

The information in this brochure is intended to inform those engaged in protest and is not a substitute for legal advice from a licensed attorney. Call the NLG Chicago Hotline in the event of an arrest to receive legal counsel.

**NLG Chicago
Hotline:
312-274-9808**

A NOTE ON THIS GUIDE

It is important to know your rights so you can be well-informed during protest. However, the police can and do arrest folks even if the law doesn't support them. The time to make arguments and legal defenses is in the courtroom, after the arrest or citation.

Immigrant Defense Alliance (IDA) is a group of attorneys, law students, and community workers creating a non-profit organization designed to serve immigrant communities in the Chicago metro area in the area of removal (deportation) defense by direct representation, advocacy, and education.

Contact us at
chicagoimmigrantdefense@gmail.com

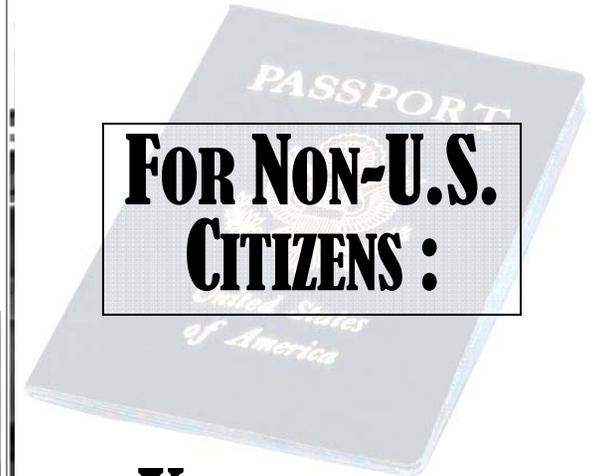
National Lawyers Guild

"The people's lawyer represents movements of people who throughout the history of this country have struggled to protect & advance their elementary rights & interests against attempts by the government or big business to undermine or derail them."

-Arthur Kinoy (1920-2003) People's Lawyer and dedicated member of the NLG

The **National Lawyers Guild (NLG)** is an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers, law students, legal workers, and jailhouse lawyers of America in an organization which shall function as an effective political and social force in the service of the people, to the end that human rights shall be regarded as more sacred than property interests.

www.nlgchicago.org



**FOR NON-U.S.
CITIZENS :**

**KNOW YOUR
RIGHTS WHILE
YOU PROTEST!**

**Immigrant Defense
Alliance**
chicagoimmigrantdefense@gmail.com



**National Lawyers
Guild of Chicago**
www.nlgchicago.org

Know your rights

Your Constitutional Rights:

- Regardless of your immigration or citizenship status, you have constitutional rights: the right to free speech, to have a lawyer in criminal proceedings, the right to be protected from unlawful searches, etc.

The difference between Constitutional rights and rights in removal proceedings:

- If you are not a U.S. citizen, you have **no** "right" to stay in the United States. Even if you have a green card, your right to remain in the U.S. is conditioned upon various things, most importantly - avoiding criminal convictions.
- If you are in removal proceedings (where the government tries to deport you), you **have** the right to have an attorney represent you in those proceedings. However, the government is not required to pay for an immigration attorney, unlike in criminal cases.

If you have no legal immigration status in the U.S. and are thinking about protesting:

- Although you have a right to protest, there is a risk when you attend a protest because you are undocumented.
- If ICE agents are present (and aware of your status), they may arrest you for immigration violations (for example, being in the country with no immigration status).
- **Any** interaction with law enforcement can lead to ICE being informed and possibly picking you up – even if you did not commit a crime, are not charged with a crime, or are picked up in a protest with a lot of other people.
- Even if you pay a bond or complete your jail time, you may be detained longer until ICE can come and arrest you.

If you are not a U.S. citizen but have lawful immigration status and are thinking about protesting:

- If you have been convicted of certain crimes in the past, police contact, or an arrest at a protest may prompt immigration authorities to place you in removal proceedings. This may happen even if the conviction is from many years ago.
- If you are arrested, charged, and convicted of a crime arising out of your presence at a protest, the conviction may lead to immigration consequences. That is why it is very important for you **not** to accept any plea agreements until you or your criminal defense attorney has consulted with an immigration attorney. A conviction for a "crime involving moral turpitude" (CIMT) can land you in removal proceedings, or jeopardize your chances of becoming a green card holder or U.S. citizen. The following crimes have been found to be CIMTs:
 - Aggravated assault against a police officer
 - Disorderly Conduct, in some circumstances
 - Obstruction of justice
 - Fleeing (Aggravated) a police officer

Important Information for all non-citizens in encounters with law enforcement:

What to do:

- You have the right to remain silent in both criminal and immigration custody. Tell the officer, "I do not want to answer any questions. I want to speak to my lawyer." In immigration proceedings, the government can use your silence to decide whether or not to start deportation proceedings against you.
- Carry the card of an immigration attorney with you when you go to a protest. Write the phone number on your arm in case you get arrested and your things are taken away.
- If you are charged criminally, you will be provided with a criminal defense attorney free of charge. Ask this lawyer about the effect of the criminal conviction or plea on your immigration status. Ask this lawyer to talk to an immigration lawyer.

What **NOT** to do:

- Do **not** lie about your immigration status.
- Do **not** provide fake documents.
- Do **not** sign anything in immigration custody, even if immigration officials tell you that you don't have options to stay in the country, it will be easier if you sign, and you will be locked up in jail longer if you don't sign. Whatever they tell you to convince you to sign – **DO NOT SIGN ANYTHING WITHOUT TALKING TO A LAWYER.**
- Do **not** plea unless you understand the immigration consequences of your plea.
- Do **not** discuss your immigration status with anyone but your lawyer. If you are arrested and charged criminally and an immigration officer visits you in jail, do not answer questions or sign anything before talking to a lawyer.
- Do **not** challenge the cops on the street, even if you think they are violating your rights – wait for court.