



KNOW YOUR RIGHTS



International Institute of the Bay Area
Serving Immigrants Since 1918

International Institute of the Bay Area



- **Non-profit providing immigration legal services throughout the Bay Area**
 - Oakland
 - Antioch
 - San Francisco
 - Fremont
 - Napa
 - Redwood City
 - Sonoma
- **Serving immigrants since 1918**

WHAT NEXT?



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Know Your Rights

- **DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)**
- **IMMIGRATION ENFORCEMENT PRIORITIES**
- **HOW TO PROTECT YOURSELF**
- **CALIFORNIA LAWS THAT PROTECT IMMIGRANTS**

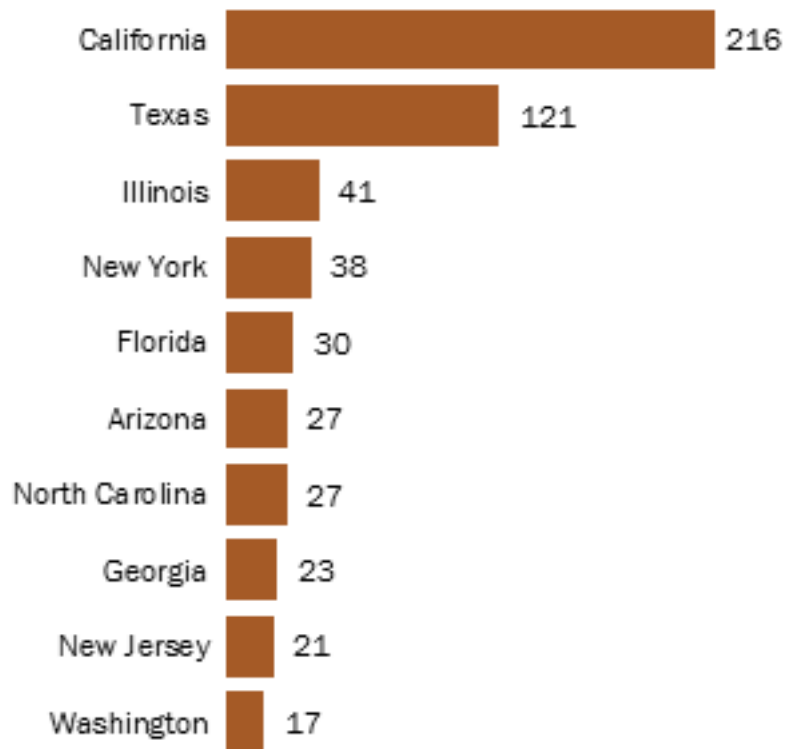
Deferred Action for Childhood Arrivals (DACA)

- ❑ Program created by President Obama in 2012
- ❑ Let some undocumented immigrants who were brought to the U.S. before they were 16 get protection from deportation and a work permit
- ❑ Lasts for 2 years, with renewals
- ❑ Recipients also get social security cards and drivers' licenses

DACA (continued)

California leads nation in DACA recipients

Number of DACA initial applications approved, in thousands



Note: Totals are initial applications approved under the Deferred Action for Childhood Arrivals program from August 2012 to Sept. 30, 2016. Renewals are not shown.

Source: U.S. Citizenship and Immigration Services.

PEW RESEARCH CENTER

- California has the most DACA recipients
- 3/4 DACA recipients are from Mexico
- Right now, DACA still exists!

What will happen to DACA?

**WE DON'T
KNOW.**

**In the
meantime:**

- ❑ **NEW DACA applications: NOT recommended**
- ❑ **DACA renewals: OK, but you may lose \$495 filing fee**
- ❑ **Either way: GET LEGAL ADVICE**

**GOVERNMENT HAS PROMISED NOT TO
USE DACA INFORMATION FOR
ENFORCEMENT PURPOSES**

New Enforcement Priorities

Under Obama Administration:

- National Security
- Criminals
- Immigrants arrived since January 2014
- Immigrants with removal order after January 2014

January 25, 2017
Executive Order:

**EXPANDS
ENFORCEMENT
PRIORITIES**

New Enforcement Priorities

- Immigrants who have been convicted or charged with criminal offenses
- Immigrants who have committed crimes (without being charged or convicted)
- Immigrants who have engaged in fraud or misrepresentation
- Immigrants who have abused public benefits
- Immigrants who have orders of removal
- Immigrants who pose a risk to public safety or national security

New Enforcement Priorities

- **“Crimes” very broad: could include minor offenses like jaywalking, driving without a license, etc.**
- **Priorities as a whole could be interpreted to include all undocumented immigrants**
 - ▣ **“Entry without inspection” could be considered a crime**
 - ▣ **Any immigrant who entered without inspection or overstayed a visa could be considered a threat to public safety or national security**

Executive Order / 7 Country Bar

- Halts all refugee admissions for 4 months
- Halts Syrian refugee admissions indefinitely
- Bans entry of nationals of Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen for 90 days

- **A Federal Court in Washington State has blocked enforcement of the order, so right now refugees and nationals of the 7 countries can enter the United States.**
- **However, this could change at any time.**

How to Protect Yourself

- **If you are a LEGAL PERMANENT RESIDENT:**
 - ▣ **Can you become a CITIZEN?**
 - ▣ **Can you petition for family members?**



BENEFITS of CITIZENSHIP:

- ❑ **Can petition for more relatives, more quickly**
- ❑ **Cannot be deported!**
- ❑ **Can vote in local, state and federal elections**

How to Protect Yourself

- **If you are UNDOCUMENTED:**
 - ▣ **Talk to an immigration service provider**
 - ▣ **Make a family plan**
 - **Child care arrangements(notarized letter of guardianship to someone with legal immigration status)**
 - **Emergency contacts**
 - **File of important documents**
 - ▣ **Have the telephone number of an immigration lawyer**
 - ▣ **Get a California AB60 driver license**
 - ▣ **Avoid DUIs!**

If You Are Approached By ICE

- ❑ **Remain silent**
- ❑ **Refuse entry into your home unless they have a warrant**
- ❑ **Use your right to speak to a lawyer and make a phone call**
- ❑ **Refuse to sign any papers before you talk to a lawyer**
- ❑ **Report ICE raids 1-844-363-1423 or text 877877**

If You Are a Victim of a Crime

- File a police report
- Cooperate with police investigation
- Get help



California Laws Relating to Immigration

**PUBLIC
SAFETY**



EMPLOYMENT

EDUCATION

HEALTHCARE

California Laws

PUBLIC SAFETY

- California state and local law enforcement: can not require an individual to disclose their immigration status during traffic stops or similar circumstances
- **TRUST Act (2014):** California police should not keep individuals detained if they receive an ICE “hold”, unless it is signed by a judge.



EMPLOYMENT

- It is illegal for an employer to report the immigration status of an employee to local, state, or federal agencies. Considered a violation of worker’s rights.
- California prohibits municipalities, counties, and other state government entities from passing mandatory E-Verify ordinances that apply to private employers

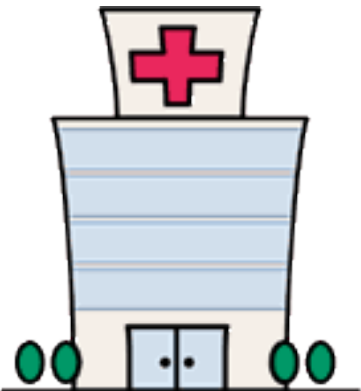
Private employers in California are not required to use E-Verify, to do so voluntarily.

California Laws



EDUCATION

- California public universities and colleges: allows undocumented students to pay the same fees as Permanent Residents and Citizens (AB-540)
- California Dream Act (2011): undocumented students have access to public school scholarships, CalGrants (state financial aid), and fee waivers at California community colleges



HEALTHCARE

- Undocumented immigrants can't receive federal assistance or public benefits. However, they can receive emergency services, medical care and other programs as "necessary to protect life and safety."
- Undocumented children (under 19) receive MediCal.

Common Immigration Remedies

Ways to Obtain Legal Immigration Status:

- ❑ Family petitions
- ❑ Protection for victims of crime (VAWA, U Visa, T Visa)
- ❑ Asylum/Refugee status
- ❑ Temporary Protected Status (TPS)
- ❑ Employment visa
- ❑ Cancellation of Deportation

Stay Informed



International Institute of the Bay Area
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IIBA Fremont General Immigration Clinic
Every Thursday, 9AM-1PM
Walk-in, no appointment necessary

39155 Liberty Street, Suite D450
Oakland CA 94612
(510) 894-3639

**Consultations are \$30 for half an hour, or FREE for DACA eligible clients
and victims of domestic violence or sexual assault**