

Volunteer and Learn: KYR

COPAL MN

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Lead Organizer



Introduction to COPAL



Established in 2018 – vision of a dignified life for all Minnesotans



Offer resources and community education



Work to defend and extend immigrant rights primarily within the Latinx community (Driver's Licenses for All, Cumulative Impacts)

Legal Disclaimer

- This training is for educational purposes only.
- We are not your lawyers.
- We are in an evolving legal landscape.
- For individualized legal counsel please consult an attorney

Part One: Know Your Rights and Encounters with ICE

Encounters with ICE



OBSERVE AND DOCUMENT
LAW ENFORCEMENT
INTERACTIONS



INFORM INDIVIDUALS
ABOUT CIVIL RIGHTS AND
DUE PROCESS



SHARE SUPPORT
RESOURCES

Documenting ICE Interactions



Who has rights in the
United States?



Basic Rights on U.S. Soil:

4th Amendment

- ICE and police CANNOT enter a person's home without permission
- Requires a warrant signed by a judge

5th Amendment

- Right to remain silent
- Can refuse to sign documents or provide documents

6th Amendment

- Right to seek legal counsel
- Right to be advised on criminal and immigration consequences

Sharing Rights Information

Carry "red cards"

During an enforcement
Read rights
information loudly
and clearly

You have constitutional rights:

- **DO NOT OPEN THE DOOR** if an immigration agent is knocking. If you are inside of your house, show the card through the window or slide it under the door.
- **DO NOT ANSWER ANY QUESTIONS** from an immigration agent if they try to talk to you. You have the right to remain silent.
- **DO NOT SIGN ANYTHING** without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your house, **SHOW THIS CARD TO THE AGENT**. Ask the agent if you are free to leave and if they say you can, leave calmly.



www.RedCardOrders.com

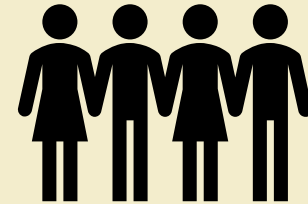
Sharing Support Resources



Immigrationlawhelp.org



COPAL Minnesota
612.249.8736



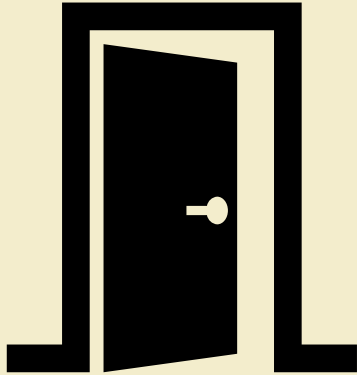
Local Pro-Immigrant
Groups and Nonprofits

Part Two: Understanding Private and Public Spaces and Judicial Warrants

When ICE is Outside Our Doors



Public Spaces



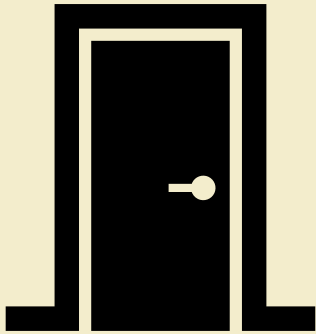
Anyone – including ICE agents – can enter public spaces without permission

Public spaces include anywhere that is readily and openly accessible

Being in a public space does NOT give ICE the authority to stop, question, or arrest just anyone

No one can enter a private space without your permission or a judicial warrant

Private Spaces



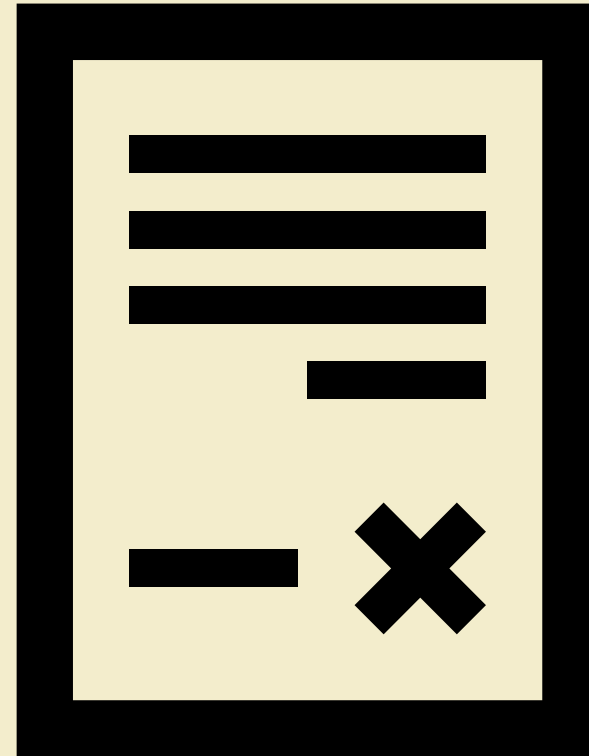
Immigration agents can enter a private space ONLY IF they have a judicial warrant.

Without a judicial warrant, ICE agents need YOUR permission to enter private spaces of your property.

If ICE agents try to enter a private space, you should say: “This is a private space. You cannot enter without a judicial warrant signed by a judge. Do you have a judicial warrant?”

Recognizing Warrants

- If ICE agents tell you that they have a judicial warrant, ask for a copy to be held up or slid under the door. Take a photo if possible.
- Check warrant details such as accuracy of names, dates, addresses etc. Verify the warrant is **signed by a judge**
- ICE agents may try to use an administrative warrant to enter. An administrative warrant from DHS does **NOT** allow agents to enter private areas without permission.



Judicial Warrant



AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
District of Maryland

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

Case No. _____

SEARCH AND SEIZURE WARRANT OR

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the _____ District of _____
(Identify the person or describe the property to be searched and give its location).

YOU ARE COMMANDED to execute this warrant on or before _____ (not to exceed 14 days)
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good 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)

☐ Pursuant to 18 U.S.C. § 3103a(b), 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 justify the later specific date of _____

Date and time issued: _____
City and state: _____

Judge's signature
Printed name and title

1. Issued by a Court

2. Labeled "Federal Arrest Warrant"

"Search and Seizure Warrant"

3. Confirm the **name of the person** identified. **Make sure it is spelled correctly.** There may also be extra pages with more information called **attachments.**

4. Judicial warrants are **signed by a judge.**

Administrative Warrant



Issued by a DHS

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____

To: Any immigration officer authorize **"Warrant of Removal"**
Immigration and Nationality Act a
Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____
is removable from the United States. This determination is based upon:

☐ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED Administrative warrants are
Immigration and N- _____
signed by an immigration officer

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this

notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/14)

ICE almost never has a **judicial warrant** necessary to enter private spaces and will use low level trickery or intimidation to obtain consent to enter.

ICE may try to use an internal document like the one on the right with the word "warrant", but this does not grant them permission. After requesting a warrant at the door, they may return with this to trick a person into opening the door.

Open Q & A