHER THAN YOUR ATTORNEY**
- You have the right to refuse to sign anything before speaking with your attorney





¿DÓNDE?:

Centro de Detención de Inmigración

- Usted tiene derecho a hacer una llamada telefónica.
- Usted tiene derecho a llamar su consulado.
- Usted tiene derecho a permanecer callado.
- Usted tiene derecho a hablar con un abogado o representante acreditado.
- Usted tiene derecho a negarse a firmar cualquier documento antes de hablar con su abogado.
- **NO DISCUTA SU INFORMACIÓN DE INMIGRACIÓN CON NADIE QUE NO SEA SU ABOGADO.**
- Solite copia de todo documento en su caso, incluyendo su **NOTIFICACIÓN DE COMPARENCIA.**



WHERE:

Immigration Detention Center

- You have the right to a phone call
- You have the right to call your consulate
- You have the right to remain silent
- You have the right to speak to an attorney/ accredited representative
- You have the right to refuse to sign anything before speaking with your attorney
- **DO NOT DISCUSS YOUR IMMIGRATION INFORMATION WITH ANYONE OTHER THAN YOUR ATTORNEY**
- Request a copy of all documents in your case, including your **NOTICE TO APPEAR**

**Mexican Consulate
(Protections Team for
Mexican Nationals) /
Equipo de Proteccion:**

(503) 274-1442

Ext 341

Doce cosas que usted y su familia deben recordar en CUALQUIER situación

Twelve things for you and your family to remember in ANY situation

**Cualquier cosa que
usted diga puede ser
usado en su contra.**

**Anything you say can
be used against you.**

**Usted tiene derecho a
permanecer callado.**

**You have the right to
remain silent.**

**Si usted desea permanecer
callado, dígalo en voz alta
o muestre su tarjeta
Conozca sus Derechos.**

**If you wish to remain silent,
say it out loud or show your
Know Your Rights card.**

**Siempre lleve consigo
identificación estadounidense
y copias de documentos de
inmigración.**

**Always carry U.S.
identification and copies of
immigration documents.**

**Nunca lleve consigo
documentos falsos ni
documentos de otro país.**

**Never carry false
documents or documents
from another country.**

**Nunca le mienta
a los oficiales.**

Never lie to officers.

**Usted tiene derecho a
hablar con su
abogado.**

**You have the right to
speak with your
attorney.**

**Nunca corra durante
una redada ni si se le
acercan oficiales.**

**Never run in a raid or
if you are approached
by officers.**

Nunca responda peleando físicamente si está siendo arrestado o detenido.

Never physically fight back if you are being arrested or detained.

Usted tiene derecho a negarse a firmar cualquier documento antes de hablar con su abogado.

You have the right to refuse to sign anything before speaking with your attorney.

Si usted está bajo custodia o detención policiaca, no discuta su información de inmigración ni sus antecedentes penales con NADIE que no sea su abogado.

If you are in police custody or detention, do not discuss your immigration information or criminal history with ANYONE other than your attorney.

Si usted es interrogado o está en una redada, escriba detalladamente lo que sucedió tan pronto como sea seguro hacerlo. Dígaselo inmediatamente a su abogado y a sus grupos de apoyo.

If you are questioned or in a raid, write down what happened in detail as soon as it is safe to do so. Tell your attorney and your support groups right away.

Tome acción ahora / Take Action Now

- Encuentre un abogado o representante acreditado.
 - Sea evaluado para opciones de inmigración.
 - Inscríbase en su consulado, iglesia u otro centro religioso o comunitario.
 - Haga un plan familiar.
 - Haga copias de todos los documentos de inmigración y otros importantes.
 - Haga un plan de cuidado de niños.
 - Ahorre dinero.
 - **ASEGÚRESE DE QUE TODOS EN SU FAMILIA CONOZCAN SUS DERECHOS.**
- Find an attorney or accredited representative
 - Get screened for immigration options
 - Register with your consulate, church, other community or religious center
 - Make a family plan
 - Make copies of all immigration and other important documents
 - Make a childcare plan
 - Save money
 - **MAKE SURE EVERYONE IN YOUR FAMILY KNOWS THEIR RIGHTS**

Información que usted TIENE QUE MEMORIZAR: Information you MUST MEMORIZE:

- Número telefónico de su abogado/representante acreditado
- Número telefónico de su consulado
- Números telefónicos de parientes
- Su Número de Registro de Extranjero/A# (que aparece en sus documentos de inmigración)
- Su fecha de entrada a Estados Unidos
- Su estado migratorio cuando entró a Estados Unidos
- Su estado migratorio actual
- Sus antecedentes penales
- The phone number of your attorney/accredited representative
- The phone number of your consulate
- The phone numbers of family members
- Your Alien Registration Number/ A # (the number on your immigration documents)
- Your date of entry into the United States
- Your immigration status when you entered the United States
- Your current immigration status
- Your criminal history

Si alguien le llama desde detención o custodia policiaca / If someone calls you from detention or pólice custody:

- ¿Necesitas atención médica?
- ¿Qué agencia del orden público te arrestó o detuvo?
- ¿Dónde estás?
- ¿Cuál es la ciudad o pueblo más grande cerca de ti?
- ¿Qué documentos te han dado y qué dicen los documentos?
- ¿Tienes alguna fecha fijada para el tribunal o una audiencia?
- ¿Has hablado con tu abogado/representante acreditado?
- Do you need medical attention?
- What law enforcement agency arrested or detained you?
- Where are you?
- What is the largest city or town near you?
- What papers have your been given and what do the papers say?
- Do you have any court date or hearing scheduled?
- Have you spoken with your attorney/accredited representative?

¿Preguntas?

Questions?