

No se trata de desobedecer la ley. Se trata de conocer la ley y saber que la Constitución de U.S. protege a todas las personas en U.S., independientemente de su estatus migratorio.

NO ABRA LA PUERTA

Recuerde que el ICE NO tiene derecho a entrar a su casa a menos que USTED o un juez lo autoricen. No tiene que abrir la puerta ni dejar entrar a los agentes a menos que tengan una orden judicial válida firmada por un juez. Debe decir claramente: "NO doy mi consentimiento para que entre en mi casa" o "NO quiero que entre en mi casa". Evite hacer gestos que parezcan dar la bienvenida a alguien (como hacer señas para que entre o señalar con la cabeza hacia el interior). Decir esto no siempre los detendrá, pero podría ser útil en cualquier caso legal futuro.

PERMANECER EN SILENCIO

No tiene que hablar con un oficial de inmigración ni responder preguntas. Dígales que NO quiere hablar con ellos, incluso si se identifican como ICE o "la policía". Si le preguntan "¿dónde nació" o "¿cómo entró a EE. UU.", no tiene que responder a sus preguntas. Simplemente diga "Elijo guardar silencio".

SOLICITAR VER UNA ORDEN JUDICIAL

Si ICE le dice que "tiene que" abrir la puerta o hablar con ellos, pregúnteles si tienen una "orden judicial" firmada por un juez federal. Si dicen que sí, pídale que la deslicen por debajo de la puerta. **RECUERDE: solo una ORDEN JUDICIAL permite que ICE entre a su casa.** Aproximadamente el 95% de las veces, ICE tiene una "orden administrativa" emitida por el propio ICE, que NO les da derecho a entrar a su casa.

NO ABRA LA PUERTA PARA RECIBIR NINGÚN DOCUMENTO DE ICE

Si ICE quiere mostrarle o entregarle un documento, pídale que lo deslicen por debajo de la puerta. No abra la puerta para recibir ningún documento. Si lo hace, un juez podría interpretarlo posteriormente como una invitación a ICE para que entre en su casa.

INSPECCIONE LOS DOCUMENTOS QUE LE ENTREGA ICE

Si el ICE le entrega un documento que supuestamente es una orden judicial, asegúrese de examinarlo cuidadosamente. La mayoría de las órdenes judiciales que utiliza el ICE se denominan "órdenes administrativas" u "órdenes judiciales". Estas órdenes no son válidas y no autorizan al ICE a entrar en su domicilio. Si el documento que le entregan no está firmado por un juez federal, NO es una orden judicial y, por lo tanto, no autoriza al ICE a entrar en su domicilio. Tenga en cuenta que si el ICE tuviera una orden judicial firmada por un juez federal, no necesitaría su consentimiento para entrar.

» **Generally, si ICE tiene la documentación correcta, romperán la puerta. Si ICE no tiene la orden correcta, no lo harán. Si tienes curiosidad por saber si tienen el tipo correcto... visita este sitio web: www.UCDnyc.com/warrant**

SI ICE ENTRA A SU CASA SIN PERMISO

Si ICE derriba la puerta o entra por la fuerza para arrestarlo, **no se resista**. Simplemente dígales que desea hablar con un abogado y deje de responder preguntas. Intente anotar todos los detalles posibles sobre el incidente: los nombres de los oficiales, su apariencia, la fecha y hora de entrada y cualquier otro detalle relevante. Esto podría ser importante más adelante en su caso de inmigración.

SI USTED ESTÁ DETENIDO

Recuerde que tiene derecho a guardar silencio incluso si está detenido. También tiene derecho a hablar con un abogado. No necesita firmar ningún documento ni responder preguntas antes de hablar con un abogado.

Debe informar a ICE si tiene **problemas médicos** o necesita cuidado **infantil**. Es posible que los agentes de ICE no hablen su idioma preferido. Tiene derecho a solicitar un **intérprete** para cualquier conversación con ICE, cita o audiencia que le den. Puede decir: "Necesito un intérprete". Tiene derecho a un abogado.

Una vez detenido, tendrá derecho a realizar llamadas telefónicas limitadas a su familia, amigos, líderes comunitarios o abogado.

PARA ENCONTRAR ASISTENCIA JURÍDICA GRATUITA

Si usted o un familiar necesita asistencia legal gratuita con un asunto de inmigración, marque el 311 y diga "ActionNYC" o llame directamente a la Línea Directa de Apoyo Legal para Inmigración de la Oficina de Asuntos Inmigratorios de la Alcaldía (MOIA) al 800-354-0365, que opera de lunes a viernes de 9am a 6pm.

It's not about disobeying the law. It's about knowing the law, and knowing that the U.S. Constitution protects everyone in the United States, regardless of their immigration status.

DO NOT OPEN THE DOOR

Remember that ICE does NOT have the right to come into your home unless YOU or a judge authorizes it. You do not have to open the door or let officers in unless they have a valid warrant signed by a judge. You should say clearly "I do NOT consent to you entering my house" or "I do NOT want you to come into my house." Avoid making any gestures that might look like you are welcoming someone into your home (waving someone in or nodding towards the inside of your home). Saying this may not always stop them, but it may help any future legal case.

REMAIN SILENT

You do not have to speak to an immigration officer or answer questions. Tell them you do NOT want to speak with them, even if they identify themselves as ICE or "the police." If you are asked "where you are born" or "how you entered the US," you do not have to answer their questions. Simply say "I choose to remain silent."

ASK TO SEE A JUDICIAL WARRANT

If ICE says that you "have to" open the door or talk to them, ask them if they have a "judicial warrant" signed by a federal judge. If they say they do, ask them to slide it down underneath the door. **REMEMBER – only a JUDICIAL WARRANT allows ICE to come into your home.** Roughly 95% percent of the time ICE has an "administrative warrant" created by ICE itself which does NOT give them the right to enter your home.

DO NOT OPEN THE DOOR TO RECEIVE ANY DOCUMENT FROM ICE

If ICE wants to show you or hand you a document, ask them to slide the document underneath your door. Do not open the door to receive any documents. If you do, a judge later might interpret this as you having extended an invitation to ICE to come into your home.

INSPECT THE DOCUMENT THAT ICE GIVES YOU

If ICE hands you a document that they allege to be a judicial warrant, make sure that you inspect the document carefully. Most "warrants" that ICE uses are titled "administrative warrant" or "warrant." Those warrants are NOT valid and they do not give permission to ICE to come into your home. If the document they hand you is not signed by a federal judge, then it is NOT a judicial warrant and thus does not give permission to ICE to come into your home. Note that if ICE had a judicial warrant signed by a federal judge, they would not need your consent to come in.

» **Generally, if ICE has the right documentation, they will break down the door, if ICE doesn't have the right warrant, they won't break down the door. Curious if they have the right kind... go to this website: www.UCDnyc.com/warrant**

IF ICE ENTERS YOUR HOME WITHOUT YOUR PERMISSION

If ICE knocks down the door or forces themselves in to arrest you – **do not resist.** Simply let them know that you would like to speak to an attorney and then stop answering questions. Try and take note of as many details about the incident as possible, the names of the officers, what they look like, the date and time of entry and any other relevant details. This could be important later in your immigration case.

IF YOU ARE DETAINED

Remember, you have the right to remain silent even if you are detained. You also have the right to speak to an attorney. You do not need to sign any documents or answer any questions before you speak with a lawyer.

You should tell ICE if you have **medical issues** or need to arrange for **childcare**. ICE agents may not speak your preferred language. You have the right to request an **interpreter** for any conversation with ICE or any appointment or hearing you are given. You can say, "I need an interpreter." You have the right to an attorney.

Once detained, you will have the right to make limited phone calls to your family, friends, community leaders, or attorney.

TO FIND LEGAL ASSISTANCE

If you or a family member need free legal assistance with an immigration matter, dial 311 and say "ActionNYC" or call the Mayor's Office of Immigrant Affairs (MOIA) Immigration Legal Support Hotline directly at 800-354-0365, which operates Monday to Friday, 9:00am to 6:00pm.



A Bill of Rights

as provided in the Ten Original Amendments to
The Constitution of the United States
in force December 15, 1791.

First Amendment

Freedom of Religion, **Speech**, Press, **Assembly** & Petition

Article 1: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the **freedom of speech**, or of the press; or the **right of the people peaceably to assemble**, and to petition the Government for a redress of grievances.

Second Amendment

Right to Bear Arms

Article II: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Third Amendment

Quartering of Soldiers

Article III: No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Fourth Amendment

Search & Seizure

Article IV: The **right of the people to be secure** in their persons, houses, papers, and effects, **against unreasonable searches and seizures**, shall not be violated, and **no Warrants shall issue, but upon probable cause, supported by Oath or affirmation**, and particularly describing the place to be searched, and the persons or things to be seized.

Fifth Amendment

Grand Jury, Double Jeopardy, Self Incrimination, Due Process, Takings

Article V: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness

against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Sixth Amendment

Right to Speedy Trial by Jury, Witnesses, Counsel

Article VI: In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Seventh Amendment

Jury Trial in Civil Lawsuits

Article VII: In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Eighth Amendment

Excessive Fines, Cruel & Unusual Punishment

Article IIX: Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Ninth Amendment

Non-Enumerated Rights Retained by People

Article IX: The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Tenth Amendment

Rights Reserved to States or People

Article X: The **powers** not delegated to the United States by the Constitution, nor prohibited by it to the States, are **reserved to the States** respectively, or to the people.