

Information for non-citizens

If you are not a citizen

Getting caught up in the juvenile justice system can have serious consequences. Talk to your lawyer about your immigration status and ask for advice.

Can I be deported?

You can be deported if you are in the U.S. illegally and the INS finds you. If you have committed drug crimes, prostitution, or sexual offenses, this can make it harder for you to become legal in the future. You can also lose your legal status if you are here legally or you may not be allowed back into the country if you leave. Talk to your lawyer about this. You might be able to make a deal with the DA to avoid deportation.

How to avoid deportation

Even if you are not legally in the U.S. you might be able to avoid deportation if:

- You were abandoned or abused by your parents or guardians.
- Your home country has had a natural disaster or a civil war.
- You or your family are afraid to go to your home country because you think the government or another group might harm you.

If an Immigration and Customs Enforcement (ICE) representative visits you, be polite and remember that you have the right to talk with your lawyer first. It is up to you to ask to speak with your lawyer! .

Don't sign any papers. Don't agree to "voluntary departure" or deportation unless you have talked to an immigration expert to make sure you don't have a way of staying in the U.S.

What if I have an immigration hold?

If you are in a juvenile facility and you are not a U.S. citizen, you can be held for an extra 48 hours after you would normally have been released. If the INS does not show up within 48 hours, the juvenile facility must let you go. If you are held for more than 48 hours, talk to a lawyer.

Legal status and citizenship for juveniles

Special Immigrant Juvenile Status (SIJS) may provide you with the ability to legally stay in the U.S. and is available to all young people in the juvenile justice system. Be sure to begin this process immediately by asking your lawyer to help you apply.

To get the full benefit of SIJS status, you should also apply for permanent resident status. If your applications for SIJS and permanent resident status are approved, you can stay in the U.S. permanently, work here, qualify for college tuition, and apply for U.S. citizenship in five years. If your SIJS application is denied, you may be deported.

To apply for SIJS, these things must be true:

1. You are under 21,
2. You are not married,
3. You have been declared a dependent of the juvenile court and remain under juvenile court jurisdiction,
4. Your juvenile court judge has decided you are eligible for long term foster care, and that you cannot be with your family,
5. The judge's decision to place you in long term foster care was due to abuse, neglect or abandonment,
6. You have been placed in long term foster care,
7. The judge has decided that it is in your best interest not to be returned to your home country,
8. The juvenile court judge has signed an order confirming all of the above.

The following 3 agencies can help you with SIJS. Be sure to contact them if you want to apply. These agencies can work with you and your lawyer."

- Immigrant Legal Resources Center(415) 255-9499
- Pacific Juvenile Defenders Center(415) 863-3762 x 314
- Legal Services for Children, (415) 8683-3762

Who do I call if I need help?

RESOURCES FOR YOUTH AND THEIR FAMILIES

Statewide Resources

Runaway Hotline
1-800-448-3000

California Youth Crisis Line
Hotline: (800)-843-5200
Website: www.youthcrisisline.org

Youthline
Phone: 1 (888) 977-3399
Website: www.youthline.org
Email: info@chalk.org

Child Abuse Prevention
San Francisco County Abuse
Reporting Unit
Phone: (415) 206-8772
Hotline: (800) 856-5553

SAN FRANCISCO RESOURCES

Criminal Defense

San Francisco Public
Defender-Juvenile Division
Phone: (415) 753-7600

Lawyer Referral Information Services
of the SF Bar Association:
(415) 989-1616
Website: www.sfbar.org

Family Law

Bay Area Legal Aid
Phone: (415) 982-1300
Website: www.baylegal.org

Emancipation

Legal Services for Children
Phone: (415) 863-3762
Website: www.lsc-sf.org

CULTURALLY SPECIFIC

Asian Law Caucus
Phone: (415) 896-1701
Website: www.asianlawcaucus.org

La Raza Centro Legal
Phone: (415) 575-3500
Website: www.lrci.org

IMMIGRATION ISSUES

Immigration Clinic
Phone: (415) 543-9444
Website: www.lccr.org

Immigrant Legal Resource Center
www.ilrc.org/online_pubs.html

COMPLAINTS OR CONCERNS

Office of the Juvenile Hall Director
(415) 753-7412

Office of the Chief Probation Officer
(415) 753-7556

Office of the Juvenile Hall Ombusman
(415) 753-7850

Juvenile Probation Commission
(415) 753-7870

Juvenile Justice Commission
Phone: (415) 753-7756

PARENT SUPPORT GROUPS

Coleman Advocates for Youth
Phone: (415) 239-0161d Fax: (415)
239-0584
Phone: (415) 753-7594
Website: www.colemanadvocates.com

Homeless Prenatal
Phone: (415) 546-6756

HELP WITH OTHER LEGAL ISSUES

Lawyers' Committee For Civil Rights
Phone: (415) 543-9444
Website: www.lccr.org

The American Civil Liberties
Union of Northern California
Phone: (415) 621-2493
Hotline: (415) 621-2488

Bay Area Police Watch
Phone: (415) 951-4844 X 224
Website: www.ellabakercenter.org

Books Not Bars Family Advocacy
Project
Phone: (415) 951-4844 x 230
Website: www.booknotbars.org

Court Appointed Special Advocate
(CASA)
Phone: (415) 398-8001

Youth Law Center
Phone: (415) 543-3379
Website: www.ylc.org

KNOW YOUR RIGHTS



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When you find yourself detained in Juvenile Hall, you still have many rights and responsibilities. Juvenile Hall counselors and staff believe in treating you with fairness and understand your right to be cared for in a safe, clean and supportive environment. As a Juvenile Hall resident, knowing your rights and responsibilities is key to your safety and the well-being of those around you.

Your key responsibilities

- To treat Counselors, peers and visiting family members fairly and with respect.
- To follow the rules, programs, schedules, and directions of the counselors.
- To avoid engaging in any type of gang or turf behavior.
- To conduct yourself properly during religious services.
- To ask for medical and dental care when you need it.
- To conduct yourself properly during visits.
- To let counselors know your needs – if you are having a visit and you need to leave due to a conflict, it is ok! Ask to be separated from the visitor.
- To practice good grooming and personal hygiene.
- To report incidents to counselors or supervisors.
- To use the grievance process to make complaints and resolve problems.

Your key rights

Phone calls

- When you are admitted to Juvenile Hall, you have the right to make two phone calls: 1) to your parents, legal guardians or employer and 2) to your lawyer.
- During your stay, counselors will permit fair and equal access to the phone. You can call your lawyer, PO, ombudsman and parents or legal guardian. Phone calls to others (including friends or relatives), cannot be allowed due to safety concerns.

Visitors

Parents/legal guardians

- Parents or legal guardians can visit anytime during your first 24 hours here.
- After this 24 hour period, parents/guardians may visit during the scheduled visiting hours (listed in your visiting rules brochure)

Probation Officer (PO)

- Your PO will visit you regularly. You may call your PO to talk at any time during the day. If your PO is not visiting you, let one of the counselors or ombudsman know.

Lawyer

- Your lawyer has the right to visit you whenever necessary. If you don't have a lawyer, the court will appoint a lawyer to help you.

Write & receive letters

- Ask your counselor for paper, pencil and envelopes to write letters. Staff will provide free postage. You may also receive letters. Counselors have the right to read letters you write and receive if they have reason to believe that your safety or the safety of others is at risk.

A complete list of your rights can be found in the Juvenile Hall Handbook and on the Detainee Orientation Form.

You have other rights while you are detained in Juvenile Hall that detention staff are committed to ensure. These include:

- Right to attend school
- Right to medical care
- Right to food
- Right to clothing and toiletries
- Right to daily recreation and exercise
- Right to religious programs
- Right to be safe
- Right to be free from harassment and discrimination
- Right to be free from excessive force by staff

Who do I talk with and what should I say?

This is a difficult yet very very very important area so you need to read this carefully!!!

- Both the police and the PO should have read to you what are called the “Miranda Rights”. If you don't remember what these rights are, immediately ask your counselor to let you read them again. If you still don't understand them, ask to contact your lawyer to explain these rights. The Miranda Rights will be given to you to read in a language you can understand.
- You may want to talk with your lawyer about your arrest before you talk with anyone else about it. Ask your lawyer questions!!! Your lawyer is there to assist you. A good question to ask your lawyer is “What shall I tell my PO?”
- You do not have to talk with your PO about what actually happened when you were arrested, but you may do so if you want to. Remember, anything you say may be used against you in court, but your PO will need honest information about you to create a ‘release plan’ for you.
- What is a ‘Release Plan’? The ‘Release Plan’ is a plan that your PO creates that might allow to you return home while your case is pending instead of staying detained at Juvenile Hall. Good information from you will assist your PO to develop a quick and thorough ‘Release Plan’ for presentation to the judge to approve.

