



**ILLINOIS COALITION
FOR IMMIGRANT
& REFUGEE RIGHTS**

**KNOW
YOUR
RIGHT**





ILLINOIS COALITION FOR IMMIGRANT AND REFUGEE RIGHTS (ICIRR)

ICIRR is dedicated to promoting the rights of immigrants and refugees to full and equal participation in the civic, cultural, social, and political life of our diverse society.

- In partnership with our member organizations, the Coalition:
 - educates and organizes immigrant and refugee communities to assert their rights;
 - promotes citizenship and civic participation; monitors, analyzes, and
 - advocates on immigrant-related issues; and
 - informs the general public about the contributions of immigrants and refugees.



OVERVIEW/ GOALS

KNOW YOUR RIGHTS

- FEDERAL POLICIES / PRIORITIES
- LEARN ABOUT OUR RIGHTS
- PREPARE SAFETY PLANS
- REPORT INCIDENTS

EDUCATE



**ILLINOIS COALITION
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CHICAGO

- Welcoming City Ordinance
- Municipal IDs

ILLINOIS

- TRUST Act/Illinois Way Forward
- VOICES Act
- Immigrant Services Line Item
- Driver's Licenses for All

FEDERAL

- Limits on ICE enforcement/ workplace raids
- DACA and other protections

THESE POLICIES WILL VERY LIKELY CHANGE UNDER TRUMP



ICE GUIDELINES

THIS POLICY WILL VERY LIKELY CHANGE UNDER NEW ADMINISTRATION!!

A DHS memo from September 30, 2021 directs ICE, CBP and USCIS to exercise prosecutorial discretion and focus on three main categories of individuals as priorities for detention and deportation.

- **National security threats:** individuals who ICE suspects as engaging in terrorism, spying, or related activities, or “otherwise poses a danger to national security”
- **Public safety threats:** individuals who pose “current threat to public safety, typically because of serious criminal conduct.” The memo does not designate specific categories of crimes as those that represent a current threat to public safety. Rather, it lists a set of negative and positive factors for determining whether an individual is a current public safety threat.
- **Border security threats:** individuals who unlawfully enter the U.S. after November 1, 2020 or arrested while unlawfully entering.

WORKPLACE RAIDS

THIS POLICY WILL CHANGE UNDER TRUMP!!

On October 12, 2021 the Biden Administration issued a memorandum **ending deportation raids in workplaces.**

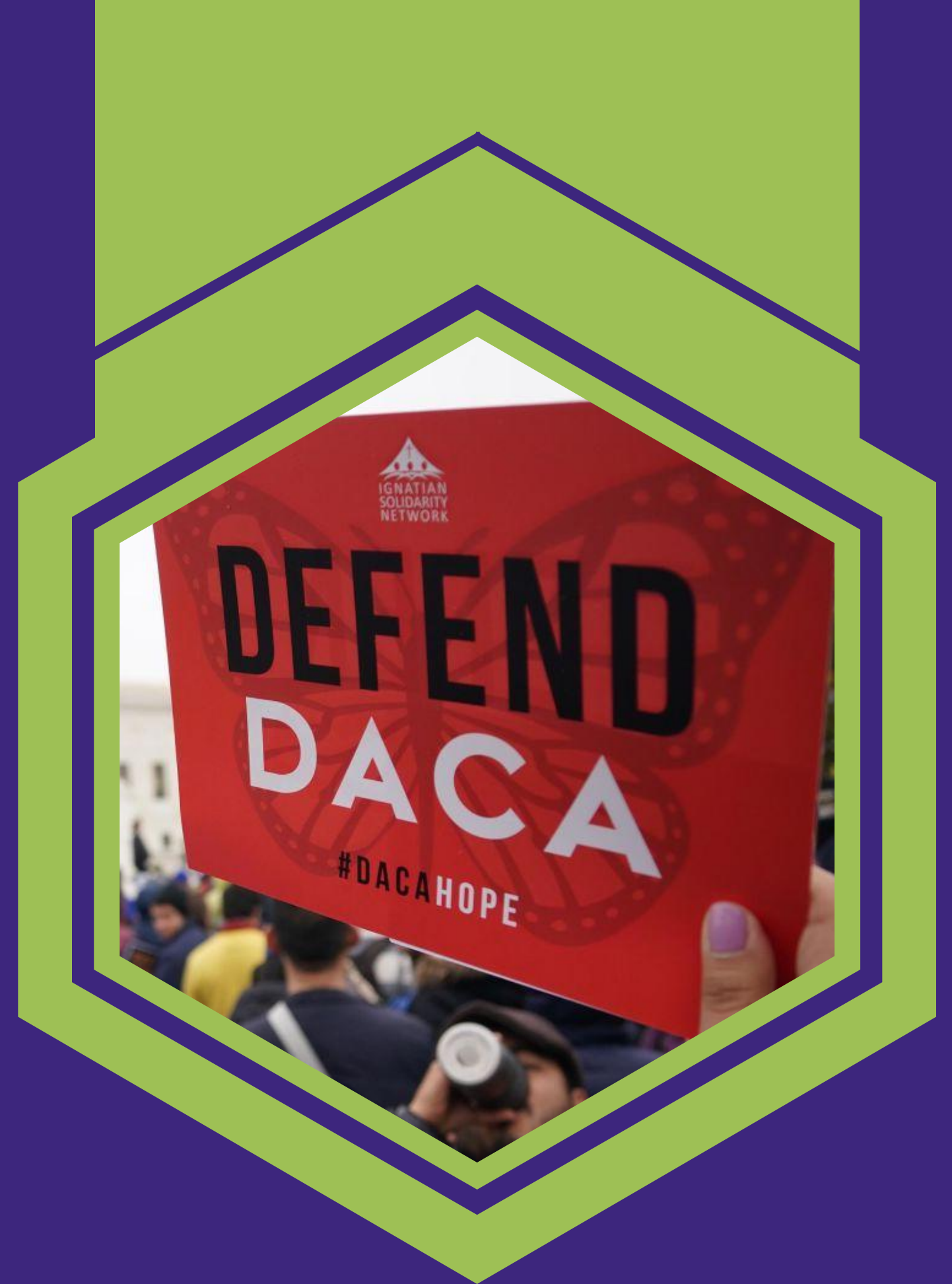
The Biden Administration wanted to encourage workers to report labor violations in the workplace without fear of deportation. The motive of this policy is to protect the American labor market by refocusing resources to take measures against exploitative employers and their agents.

DACA CURRENTLY

THE TRUMP ADMINISTRATION WILL VERY LIKELY TRY TO END DACA AGAIN & OTHER PROTECTIONS!!

On September 13, 2023, a federal court ruled that the Biden DACA regulations are illegal, but left in place protections for people who already have DACA. That ruling is now on appeal.

- USCIS will not grant new initial DACA applications
- For now, people with DACA can still renew the DACA and work permits and apply for advance parole
- People who do not have DACA can still submit applications--but USCIS cannot approve them.





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YOUR RIGHTS!

The **US Constitution** guarantees
**basic rights to ALL of the
people of the United
States--regardless of
immigration status**

**Regardless of your immigration status, you
have the right to:**

**YOU HAVE
RIGHTS**

BE SAFE IN YOUR OWN HOME

Law enforcement cannot enter your home
without a warrant signed by a judge

REMAIN SILENT

Anything you say can be used against you. If
you have a KYR card you can use it!

**SPEAK WITH AND BE
REPRESENTED BY AN ATTORNEY**

In immigration court you need to find
and pay for your own attorney.



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IMMIGRATION ENFORCEMENT

WHO DOES WHAT?



U.S. Citizenship
and Immigration
Services



ICE



Executive Office for
Immigration Review (EOIR)



Immigration Judges



Board of Immigration
Appeals (BIA)



GOVERNMENT AGENCIES

Chicago Police Department



Focuses on safety
of community
residents in Chicago

Transportation Security Administration



Focuses on
security of the
traveling public in
the US

Immigration and Customs Enforcement



Enforces
immigration laws
in the US.

Customs and Border Protection



Inspects at ports
of entry and
determines
admissibility

Homeland Security Investigations



Conducts
investigations
regarding
immigration

- Be on the lookout: **Some ICE agents might identify themselves as police officers** or might be wearing attire with the word POLICE written on it.
- You should ask law enforcement officers to clarify whether they are from the local police department or immigration.



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POLICE / ICE



LEARN TO RECOGNIZE THEIR BADGES AND UNIFORMS

WHAT TO DO



- **DO REMAIN SILENT**-- anything you say can be used against you.
- **DO** tell the police your name **BUT NOTHING ELSE.**
- **DO** tell the police you want to remain silent and want to talk to a lawyer. They should stop questioning you after that.

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!

WHAT NOT TO DO

- **DO NOT CARRY FALSE DOCUMENTS.**
Carrying false documents is a federal offense.
- **DO NOT LIE.** Tell law enforcement agents you want to remain silent. DON'T give explanations, excuses, or stories.
- **DO NOT SIGN** any document you don't understand.
- **DO NOT DISCUSS** your immigration status with anyone other than your lawyer





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AT YOUR HOME

- No one can enter a private area like your home without permission or a judicial warrant.
- If any law enforcement officers or ICE agents show up at your home, **you have the right to demand that they show you their warrant.**

**DO NOT OPEN THE DOOR UNLESS
YOU SEE THE WARRANT!**

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!



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AT YOUR HOME

- Ask the officers/agents if they have a warrant. If they say they have one, ASK them to slip the warrant under the door or hold it up to the window so you can inspect it.
- If they try to force the door open: Write down their badge numbers and the license plate numbers of their cars.

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!



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JUDICIAL WARRANT

These orders allow ICE and law enforcement to enter non-public areas.

A warrant signed by a judge allows law enforcement officers to enter and search specific, identified premises and to confiscate identified items, or arrest a specific person.

IMPORTANT: Make sure that the warrant correctly identifies the places to be searched, including the address of your residency/business or the items that will be confiscated.

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!



WARRANT SIGNED BY A JUDGE

Depending on the warrant, the name and/or address of the person they are looking for should be in this area.

Dependiendo la orden. el nombre y/o la direccion de la person que estan buscando estara en esta area.

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

The order should say why the warrant was issued.

La orden tiene que decir por qué se ha emitido.

United States of America,
Plaintiff,
v.
The Premises Known As,
Swift & Company, located at 1700
Highway 60 NE, Worthington,
Minnesota, and all its
appurtenances, parking areas,
and outdoor working areas
Defendant.

CIVIL NO. 06mj457 JSM

ORDER
FOR WARRANT FOR
ENTRY ON PREMISES TO
SEARCH FOR ALIENS
WHO ARE IN THE UNITED
STATES WITHOUT LEGAL
AUTHORITY

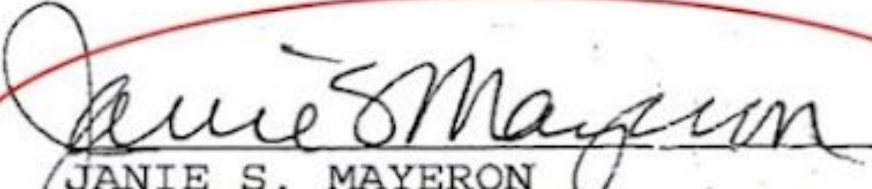


WARRANT SIGNED BY A JUDGE

IT IS FURTHER ORDERED that U.S. Immigration and Customs Enforcement shall conduct the entry and search during daylight hours with ten (10) days of the issuance of this warrant, and make its return to this Court with ten (10) days of the date the entry and search have been completed.

Dated: December 8, 2006

Make sure the date is recent (A few months)
Revise que la fecha sea reciente (De unos meses)


JANIE S. MAYERON
United States Magistrate Judge

Make sure it is signed by a JUDGE
Revise que este firmada por un JUEZ (Judge)



Non-binding ICE Warrant

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

File No. _____
Date: _____

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

(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. 09/16)

- These orders do NOT allow ICE to enter non-public areas.
- These orders are intended to authorize ICE agents to detain people suspected of breaking immigration laws.
- These orders are signed by an immigration officer and not by a judge.

IN YOUR CAR

Don't give police an excuse to pull you over while driving

- Don't hang any objects from your rearview mirror or block your car windows or windshield with anything.
- Make sure all the lights in your car work.
- Keep your license plates, city sticker, and insurance up to date.
- Obey all traffic laws



IN YOUR CAR

- Carry a driver's license, valid state ID, and/or work permit (if you have one).
- Do NOT carry any false/fraudulent documents that do not correspond to your identity.



IN YOUR CAR

If you are pulled over in a traffic stop:

Ask if the officer is from the local police department or immigration. ICE agents often identify themselves as “police.”

If they are ICE or Customs and Border Protection (CBP), you do not need to answer any questions or provide any documentation before you speak with a lawyer.



IN YOUR CAR

If you are pulled over by police:

- If you are driving, you will need to provide your name, license, vehicle registration, and proof of insurance. **You can be arrested for driving without a valid license.**
- Ask if you can park your car in a safe place or have a licensed driver take it away, to avoid towing or impoundment fees.

NOTE: Police do NOT need a warrant to search your car. Plan accordingly.



DRIVER'S LICENSES

If you live in Illinois, you can get a standard driver's license or state ID if you have

- a Social Security number OR
- a valid visa OR
- proof of one year of residence in Illinois AND a passport or consular ID that is either current or within two years of expiration

License applicants must pass road, vision, and written tests. Standard licenses can be **used as IDs** (but not for federal purposes)

For more information, visit the Illinois Secretary of State website, www.ilsos.gov



IN PUBLIC SPACES

- Anyone—including ICE agents--can enter a public area without permission
- Your presence in a public space alone does NOT give ICE the authority to stop, question, or arrest you.
- If you are stopped, **you have the right to remain silent.** You do not have to answer any questions or show any documents to an immigration officer. Ask to speak with a lawyer.

SENSITIVE LOCATIONS

ICE has had a longstanding policy of **not taking enforcement actions** in or near certain locations that would affect people's access to essential services or engagement in essential activities. These locations include

- **schools**
- **medical facilities**
- **places of worship**

NOTE: This policy might change under the new Administration



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AT THE WORKPLACE

Immigration

If ICE shows up at your workplace, the first step is for a primary contact at the workplace to ask ICE **what is the purpose of their visit**. For example, check if the visit is for an I-9 audit.

- Effective 10/12/2021, the Biden Administration passed a policy to end workplace raids. **This policy might change with the new Administration.**

IMMIGRATION AGENTS NEED A WARRANT TO ENTER NON-PUBLIC SPACES AT YOUR WORKSITE. THEY DO NOT NEED A WARRANT TO BE IN PUBLIC SPACES.



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Immigration

I-9 AUDITS

I-9 = Form to verify eligibility for employment in the US

If the reason of the ICE visit is an I-9 audit

- Employers must be given **at least three business days** to present the employee's I-9 form.
- If ICE does not give notice, they cannot immediately inspect I-9's



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WORKPLACE PRIMARY CONTACT

Immigration

- If you work at a friendly location, ask your employer about setting up a plan in case of an I-9 audit.
- **PLAN:** At least one person (*ideally more than one*) should be trained to speak with ICE agents.
 - That person can be the owner of the business, a manager, a union steward, or someone else.
 - That person would be responsible for asking ICE to show them the warrant and informing ICE that they do not have permission to enter non-public areas of the business (unless stated in the warrant).
- Someone should also be trained to contact the local rapid response network.



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AT THE WORKPLACE WHAT TO DO

Immigration

- Remain calm
- You have the right to remain silent.
- Communicate with the officer that you want to speak to a lawyer.



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Immigration

AT THE WORKPLACE WHAT **NOT** TO DO



- **DO NOT RUN!** This may be viewed as an admission that you have something to hide.
- **DO NOT TELL** the immigration officer where you were born or your immigration status.



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MEMORIZE KEY NUMBERS

- **ID numbers**, including your immigration A-number or a jail ID number. Usually these numbers will be written on a wristband.
- **Phone numbers** of people you will want to call. Jails and detention centers should allow you to make a phone call. You will very likely not have access to your cell phone with contact numbers.

**IF YOU ARE
ARRESTED**



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ASK TO SPEAK TO AN ATTORNEY

You have the right to an attorney.
Disclose your immigration status
ONLY to your attorney. This includes
a public defender.

**IF YOU ARE
ARRESTED**



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WHAT NOT TO DO:

- **DO NOT LIE:** Tell law enforcement agents you want to remain silent. DON'T give explanations, excuses, or stories.
- **DO NOT** claim to be a US citizen if you are not!
- **DO NOT SIGN** any document that you don't understand.
- **DO NOT DISCUSS** your immigration status with anyone other than your lawyer.
- **DO NOT** share your legal status with your cellmates.

**IF YOU ARE
ARRESTED**



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To find someone who has been detained by ICE:

Go online to locator.ice.gov and find the person using:

- Name, birthdate and country of birth.
- If available use the A-number and country of birth.

FINDING SOMEONE IN DETENTION



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ILLINOIS TRUST ACT/ CHICAGO WELCOMING ORDINANCE

Under the Illinois TRUST Act and the Chicago Welcoming City Ordinance, local police **CANNOT**

- Stop, arrest, or detain anyone based on their immigration status or an ICE warrant or hold
- Ask anyone about their immigration status or place of birth

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!



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ILLINOIS TRUST ACT/ CHICAGO WELCOMING ORDINANCE

Under the Illinois TRUST Act and the Chicago Welcoming City Ordinance, local police **CANNOT**

- Assist ICE in immigration enforcement operations
- Give ICE access to anyone in police custody
- Transfer anyone to ICE
- Share information to help ICE pick someone up

EXCEPTION: If ICE agents have a federal criminal warrant

REPORT ANY ISSUES TO THE FAMILY SUPPORT HOTLINE 1-855-435-7693!



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COURT: POLICE

Court: If you miss a court date, the court can issue a warrant for your **ARREST**

Bond: Under the new SAFE-T Act, Illinois no longer requires people to pay a cash bond to get released. If you are arrested, a court will review the charges and the other circumstances in your case to determine whether you will be kept in custody or released.



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COURT: IMMIGRATION

Court: If you miss an immigration court date, the court can order your removal

Bond: You can be released from immigration detention only if you pay 100% of the bond. The person who pays must be a U.S. citizen. The bond is refundable.

PREPARE



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USEFUL VOCABULARY

- **I wish to remain silent. (Quiero mantenerme en silencio.)**
- **I wish to make a phone call. (Quiero hacer una llamada telefónica.)**
- **I wish to speak with a lawyer. (Quiero hablar con un abogado.)**
- **I do not consent to your entry or search. (No le doy permiso para que entre y revise.)**
- **I will not sign any document I do not understand. (No firmaré ningún documento que no entienda.)**



HAVE AN EMERGENCY PLAN!

- **Have a plan in writing -- and make sure everyone in your family knows what to do**
- **Choose a responsible person for the care of your children and property**
- **Have your documents ready AND in a safe place!**
- **MEMORIZE** phone numbers for three family members or friends whom you can call.
- **Carry a list of important phone numbers, including your consulate.**
- **GET INVOLVED** with a local community organization!



HAVE AN EMERGENCY PLAN!

Sample Plan

- **Step 1: Have my emergency contact/family member pick up kids from school and explain to them that I was detained.**
- **Step 2: Contact my lawyer.**
- **Step 3: Inform the school that I was detained and that my emergency contact/family member will be in charge of the kids.**
- **Step 4: Seek counseling for the kids if they are misbehaving or depressed.**



HAVE AN EMERGENCY PLAN!

Information to collect for household members

- **Name**
- **Address**
- **Place and Date of Birth**
- **Work Place**
- **Work Place Address**
- **Work Schedule**
- **Work Phone**
- **Cell Phone**
- **Medical History**
- **Allergies**
- **Doctor**
- **Doctor's Phone Number**
- **Doctor's Address**



HAVE AN EMERGENCY PLAN!

Information to collect -- children

- **Child's Name**
- **Child's Gender**
- **Favorite Toy**
- **Place and Date of Birth**
- **Citizenship**
- **Social Security Number**
- **Medical History**
- **Allergies**
- **Doctor**
- **Doctor's Phone Number**
- **Doctor's Address**
- **Babysitter Name**
- **Babysitter Phone Number**
- **Name of School**
- **School Address and Phone Number**
- **Grade**
- **Schedule**
- **Teacher's Name**
- **Work Place**
- **Work Schedule**
- **Work Phone**



HAVE AN EMERGENCY PLAN!

Key Contacts

- **Legal guardian or other responsible adult**
- **Lawyer**
- **Pastor or faith community leader**
- **Children's teachers**
- **Landlord**
- **Doctors**
- **Community organization**



HAVE AN EMERGENCY PLAN!

Key Documents

- **Identification**

- **Birth certificates**
- **Social Security numbers**
- **Passports**
- **Consular IDs**
- **Driver's licenses/ State IDs**
- **Work IDs**

- **Medical**

- **Medical records**
- **Vaccination records**
- **Doctor's name and address**
- **List of medications**
- **Allergies**



HAVE AN EMERGENCY PLAN!

Key Documents

- **Property**
 - **Deeds / Mortgages**
 - **Vehicle title and registration**
 - **Insurance policies**
 - **Bank account information**
 - **Credit card information**
 - **Retirement / investment account information**
 - **Tax returns and records**
 - **Powers of attorney**

TEMPORARY LEGAL GUARDIANSHIP

- A Letter of Guardianship can be made for all of your children under the age of 18. A Temporary Guardianship letter will make sure your children are protected in case you and/or your partner are arrested
- If the letter is for less than one year (365 days) it does not have to be done by a lawyer unless that is what you want to do.





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POWERS OF ATTORNEY FOR PROPERTIES



You may want to get a **power of attorney** document if you have any properties in the United States and would like to leave a person in charge in case you would like that person to be responsible for your assets or if you would like your assets to be sold.



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POWER OF ATTORNEY FOR PROPERTIES



If you have any questions about what will happen to your home and other property, or would like legal help writing a power of attorney letter, contact:

LEGAL AID CHICAGO

120 S. LaSalle
Chicago, IL 60603
(312) 341-1070

CHICAGO VOLUNTEER LEGAL SERVICES

33 N. Dearborn St. #400
Chicago, IL 60602
(312) 332-1624



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IMMIGRATION LEGAL SERVICES

NATIONAL IMMIGRANT JUSTICE CENTER

111 W. Jackson, suite 800

Chicago, IL 60604

(312) 660-1370

*Visit our **ICIRR** webpage for a full list of*
NON-PROFIT AGENCIES PROVIDING FREE OR
LOW-COST ASSISTANCE WITH IMMIGRATION
MATTERS ([HERE](#))

Search for an immigration attorney through the
American Immigration Lawyers Association (AILA) at
www.ailalawyer.com



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WHEN SEEKING LEGAL HELP

“Notarios” are NOT attorneys

Seek help only from attorneys who specialize in the area in which you need help. Family law attorneys do not practice immigration law, and vice versa.

Ask to see a law license. **NOTE:** Immigration lawyers can be admitted in any state and still practice in Illinois



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WHEN SEEKING LEGAL HELP

Be clear on the terms of assistance:

- What services will the attorney provide?
- What does the process involve, and what role will you play?
- How much will the services cost?

Get a **written** retainer/ contract

- Don't sign anything you do not understand
- Ask questions if you are uncertain

Hold on to your original documents and keep them in a safe place

REPORT



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RECORDING INTERACTIONS WITH POLICE/ICE

You have a right to film or photograph police officers in:

- Public places
- Your property

This right extends to all law enforcement, including local police, sheriff's deputies, state police, or ICE agents

Law enforcement officers cannot confiscate or demand to view your digital photographs or video without a warrant.



HOW TO DOCUMENT A RAID

RECORDINGS BY AUDIO, VIDEO OR WRITTEN:

- How many agents were there
- Name of the agents
- The number found on the agents' badges
- If the agents carried weapons and if they used them
- If the agents blocked the exits or if they limited the movement or activities of the employees.

- The license plate number of the vehicles
- All goods taken / registered
- The names of the people questioned
- The names of the people detained
- The names of the other witnesses
- Any detail regarding the use of intimidation or force by officers

RECORDING INTERACTIONS WITH POLICE/ICE

Do NOT interfere with the raid--not even if someone is arrested or if you see the ICE agents using force.

Instead try to record or otherwise document the incident as best as you can.



- Do NOT share information that you see on social networks about raids. Many times the information is false, so sharing it further can cause panic in the community.
- **Find out what is happening** before sharing any information that might affect others negatively



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SHARING UNCONFIRMED INFORMATION

FAMILY SUPPORT NETWORK HOTLINE

What is the Family Support Network Hotline?

- ✓ Toll-free hotline offers help to Illinois families facing deportation.
- ✓ The hotline is staffed by trained volunteers who will listen to families and offer referrals to lawyers, social service agencies, pastors, and other community supporters.
- ✓ The hotline is staffed in English, Spanish, Polish, Arabic and Korean.



1-855-435-7693

ACTION

**REPORT ANY ICE ACTIVITY TO THE HOTLINE
BECOME A COMMUNITY NAVIGATOR!**



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RESOURCES



Find your consulates information here:
<https://www.embassypages.com/city/chicago>



Immigrant Family Resource Program
<https://www.icirr.org/ifrp>



New Americans Initiative
<https://www.icirr.org/nai>

THIS TRAINING WAS DEVELOPED BY THE IL KYR TASKFORCE

The Know Your Rights taskforce comprehends a team of legal service providers, attorneys, community organizers and educator whose goal is to create and share updated information, materials and organizing strategies to promote Know Your Rights informational sessions that will help our community exercise their rights. Member of the taskforce include:

Ahlam Jbara, Community Leader
Arab American Family Services
Asian Americans Advancing Justice |Chicago
Bea & VandenBerk Attorneys at Law
Brighton Park Neighborhood Council (BPNC)
Centro de Trabajadores Unidos-Immigrant Workers Project (CTU-IWP)
Council of American Islamic Relations (CAIR)
DePaul University Legal Clinic
ENLACE Chicago
Erie Neighborhood House
Family Focus Aurora
Father Gary Graf Center
Federación de Clubes Michoacanas de Illinois (FEDECMI)
H.A.C.E.S.
Highland Park-Highwood Legal Aid Clinic
Illinois Dream Fund
Jennifer Gershowitz, Community Leader
Jewish Child & Family Services (JCFS)



Logan Square Neighborhood Association (LSNA)
Mano a Mano Family Resource Center
Mexican American Legal Defense & Education Fund (MALDEF)
National Immigrant Justice Center (NIJC)
Northeastern Illinois University (NEIU)
Northside Community Resources
Oliwia Pac, Community Leader
Paredes Law Office
Polish American Association
Proyecto de Accion de los Suburbios del Oeste (PASO)
Ruth Lopez-McCarthy, Attorney
Sargent Shriver National Center on Poverty Law
South Suburban Immigrant Project (SSIP)
Tim Myers, Attorney
Yvette Lopez, Community Leader
Zsazsa Pimintel, ICIRR Intern

QUESTIONS?



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