

Do not sign

any papers from the Immigration Service, unless you speak to a lawyer first.



Arrest

ICE can arrest you at your home or at work.

ICE can learn about your immigration status from the police or sheriff's officers who stop or detain you for activities not related to immigration.

ICE may pick you up after a case with another law enforcement agency ends.

If you have been charged with a criminal offense and have paid your bond, ICE should pick you up. If ICE does not pick you up within 48 hours after you pay your bond, you should be released. If you are not released, you will need legal help.



Getting Legal Advice

After ICE processes your case, they will give you a list of free legal service agencies. The staff of the legal services agencies may talk with you about your case and decide to:

- Represent you before an Immigration Judge.
- Refer you to a private attorney, if you can afford one.

To file a bond request with the Immigration Court, mail a letter stating that you want a bond hearing. Include your name and file number (A---), and the name of the facility where you are detained. Write "DETAINED COURT" on both the letter and the envelope and mail the letter to:

EOIR
55 E Monroe St, Suite 1900
Chicago, IL 60603

When ICE arrests you, call (855) 397-1338 for this information in English and Spanish.

This guide is also available at chicagoappleseed.org



Immigration and Customs Enforcement

What to expect when ICE arrests you.



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Custody

When you are in custody, ICE will do the following:

- Process your case and give you documents.
- Interview you within a day at the ICE detention center in Broadview, IL or at the ICE office in Chicago.
- Ask about your immigration documents.
- Prepare for you to see an Immigration Judge.

Do not sign for automatic deportation before you see an Immigration Judge.

Bond

Based on your interview, ICE can decide:

- To release you without bond, or to release you on an electronic ankle bracelet without bond.
- If you are eligible for bond, and whether to order you to pay a fixed bond amount.
- If you can pay the bond, you can be released once the bond is paid.
- If you cannot pay the bond, you can ask an Immigration Judge to lower the bond amount, or to release you without bond.

Detention

If you do not get a bond or cannot afford the bond, after your case is processed, you will be transferred to a county jail in Illinois or Wisconsin and detained there.

Immigration Judge Hearing

If you are a *lawful permanent resident*, you must see an Immigration Judge for a final decision in your case.

If you are *not* a lawful permanent resident, you do not automatically see an Immigration Judge.

When ICE interviews you, the ICE will tell you that you can accept deportation immediately *without seeing an Immigration Judge*.

Do not sign any papers before you see an Immigration Judge.

The ICE might tell you:

ICE: *You will wait weeks before you can see an Immigration Judge.*

Our Response: Yes, it can take 10 days to 2 weeks, but filing a written request to see an Immigration Judge will help you to see an Immigration Judge sooner. Immigration Court must schedule a bond hearing within 3 days of receiving your request.

ICE: *You are not eligible to stay in the United States, so seeing an Immigration Judge will have the same result as signing for automatic deportation.*

Our Response: ICE officers are not immigration lawyers, so they cannot advise you about your eligibility to stay in the United States.

ICE: *If you sign for automatic deportation, you will be released and returned to your home country sooner.*

Our Response: Signing for automatic deportation *may or may not* result in your release and return to your home country sooner.



It is very important to understand the consequences before you accept automatic deportation without seeing an Immigration Judge.

There are serious consequences, so do not sign for automatic deportation without legal advice about your case.

For example, if you sign for automatic deportation, you cannot return to the US legally, usually for a period of 5 years.

If you re-enter the US after automatic deportation, you can be charged with a crime.

It is very hard to undo that decision, if you decide later that you want to see an Immigration Judge.

It is important to know that signing for automatic deportation *is not the same as receiving voluntary departure*. Only an Immigration Judge can grant you voluntary departure.

If you leave the US on time after voluntary departure is granted, then you may return to the US in the future.