



TRUMP 2.0 IMMIGRATION POLICIES: WHAT WE ARE FACING & KNOW YOUR RIGHTS

(1) MASS RAIDS, EXPANDED DETENTION & INCREASED DEPORTATIONS

On January 20, 2025, President Trump announced a series of Executive Orders and an Emergency Declaration that expand the detention machine and our country's will and capacity to carry out mass deportations against immigrants.

Immigration & Customs Enforcement (ICE) is now raiding and detaining immigrants across the country. "Raids" usually means ICE arresting multiple people at their homes, on the streets, in a public place, or at a workplace. Immigrant-owned businesses are particularly at risk, as are businesses that are known to employ immigrants. ICE is targeting immigrants who have final orders of removal or criminal convictions, but the raids are often carried out as collateral arrests meaning anyone in the vicinity who is presumed undocumented is then targeted and detained in the encounter.

This means an individual without any criminal history might become collateral damage in a raid. In fact, anyone who is "removable" under the Immigration and Nationality Act (INA)- the federal immigration laws- can fall victim to a raid. This includes:

→ Undocumented people - both (1) individuals who entered unlawfully over a border or on a boat and do not have lawful status & (2) individuals who entered lawfully on a visa and overstayed the time the border official allowed them to stay in the US or violated the terms of their visa in another way;

→ Documented non-citizens (including lawful permanent residents or "green card holders") who have committed certain crimes or certain types of fraud, and/or violated the terms of their status;

→ Note: Citizens CANNOT be deported, but we are seeing some citizens swept up in raids. If the government finds that someone obtained citizenship through fraud, they can try to take away their United States citizenship.

(2) IMMIGRATION ENFORCEMENT CAN & WILL ENTER "SENSITIVE LOCATIONS"

An Executive Order rescinds the Sensitive Locations Memo which discouraged ICE from entering places of worship, schools, hospitals, etc. Now, we are seeing ICE enter these locations or wait in their parking lots to pursue immigrants of interest to them. The Fourth Amendment protects a facility from a "warrantless search," and staff at these facilities can deny ICE entry unless they present a warrant with the signature of a judge that lists the precise location of the facility.



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(3) THE SOUTHERN BORDER IS CLOSED TO ALMOST EVERYONE

Multiple Executive Orders focus on actions to “close” the border and prevent the arrival of immigrants into the country. They end various parole programs that allowed people to enter the country and live and work temporarily, like parole programs for immigrants from Cuba, Haiti, Nicaragua, and Venezuela. The CBP One App is no longer functional, and all appointments have been cancelled. In addition, the Remain in Mexico program has been restarted which forces people seeking asylum to remain in Mexico while their asylum case is ongoing. The military is now sending 1,500 troops and military equipment to the border to enforce the border closure.

(4) A CHALLENGE TO BIRTHRIGHT CITIZENSHIP

An Executive Order instructed government agencies to stop issuing citizenship documents (like passports) to children born inside the United States on or after February 19, 2025, if the father was not a U.S. citizen or a lawful permanent resident and the mother is undocumented or has temporary status (such as a student or work visa). **However, on January 23, 2025, this directive was put on pause at least temporarily for 14 days by a federal court judge. The judge called the executive order “blatantly unconstitutional” because the Fourteenth Amendment to the Constitution guarantees that everyone born inside the United States is a U.S. citizen.**

(5) IMMIGRATION LEGAL RELIEF HAS DIMINISHED

→ Temporary Protected Status (TPS) will slowly disappear for all countries that are currently protected because the Trump administration will not renew TPS designations. People who have TPS will not lose their protection immediately, but will only keep it until the expiration date. [Find all expiration dates here.](#)

→ Although we hope we are wrong, we expect the Deferred Action for Childhood Arrivals (DACA) program to end as well.

→ Lastly, the Trump administration has released a rule that expands expedited removal effective immediately. This means that the government can now use this fast-tracked process to deport undocumented immigrants who crossed the border between “ports of entry” [designated locations where one may lawfully enter a country] and cannot prove that they have been in the country for at least two years before the arrest. **Immigrants’ rights organizations have sued to stop the implementation of this expansion of expedited removal. We will follow this lawsuit closely.**

KNOW YOUR RIGHTS!

The Fourth Amendment of the Constitution still applies to all of us under the Trump administration regardless of immigration status. How these rights are applied with Immigration & Customs Enforcement (ICE) agents are as follows:



Stopped on the Street?

Ask "Am I free to leave?"

ICE is not allowed to keep asking you questions without reason. Before giving them your name or any information, ask if you are free to go. If they say "yes," stay away from the place. If they say "no" tell them you do not want to answer any questions and you want to talk to a lawyer. In some states, you may have to share your name but that's it!



If ICE is searching you or your belongings, you have the right to say "I do not agree to this search."



DO NOT RUN. If you run, ICE may go after you. It will make the encounter worse.



Stopped in the Car?

If you are detained while driving, it will likely be by police not ICE. When pulled over by police, receiving a ticket is better than having to go to a police precinct, since going to one increases the chance you are referred to ICE.

If you don't have a driver's license do not show any false documents.

Do not answer any questions related to your immigration status or your country of origin. Say: "I want to exercise my right to remain silent" and "I want to speak with a lawyer." If the officer asks to search your vehicle, you have the right to not consent to any search. They cannot do it without a proper warrant, unless there is reasonable suspicion.



If you are driving along border states, you may be pulled over by Border Patrol and could encounter checkpoints. They can pull you over if they have reasonable suspicion of an immigration violation or a crime, and they may ask questions about your status. They can continue to detain you to inquire about your status, **but they cannot force you to speak or to sign anything.**



ICE at your Home or Facility?

Do not open the door. ICE cannot enter your home or facility without a judicial warrant. Also beware of sneaky tactics. ICE often uses tricks to get you to open the door, so be weary of anything they say.



You have the right to ask to see the warrant.

If the agents say they have a warrant, tell them to pass it under the door before opening it. If you are at a facility, you can ask to review the warrant while waiting outside the front entrance.

Check the warrant thoroughly.

Confirm the name and address on the order to make sure it is precise to your location. Also verify that it is signed by a judge. An ICE warrant is not the same as a court mandated, judicial warrant. **During raids, agents often say they have a "warrant" when all they have is an ICE warrant.**

If in a facility, designate "private spaces" with closed doors. If ICE comes to your facility, people inside have stronger privacy rights when out of "public spaces" like waiting rooms, kitchens, sanctuaries, etc.

JUDICIAL WARRANT VS. ADMINISTRATIVE WARRANT

When ICE shows up at your home, facility or business you DO NOT have to let them in. Ask to see their warrant. If they slip you or hand you an Administrative Warrant, be brave! Say "I do not consent to a search" and ask them to leave.

✓
JUDICIAL WARRANTS ARE ISSUED BY A COURT!

! **THIS SORT OF TITLE IS A GIVE AWAY THAT IT IS AN ADMIN WARRANT!**

! **ADMIN WARRANT ISSUED BY DHS NOT A COURT!**

! **ADMIN WARRANT SIGNED BY AN IMMIGRATION OFFICER NOT A JUDGE!**

✓
JUDICIAL WARRANTS ARE SIGNED BY A JUDGE!

AO 93 (Rev. 01/05) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
Southern District of California

In the Matter of the Search of)
(Briefly)
or alias of))
2943 Reynard Avenue)
San Diego, California))
Case No.)
'14 MJ0 396

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of California
(Identify the person or describe the property to be searched and give its location):
See Attachment A-2.

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be searched):
See Attachment B-2.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before February 11, 2014
☒ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Hon. David H. Bertick
(Name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) Of or _____ days (not to exceed 30).

Until, the facts justifying, the later specific date of _____.

Date and time issued: 1/31/2014 5:14 [Signature]
City and state: San Diego, California Hon. David H. Bertick, U.S. Magistrate Judge
Printed name and title

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

Title: _____
Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- ☐ the execution of a charging document to initiate removal proceedings against the subject;
- ☐ the pendency of ongoing removal proceedings against the subject;
- ☐ the failure to establish admissibility subsequent to deferred inspection;
- ☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

Warrant for Arrest of Alien was served by me at _____ (Location)
on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

Form I-203 (Rev. 09/14)



NUANCED KNOW YOUR RIGHTS FROM TRUSTED PARTNER: MAKE THE ROAD NEW YORK



Know your rights during travel within the U.S. and U.S. Territories

MRNY has created this know your rights document to provide guidance for individuals who want to travel by plane within the U.S. and to U.S. territories such as Puerto Rico and the Virgin Islands. Use this document to make the best decision for yourself, but remember that this document does not constitute legal advice.

Traveling to Puerto Rico, the Virgin Islands, Guam, American Samoa or the Northern Mariana Islands?

Even though these islands are part of the United States, immigrant travelers to these places can be put through the same review process by immigration officers as international travelers.

Customs and Border Protection ("CBP") has the authority to conduct "preinspection" at the airport in Puerto Rico and other U.S. territories, where they can review if you are allowed to re-enter the mainland U.S. before you board the flight back. This "preinspection" process is generally done in a very informal manner and sometimes not done at all. This may involve CBP officers asking if you are a citizen of the U.S. and asking you about your immigration status or to see your passport. In some instances, CBP officers may take you to a separate area for more questioning.

Please be aware that travel to Puerto Rico and other U.S. territories can be risky for both(1) undocumented individuals; and(2) individuals with lawful status who are deportable or inadmissible due to criminal convictions or other bars to reentry. **If you are in these categories, it is important that you consult with an attorney or legal service provider before traveling by plane to Puerto Rico or any of the other U.S. territories.**

Traveling Within the Continental United States, Hawaii and Alaska

If you are a non-citizen planning to travel within the continental United States (48 states), Hawaii and Alaska, it is important to know your rights and what identification is required.

Starting May 7, 2025 everyone who travels on an airplane within the 50 states must present a REAL ID or passport. Unfortunately, New York licenses issued under the new Green Light law, for people without social security numbers, are not REAL IDs. Valid work authorization cards with a photo are REAL IDs.

Even if you are not flying internationally, immigration authorities have the power to inspect travelers in and around international airports. Because CBP is present in all major airports, there is a risk of being stopped and questioned by immigration authorities in the airport and, if you do not have status, of being placed in removal proceedings or detained. Some people do not need to be concerned about flying. For people with valid work permits, DACA or TPS status, or people who are already in removal proceedings, flying does not carry the same risks because immigration authorities already know that these individuals are here.

NUANCED KNOW YOUR RIGHTS FROM TRUSTED PARTNER: IMMIGRANT DEFENSE PROJECT

When Immigration & Customs Enforcement (ICE) agents go to homes or in the community to arrest non-citizens, they often tell lies or “ruses” about who they are and what they are doing. ICE agents use ruses to get into homes without judicial warrants, to obtain information, or to arrest people outside of their homes. A common ICE ruse is that agents pretend they are local law enforcement. ICE agents will say they are “police” and purposefully not identify themselves as ICE agents. This can be confusing as they are often dressed in plain-clothes or in uniforms that do not indicate that they are ICE. ICE police ruses can also happen over the phone.

Ruse (In Person)



Ruse (By Phone)



“POLICE, open up”

“I’m Detective [name]”

“We are the warrant squad”

“We are from the XYZ precinct”

“I’m calling from [local court name] to confirm your address”

“I’m calling from the District Attorney’s office”

“We are looking for X, who is a victim of identity theft”

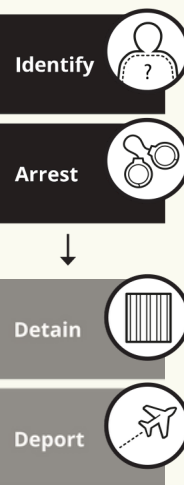
“Can we come inside?”

“Can you come outside?”

“Can we come to you?”

“Can you come to us?”

Goal





NUANCED KNOW YOUR RIGHTS FROM TRUSTED PARTNER: IMMIGRANT DEFENSE PROJECT

An illustration of a workspace on a dark teal background. It includes a silver laptop, a black smartphone, a yellow and black pen, and a white notepad. The notepad has an orange circular logo with "IDP" inside and the text "IMMIGRANT DEFENSE PROJECT" next to it.

KNOW YOUR RIGHTS BASICS FOR DOCUMENTING ICE

**REGARDLESS OF YOUR IMMIGRATION
STATUS:**

- It is legal to film ICE agents making arrests
- Make sure to film openly – some states have laws prohibiting secret recordings
- Do not physically interfere with the arrest or interaction
- If directed to do so, backup. Not doing so may result in your arrest