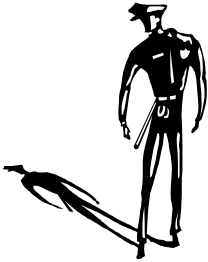


## WHAT SHOULD I DO IF I AM INTERVIEWED BY THE POLICE, PROBATION OFFICERS, OR ICE?



Youth are usually interviewed by police, then a probation office at juvenile hall. Sometimes ICE interviews detained youth also. If this happens to you, you should know that:

- **Probation officers CANNOT ask you about your immigration status.** This means they cannot ask you if you are here legally or not, if you have “papers,” why you do not have a social security number, etc.
- **You DO NOT have to answer questions about your immigration status.** If a probation officer or police officer asks you about your immigration status, you have a right to **NOT** answer this question or give them any information.
- **DO NOT LIE or show false documents** because it can get you in more trouble.
- You have the right to ask that your attorney be present during the interview.
- **You have the right to be silent and you should remain silent.** Do not disclose where you were born or how you entered the United States, unless you were born in the United States.
- **Refusing to answer questions is not a crime.** No matter what anyone will say, you do not have to answer anything you do not want to.

## WHAT DO I SAY IN AN INTERVIEW?

Before answering any questions or saying anything during an interview, you **must** say the statement below:

*“I am using my right to remain silent and want to speak to an attorney.”*

Immigration officers may try to trick you into answering questions or signing something. **Do not let yourself be tricked!** Also, tell your attorney if ICE tries to interview you.

## DO NOT

- **SPEAK** without an attorney present
- **SIGN** anything *before* talking with an attorney
- **LIE.** it can prevent you from being able to stay in the U.S.
- **SHOW** fake documents

Don't be afraid—  
know your  
rights!



## WHAT HAPPENS AFTER I'M PICKED UP BY ICE?

- ICE will bring you to a processing center in San Francisco (630 Sansome St.)
- ICE will try to get information from you, such as your name, age, date of birth, where you were born. **You should not answer their questions** and instead ask to speak to an attorney.

- Sometimes youth are released to directly to a family member or guardian who is documented and can pay a bond or fine to have you released. **Undocumented family members should never enter the building at 630 Sansome St.** as they will be at risk of being arrested by ICE.
- **If no one is able to pick you up, ICE will transfer you to a facility which might be like juvenile hall or a group home.** The facility may be outside California, and you may travel by plane to get there, but once you arrive, you will meet with a case manager.
- **Once you are at the facility, you have the right to be released,** even to undocumented family members, and without having to pay a bond or fine, but this can take time.

## IF I'M PICKED UP BY ICE, WHAT ARE MY RIGHTS?

If you are picked up by ICE, you have the right to:

- Make a phone call
- Remain silent when they ask you questions
- NOT sign something you do not understand
- Speak with an attorney
- Receive a list of free legal services that may be able to help you with your case
- See a judge and have a translator at your hearing

## IF ICE PICKS ME UP, WILL I HAVE TO LEAVE THE U.S.?

In general, **only an Immigration Judge can decide that you must leave the United States**, not a probation officer, the police, or ICE. You should **always ask for a hearing** so that a judge can decide your case.



**You have the right to have an attorney represent you in court** and there are agencies that represent youth in immigration court for free.

You may want to wait to speak with an attorney about your legal options before making any decision about your case.

## WHAT IF ICE OR THE POLICE TREAT ME BADLY?

- Write down the officer's badge number, name, or other identifying information.
- You have a right to ask the officers for their information *in a respectful way*
- Try to find witnesses and their names and phone numbers. If you are injured, *take pictures*
- You can report this to the Department of Homeland Security's Office of the Inspector General at **1-800-323-8603**

## HOW CAN MY FAMILY OR FRIENDS FIND ME?

Contact the Office of Refugee Resettlement at the hotline: **1-202-401-5709**.

## ICE AND ICE DETAINERS

- **What does Immigration and Customs Enforcement (ICE) do?**  
ICE's job is to force a person out of the U.S. because he or she has violated immigration laws. This is called "deportation or removal." One way they do this is by checking to see if youth in Juvenile Halls have papers.
- **What is an ICE hold or "detainer"?**  
When ICE thinks that someone has violated immigration laws they issue an ICE hold. If you get a hold, it means that the Juvenile Hall can keep you up to 48 hours (not including weekends and Federal holidays) after the day and time the Juvenile Judge releases you so that ICE can pick you up.
- **Who can receive an ICE hold?**  
ICE can give a hold to anyone they believe has violated immigration laws. This can include people with or without papers.
- **What happens if they hold me for longer than 48 hours?**  
ICE must pick you up within 48 hours from when you would be released. If 48 hours have passed, call your attorney.

## WHO CAN I CALL?

If you need help, contact the Asian Law Caucus or Legal Services for Children (contact in front) or contact the following:

- **S.F. Public Defender's Office:** (415) 753-7601
- **Immigrant Legal Resources Center:** (415) 255-9499
- **Youth Law Center:** (415) 543-3379
- **CARECEN:** (415) 642-4410
- **Consulate General of Mexico:** (415) 354-1700
- **Consulate General of Honduras:** (415) 392-0076
- **Consulate General of Guatemala:** (415) 896-9181
- **Consulate General of El Salvador:** (415) 781-7924
- **Consulate General of the People's Republic of China:** (415) 674-2900



# KNOW YOUR RIGHTS

## The Rights of Undocumented Youth in Juvenile Hall



ASIAN LAW CAUCUS  MEMBER OF ASIAN AMERICAN CENTER FOR ADVANCING JUSTICE

55 Columbus St. • San Francisco, CA 94111  
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LSC  
Legal Services for Children

**Legal Services for Children**  
1254 Market St. • San Francisco, CA 94102  
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