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# HOW TO GET HELP:

- Become a New Sanctuary member and sign a Privacy Waiver. These two documents will enable New Sanctuary to help you in case of detention. Contact
- Prepare all your immigration documents, appeals and applications. We can help you do it ourselves or you can do it through legal aid. A lawyer can determine what type of case you are eligible for.
- If you prepare your documents before detention, this way it is easier to get help in person.
- You should be aware of Habeas Corpus laws that limit the amount of time someone can be detained without a court hearing.

# HOW TO GET THE DETENTION

- ICE arrests and takes detainees on a van to Varick Street Detention Center ( 201 Varick St. / Tel: (212)863-3401) for processing to later transfer detainees to one of the 5 county jails in NY or NJ: Hudson County Jail, Monmouth County Jail, Orange County Jail o Bergen County Jail.

# EXPEDITED REMOVAL

- ICE uses aggressive tactics to manipulate detainees into signing an *expedited removal form*, collect information and their passport and other documents. Detainees should not sign it! When they don't, ICE may begin yelling and pressuring the detainees into signing. Detainees should not sign it!
- If the detainee has never been incriminated or has no prior record, ICE will not know who they are unless they find or are given documents identifying the detainees and their

country of origin. A passport or national ID would be such a document. Our community members should keep any documents that would identify their national origin in a safe place, preferably not in their own home. Also, our community should get their NYC ID and use it to identify themselves with it.

## T L F

### **Below is a useful Q&A put together by Assemblyman Nick Perry's office on Police and ICE Encounters.**

Q: What if I am not a citizen and ICE contacts me?

A: Assert your rights. If you do not demand your rights or if you sign papers waiving (giving away) your rights, the ICE may deport you before you see a lawyer or immigration judge. Talk to a lawyer. Always carry with you the name and telephone number of a lawyer who will take your calls. The immigration laws are hard to understand and there have been many changes since 9/11. More changes are likely. Based on today's laws, regulations and ICE guidelines, non-citizens usually have the rights listed, no matter what your immigration status.

Q. Do I have the right to talk to a lawyer before answering any Immigration & Customs Enforcement (ICE) questions or signing any ICE papers?

A. Usually, yes. You have the right to call a lawyer or your family if you are detained and you have the right to be visited by a lawyer in detention. You have the right to have your attorney with you at any hearing before an immigration judge. You do not have the right to a government-appointed attorney. You must hire an attorney or find someone who will represent you for free. If you need help finding an attorney, contact one of the groups listed at the end of this document.

Q. Am I required to answer questions about my immigration status if I am stopped by the ICE?

A. No. You can explain your immigration status to an ICE agent, if you want. But you are better off talking to a lawyer first. If the ICE asks anything about your political beliefs, groups you belong to, things you have said, where you have traveled, or other questions that do not seem right, you do not have to answer them.

Q. Should I carry my green card or other immigration papers with me?

A. Yes. The law requires that you carry many types of official immigration papers with you at all times. This includes your green card, I-94, Employment Authorization Card, Border Crossing Card and/or other required Immigration papers that prove you have registered with the USCIS. If you do not have these papers with you, you could be charged with a misdemeanor crime. The government does not always enforce this law, but could at any time.

Q. If the ICE arrests me, does it have to bring immigration charges?

A. Yes. Under ICE rules, they must decide in 48 hours whether to put you into immigration proceedings and whether to keep you in custody or release you on bond. Under a new rule, the ICE has an "additional reasonable period of time" past 48 hours if

there is an “emergency or other extraordinary circumstance” to decide if they will keep you in custody or not. A new law lets the ICE detain a non-citizen for seven days before it brings immigration or criminal charges if the Attorney General has “certified” that the non-citizen may be a “terrorist” or a threat to national security. A “certified” detainee can challenge the detention in federal court.

Q. Do I have the right to a bond hearing to ask for my release?

A. In most cases you have the right to ask for release from detention once you pay a bond, and to ask for a bond hearing before an immigration judge. You have these rights even if you have not been charged by the ICE. The law does not say when an immigration judge must hear your case. The judge may order you to stay in detention if he or she finds that you are a danger to society or might try to get away. In some cases, the law says you can't be released if you are charged with terrorism or have certain criminal convictions.

Q. Do I have the right to a hearing before an immigration judge to defend myself against deportation charges?

A. Yes. In most cases only an immigration judge can order you deported. But if you waive (give up) your rights or take “voluntary departure” (agree to leave) you could be deported without a hearing. If you have criminal convictions, were arrested at the border, or have been ordered deported in the past, you could be deported without a hearing.

Q. Can I call my consulate if I am arrested?

A. Yes. Foreign nationals arrested in the U.S. have the right to call their consulate or have the police tell the consulate of their arrest. The police must let your consulate visit or speak with you. Your consulate might help you find a lawyer or other help. You also have the right to refuse help from your consulate.

Q. What happens if I give up my right to a hearing or leave the U.S. before the hearing is over?

A. You could lose your right to apply for immigration status, and you could be kept from returning to the U.S. in the future. Under the law, leaving the U.S. can cause serious legal problems for a non-citizen. You should always talk to an immigration lawyer before you decide. Even a legal permanent resident or applicant for a green card could be kept from returning. An undocumented immigrant who has been unlawfully in the country for more than six months could be kept from returning for many years even if he or she has never been in immigration proceedings.

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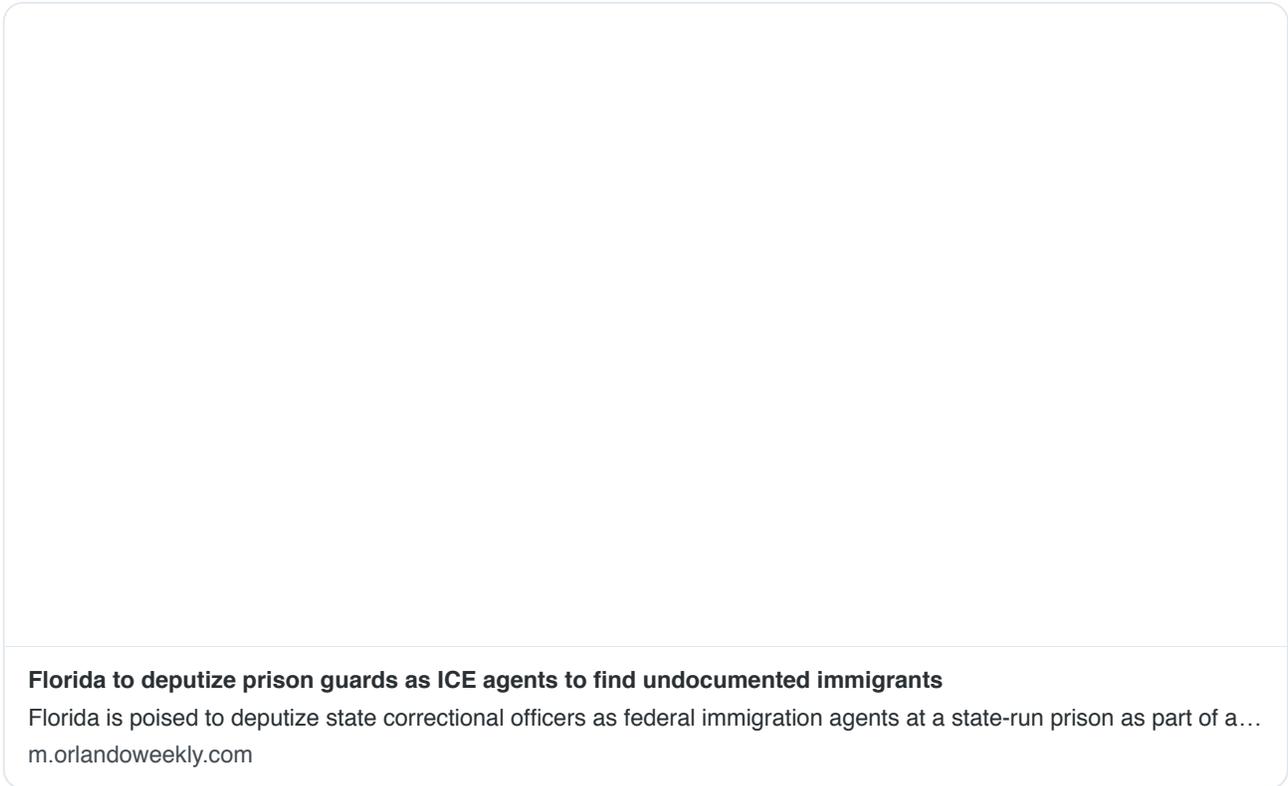
## Tweets by @NewSanctuaryNYC



**New Sanctuary Coalition**

@NewSanctuaryNYC

The article says, "The policies could lead to racial profiling across the state." It WILL lead to racial profiling as it is intended to. [m.orlandoweekly.com/Blogs/archives...](https://m.orlandoweekly.com/Blogs/archives...)



**Florida to deputize prison guards as ICE agents to find undocumented immigrants**

Florida is poised to deputize state correctional officers as federal immigration agents at a state-run prison as part of a... [m.orlandoweekly.com](https://m.orlandoweekly.com)

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@NewSanctuaryNYC

It is our privilege to have faith leaders like Rabbi Josh as an ally. We are grateful for his words and his actions.

<https://twitter.com/JoshuaMZStanton/status/1199113740228145152>

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