

Workers Defense

Immigration Know Your Rights

How to protect yourself and your family



Everyone in the United States regardless of their immigration status has rights!

Anti-migrant Laws in Texas: SB4s



- SB4 charges anyone driving, living with or sharing a space with a migrant with up to 10 years of prison.
- Doesn't change laws that were already in place.

Not in effect but introduced this legislative session as SB8 and HB5580

- The other SB4 “Illegal Entry/Re-entry” would charge the person with a state crime
- Local police could arrest anyone they suspect entered illegally

Exceptions: SB4 illegal Entry/Re-entry

- An official cannot arrest anyone for Entry/Re-entry if the person is at:
 - School
 - Church or religious sites/places of worship
 - Seeking medical services
- or any other place that is not within the border area

Unfortunately these are no longer the case BUT....

Set intencional private spaces within these

Example:

If at Church maybe the Chapel can only be access by a Judicial warrant

If working at a restaurant maybe the hallway where the offices or rest areas are for the employees are

If at School, the School principal can always ask them to leave

Consequences of an anti-migrant system

- 70% of undocumented migrants are significantly less likely to contact the police if they were victims of a crime!
- It's more likely for employers to pay less than or minimum to migrant workers, while also removing them from health benefits or workers comp.
- The migrant community often avoids social services even if their children or family members are American citizens.



Our Rights

- **I have rights regardless of my immigration status!**
- **I have the right to remain silent and to not answer any questions!**
- **I have the right to deny an illegal search without a judicial warrant signed by a JUDGE! (eg. car, house, businesses)**
- **I have the right to a due process!**
- **I have the right to get a attorney!**
- **I have the right to not sign anything!**



While at home: DO NOT open the door!

By opening the door, you're giving permission to Police/Sheiff/ICE to enter your home.

- You DO NOT have to open the door unless they show a valid and correct Judicial Warrant.
 - They might say they have one but you must check it first at all times so you can ask them to show it to by placing it on the window for you to read or sliding it under the door
- Make sure it is a valid warrant:
 - Signed by a JUDGE
 - Your full name is correct, no misspells.
 - Your address is correct and includes all details.
- Talk to family members to make sure that under any circumstances they will not open the door, unless it is someone they know.



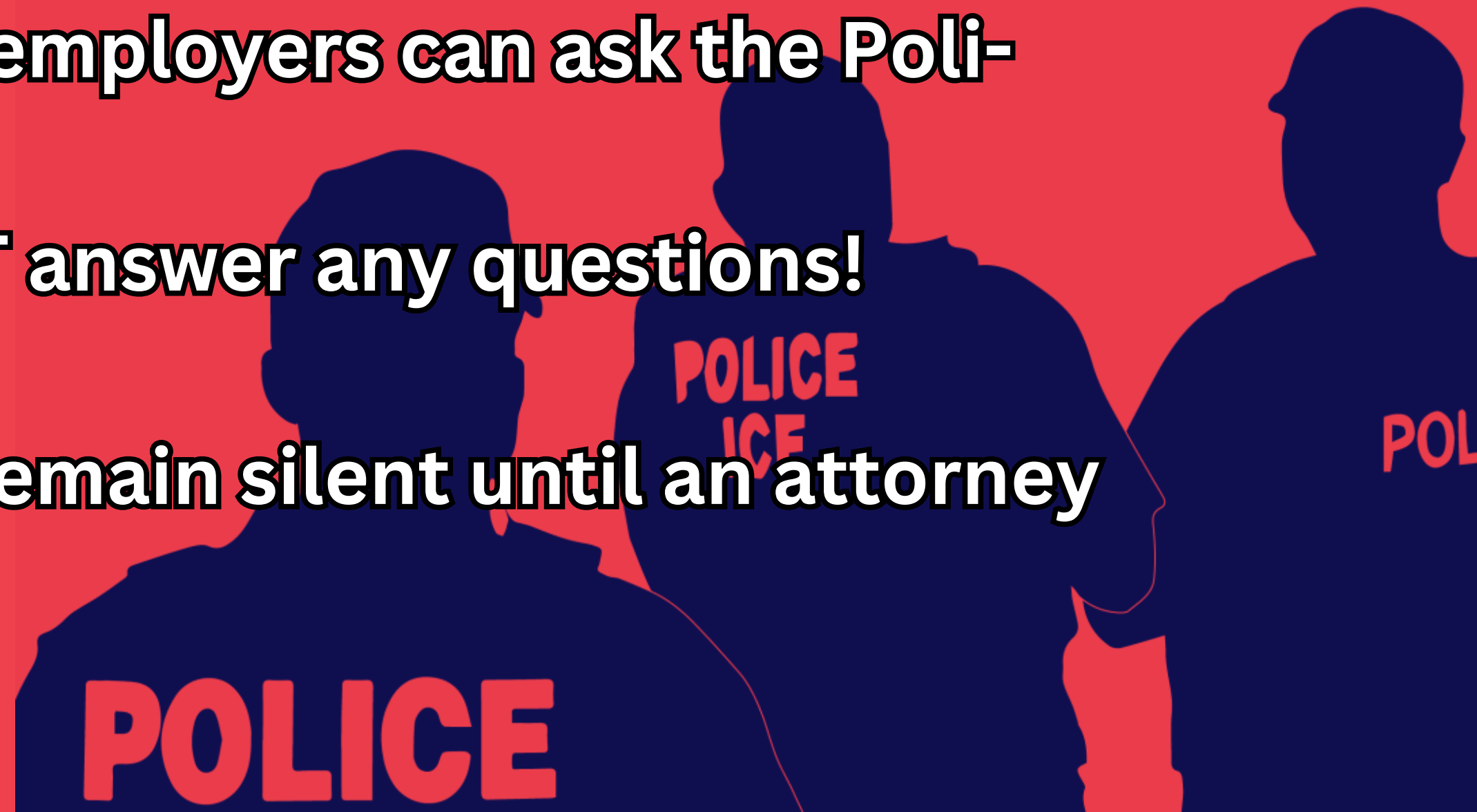
If the Poli-Migra (transit or state) stops you while driving

- Only if they ask you, show them your drivers license and your registration
 - If you don't have them; just give them your name, DOB and address but nothing else!
- Never answer any questions about your immigration status and remain silent
- DO NOT lie about your immigration status!!
- DO NOT show fake IDs!
- YOU HAVE THE RIGHT:
 - Speak with a attorney!
 - Remain in silence!
 - Deny a search of your car!
 - To not sign anything!



While at work or on the street

- **Remain calm and DO NOT run!!**
 - **Poli-Migra needs a judicial warrant or a permit from your employer to access your workplace (unless it is a public area)**
- **The owner of the place or employers can ask the Poli-Migra to leave the place.**
- **Remain in silence! DO NOT answer any questions!**
 - **If detained...**
 - **Tell them you wish to remain silent until an attorney is present**



Arrest order/Judicial Warrant

AO 93 (Rev. 12/09) Search and Seizure Warrant
This is a judicial search warrant. It DOES authorize agents to enter your home.

UNITED STATES DISTRICT COURT[<] Issued by a COURT.

for the
Eastern District of California

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

540 Oak Avenue
Davis, California 95618

Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

2:11-SW-0161 EFB

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA
(Identify the person or describe the property to be searched and give its location):
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

Read attachments to make sure they are regarding YOU and YOUR address, not someone else's.

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be searched):
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

Date for warrant, not
to exceed 14 days

YOU ARE COMMANDED to execute this warrant on or before

5-9-2011
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).

☐ Until, the facts justifying, the later specific date of _____

Date and time issued: 4-25-2011
9F 10:00 AM

Signed by a JUDGE.

City and state: SACRAMENTO CALIFORNIA

EDMUND E. BRENNAN, U.S. MAGISTRATE JUDGE
Printed name and title

- Full name
- Correct Address
- Signed by a Judge

≠

**A deportation order or
removal proceedings are not
a judicial warrant!**

Warrant of Removal/Deportation

File No: _____

Date: _____

To any officer of the United States Immigration and Naturalization Service:

(Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- ☐ an Immigration Judge in exclusion, deportation, or removal proceedings
- ☐ a district director or a district director's designated official
- ☐ the Board of Immigration Appeals
- ☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:
Section 241(a)(5) of the Immigration and Nationality Act(Act), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of the appropriation. "Salaries and Expenses Immigration and Naturalization Service 2002," including the expense of an attendant if necessary.

(Signature of IIR official)

(Printed name of IIR official)

The 5 D's of Bystander Intervention

- **Delegate**

- Find another person to intervene (Ask for help from a worker at the business where this is happening)

- **Distract**

- Do anything to break the flow of potential violence (Ask for directions, spill a drink, pretend to know the perpetrator)

- **Document**

- Safely record / take notes during the event (Ask the victim afterward what they want to do with the recordings)

- **Delay**

- Once the confrontation ends, check on the victim (Approach them and say “I saw what happened, and I’m so sorry. Is there anything I can do to support you now?”)

- **(Be) Direct**

- Approach the situation directly (Go to the victim and ask “Are you okay? Do you need help?”)
- Confront the perpetrator (Go to them and say “This is not acceptable” - may escalate the situation)

What are my rights if I get arrested...

- **Remain silent!**
- **Speak with an attorney!**
- **DO NOT sign anything!**
- **Interpretation!**
- **Call your attorney!**

And only if they ask you for it:

Share your name, address and DOB

“I will remain silent until I can speak with an attorney”

