



WHEN ICE IS WATCHING:

Know Your Fight Protect Your People

Do you check in with ICE and/or ISAP/BI? Learn about risks for arrest and detention and how to reduce them through knowledge and planning ahead. We hope this document gives you as much information as possible so you can make informed decisions about what is best for you and your family. Remember that the safest community is a community that is educated and organized. You are not alone!

CORE RECOMMENDATIONS

-  **BE ALERT ABOUT TRICKS ICE MAY USE TO ARREST YOU**  ICE has been lying and using tricks to take people by surprise and then detain them. **Get help right away** from a community organization and/or lawyer **if ICE or BI case managers ask you to do something that is different from how you usually interact with them.**
 - Examples of trickery that have been reported:
 - telling someone to come get their ankle shackle removed at an ICE or ISAP office
 - telling someone something was wrong with their technology and it needed to be fixed ASAP at an ICE or ISAP office
 - remotely activating someone's ankle monitor alarm then waiting outside a residence or community spaces to detain them
 - asking people to come in for appointments on dates other than their typical check-ins
 - telling someone they need to come in to an ICE office to get their fingerprints taken
 - asking people to step *outside* of a building to take a photo of their location then detain them
 - asking people to come in to an ICE office to verify or change their address

- Never show up for a check-in alone; **always bring someone** (example: someone with US citizenship status) who is not at risk of being arrested by ICE.
 - Know the **exact status of your immigration case** because that can have a significant impact on your level of risk. You can call this toll-free number to learn some basic information about your case: (800-898-7180). Please note that the information provided is not always reliable! (*Common examples of case status leading to increased risk include: you have deportation order and no more appeals left; you have a stay of removal that is about to expire; your case was closed but you still check-in with ICE?*)
 - Contact a **local community organization** for support with safety planning and support with check-ins. Some organizations will offer to go with you to a check-in. Let the organization know about your appointment as soon as possible, as this increases the likelihood they will be able to help. You can find leads for such organizations through this [directory](#).
 - Discuss potential risks and protective actions with an attorney before checking in with ICE and/or BI. Ask them to help you **exit the program ([de-escalate](#)) or reduce your participation with these programs**. If you don't have an attorney, you can use this [directory](#) to try to find free legal representation.
 - If you sense that you are in trouble, **trust your gut**. Call your support team or a trusted organization that can be ready to assist you
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QUICK TIPS: THINGS TO PAY ATTENTION TO

→ Be aware of who runs the type of check-in you are enrolled in and what authority they have to deport you and/or take other actions against you

- **ICE Field Office Check-ins** - ICE is a law enforcement agency that polices immigrants in the U.S. They have the authority to arrest, detain, and deport migrants. They also monitor immigrants in deportation proceedings who are not detained. This usually involves reporting to their office regularly (every few

months, annually, etc.) and either speaking directly with an officer or checking in using the CART kiosk.

- **ISAP Check-ins or BI Check-ins** – ICE or an immigration judge may enroll you in the enhanced surveillance program called ISAP and managed by BI (a private company). Program registration (gps/ankle shackle, SmartLINK phone app, VeriWatch, phone check-ins, office or home check-ins) is handled by BI “case managers”. BI may refer you to one of the companies it hires for additional “services”. BI is powerful since it lets ICE know if you're meeting program requirements. But remember, ICE, not BI, has final say over what happens to your case.
- **CMPP Appointments** - the Case Management Pilot Program (CMPP) is a new program managed by nonprofit organizations in coordination with DHS. People in the program receive information, guidance, and services to comply with immigration processes. We do not know how often ICE obtains information from this program. CMPP case managers are unlikely to call ICE on you. But we think everyone whose information is shared with ICE through any program should be careful and plan ahead.

 **NOTE:** The documents you received when you signed up for the program should show who you are checking-in with. If you need help, ask a trusted community organization to look at the paperwork with you.

→ Watch out 👁️ for risk factors that could result in immigration arrest and detention / re-detention

The following list includes issues that might give ICE reason to take a look at your case, especially if the issues took place after your last immigration check-in. These examples DO NOT mean that you will be arrested.

1. If you have a **final and enforceable order of deportation/removal**. (*Even if an immigration judge has ordered your removal, that removal order is NOT final and enforceable IF you have an appeal pending OR you otherwise have a valid order from the immigration court system or from a federal court that forbids ICE from removing you.*) **NOTE:** So far, this seems to be the most common risk factor that has been reported in recent arrests of people under ICE surveillance.
2. Any **new contact with the police** – whether or not it results in arrest.
3. Any other contact with the criminal legal system – including convictions, outstanding warrants for your arrest, and/or prior arrest.
4. If you have **ever missed immigration court**, no matter the reason.

5. If, since your last immigration check-in, you have **failed to meet any of the conditions of your immigration supervision program** (for example, not showing up to an appointment, missing a call, failing to send in a selfie through SmartLINK, or traveling outside the area you have been instructed to remain within.)
6. **Not meeting ICE demands**, such as not submitting your passport or applying for asylum on time.
7. **Bad communication between ICE and BI**—your case manager and ICE officer may give you different instructions. Remember that ICE has ultimate authority, always listen to them and try to resolve any differences between all those involved.
8. **Working without authorization while also being heavily surveilled** by ICE through your supervision/check-in program.

→ **Could ICE be thinking about arresting you or increasing your level of surveillance?** 🚩🚩🚩

Here are examples of some signs that they may be considering taking such actions:

- You receive an **unexpected call** from a case manager to report to the office.
- If phone check-ins are suddenly replaced with **in-office** ones.
- Your **case ends** and you have exhausted all possibilities of winning your case.
- If you receive an unexpected call setting up a **check-in appointment with you outside of your usual schedule**.
- If you are told something is wrong with **your technology that needs to be fixed** at the office and you did not initiate this defective technology report.
- You get **arrested by the police and charged with a new crime**.
- If you are out on bond and the person/organization that posted your bond receives something called a **"Notice to Deliver Alien."**
- ISAP might notify you you'll be removed by a specific date and **tell you to come to the office** to organize your departure.

● **If you experience any of these warning signs, take action** ●

HOW DO WE KEEP EACH OTHER SAFE? SAFETY PLANNING AND COMMUNITY POWER

- ◆ **Keep an eye out for unusual communications from your ISAP/BI case manager or ICE.** ICE is using tricks and lies to get people to show up for random appointments and then arresting them. Call a community organization and/or an attorney IMMEDIATELY if you receive an unexpected call from ICE or BI instructing you to come in.
- ◆ **Document all interactions** with ICE, your ISAP/BI case manager, and/or any other program you are enrolled in. Take notes with names, dates, and what you are being told.
- ◆ System errors can cause you to break program terms without meaning to. Document that you tried to comply. If this happens to you, **get in touch with your case manager** immediately.
- ◆ Try not to miss any appointments, but if you need to miss one **make a record of you trying to reschedule the appointment.** If you miss a call, make sure to promptly respond back and take a screenshot of your attempt to call back.
- ◆ [Ask to exit](#) or [reduce participation](#) from ISAP programs now. Less frequent contact with ICE makes it harder for them to come after you.
- ◆ If you were convicted of a crime that could put you at a higher risk for deportation, **talk to an attorney about resentencing, pardons,** and other ways to decrease your risk.
- ◆ Connect to trusted networks and groups with plans to defend and protect people from deportation. **Be proactive,** know who will have your back if you are at risk. If you need help locating a group, consult this [directory](#) for possibilities.
- ◆ [Safety plan:](#) Know who to call, keep documents in a safe place, have a plan for your loved ones, plan for medical needs and financial needs.
- ◆ Find a **safe place to go** if your house or work is unsafe for you or your family.

- ◆ If you don't have an immigration attorney, now would be a good time to **set up a consultation**. You can ask your local community organization for names and contact information of trusted attorneys. You can also use this [directory](#) to try to find free legal representation.
- ◆ Attend a **community training** on ICE deportation management programs – learn how they work, what their goals are, and how to survive them while you fight your case. Contact your local community organization to learn more.



If you have any questions and/or want to report arrest or abuses at check-in, please email cdm@communityjusticeexchange.org.