



ICE RAIDS

Know Your Rights as a Transgender or Gender Non-Conforming (TGNC) Immigrant

- 1. Don't rely on past immigration consultations to decide to self-deport or to apply for immigration relief. CALL TIDE 510-587-9670.** Many TGNC people are told they do not have immigration options, but they may not have screened for all immigration options. LGBT people may be eligible for asylum, withholding, convention against torture relief, U-visa (victims of crime) and T-visa (victims of trafficking), among others. If you are detained by ICE and do not make it clear you want to speak to an attorney and are a victim of a crime or trafficking you may simply be deported.
- 2. Be prepared for contact with ICE.** Be aware of address history and/or work addresses that the Department of Homeland Security (DHS) has. Make photocopies of all important documents and give them to a US citizen friend. If you have had interaction with immigration before, and have been issued an A number, make sure a trusted US Citizen person knows your A number. Make a plan for children who may be left behind. If you have an attorney, make sure a friend or family member contacts your attorney if you are picked up by ICE. If you have ever been arrested, give a US citizen friend a copy of your criminal documents and your attorney's number if you feel comfortable.
- 3. Do not carry your foreign passport or any identification from your country of origin.** If asked where you are from or where you were born, say "I want to talk to a lawyer." **Do not give ICE fake documents.**
- 4. Do not open the door without seeing a warrant. ICE is allowed to lie to you to get into your home.** If ICE knocks, do not open the door. ICE needs a warrant signed by a judge in order to enter your home. If ICE says that they have a warrant, ask them to pass the warrant under the door before opening it. ICE may pretend to be the police and say that they need help, that they are investigating a case, or that they need to verify someone's identity. **DO NOT CONSENT TO ENTRY or open the door without a warrant.**
- 5. Be prepared and expect ICE agents/police will enter without a warrant and be aggressive.** They may also misgender you and say something offensive about your gender expression, body and sexual orientation. Do not react or respond other than saying you do not consent to them entering and you need to talk to a lawyer.
- 6. Do not lie to ICE or give ICE fake documents.** It is best to **STAY SILENT** in these situations rather than to lie. Lying to ICE or giving ICE fake documents could get you deported. You do not have to answer any questions. You can say that you would like to speak with your lawyer.

T | **TRANS**
I | **IMMIGRANT**
D | **DEFENSE**
E | **EFFORT**

CONTACT TIDE

510-587-9670

<https://transgenderlawcenter.org/programs/tide>

Preparing for ICE Raids as a Transgender or Gender Non-Conforming (TGNC) Immigrant

- 7. Do not sign anything for ICE.** ICE can lie to you or may try to confuse you in order for you to sign a consent to deport you. Ask to speak with your lawyer before you sign anything.
- 8. Keep your immigration papers close.** If you have an immigration application pending, like asylum, keep the paper close to you so you can show the agent and explain that you have an immigration attorney and an application pending.
- 9. Do not resist arrest and comply with orders and try to stay as calm as possible.** Once you are in the presence of ICE, ICE agents will view any type of movement as a possibility that you are looking or reaching for a weapon. If you need to get up and get something, explain what you are doing to ICE prior to moving.
- 10. Expedited Removal = no meeting with a judge. If you fear persecution if deported, SPEAK UP. Tell the immigration officer you fear persecution.** If you are subject to expedited removal you are not given the opportunity to see a judge. You will speak with an immigration officer. If you fear persecution in your home country because you are TGNC, you must say that when you are being interviewed by an immigration officer. You may have to say this several times: "I am afraid to go back to my country. I fear persecution and death because I am TGNC. I am requesting a credible fear interview." You can also say: "I am a victim of crime or trafficking, I want to apply for a U or T visa," if applicable.
- 11. ICE can lie to you in detention.** If someone tries to meet with you in jail or detention, and you did not know they were coming to speak with you, ask them for a business card. ICE can pretend to be friendly and on your side while you are in detention but later use the information you gave them against you.
- 12. Remember badge numbers or physical description of officers.** If officials misgender you, deny you medical attention, or verbally, physically, or sexually abuse you, try remember their badge number or physical description including the color of their uniform. If you are taking medication, keep a list of your medication with you so you can request the medication from ICE.
- 13. Call TIDE 510-587-9670 after you're detained.** Once you are in detention, contact a friend or family member who can contact TIDE so we can keep track of where you are being held. You can also call the TIDE number: we receive collect calls and calls from jails and detention centers.

Possession of this document can not be used as evidence of a person's immigration status in the United States.



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