

Centro La Familia Advocacy Services, Inc.



CENTRO LA FAMILIA
ADVOCACY SERVICES

NEIGHBORHOOD RESOURCE CENTER

302 Fresno Street Suite 102, Fresno CA 93706

<https://www.centrolafamilia.org>

Our Humble Beginnings

Centro La Familia Advocacy Services (CLFA):

Is a community based organization established in 1972 to serve families primarily in Fresno County

Mission Statement

“Providing services that empower and support families and individuals in our culturally diverse community”



Our Agency Today...

4 Neighborhood Resource Centers

- Fresno 93706
- Kerman
- Highway City
- Manchester/Dakota Ave
- Serve 25,000 clients annually
- Reach 250,000 through outreach and media

85+ full-time employees Plus interns and volunteers

- Languages: English, Spanish, Hmong, Lao, Punjabi and Thai

Organization Departments

- Victim Services
- Immigration Services
- Family and Wellness
- Family Strengthening
- Policy and Leadership

Immigration Services Department (ISD)

An agency recognized by the U.S. Department of Justice under the Office of Legal Access Programs (OLAP), we provide legal representation and advocacy on behalf of clients before the U.S. Department of Homeland Security (DHS). Currently, we employ ten (10) accredited immigration advocates authorized to represent clients in immigration matters. Our services are not limited to Fresno County; we offer assistance to individuals throughout a broader geographic area. For certain services, we charge a nominal fee, in accordance with applicable regulations and guidelines.

Our Department's purpose: Provide services from a trusted service provider and reduce fraud and fear in the community.

Immigration Services ISD Provides

- General Consultation
- Citizenship and Naturalization
- DACA Renewal
- Family Petitions
- Green Card Renewals (I-90)
- U-Visas and VAWAs for Non-Fresno County Residents
- Document and Translation Assistance
- Removal Defense (*on a case by case basis*)
- Outreach and Community Education



**KNOW
YOUR
RIGHTS**

Know Your Rights

What to do when you encounter ICE Agents?

Before an Immigration Action

- Find a qualified immigration lawyer now – before anything happens.
- Make a written Response Plan. Practice your plan with your workers. Practice what to say, what to do.
- Provide a Know-Your-Rights training for all your staff.
- Train your staff:
 - *Do NOT run away if ICE agents show up. Running away could give ICE a legal reason to arrest workers.*
 - *Do NOT give ICE agents permission to enter your workplace.*
 - *Do NOT answer questions or give any information.*
- You and your workers have the right to stay silent and to ask to talk to a lawyer.
- Give your workers a list of lawyers or organizations that can provide high quality, free or low-cost immigration legal advice. www.vallecentral.org
- Connect with an immigration response network in your area.

559-206-0151

During an Immigration Action

- If ICE agents enter a public area of your business, say: *“I am the employer. You cannot go to other areas of the workplace without my permission.”*
- If ICE agents try to enter a private area, say: *“This is a private area. You cannot enter without a judicial warrant signed by a judge. Do you have a judicial warrant?”*
- Encourage your staff to video or take photos during an immigration action (if they are willing).
- If the agents have a judicial warrant signed by a judge, ask for a copy and read it. Make a copy if you can.
- Watch the agents carefully. Keep track of what they do. See if they are following what is written on the warrant. For example, the warrant may limit the areas the agents can search.
- If ICE agents try to question you or your workers, remind your workers they have a right to stay silent and to ask for a lawyer.
- When immigration agents leave, record or write down everything you saw. This will help you remember the details when you talk to a lawyer later.

What rights do I have?

Whether or not you are a U.S. citizen, you have the following constitutional rights:

- Right to remain silent: Immigrants do not have to answer questions about their immigration status.
- Right to refuse entry into your home: Immigration officers cannot enter your home without a warrant signed by a judge.
- Right to an attorney: If detained or arrested, you have the right to consult with a lawyer.

Encounters with Immigration Enforcement (ICE)

At Home:

- Right to refuse entry without a warrant.

On the Street:

- Practice what to do if approached by ICE offices or local police
- Your right to remain silent and not answer questions about your immigration status.

In a Public Place (e.g., workplace, public transit):

Right to not show papers unless detained or arrested.

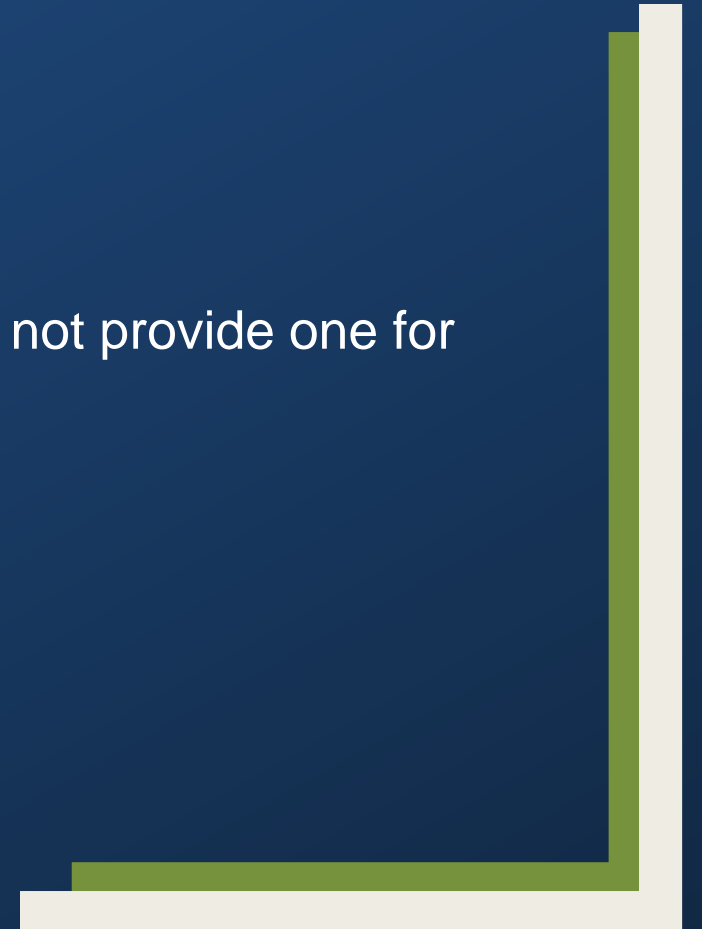
Know Your Rights During Detention or Arrest

If arrested by ICE:

- Right to a hearing before a judge.
- Right to post bail (if eligible).
- Right to a lawyer (although the government does not provide one for immigration cases).

What to do if detained:

- How to request to speak to an attorney.
- How to contact family or friends.
- Right to be informed of charges.



Sample: ICE Orders vs Judge Warrant

This is issued by DHS, NOT a court

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

File No. _____ **NOT**
Date: _____ **VALID**

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal 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 U.S. databases that affirmatively indicate, by their design or by additional information, that the subject either lacks immigration status or is removable under U.S. immigration law; and
- statements made voluntarily by the subject, an immigration officer and/or other reliable evidence that indicate the subject either lacks immigration status or is removable under U.S. immigration law.

_____ to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

Signed by an immigration officer, NOT a judge
(Signature of Authorized Immigration Officer)
(Printed Name and Title of Authorized Immigration Officer)

NOT A VALID SEARCH WARRANT

SIGNED BY A JUDGE

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) _____

This is an U.S. administrative warrant. It does NOT authorize immigration agents to enter your home. Form I-209 (Rev. 05-03)

This is a judicial search warrant. It DOES authorize agents to enter your home.

AO 93 (Rev. 12/07) Search and Seizure Warrant

UNITED STATES DISTRICT COURT - Issued by a COURT.

for the Eastern District of California **VALID**

In the Matter of the Search of _____ (Briefly describe the property to be searched or identify the person by name and address) Case No. _____

540 Oak Avenue Davis, California 95616

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.

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 to the person from whom, or from whose premises, the property was taken.

The officer executing this warrant, or an authorized agent of the court, must prepare an inventory as required by law and present it to the United States Magistrate Judge.

_____ may have an adverse result listed in 18 U.S.C. § 2705 (except for delay) if the officer executing this warrant to delay notice to the person who, or whose property, will be searched to 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 9:10:20 AM Signed by a JUDGE: _____

City and state: SACRAMENTO CALIFORNIA EDMUND F. BRENNAN U.S. MAGISTRATE JUDGE (Printed name and title)

Warrants

- When ICE shows you an administrative warrant with an employee's name on it:
 - *You do NOT have to say if that employee is working on that day or not.*
 - *You do NOT have to take the ICE agents to the employee named on the warrant (even if he or she is at work at the time).*
- Do NOT help ICE agents sort people by their immigration status or the country they are from.
- Watch the agents and see if they are complying with what's written in the warrant.
- If you or an employee is willing, you should video or record what the ICE agents do at your workplace. You may be able to prove the agents violated your rights or your workers' rights.

“Know Your Rights” Red Card

Usted tiene derechos constitucionales:

NO ABRA LA PUERTA si un agente de migración está tocando la puerta

NO CONTESTE NINGUNA PREGUNTA de un agente de migración trata de hablar con usted. Usted tiene el derecho de mantenerse callado.

NO FIRME NADA sin antes hablar con un abogado. Usted tiene el derecho de hablar con un abogado.

Si usted está afuera de su casa, pregunte al agente si es libre para irse y si dice que si, váyase con tranquilidad.

ENTREGUE ESTA TARJETA AL AGENTE.

Si usted está dentro de su casa, muestre la tarjeta por la ventana o pásela debajo de la puerta.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution, unless you have a warrant to enter, signed by a judge or magistrate, that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.



How to Stay Informed

- Resources for staying up-to-date on immigration laws and policies.
- How to access reliable information and avoid misinformation.
- Contact information for immigrant support organizations.
- What to do if you are detained or if a family member is detained (including emergency contacts).
- With your family members, go over possible scenarios and what actions to take in each situation.
- Get your red cards at one of our local NRC in the area.

Beware of Scams

- We want to remind you that immigration scams in the Central Valley are prevalent.
- Remember that in the United States, a **Notario Público** is not authorized to provide you with any legal services related to immigration. Only an attorney licensed to practice law in the United States or an **Accredited Representative** working for a Department of Justice-recognized organization can give you legal advice; just like Centro La Familia!

**THE WRONG HELP
CAN HURT**
BEWARE OF IMMIGRATION SCAMS



The State Bar of *California*



THANK YOU!



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