

How Can You Protect Yourself During an Immigration Raid

Coalition for the Human Rights of Immigrants

The Immigration and Naturalization Service (INS) has been carrying out a lot of raids recently. Here's what you should do if you find yourself in that situation.

- Don't allow the INS to enter without authorization

To enter a building, workplace or home, the INS must have permission from the boss or the owner of the house; or an order signed by a judge, describing the area that the INS wants to inspect and the people they want to question. Don't give your consent--demand to see the judge's order.

- Don't run! Stay calm.

INS agents can only arrest someone if there is a "reasonable suspicion" that the person is undocumented. You can leave the place walking calmly, but if you look nervous or run, the agent can use that as additional evidence that you are undocumented. The INS cannot use race, appearance or not speaking English as a "reasonable suspicion" of someone's immigration status.

- Don't tell anyone where you're from or whether or not you have documents. Demand to speak with a lawyer!

The INS can't deport you if they don't have the necessary information to prove that you don't have documents. Tell the INS agent that you won't give any information until you speak with a lawyer. NEVER give information about your nationality, immigration status or how you entered the US. The INS can deport you using that information.

If you stay silent the INS can arrest you, and if you don't have enough money to pay the bail, you could be held in prison for some time. If you cooperate with the INS, giving them the information they want, there is a possibility that they won't keep you detained while they proceed with your deportation case. However, staying silent can give you an advantage, because without your cooperation the INS might not be able to get the necessary information to start deportation proceedings against you. This also depends on the information that your employer may have given the INS. Because each person has a different situation, it's better to speak with a lawyer to know your options and make an informed decision. You can also prepare yourself for this situation by speaking with a lawyer now so that you'll have an idea of what to do if the INS arrests you.

- If the INS arrests you, demand to speak with your lawyer. You should always have 25 cents and the name and telephone number of a lawyer you can call. If you don't have a lawyer, call a relative or close friend who can look for a lawyer for you.

If the INS arrests you, they are going to pressure you to sign a document accepting your voluntary departure. If you sign it, you could lose important rights. Demand your right to speak with a lawyer before signing any document.

Don't sign anything until you speak with a lawyer.

- Don't give false documents to the INS.

It's very dangerous to use false documents. If the INS catches you with false documents, they can make you pay a fine, and they can deport you and permanently bar you from living legally in the US.

- Even if you have documents, you don't have to show them.

Every person has the right to not show documents, even if we are legal residents or citizens. If those who have documents act in solidarity with those who don't, by refusing to show their documents, the INS can't do its work.

- Prepare yourself for a raid by coming up with a plan or action.

Tell your friends, relatives and co-workers what their basic rights are during a raid. Try to come up with an agreement that if there is a raid, everyone--regardless of their immigration status--will refuse to talk to the INS and will demand to speak with a lawyer.

To report a raid: call the Coalition for the Human Rights of Immigrants (toll-free): 888-575-8242 (888-575-LUCHA)

For more information about what to do if you are arrested by the INS, or how to resolve your immigration status, call the Immigration Hotline, operated by Travelers Aid Services, at 800-566-7636. This hotline provides confidential information and referrals in a number of different languages.