



POST-RAID PLANNING

Bryce Downer &
Collin Cannon

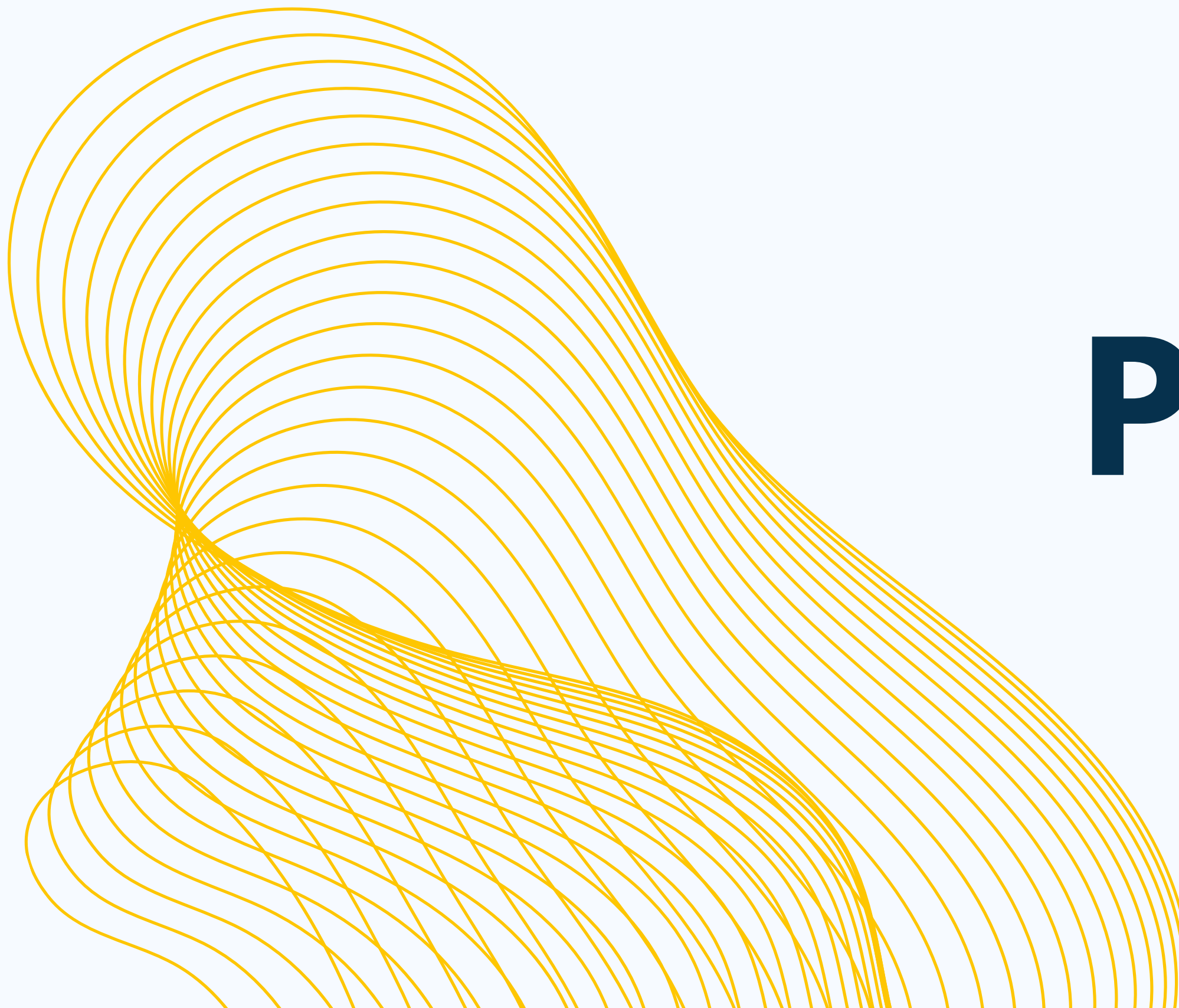


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Stay Focused

Remember, after a raid, people are in shock. Basic tasks will be harder, they will be frazzled, they will be impatient and not acting like themselves. Be patient, be compassionate. Basic needs may be getting in their way of focusing on immigration matters: meals, shelter, childcare, finances, medicine, gas, login information to online accounts -- etc. All of it will be more salient to people in the immediate, so having resources available on these issues is imperative. This is where UFCW has thrived previously! Your particular station is important, but it may not be the most pressing thing on this individual's mind.

A Human Touch

Where possible, try to have qualified, capable people available to answer questions instead of referring people just to machines or websites -- unless that website has the actual information they are needing.



OUR ROLE

We represent just one prong in the multi-pronged response plan. As the Legal Team, our duty is to provide legal counsel, document legal injuries, and provide technical support



IN FOCUS:

As the immigration team, we need to help people locate detained loved ones, explain bond options, provide guidance on merit hearings, and protect vulnerable family members.

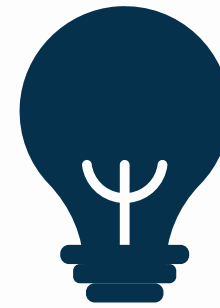


Let's Talk about Data



During the Raid

- When did the raid take place?
- Start time, stop time
- Where did the raid take place specifically (parking lot, inside, public area)
- Workers impacted: quantity, their names, immigration status, nationality
- Did ICE have a warrant? Do we have pictures of the warrant?
- Which detained people have children?
- Who witnessed what happened and will give a statement?
- Do we have any video recordings?



Planning the Workshop

- Where is a secure location that can handle a large amount of volume?
- Who can we rely on for help with legal support? Local non-profits, state bar society, local law schools, faith communities, etc.
- Which languages will we need support in for impacted workers?
- What will be our platform for fundraising and consistent messaging on new developments



During Intake

- Match each incoming family member to the detained / picked up person.
- Full names / Dates of Birth / Countries of citizenship / aliases / marital status / children
- Prior immigration history / criminal history - so we can determine bond eligibility
- A Number, if known
- Prior applications for relief
- Current relief eligibility
- Current detained location (if known)

ICE LOCATOR

locator.ice.gov

- Detained for at least 48 hours,
- Not for detainees < 18 years old,
- “A Number” will be the most precise way to search, in case of spelling errors.

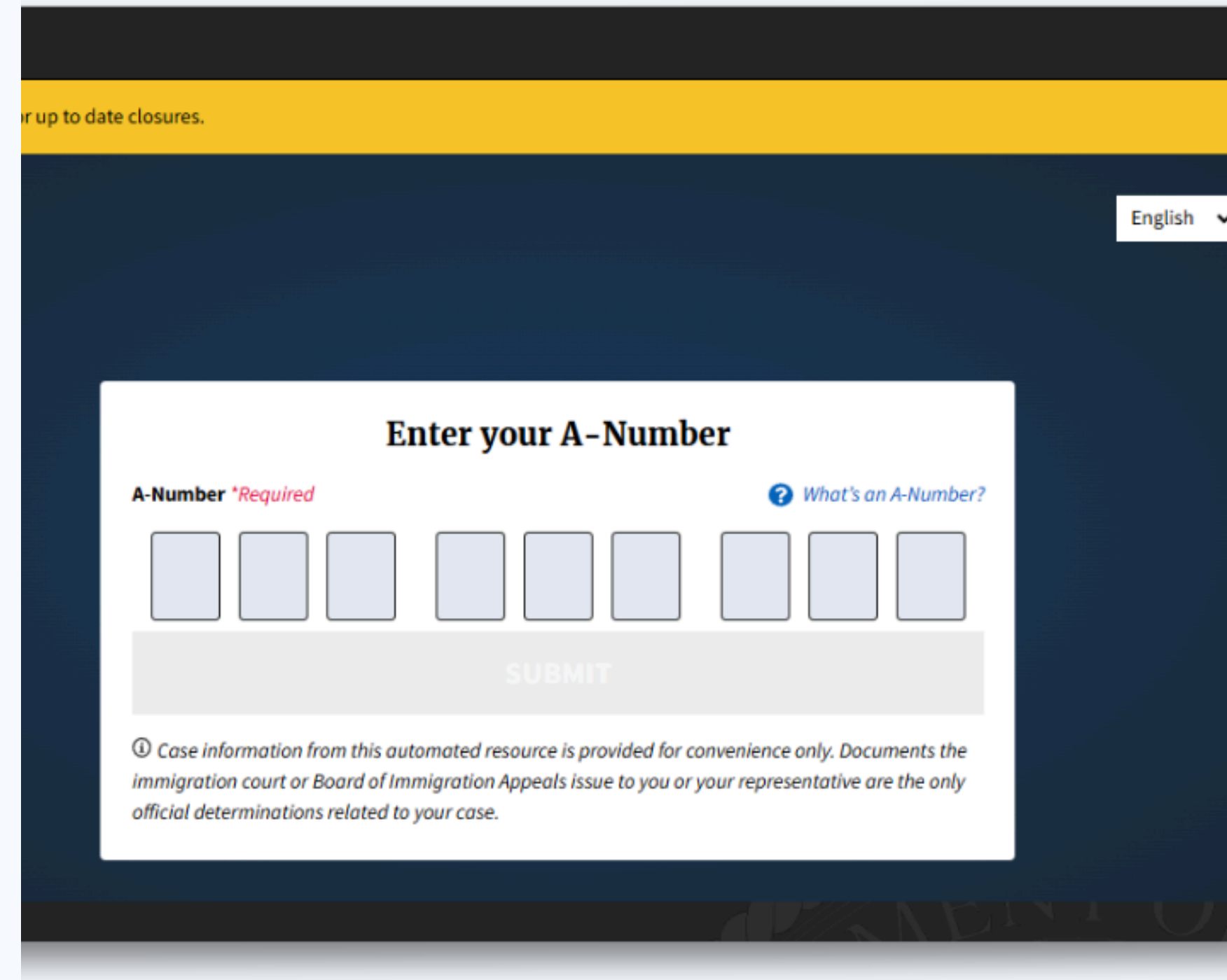
The screenshot shows the official website for the U.S. Immigration and Customs Enforcement (ICE) Online Detainee Locator System. The header features the ICE logo and navigation links: Home, Who We Are, What We Do (highlighted), Newsroom, Information Library, and Contact ICE. A link for 'Report Crimes: Email o' is also visible. The main heading is 'Online Detainee Locator System' followed by 'Search Page'. Below this is a language selection dropdown set to 'English'. A paragraph explains the system's purpose: 'Use this page to locate a detainee who is currently in ICE custody or who has been in U.S. Customs and Border Protection's custody for more than 48 hours.' A red warning states: 'Online Detainee Locator System cannot search for records of persons under the age of 18.' Two search methods are provided: 'Search by A-Number' and 'Search by Biographical Information'. The 'Search by A-Number' section includes fields for 'A-Number' and 'Country of Birth' (a dropdown menu), followed by a 'Search by A-Number' button. The 'Search by Biographical Information' section includes fields for 'First Name', 'Last Name', and 'Country of Birth', with a note explaining that names must be an exact match and hyphens should be included in hyphenated names.



EOIR CASE PORTAL

acis.eoir.justice.gov/en/

- Find out if you are currently in removal proceedings in immigration court,
- If so, see which court has your case and what the most recent action on your case has been (i.e. hearing dates, removal order date, appeal filed, case dismissed, etc.)



The screenshot shows the EOIR Case Portal login interface. At the top, there is a yellow banner with the text "or up to date closures." and a language selector set to "English". The main heading is "Enter your A-Number". Below this, the text "A-Number *Required" is displayed in red. To the right of the input field is a link that says "? What's an A-Number?". The input field consists of nine empty boxes for digits. Below the input field is a grey "SUBMIT" button. At the bottom, a disclaimer states: "Case information from this automated resource is provided for convenience only. Documents the immigration court or Board of Immigration Appeals issue to you or your representative are the only official determinations related to your case."

Removal Proceedings 101

Not everyone is entitled to the same removal hearings as everyone else. Depending on a host of factors, you may be subject to one of three types of removal processes as outlined by the Immigration and Nationality Act (INA).

The type of hearings we can best assist people with are the full 240 hearings. If someone has never been removed before & they have been here awhile, count on them being in 240 proceedings.

240

- Initiated with serving of the NTA upon Respondent & court.
- Adversarial; the government is always represented by counsel.
- MCH = Master Calendar Hearing.
- ICH = Individual Calendar Hearing.
- Purpose is to determine eligibility for relief from removal

235

- Expedited Removal
- Removed without a hearing
- Trump Administration has sought to expand expedited removal from beyond the 100-mile zone & 2 week rule.

241

- Reinstatement of removal
- applies to those who have re-entered after a prior removal order.
- Does not apply for those who took VD.
- Does not apply if someone is applying for 245(a) AOS.
- Relief: withholding, CAT, VAWA, U & T Visas, I-212 waivers.



RELEASE FROM DETENTION

236(a).

On a warrant issued by the Attorney General, an alien **may** be arrested and detained pending a decision on whether the alien is to be removed from the United States. Except as provided in subsection (c) and pending such decision, the Attorney General—

- (1) may continue to detain the arrested alien; and
- (2) may release the alien on—
 - (A) bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or
 - (B) conditional parole; but
- (3) may not provide the alien with work authorization (including an "employment authorized" endorsement or other appropriate work permit),....

236(c).

The Attorney General shall take into custody any alien who—

- (A) is inadmissible by reason of having committed any offense covered in section 1182(a)(2) of this title,
- (B) is deportable by reason of having committed any offense covered in section 1227(a)(2)(A)(ii), (A)(iii), (B), (C), or (D) of this title,
- (C) is deportable under section 1227(a)(2)(A)(i) of this title on the basis of an offense for which the alien has been sentence 1 to a term of imprisonment of at least 1 year, or
- (D) is inadmissible under section 1182(a)(3)(B) of this title or deportable under section 1227(a)(4)(B) of this title, ...

RELEASE FROM DETENTION

Bond

- Determined by an IJ, not by ICE.
- If you are detained, you are eligible for bond if you are detained pursuant to INA 236(a)
- A bond can be set as low as \$1,500 but no lower.
- Winning bond requires showing that you merit release based upon not being a danger to people or property and that you are not a flight risk.
 - Matter of Urena
- There is a 9-factor test used to determine your bond eligibility
 - If you have a fixed address in the U.S.; Length of time in the U.S.; family ties; employment history; record of appearance in court; criminal hx; immigration hx; flight risk; manner of entry.
 - Matter of Guerra

Parole

- Determined by ICE, not by EOIR.
- Only for 236(a) detainees too.
- The eligibility for conditional parole also includes a simple analysis for (1) likelihood of danger to people and property, and (2) flight risk.
- This can be determined at any stage in the immigration process, if you are detained, and ICE can place conditions upon your parole – including the use of an ankle monitor, cellular device tracking, check-ins, etc.

See sample bond & parole motions in the Compendium!

Relief from removal we check for:

SIJS

- Deferred action granted first.
- Adjustment eligible after one year.
- EAD: (C)(14)
- <21; unmarried
- Abuse, abandonment, neglect from ONE or BOTH parents.
- Form I-360 after state process.

U Visa

- Victim of qualifying crimes.
- EAD: (a)(19); (a)(20)
- Adjustment eligible after 3 years.
- Generally granted in 4-year increments, with extensions possible.
- Form I-918.



Cancellation of Removal

- Applied by EOIR only;
- EAD eligible during pending case using (C)(10).
- Limited to only 4,000 per fiscal year.

Asylum

- Granted by CIS or EOIR.
- Adjustment eligible after one year.
- Difficult to win*
- EAD: (C)(8) | (a)(5); renewable.
- Form I-589
- Lost through availing oneself, certain criminal activity, changed country conditions.

VAWA

- For victims of IPV or DV by LPR or USC spouse, child, parent: battery or extreme cruelty.
- Form I-360; self-petitioning allowed.
- EAD: (C)(31); (C)(9)
- Adjustment eligible either immediately or in line with visa bulletin.

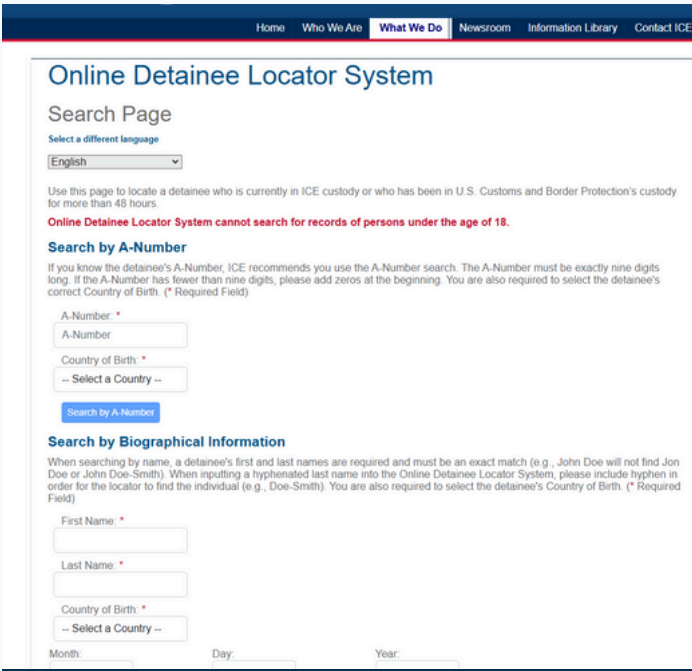


Link Hub



Automated
Portal

<https://acis.eoir.justice.gov/en/>



ICE
Locator

<https://locator.ice.gov/odls/#/search>



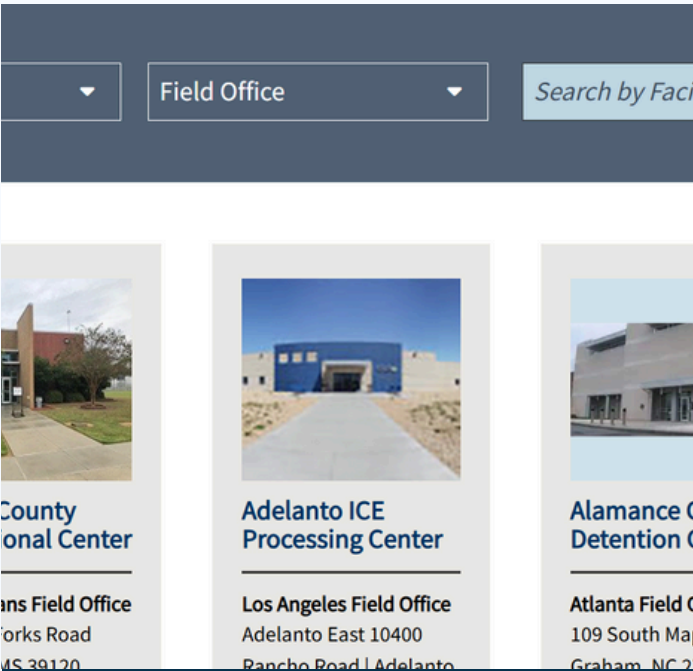
CIS Case
Inquiry

<https://egov.uscis.gov/>



Novo Legal
UFCW Portal

www.novo-legal.com/ufcw



ICE Detention
Center Lookup

<https://www.ice.gov/detention-facilities>