

If you need a lawyer...

- ❑ Do not rush to hire an attorney if you don't have a basic idea about your loved ones case. First learn as many facts about your loved one, and then approach an attorney
- ❑ Hire someone specializing in deportation. Many attorneys do not know immigration law and many immigration attorneys do not know deportation very well. If the lawyer does real estate, business and immigration, they are most likely not deportation specialists.
- ❑ Keep the full information of EVERY lawyer you had. Make sure you receive a copy of everything your lawyer files.
- ❑ Get a written contract before you give the lawyer money. The lawyer must give you a "retainer agreement." Read it carefully. Make sure you understand it.
- ❑ Make sure to inform your lawyer of your entire criminal and immigration history so that they may give you the best advice possible. Do not assume that ANY information is not important.
- ❑ Ask your lawyer for written information about the immigration consequences of your crime before you plead guilty. If you have an old order of deportation ask your lawyer for written information about how they will prevent your deportation.
- ❑ If your attorney ever refuses to provide information he promises you in writing, send a certified mailed letter to him outlining the promises he made to you and asking for written verification or clarification of those promises.
- ❑ File a complaint with the Attorney Grievance Committee if your lawyer cheated you (see Phone List).

Phone List

DEPORT OFFICE (Bureau of Immigration and Customs Enforcement, Detention and Removal Branch)

NY	(212) 264-5854 (212) 620-3441,2,3	Pennsylvania (York County)	(717) 840-7253
NJ	(973) 645-3666 x 0	Louisiana- Oakdale	(318) 335-0713

IMMIGRATION COURT

1-800-898-7180

ATTORNEY GRIEVANCE COMMITTEE

Manhattan, Bronx	(212) 401-0800
Brooklyn, Queens, Staten Island	(718) 923-6300
New Jersey	(800) 406-8594

FREE LEGAL INFORMATION/ADVICE

Legal Aid Immigration Law Unit	(212) 577-3456 <i>Friday afternoon</i>
Immigrant Defense Project	(212)-725-6422
Northern Manhattan Coalition for Immigrant Rights	(212) 781-0355 x305
Pennsylvania Immigrant Resource Center	(717) 600-8099
Bronx Defenders	(718) 838-7878

SUPPORT

Families For Freedom (646) 290-5551

Note: A group for detainees and families. We are not lawyers.
We are people fighting against the injustices facing immigrants.

Immigrant Rights are Human Rights

Families Beware! Immigration & Deportation Notice

You May Be Deported If You Have...

- ❖ **NO PAPERS**
You may be undocumented/have no papers if you crossed the border, overstayed your visa, came on a false passport, or are applying for status (even if you have a work permit).
- ❖ **ANY CRIMINAL CONVICTION**
Even if the conviction is old, minor, you have a greencard, or you never went to jail, you can be deported. Consult a lawyer specializing in deportation *before* you go to the immigration office, leave the country, or apply for your greencard/citizenship.
- ❖ **OLD ORDER OF DEPORTATION**
Sometimes immigration orders you deported but does not tell you. You may have an old order if you lost your asylum case, skipped a immigration interview or skipped an immigration hearing. To find out if you have an old order of deportation follow these steps:
 1. Find your Alien Registration Number (A#). It is on the I-94 card on your passport, greencard, work permit or any other document from immigration. It looks like: A99 999 999.
 2. Call 1-800-898-7180. This is the hotline for the immigration court (EOIR).
 3. Press "1" for English or "2" for Spanish.
 4. Enter your A-number and listen for instructions. If your number is in the system, then this means that you had a deportation case at some time.
 5. Press "3" to find out if an immigration judge ordered deportation (removal) against you.
 6. If the hotline says you have a deportation/removal order, consult a lawyer specializing in immigration deportation *before* you go to the immigration office, leave the country, or try to adjust your status.

Immigration Can Detain You When...



❖ YOU FINISH SERVING A CRIMINAL SENTENCE

You may be sent to immigration after you complete jail time, probation, a rehabilitation program, boot camp (including NY Shock program). Jail officers are not trained in immigration laws, and often give people bad information. Do NOT rely on their word. If you have been visited by any immigration officer, or are not a citizen, you may have an immigration detainer and can be transferred to immigration jail immediately upon released.

(continued)

❖ YOU LEAVE THE COUNTRY AND TRY TO RE-ENTER

At an airport, seaport, or at the border, immigration agents may detain you if you have an old conviction, false papers or a deportation order.



❖ POLICE STOP YOU

Regular police officers may send you to Immigration if you have a past conviction or old deportation order. If officers stop you, arrest you, or come to your home:



- Ask for a warrant if officers seek to enter your home. You have the right to see this document. The warrant lists the areas that the officers can search. Note if they enter any other areas.
- Record who arrested you. Write down the officer(s) *name, agency* (FBI, NYPD, INS, ICE), and badge number. Find this information on the officers' business cards, uniforms, and cars.
- Remain silent. You only have to give your name. You do not have to answer any other questions. **DO NOT LIE!** Say nothing or say, "I need to speak with a lawyer first."
- Do NOT sign any papers without talking with a lawyer first. Even, if an officer may try to scare or trick you.
- Do not give any information about where you were born, how you came here, or your immigration status. By giving this information, you may help the government deport you faster!
- Do NOT take a guilty plea without speaking to a lawyer specializing in deportation. Defense lawyers, regular immigration attorneys, prosecutors and judges often don't know the immigration consequences of a conviction. Don't rely on their opinion.
- Make sure your family has your Immigration Number. It is on most immigration papers and looks like: A99 999 999.

❖ YOU APPLY FOR CITIZENSHIP OR GO TO ANY IMMIGRATION OFFICE

If you are at risk of deportation and go to Federal Plaza (or any other immigration office), you risk being detained. People have been deported when they go to pick-up a work permit or greencard, inquire about their citizenship application, or go for an appointment. If you have an order of deportation or past conviction and decide that you must go to an immigration office, call a deportation specialist *before* you go and follow these tips:

- Tell a family member or close friend where you are going, and set a time to call them after the visit. If you do not call because you are detained, they should start looking for you (follow steps below).
- Do NOT take your passport, work permit, travel documents, or greencard. If you must take certain items, **GIVE COPIES** of everything you take to a relative or friend first.
- If you are going in response to an appointment letter, leave a COPY OF THE LETTER with a relative or friend.
- Talk to a deportation lawyer before you bring any information regarding a criminal case.



TIPS! For Detainees & Prisoners...

- Once in Immigration Custody, Do NOT sign anything giving up your right to an immigration hearing in front of an immigration judge or any other rights. Sometimes immigration agents will serve you a **Notice To Appear (NTA)** but ask you to sign papers giving up your rights.
- If you have an old order of deportation, you will not see a judge and can be deported *immediately*. Ask for a **Notice of Reinstatement of Deportation Order**.
- Make sure your family members have a copy of your immigration paperwork, including your **NTA**.
- You will be assigned a **Deportation Officer**. Know his/her name and telephone number.
- If you see an immigration judge and you do not have an attorney, tell the judge that you need more time to find counsel. Do NOT concede or admit to any charges against you. Do NOT go into detail about your case. Anything you say can and will be used against you – even your country of birth.
- If you think you may be transferred to a detention center far from your home, and you have an immigration lawyer here, your lawyer may file immigration form G-28 with the Department of Homeland Security. You can download it at <http://www.immigration.gov/graphics/formsfee/forms/g-28.htm>. Fax the form to the Deportation Officer immediately. This form may convince the officer to stop your transfer.
- If you face automatic deportation because of your crime, consult a criminal immigration attorney about the positives and negatives of Vacating, Appealing, or Reopening your Criminal Case. This is very complicated, but may be your only way to avoid deportation.

TIPS! Families On The Outside

Keep the following information about your detained loved one:

- Full name and aliases
- "Alien Registration Number." It is on most immigration papers, including the I-94 card on your passport, greencard, or any other document that immigration gives you. The A# looks like: A99 999 999.
- Date person entered the U.S. and how (visa, cross border, greencard through marriage, etc.) Criminal Record. You must have a list of the precise criminal convictions (e.g. 4th degree Criminal possession of a controlled substance, NYPL §220.09). Include the date of arrest, the place of arrest, date of conviction, And the sentence. If possible, get a copy of the rap sheet. Get a Certificate of Disposition for each conviction from the clerk's office in the courthouse where the criminal case was heard.
- A copy of your Notice to Appear (NTA) and all other immigration paperwork.
- Favorable Factors: collect documents showing that the person facing deportation has family, community ties and "good character".

To locate your detained loved one:

- Contact the Bureau of Immigration and Customs Enforcement Deport Office (see Phone List below).
- Ask to speak with a supervisory deport officer. Give them your loved one's full name and A#. (Note: Deportation officers may be mean and not speak to anyone besides an attorney. You should still try.)
- Contact your Consulate. Some Consulates are required by law to be notified when one of their nationals is detained.
- The last resort is always to contact the different county detention facilities or wait for your loved one to call. Remove any blocks on your phone for collect calls.