

What to do **After a Loved One is Detained by ICE**



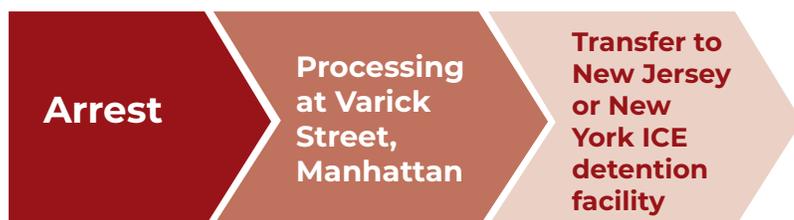
NYLAG
New York Legal Assistance Group

UnLocal
Community Immigration
Legal Services

Frequently Asked Questions

My loved one was detained by ICE. How do I find them?

If Immigration and Customs Enforcement (ICE) detains your loved one in or around New York City, they will be processed at an ICE office in Manhattan and then transferred to a jail, most likely either in New York or New Jersey. Processing happens within one day.



Is it safe to visit my loved one? How can I see them and send them money?

People who are undocumented often visit their loved ones and generally, the immigration status of visitors should not be flagged*. However, it is important to review each jail's requirements for identification and whether background checks are required. Look up information here: ice.gov/detention-facilities, and call the jail to confirm information. You must be placed on your loved one's visitation list and can visit only on particular days and times set by the facility.

**Note: If you are worried that an issue with your own case or immigration status puts you at risk by going to visit, you should consult an attorney.*

How will my loved one get a lawyer?

The U.S. government does not provide lawyers for immigrants facing deportation. Some people will be appointed an attorney through the **New York Immigrant Family Unity Project (NYIFUP)**, a program funded by NYC to provide free, high-quality lawyers for New Yorkers detained by ICE who have a case in immigration court.

NYIFUP will assign a free attorney to those who qualify (this may take place soon after the first master calendar hearing) IF they are detained AND:

- The deportation case is at the **Varick St. Immigration Court** OR the person is a **New York City resident** and the case is at a **New Jersey Court**;
- The person detained **does not already have an attorney**;
- It is **the first hearing in immigration court for this case**; and
- The household income is **below 200%** of the Federal Poverty Guidelines.

You can confirm that your loved one is detained using the online ICE locator at:

locator.ice.gov

To use the locator, you need your loved one's A number:

Country of birth AND "A number"***

or

Country of birth, first name, last name,
(Name must be spelled correctly)

and date of birth. **It is safe to use the locator.**

TIP: An "A number" is an 8 or 9 digit identification number following the letter A and found in most immigration documents and will also be on your loved one's wristband when detained.

If you don't have it, ask your loved one for it when you hear from them.

For example: **A 200-300-4XX**

Some people will NOT get a lawyer via NYIFUP. Please note NYIFUP represents people who have pending immigration cases before an Immigration Judge and does not provide representation to people who already have prior orders of removal or who will not have an open case - see more below.

When is it necessary to talk to an immigration attorney IMMEDIATELY?

- If a judge previously ordered them deported (for a missed a court date or for losing their case), OR
- They had contact with immigration at the border and may have gone through “expedited removal” at the border - which is a quick, administrative form of deportation without seeing a judge), OR
- If they are being transferred out of the New York/New Jersey area; OR
- If they entered the country on the visa waiver program.

If any of these have happened, they could be facing a quick deportation and should consult immediately with a trusted immigration attorney to try to stop the deportation. It is necessary to obtain all of the documents related to any previous immigration proceeding that the loved one may have had. To find a trusted immigration attorney if your loved one will not qualify for NYIFUP, contact the following hotlines:

- **For residents of NYC:** call Action NYC at 1-800-354-0365 or call 311 and say “Action NYC”
- **For residents of New York State outside of NYC,** contact the Office of New Americans hotline at 1-800-566-7636

How do we know when the first court date will be?

You can find out when and where the court date will be by calling **1-800-898-7180** and putting in the **A-Number**. This information is also available in Spanish.



***Note:** If they do appear in the system but do *not* have a court date, **Press 3** to check for old decisions. If it says that a court “ordered removal” it means that your loved one will not get a new hearing. - see above “When should you talk to an immigration attorney NOW?”

How long will they be detained?

This is a difficult question to answer and depends on the particular case. The government believes that only some people qualify for a bond hearing before an Immigration Judge. If your loved one is someone that the government believes does not qualify for a bond hearing there may be other ways to challenge their detention. This will require a careful review of their case with an experienced lawyer. If bond has been granted, and you cannot afford it, you may qualify to have bond posted by the **New York Immigrant Freedom Fund**, by calling **347-427-9353**.

What else should I do now?

First, if there was a direct witness, write down everything that happened when your loved one was detained with as much detail as you can remember. Second, report the raid! Contact the **Immigrant Defense Project** at **212-725-6422**.