

2025 Know Your Rights Welcome!

February 4, 2025



Safety is Briya's top priority

Briya is here to protect students and families and ensure everyone is safe.



Student privacy

- The US constitution gives everyone the right to education, regardless of immigration status.
- Briya does not collect information about student immigration status.
- Student information is private.

Visitor policy

- No visitors are allowed in Briya buildings unless they have a reason to be at the school.
- The only way ICE can come inside Briya is if they have an arrest warrant signed by a judge. It is rare that ICE has this.
- We have trained staff and lawyers who will help in any situation.



ALL VISITORS

Upon entering this building, you must report immediately to the administrative office and receive permission to be on the premises. Only those individuals who have school related business will be granted permission to remain. Any unauthorized entrant is in violation of Section 22-3302(b) of the D. C. Code and will be criminally prosecuted.



Know Your Rights Presentation

Ben Akech, Esq.
Contract Attorney, African Communities Together (ACT)
February 4th, 2025



 **WE ARE
WASHINGTON
DC** GOVERNMENT OF THE
DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR



**AFRICAN
COMMUNITIES
TOGETHER**

Ben Akech, Esq



AGENDA

- Know Your Rights presentation.
- How to use the REDCARD.
- Q&A



DISCLAIMER

This presentation does not constitute legal advice.

- The information provided here is intended for general educational purposes only.
- Legal advice specific to an individual's case can only be given by a licensed immigration attorney.
- Kindly refrain from asking personal immigration-related questions or sharing details about your individual case during this presentation.

UNDERSTANDING IMMIGRATION AGENCIES & YOUR RIGHTS



IMMIGRATION AGENCIES



THE REDCARD

- **Know Your Rights Red Card** helps individuals assert their constitutional rights when interacting with Immigration enforcement .
- **Provides a written statement** that can be handed to officers by sliding under the door or holding it up on a window instead of speaking.
- **Helps preserve fundamental constitutional rights** and ensures Immigration enforcement follows legal procedures.
- **Easy to carry** and use in emergencies.
- **Developed by immigrant rights organizations** and legal advocacy groups.



COMMON PLACES OF INTERACTION



PRIVATE SPACE

- Most Legal Protection



NONPUBLIC SPACE

- Restricted Access, Some Protection




PUBLIC AREAS

- Limited Protection

KNOW YOUR FUNDAMENTAL RIGHTS

 THE RIGHT TO REMAIN SILENT

“I am exercising my right to remain silent.”

 THE RIGHT TO PRIVACY (SEARCH & ENTRY REFUSAL)

“I do not give you permission to enter my home based on my 4th Amendment rights unless you have a warrant signed by a judge or magistrate with my name on it that you slide under the door.”

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

 THE RIGHT TO LEGAL REPRESENTATION

“I want to speak to a lawyer.”



JUDICIAL WARRANT / SUBPOENA

CATEGORY	JUDICIAL WARRANT	JUDICIAL SUBPOENA
Issued By	Judicial court (state or federal)	Judicial court (state or federal)
Signed By	Judge or magistrate judge	Judge or magistrate judge
Purpose	Allows search, arrest, or seizure	Requires testimony or documents
Enforcement	Must be complied with	Must be complied with
Immigration Judge Authority?	✗ No, an immigration judge cannot issue a judicial warrant	✗ No, an immigration judge cannot issue a judicial warrant

HOW TO RESPOND TO JUDICIAL WARRANTS & SUBPOENAS

IF PRESENTED WITH A JUDICIAL WARRANT:

- ✓ Verify that it is signed by a **judge/magistrate.**
- ✓ Confirm the **address matches your location.**
- ✓ **Do not resist** – compliance is legally required.

IF PRESENTED WITH A JUDICIAL SUBPOENA:

- ✓ Verify that it is **court-issued and signed by a judge.**
- ✓ Seek legal representation before **providing testimony or documents.**
- ✓ **Failure to comply can result in legal consequences.**

IMMIGRATION WARRANT/SUBPOENA

*ADMINISTRATIVE DOCUMENT

CATEGORY	IMMIGRATION WARRANT	IMMIGRATION SUBPOENA
Issued By	ICE, CBP, USCIS	ICE, CBP, USCIS
Signed By	Immigration officer or immigration judge	Immigration officer or immigration judge
Purpose	Allows arrest or detention but NOT a search	Requests documents or testimony
Enforcement	Cannot be used to enter private spaces without consent	Not legally enforceable unless approved by a court
Judicial Authority?	✘ No, it is NOT a judicial warrant	✘ No, it is NOT a judicial warrant

RESPONDSE TO IMMIGRATION WARRANTS & SUBPOENAS

IF PRESENTED WITH AN IMMIGRATION (ADMINISTRATIVE) WARRANT:

- ✓ Do not open the door – ask them to slip it under the door.
- ✓ Verify the document – if it's signed by an immigration officer, not a judge, it is NOT a judicial warrant.
- ✓ You can refuse entry – ICE cannot enter a private space without a judicial warrant or your consent.

IF PRESENTED WITH AN IMMIGRATION (ADMINISTRATIVE) SUBPOENA:

- ✓ Verify the issuer – if it's from DHS, ICE, CBP, or USCIS, it's not a judicial subpoena.
- ✓ You are NOT required to comply unless a court enforces it.
- ✓ Seek legal help before responding – failure to respond does NOT have immediate legal consequences.



INTERACTING WITH ICE – PRIVATE SPACE

AT

Do not open the door unless presented with a judicial warrant.

Ask them to **slip the document under the door.**

YOUR

Ask for **official identification.**

Check if it's a judicial or administrative warrant.

HOME

If valid, **allow entry without resistance.**

Remain silent and request legal representative.



INTERACTING WITH ICE – PRIVATE SPACE

INSIDE

If they **did not have a judicial warrant**, tell them that you do not consent to entry or search.

YOUR

Do Not Physically Resist Or Interfere.

HOME

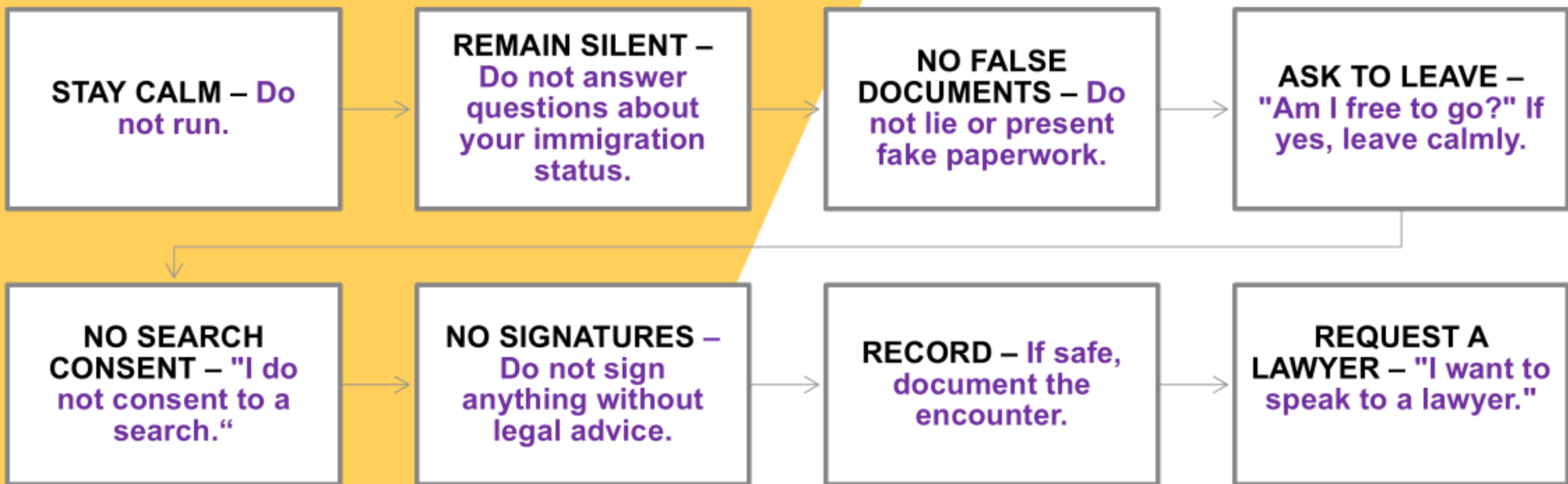
Tell ICE if there are children or other vulnerable residents in your home.

Remain silent and request legal representative.



INTERACTION WITH ICE PUBLIC SPACE

Know Your Rights



DECEPTIVE TACTICS & HOW TO RESPOND

Misrepresenting Authority

Tactic:

ICE agents may wear "POLICE" jackets or claim to be from another agency.

They may present non-judicial administrative warrants (Form I-200 or I-205).

How to Respond:

Ask, "Are you with ICE?" They must answer truthfully.

Request they slide the warrant under the door—only a judicial warrant (signed by a judge) allows them to enter.



DECEPTIVE TACTICS & HOW TO RESPOND

Creating Fear and Urgency

Tactic:

ICE may bang on doors and windows, yell commands, or claim there's an urgent matter.

They want to panic you into opening the door.

How to Respond:

Stay calm—do not panic.

Do not open the door—they cannot enter without a judicial warrant.

Call a lawyer or community support group for help.

DECEPTIVE TACTICS & HOW TO RESPOND

Providing misleading information

Tactic:

ICE may falsely claim a family member has been detained or that they need to verify information.

They may pretend to be someone else—a delivery person, social worker, or surveyor.

How to Respond:

Do not believe unverified claims—ask for proof.

Do not provide information or confirm details about anyone.

Keep the door closed—verify their identity before engaging.



DECEPTIVE TACTICS & HOW TO RESPOND

Intimidation at Homes, Workplaces, & Schools

Tactic:

ICE may surround a home or workplace to intimidate individuals into surrendering.

They may pressure landlords, employers, or schools to give out information.

How to Respond:

Do not engage—stay inside and remain silent.

Employers, landlords, and schools do not have to provide information without a court order.

Seek legal advice and community support if targeted.



DECEPTIVE TACTICS & HOW TO RESPOND

Coercing Cooperation

Tactic:

ICE may falsely claim that refusing to cooperate is illegal.

They may ask you to step outside for a quick talk—which gives them the right to detain you.

How to Respond:

You have the right to remain silent—use it.

Do not step outside—even a small step can be used as consent to detain you.

Ask for a lawyer before answering any questions.

CAUTION: These May Triggers for ICE Enforcement

Final Deportation Order – ICE may act unless an appeal is pending.

New Police Contact – Even without an arrest, any police interaction can raise ICE attention.

Criminal Legal System Involvement – Prior arrests, warrants, or convictions can lead to re-detention.

Missed Immigration Court Hearings – Even a single missed hearing can put you at risk.



CAUTION: These May Triggers ICE Enforcement

Violating Immigration Supervision – Missing check-ins, calls, or SmartLINK selfies can result in ICE action.

Not Meeting ICE Deadlines – Failing to submit documents (passport, asylum application, etc.) can lead to complications.

Conflicting Instructions from ICE & Case Managers – Always follow ICE's final decision.

Unauthorized Work Under Surveillance – If ICE is monitoring you, working without authorization may increase scrutiny.



STAY READY

INDIVIDUAL & FAMILY MEMBERS

- **KNOW YOUR RIGHTS:** Carry a **KYR** (REDCARD) and stay informed.
- **MEMORIZE KEY INFO:** Know your **Alien Number** and emergency contacts.
- **SAFETY PLAN:** Identify emergency contacts, assign a guardian for children, and complete legal forms.
- **DOCUMENTS & PROOF:** Store important documents safely and keep proof of continuous U.S. presence (if here <2 years).
- **LIMIT RISK:** Avoid unnecessary law enforcement interactions and don't carry foreign IDs to prevent deportation risks.
- **LEGAL SUPPORT:** Keep contact details of a trusted lawyer or legal aid organization.

STAY READY

COMMUNITY

- **KYR Training:** Train a trusted community leader, staff member, or legal advocate.
- **Legal Support & Rapid Response:** Keep a list of immigration attorneys and advocacy groups. Set up an alert system for ICE arrivals.
- **Handling Warrants:** Assign a trained person to speak with ICE. Do NOT open the door without a valid judicial warrant. Do NOT sign anything without legal consultation.
- **Community & Space Security:** Restrict access to certain areas, require visitor check-ins, and use locked entrances or access codes.

IN CASE OF DETENTION

DETAINEE (Self)

•STAY CALM AND EXERCISE RIGHTS:

- remain calm, do not resist & stay silent.
- ask for a lawyer immediately and do not sign anything without legal Representative.

•PROVIDE A-NUMBER:

- share your a-number (alien registration number) with family members; it helps them locate you.

•Express Fear of Return:

- Audibly express your fear persecution or torture in your home country.

•REQUEST A BOND HEARING:

- if denied release, request a bond hearing before an immigration judge.

•LEGAL REPRESENTATIVE CONTACT:

- you have the right to contact your lawyer or have an officer inform the consulate of your detention.

Call 1686# - Free Legal Assistance

IN CASE OF DETENTION

FAMILY MEMEBERS

- **MEMORIZE THE A-NUMBER:** Essential for tracking the detained person.
- **ICE'S ONLINE DETAINEE LOCATOR:** use to locate your detained family member. <https://locator.ice.gov/odls/#/search>
- **FIND LEGAL HELP:** Beware of fraud; verify attorneys through state bar associations.
- **GATHER DOCUMENTS:** Collect immigration records, court files, and past applications—especially proof of 2+ years in the U.S. to prevent expedited removal.
- **EMERGENCY PLANNING:** Share emergency contacts and authorize a trusted person for medical/legal decisions for children.
- **CONTACT DETENTION FACILITY:** Schedule calls or visits; some offer video visitation.

IN CASE OF DETENTION

FOR THE COMMUNITY

DOCUMENT & REPORT: Write down details about what happened and report raids to local support hotlines, like the ICIRR Family Support Hotline at 1-855-HELP-MY-FAMILY (1-855-435-7693)

MOBILIZE SUPPORT: Share information about the detainee's situation with local immigrant rights organizations to rally community support.

AVOID SOCIAL MEDIA POSTS: Don't share unverified info publicly to avoid misinformation

Questions?

Stay connected to ACT!

- Follow us on social media!



@AfricansUS

- Become a member!
- Join our mailing list!

To learn more, visit our website: www.africans.us



Our Mission & Vision

We are an organization of African immigrants fighting for civil rights, opportunity, and a better life for our families here in the U.S. and worldwide.

Our Chapters

We have chapters in **New York, Washington, D.C., Maryland, Virginia, and Pennsylvania**. We hope to one day have a chapter in every state.



 **GOVERNMENT OF THE DISTRICT OF COLUMBIA**
MURIEL BOWSER, MAYOR



More support at Briya

- Briya offers a free consultation with our partner immigration lawyer.
- We have "know your rights" cards and information at every site.
- We provide individual emotional support and community wellness.
- Briya staff and partners will help you with a custody plan for your children.
- Talk to the Student Services Coordinator at your site for support.

Free family safety planning clinic

Briya Fort Totten - February 10

Briya Shepherd - March 3

Details coming soon



Immigration and Family Planning
KNOW YOUR RIGHTS

When: Tuesday, February 4
6:00 PM - 8:00 PM
Where: Virtual (Zoom)

Topics Covered:

- What to do if you encounter law enforcement
- Steps to take if you or a family member are detained
- Family planning options
- Power of Attorneys and Guardianship options



REGISTER

For More Details, contact:
Jenadee Nanini
jnanini@dcbar.org

LINK: <https://forms.office.com/r/2Gjf8iikHR>