

KNOW YOUR RIGHTS

WHAT TO DO IF A LOVED ONE IS ARRESTED

BE PREPARED!

Have a plan in place before anything happens:



Make sure all your family members have your phone number memorized. They may not be able to look it up if they are arrested.



Keep a copy of all your family's important documents in a safe place. This includes any papers related to immigration or criminal matters. It also includes birth certificates, marriage certificates, and passports. If your family member has an "Alien Number" (A number) write it down and keep it with your important documents.



LOCATE THEM



If your loved one has been arrested but you're not sure where they are, call local Police and Sheriff Departments and ask if they are in custody. Many Police and Sheriff Departments also have tools on their websites that let you search the names of people in custody. If you think your loved one may be in immigration custody, you can search for them using the ICE Detainee Locator System at <https://locator.ice.gov/odls/homePage.do>. **Note that this system does not include information about anyone who is under 18 years old.** Make sure to have the name, A number and birthday of the person in custody to be able to locate them.

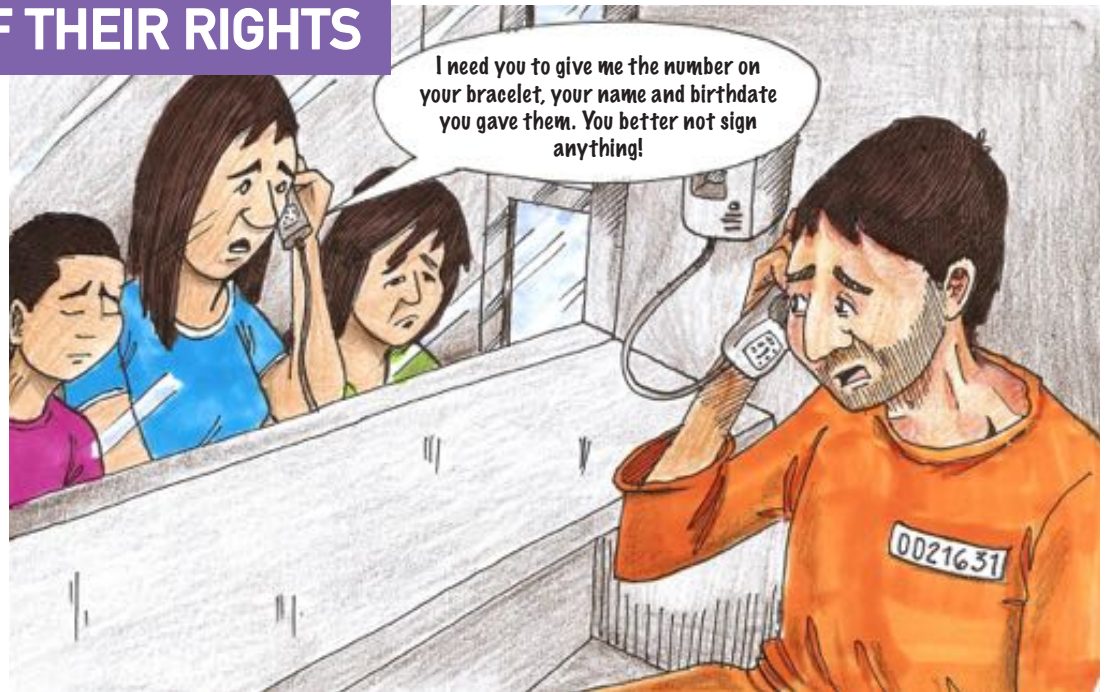


You can also call your local ICE office. You can find contact information here: <https://www.ice.gov/contact/ero>.

REMINDE THEM OF THEIR RIGHTS



When you're able to talk with your friend or family member, remind them about their rights. Tell them not to sign anything or say anything to law enforcement—including anything about their immigration status or where they were born—without talking to an attorney first.



HELP THEM FIND A LAWYER



If your loved one is facing criminal charges, a free attorney will be provided for them if they can't afford one. Make sure the attorney knows about your loved one's immigration status! Before making any decisions, ask the attorney how it could affect their immigration status.



If your loved one is facing deportation, they have to either find their own attorney or represent themselves. You should do everything you can to find a good immigration attorney. People with attorneys win their immigration cases much more often than people without attorneys.








Some organizations provide free legal representation in immigration proceedings, but in many cases it is difficult to find free legal assistance and you must pay a private lawyer if you are able to do so.



You should ask trusted people and organizations if they know an attorney they can recommend. A list of free legal services providers is available at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers-map>. This list is incomplete, and the quality of the attorneys on the list is not verified.



It is important to have the best legal representation possible. Here are some tips to keep in mind:

-  Whenever possible, you should meet with more than one lawyer before you decide who you want to represent your friend or family member.
-  Before you decide on a lawyer, look them up on your state bar association website to make sure they are licensed and see if any complaints have been filed against them. For example, to find information about a lawyer in California, search for the term “California Bar Association.”
-  When you meet with a lawyer for the first time, ask about their experience. Make sure they have worked on cases like your loved one’s before.
-  Pay attention to what the lawyer asks you. He or she should review any documents you have about your loved one’s criminal and immigration cases and ask you detailed questions before giving any advice about your case.
-  Ask for a written contract from the attorney before you pay them.

If you can’t find an attorney, you can try to help your family member or friend defend themselves. You can find resources to help you on the website of the Florence Project: <https://firrp.org/resources/prose/>

KEEP IN TOUCH




Most jails and detention centers allow friends and family members to deposit money for their loved ones who are detained. This money can be used to make phone calls and other purchases within the jail or detention facility. Ask an officer in the jail or detention center how you can deposit money for your loved one.



DON'T GO THROUGH IT ALONE



Remember, you're not alone. Talking to other people who have loved ones in jail or detention can help. Reach out to friends and community members for support. Look for an organization near you that works with people who are detained. Share your story and experience with others, and find out what you can learn from their experiences.



Note: The content of this handout does not constitute legal advice. Please consult an immigration attorney for legal advice.