

KNOW YOUR RIGHTS AND EMERGENCY PLAN

A resource created and brought
to you by



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Notary/Immigration Fraud

WHO CAN HELP ME WITH MY IMMIGRATION CASE?

- You can get legal advice and other help from an attorney or a Department of Justice (DOJ) Representative. To find one near you, visit, www.justice.gov/eoir/recognition-accreditation-roster-reports.
- To find free or low-cost legal services and authorized immigration service providers, visit www.uscis.gov/avoid-scams/find-legal-services or check out our resource guide at the back of this booklet.
- Although family members or friends have gone through the immigration process, they cannot give you legal advice, only an accredited lawyer may provide legal advice.

TIPS TO REMEMBER

- Get immigration information from an attorney or the U.S. government, NOT your neighbor or your cousin's wife! Start with www.uscis.gov or www.state.gov.
- Ensure that the person who is helping you with legal documents is an accredited lawyer or DOJ representative. You can check your State Bar Association's website or the Department of Justice's website and search their directory for information on the person helping you.
- Always obtain a receipt if you pay someone to help you.
- Always obtain photocopies of forms that are prepared for you. You can make copies at the public library or ask your lawyer to make them for you.
- Keep all letters and notices in a safe place, such as a locked safe or a fire-safe box in your home.

NEVER

- Pay for immigration forms! All forms can be found, for free, at www.uscis.gov/forms.
- Sign a blank form.
- Sign any forms that have false information.
- Send original documents as evidence to support your application, unless USCIS asks for the original. Always send a copy unless specified otherwise.



WHAT TO DO IF I.C.E COMES TO YOUR DOOR

DO NOT OPEN DOORS

I.C.E. cannot come in without a signed warrant by a criminal court judge. Without this warrant, they can only come in if you let them. Don't let them in.



REMAIN SILENT

I.C.E can use anything you say against you in your immigration case. Claim your right to remain silent by saying "I plead the fifth" or "I wish to remain silent."

DO NOT SIGN

Do not sign anything I.C.E gives you without first consulting an attorney.



RECORD AND REPORT



Take pictures and video unless you are on federal government property. Write down number of agents, badge numbers, time, type of car, and exactly what happened.

FIND A LAWYER

Speak with an attorney or accredited legal representative and explore all options to fight your case.



Know Your Rights

BORDER ZONES

- The federal government claims authority to board a bus or a train without warrant anywhere within 100 miles of an international border. Michigan lies entirely within this 100-mile zone.
- The Fourth Amendment to the Constitution protects against unreasonable searches and seizures of both people and their property, even in this 100-mile zone. Agents may conduct random traffic stops and conduct random searches of public transport vehicles within this zone. But agents must have a warrant or probable cause to search your private vehicle or your personal belongings within the 100-mile zone. A federal agent's jurisdiction extends only to federal crimes and immigration offenses.

YOUR KEY RIGHTS IN A BORDER ZONE

- You have the right to remain silent. Be polite, but tell the agent that you'll only answer questions in the presence of an attorney. You DO NOT have to answer questions about your immigration status regardless of your documentation. If you have immigration documents, like a green card (LPR card), the law requires you to carry that with you. If you are asked to present it to an immigration agent, you must. But you do not need to make any statements. If you choose to remain silent, then you should say so, and say nothing else. Again, often the best thing to do is to indicate that you are remaining silent until you are with your attorney. If you do have lawful status, you can simply state that you do.
- An immigration officer can only detain you within the 100-mile zone at a random checkpoint or with "reasonable suspicion."
- If you choose to remain silent, your silence alone is not enough to support reasonable suspicion to detain you, or probable cause to search you or your belongings or to arrest you.
- Neither does your race alone support probable cause or reasonable suspicion.
- An agent must have specific facts about you that make it reasonable to believe you are committing or have committed a violation of immigration law or other law.
- An immigration officer also cannot search you or your belongings without either "probable cause" or your consent. NEVER consent to searches.
- Never provide false documents to immigration officials.



Know Your Rights

IF YOU ARE STOPPED IN YOUR CAR

- If you are stopped in your car, show your driver's license, registration and proof of insurance. Notify police before reaching for your documents so that they are not alarmed.
- If officers ask to search your vehicle, you may refuse. However, if police have probable cause that your car contains evidence in a criminal case, they can search it without your consent.
 - If they do search your vehicle, you - in certain cases - may be able to fight this later in court, but only if you did not give permission to search.

IF AN OFFICER COMES TO YOUR HOME

- If officers come to your home, ask them to show you a warrant – this warrant allows the police to enter the premises if they a judge or magistrate has found that they have probable cause. A notice of deportation or removal does not allow officers to enter a home without consent. DO NOT CONSENT to an officer entering your home without a warrant. An ICE warrant, not signed by a judge or magistrate, is not a warrant within the Constitution. It is best to not consent to any search, as it can sometimes be difficult for a non-attorney to tell the different between a judge warrant and an ICE warrant.

IF AN OFFICER COMES TO YOUR WORKPLACE

- Just as if an officer came to your house, they must have a warrant issued by a judge to conduct a search to find or arrest someone at their place of employment. Your employer can ask to see a warrant issued by a judge. If the officer does not have a warrant, your employer may deny them entry to private/employee-only spaces. But your employer can also consent to the search. It is best practice to not consent to a search unless they can have an attorney confirm the officer has a search warrant.
- Follow the same steps as above if you are approached by an officer in your workplace.



Know Your Rights

IF YOU ARE ARRESTED OR TAKEN INTO ICE CUSTODY

- If you are a non-citizen, give your immigration number (A number) to a member of your family. This will help them locate you.
- You have the right to make a local phone call. Constitutionally, police are not permitted to listen if you call a lawyer. However, it is generally best to assume that the police may be listening to ANY call you make.
- Read all papers fully and do not sign anything without first consulting a lawyer.
- Do not say anything or make any decisions without prior consultation with your lawyer. Again, tell agents that you will not answer questions until you have a lawyer with you.

OTHER IMPORTANT RIGHTS TO BE AWARE OF

- Drivers from treaty countries are allowed to legally drive in Michigan on a foreign driver's license if the license is printed in English or accompanied with an English translation. Under Michigan law, the driver doesn't need to show proof of legal presence.
- You have the right to request a copy of your own records from government agencies thanks to the Freedom of Information Act (FOIA). If you have a criminal record or you have previously filed applications with the Department of Homeland Security or the Department of State, you can request your records. See a lawyer for assistance with this.
- You have lots of labor rights even if you are undocumented! If your employer is withholding pay, mistreating or abusing you, or threatening you, especially because of your immigration status, contact a lawyer to help you file a complaint.
- You have the right to seek emergency services! Call 9-11 in the event of an emergency.
 - You have the right to feel safe and secure in your own home and community. While many fear law enforcement officials, it is their duty to protect everyone regardless of their race, ethnicity, religion, sexuality, gender identity, immigration status, language spoken, or country of origin.



Emergency Plan Checklist

We recommend that all families have an Emergency Plan in the event of a fire, accident or death, or other emergency that disrupts care for minor children or property. Especially for mixed-status families (families with one or more member without immigration status), fear of deportation is real. Even if it doesn't happen, it is best to be prepared for the worst case scenario by following these steps:



Obtain U.S. passports for your U.S. citizen children who are under the age of 18.

*** Both parents and the child must be present to apply for the U.S. passport unless absent parent signs DS-3053 waiver or present parent has sole physical custody of the child.**



Obtain Michigan REAL IDs for your U.S. citizen children who are under the age of 18.



Execute a Power of Attorney for minor children so that, if you are separated, you know a trusted person will be able to act as their guardian.



Execute a Durable Financial Power of Attorney for your assets and property so that, if you have to leave the United States suddenly, you know a trusted person can take care of your bank account(s) and property.



Fill out the Emergency Plan Worksheets in this booklet and share them with the people you identified in your Powers of Attorney.



Talk about your emergency plan with your family, friends, and coworkers.



In the event you are detained, identify key people who can communicate the need to implement your emergency plan, such as a trusted coworker or family member.



Maintain an emergency fund with enough money to buy plane tickets for your family in the event you need to be reunited in another country.



If you filed prior immigration petitions, consider filing a Freedom of Information Act (FOIA) request to obtain a copy of your complete immigration file.



If you are able, obtain a valid driver's license from your home country. Translate the driver's license and carry it with you at all times.



Add a beneficiary to your bank account. Children as young as 13 can be signers on your account (but don't tell them that!).



Make sure your phone is always charged.



Keep your car in good working order.

Power of Attorney

We all need to prepare for emergencies, whether it is a fire, a death in the family, or, in the case of immigrants, deportation. Fortunately, with proper planning, there is a simple step you can take to protect both your property and your children. A Power of Attorney (POA) is a written legal document that allows you to designate another person to act on your behalf with respect to property, finances, and children. A valid POA can:

- Give another person the authority to write checks from your bank account to pay your bills;
- Manage your small business;
- Seek medical care and provide for the education of your children;
- Travel with your children; or
- Sell a vehicle or real estate on your behalf.

Additionally, a health care POA can be created to appoint an individual to make decisions for a principal if they are injured or too ill to make decisions for themselves.

Preparing for the Worst Case Scenario

It is a good idea to have a plan and have important information stored in one place. Fill out the following sheets and keep them in a safe place, such as a safe box in your home. Ensure that all members of the family know where they are located in case of an emergency.

Emergency planning is emotionally taxing work! Do not be afraid to seek help or ask a friend to sit with you while you put together this plan.





Household Emergency Plan

Complete this plan and communicate it with all members of your household.

Your Address: _____

Members of Your Household

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

If I am unable to return home to my family, please contact:

Name: _____

Phone: _____

Name: _____

Phone: _____

Name: _____

Phone: _____

If I am from another country, my primary contact(s) in that country is (are):

Name: _____

Address: _____

Phone: _____

Name: _____

Address: _____

Phone: _____

Location where I store important documents: _____

ITIN or SSN: _____

Person who has durable financial power of attorney: _____

Phone: _____

Important contacts at my place of work:

Name: _____

Phone: _____

Name: _____

Phone: _____

Name: _____

Phone: _____

Household Emergency Plan

Information about your children (for each additional child, write the same information on a separate sheet of paper and staple it to this plan)

Name of Child: _____

Date of Birth: _____

SSN: _____

School/Daycare: _____

Teacher: _____

Phone: _____

Bus #: _____

Caretakers with Power of Attorney:

Name: _____

Phone: _____

Address: _____

Name: _____

Phone: _____

Address: _____

My child has the following allergies:

Name of Allergy: _____

What to do if exposed: _____

Name of Allergy: _____

What to do if exposed: _____

My child requires the following medication:

Name of Medication: _____

Dosage: _____

Name of Medication: _____

Dosage: _____

Name of Medication: _____

Dosage: _____

Pharmacy: _____

Phone: _____

My child has the following medical conditions:

Name of Condition: _____

Description: _____

Treatment: _____

Specialist's Name and Phone: _____

My child receives medical services at:

Doctor's Name: _____

Address: _____

Phone: _____

Insurance: _____

My child receives dental services at:

Dentist's Name: _____

Address: _____

Phone: _____

Insurance: _____



Household Emergency Plan

Information about your property

Home:

Address: _____

Rent or Own: _____

Mortgage Company: _____

How do you pay your mortgage or rent: _____

Landlord: _____

Home Insurance: _____

Policy #: _____

Vehicles:

Make/Model: _____

Plate #: _____

VIN/ID#: _____

Car Loan: _____

Insurance: _____

Make/Model: _____

Plate #: _____

VIN/ID#: _____

Car Loan: _____

Insurance: _____

Credit Cards:

Card #: _____

Company: _____

Number: _____

Name on Card: _____

Card #: _____

Company: _____

Number: _____

Name on Card: _____

Checking Account:

Bank: _____

Account #: _____

Phone: _____

People with Access: _____

Bank: _____

Account #: _____

Phone: _____

People with Access: _____

Pets:

Name: _____

Breed: _____

Healthcare Needs: _____

Medications: _____

Name: _____

Breed: _____

Healthcare Needs: _____

Medications: _____

Veterinarian:

Name: _____

Phone: _____

Address: _____

Emergency Housing for Pets:

Name: _____

Phone: _____

Address: _____



Household Emergency Plan

Include copies of the following documents with this plan

Personal

- Birth Certificate (and translations)
- ITIN or SSN
- Marriage Certificate
- Health Insurance
- Life Insurance
- Durable Financial Power of Attorney

Children

- Birth Certificate (and translations)
- SSN
- Vaccination records
- Health Insurance
- Photo of each child
- Power of Attorney

Home

- Mortgage or Rental Agreement
- Utility bills
- Home Insurance or Renters Insurance
- Title

Vehicles

- Vehicle registration
- Title
- Insurance
- Photograph of each vehicle

Pets

- Photo of each pet
- License or registration for each pet

NOTE

Keep this plan and these important documents together in a bind or envelope in a fire-safe box. You should also make a copy of this plan and give it to people you have named on your Powers of Attorney.

Resources

Michigan Immigrant Rights Center

Grand Rapids Office:

1550 E Beltline SE, Suite 375
Grand Rapids, MI 49506
(616) 827-4080

Kalamazoo Office:

3030 S 9th St, Suite 1B
Kalamazoo, MI 49009
(269) 492-7196

Washtenaw Office:

15 S. Washington Street, Suite 201
Ypsilanti, MI 48197
(734) 239-6863

Detroit Office:

7700 Second Avenue, Suite 603
Detroit, MI 48202

Services: Representation of farm workers, immigration law, employment assistance, advice, and referrals

Appointment: Call to make an appointment.

Cost: No cost for legal aid



Immigration Law & Justice Michigan

Grand Rapids Clinic:

207 Fulton St. E
Grand Rapids, MI 49503

Kalamazoo Clinic:

212 S Park St.
Kalamazoo, MI 49007

Detroit Clinic:

22124 Garrison St.
Dearborn, MI 48124

Traverse City Clinic:

222 Cass St.
Traverse City, MI 49684

Services: Legal representation to those who fall below 200% of the poverty line. U-Visas, T-Visas, refugee green card applications, asylum applications, temporary protective status, special immigrant juvenile status, VAWA, NACARA, family petitions, adjustment of status, citizenship, green card, legal advice.

Appointment: Call (616) 320-2734 to make an appointment.

Cost: No cost for legal aid



Resources

Diocese of Grand Rapids

360 Division Ave. S.
Grand Rapids, MI 49503
(616) 243-0491



Services: Low-cost legal representation to those who fall below 200% of the poverty line, reuniting family living abroad, obtaining citizenship, obtaining legal permanent resident status, and assisting immigrants who have been victims of crimes

Appointment: Call to make an appointment.

Cost: \$40 for initial consultation, \$40 for follow-up

Diocese of Kalamazoo

1819 Gull Rd
Kalamazoo, MI 49048
(269) 381-9800



Services: Low-cost legal representation to those who fall below 200% of the poverty line, reuniting family living abroad, obtaining citizenship, obtaining legal permanent resident status, and assisting immigrants who have been victims of crimes

Appointment: Open Mondays 9am--4pm for walk-in consultations

Cost: \$30 for initial consultation

Immigrant Connection

8574 S. Division Ave, Suite 2A
Grand Rapids, MI 49503
(616) 855-0563



Services: Citizenship/naturalization, DACA, family-based petitions, green card renewal and replacement

Appointment: Open Monday-Friday 9am-5pm. Call to schedule appointment. Initial consultations last approximately 45 minutes. Phone calls for scheduling appointments can be held in Spanish, after you will need to provide your own translator for all appointments.

Cost: \$50 for initial consultation



Resources

Southwest Detroit Immigrant and Refugee Center

99 Wayne St
Pontiac, MI 48342
(313) 288-9904



Southwest Detroit Immigrant
and Refugee Center

Services: Wide variety of immigration legal services, including deportation defense and asylum.

Appointment: Call ahead

Cost: No cost for legal aid

Lemkin House

817 Livingston AVE NE,
Grand Rapids, MI 49503
(269) 599-6951

Services: Representation for asylees

Appointment: Call ahead

Cost: No cost for legal aid



Hispanic Center of West Michigan

1204 Cesar E. Chavez Ave SW,
Grand Rapids, MI
(616) 742-0200



Hispanic Center
of Western Michigan

Services: **No legal aid** -- assistance in filling out powers of attorney, corrections on birth certificates, divorce documents, child custody and support, U.S. passport application, referrals for naturalization/citizenship, communication with foreign consulates, access to partner agencies and referrals

Appointment: Open 8am--5pm Monday--Friday. Call for appointment.

Cost: No cost in filling out forms, donations accepted

Latin Americans United for Progress (LAUP)

430 W 17th St #31
Holland, MI 49423
(616) 888-7225



Services: **No legal aid** -- document interpretation, language services, form assistance, ESL classes, GED classes, citizenship programs, youth programs

Appointment: Open 9am--4pm Monday through Thursday and 9am--4pm Fridays. Call for appointment.

Cost: Depends on the service provided





Services

Family petitions, fiance petitions, consular processing, waivers, adjustment applications, U-visas, self-petitioning VAWA, DACA, Temporary Protected Status (TPS), refugee services, asylum, citizenship, green card renewals, workshops, emergency planning

Hours

Monday: 9am-5pm

Tuesday: 9am-6pm

Wednesday: 9am-5pm

Thursday: 9am-5pm

Friday, Saturday, and Sunday: Closed

Hotline Info

To start a case or receive free immigration legal advice over the phone, call

(616)221-5542

Tuesday 8am - 12pm

Thursday 2pm - 6pm

First come, first serve. No voicemail. No appointments.



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