



Legal Counsel for
Youth and Children

Northwest
IMMIGRANT
RIGHTS
Project

IMMIGRANT SAFETY PLAN (ISP) TRAIN THE TRAINERS

January 14, 2025

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TODAY'S OVERVIEW AND OBJECTIVES

IMMIGRANT SAFETY PLAN

1

Overview

2

Contents

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Resources

Safety Plan

What is the safety plan?

Why do we need it?

What's the goal?

Who is it for?

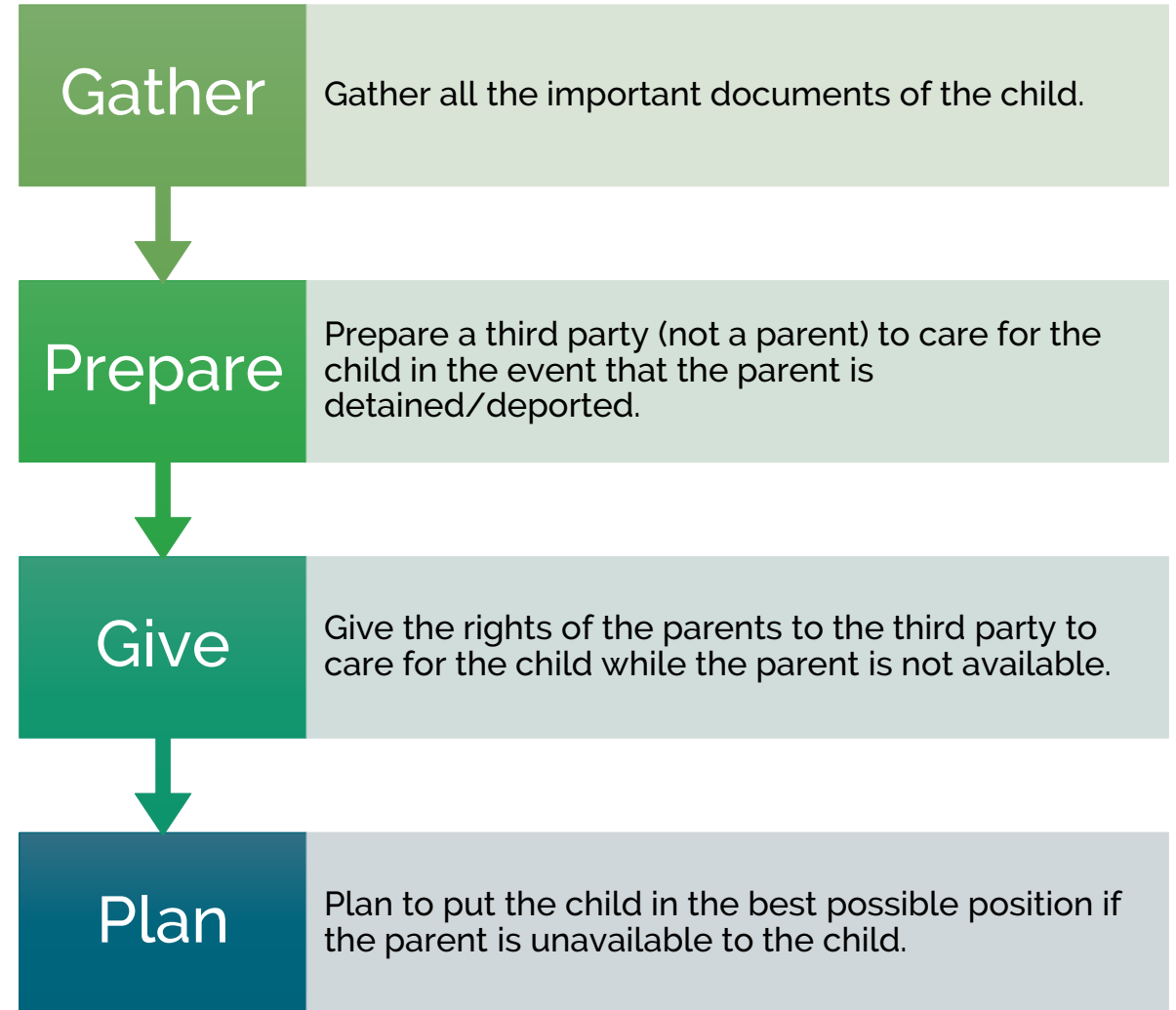
What do you do with it?

Limitations...

How can you help?



Goal of the Safety Plan



How Does a Parent Pick a Third Party?

- Someone over the age of 18
- Should be documented (ideally US Citizen)
- Able to take care of the child (emotionally, financially, and however else the parent would like)
- Local - to physically get to the child
- Someone who will carry out the parent's wishes when it comes to the child

Safety Plan Contents

- School/daycare emergency contact information
- Immunization and medical records
- Intention of Parents for Care for Minor Child
- Durable Power of Attorney for Parental Powers
- Birth Certificate
- Social Security Card
- Passport

School/Daycare Emergency Contact

Who can pick up
the child if the
parents are not
available?

Person who will
make decisions for
the child should
be on this list

Every
school/daycare
has different form



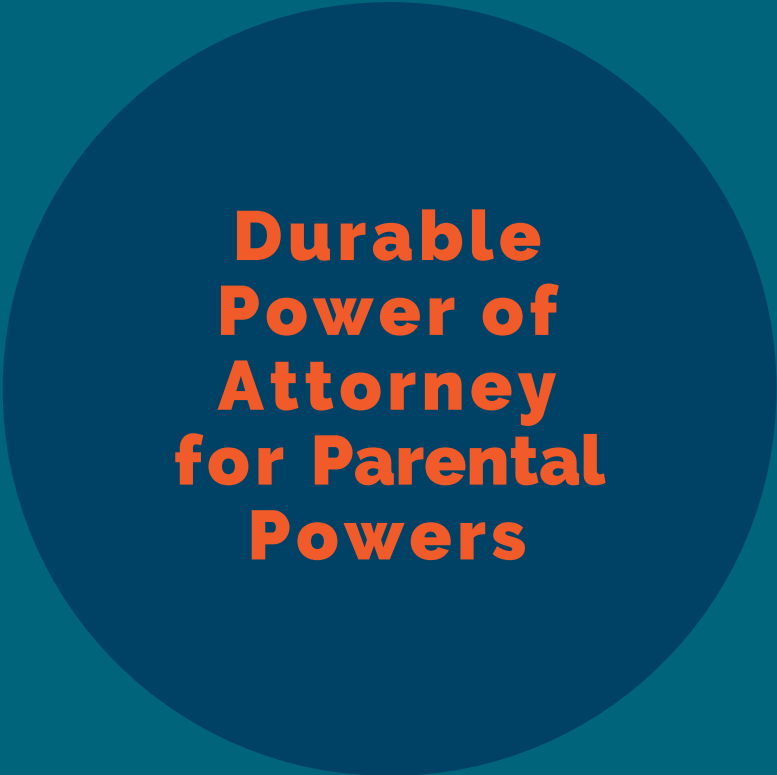
Child Immunization and Medical Records

- Make sure they are up to date
- Get latest record – school, doctor or WA health dept.
- Other specialists
 - Allergists
 - Dentist
 - Eye doctors
 - Special needs

Intention of Parents for Care of Minor Child

WHAT DO PARENTS WANT TO HAPPEN TO THE CHILD IF THEY ARE DETAINED/DEPORTED?

- Child remains in residential care of ___?
 - Should be someone with status
 - Ideally a relative
 - Someone geographically close to the child
 - Put contact information on lines below (address and phone number)
 - Can write in other plans
- Child will be reunited with me wherever I am
 - This can be home country
 - Put contact information on lines below (address and phone number)
- One parent not available: sign later with notary if parent is able to sign but not present at time of document signing. If parent not available at all, may not be honored.
- Notarize or 2 witnesses must sign when parent signs



Durable Power of Attorney for Parental Powers

POA ACTUALLY TRANSFERS THE INTENTIONS LEGALLY

- Gives the third party (non-parent) ability to make education, medical and travel decisions for child
- Person should also be listed on:
 - School/daycare emergency
 - Intention of Parents for Care for Minor Child
- Effective upon signature
- Expires 24 months after date signed (RCW 11.130.145)
- Revokable
- One parent not available: sign later with notary if parent is able to sign but not present at time of document signing. If parent not available at all, may not be honored.
- Notarize or 2 witnesses must sign when parent signs

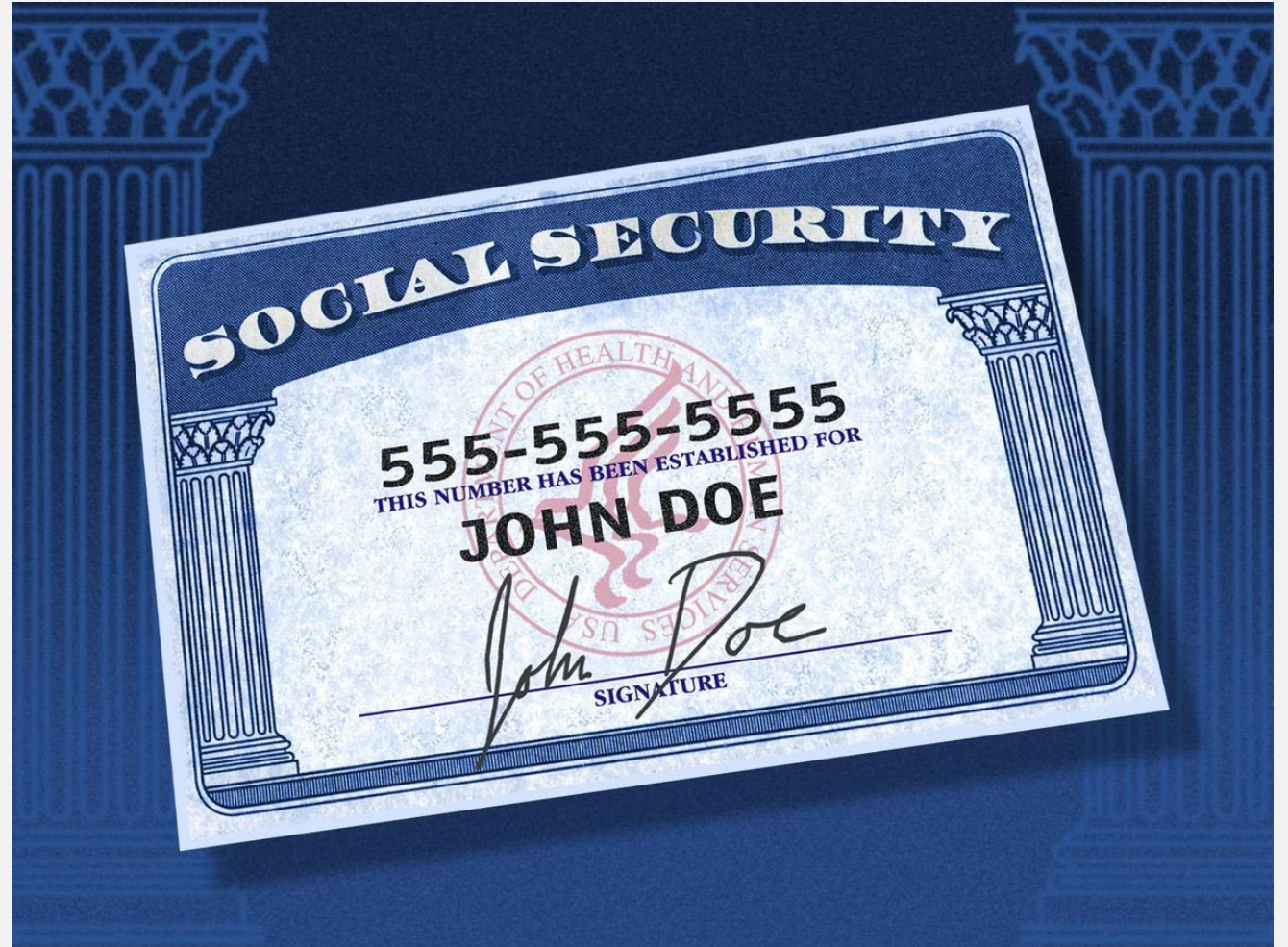
Birth Certificates



- Get them!!
- Make sure the spellings and names are accurate and consistent
- Check to see if there is a mother and father listed
 - If only one parent listed, that is the only parent that needs to sign documents, unless a family court order states otherwise
- Each state has a different process
- If another country, work with Consulate
- There is a fee (up to \$40.50)

Social Security Card

- Applies to US Citizens
- Requires original or certified copies of identification
- Need to prove identity of child AND the parent
 - If parent without status, should not matter
- No fee





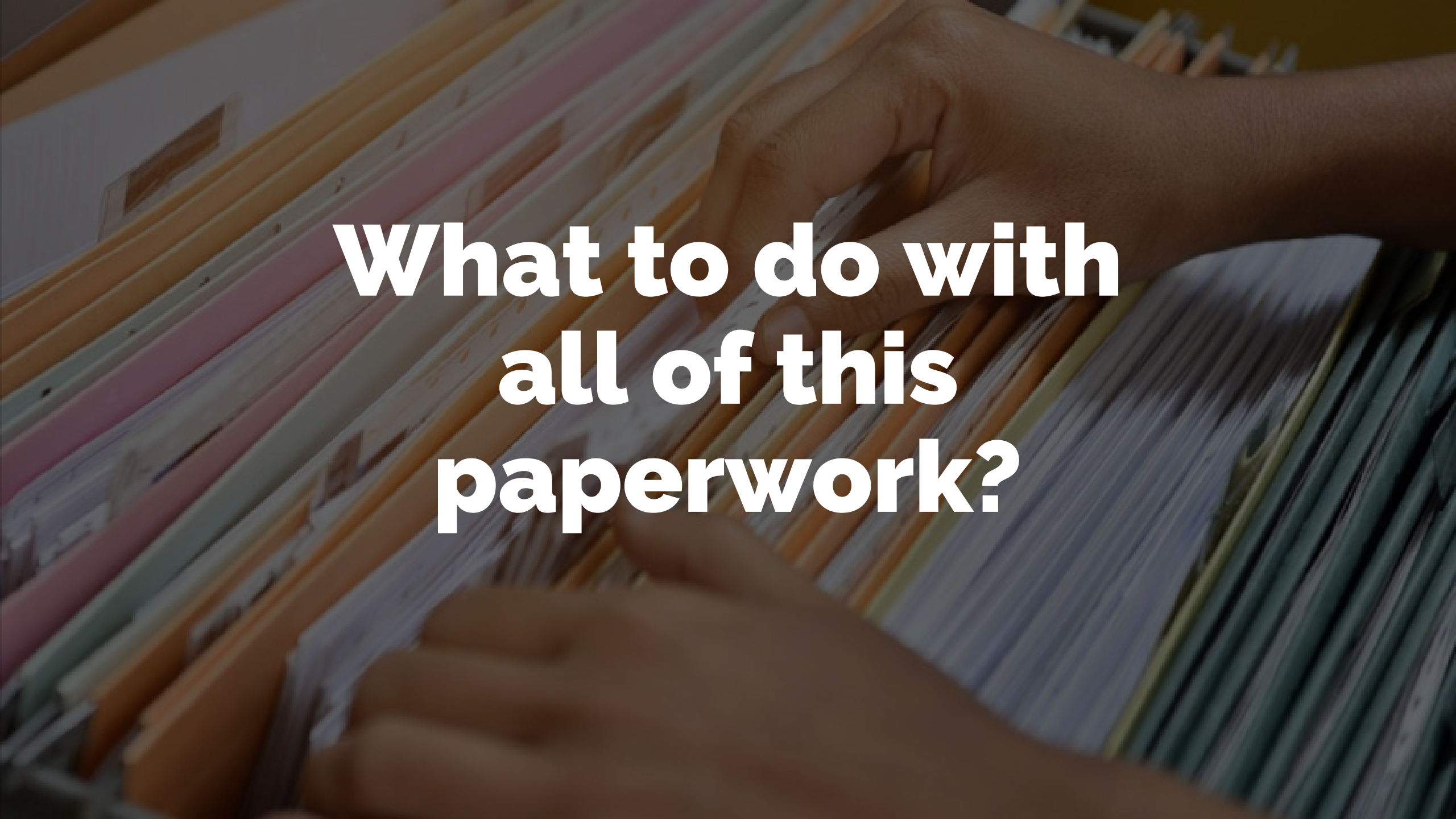
Passports

US CITIZENS – ASAP

- Very hard to get without parents' signatures
- Will need if child needs to travel outside of US
- Requires signatures from both parents or affidavit from missing parent at appointment
- Need to prove citizenship
- Passport photos
- Fees (around \$105)

PASSPORTS FROM OTHER COUNTRIES

- Will possibly need if child needs to travel outside of US
- Work with consulate
- Serves as identification for possible benefits in that country

A close-up, slightly blurred photograph of a person's hands sorting through a large volume of papers in a filing cabinet. The papers are organized into folders with colorful tabs (orange, pink, green, blue). The text "What to do with all of this paperwork?" is overlaid in white, bold, sans-serif font.

**What to do with
all of this
paperwork?**



**Create a file,
shoebox or place
that will hold all
of the paperwork
for each child**

Put all originals here
(except Intention and
Power of Attorney)



**Create an
electronic copy
if possible
(not on your
phone)**



**Make 3 copies of
the Intention and
Power of Attorney**

Original to the third-party caregiver
Copy for the parent to put in file
Copy and fold, put in plastic bag
and put in child's backpack

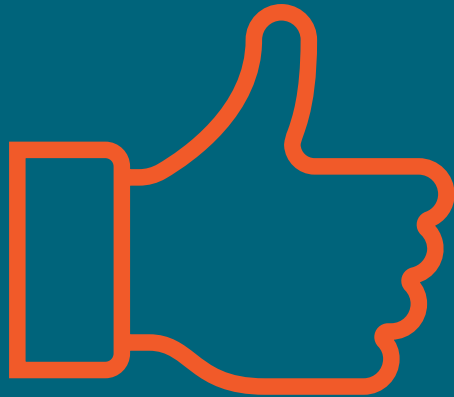
Ensure that all interested parties have access to the paperwork,
especially the caregiver and child if child is old enough



Tricky Situations

- Tough topic to talk about – parents, caregivers, children
- Do I need to notarize?
- Does this transfer legal custody?
- Parent not available?
- Dual citizen children?
- No third party available?
- What happens if CPS gets involved?

How can you help us?



Spread the word

Give the ISP out for free

Help people fill out the ISP and collect documents

Share KYR information

Donate & Volunteer

lccwa.org/donate

lccwa.org/pbc

Important Contacts

- Northwest Immigrant Rights Project
<https://www.nwirp.org/get-help/> or
Immigration Attorney
- Consulate
- Third party
- WAISN - <https://www.waisn.org/>

Important Numbers

- **Seattle:** 206-587-4009/ 800-445-5771
- **Granger:** 509-854-2100/ 888-756-3641
- **Wenatchee:** 509-570-0054 / 866-271-2084
- **Tacoma:** 253-383-0519 (detained) / 253-235-9279
 - Immigration Attorney
 - Consulate
 - Third party
 - WAISN Hotline - 1-844-724-3737



Resources

- Legal Counsel for Youth and Children
www.lcycwa.org
- Northwest Immigrant Rights Project
www.nwirp.org
- Washington Law Help
www.washingtonlawhelp.org
- Washington Immigrant Solidarity Network
www.waisn.org



Contact Info

Chach Duarte White

chach@lcycwa.org

206-494-0323 x706

The logo for Legal Counsel for Youth and Children (LCYC) is displayed in a large, orange, hand-drawn style font.

Legal Counsel for
Youth and Children

The logo for Abogados para Jóvenes y Niños (LCYC) is displayed in a large, orange, hand-drawn style font.

Abogados para
Jóvenes y Niños

NORTHWEST IMMIGRANT RIGHTS PROJECT

Presenter:
Mozhdeh Oskouian
NWIRP's Co-Deputy Director
January 14, 2025

Northwest
IMMIGRANT
RIGHTS
Project

Northwest Immigrant Rights Project (NWIRP)

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1. **Who we are**
2. **Our services**
3. **How to contact us**
4. **Basic concepts in immigration law**
5. **A quick word or two on the incoming administration's fear mongering tactics**
6. **Know Your Rights**
7. **Resources**
8. **Questions**



About NWIRP

- Only organization in Washington State that provides comprehensive immigration legal services for low-income community members, all services are free.
- Our focus is primarily on direct legal services.
- We also engage in: impact litigation, community education, advocacy.
- We have four offices: Seattle, Tacoma, Granger, Wenatchee,

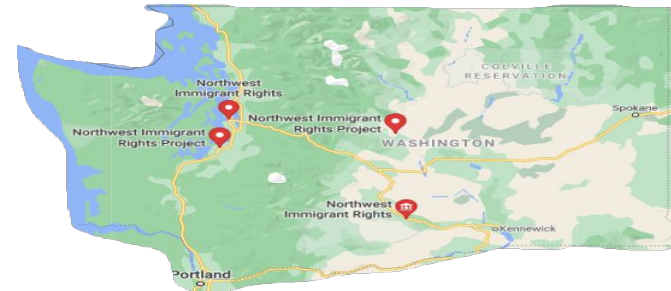
Services that NWIRP provides

1. **Consultations**
2. **Information**
3. **Representation (full representation, limited services, or pro se assistance)**
4. **Community presentations and workshops**



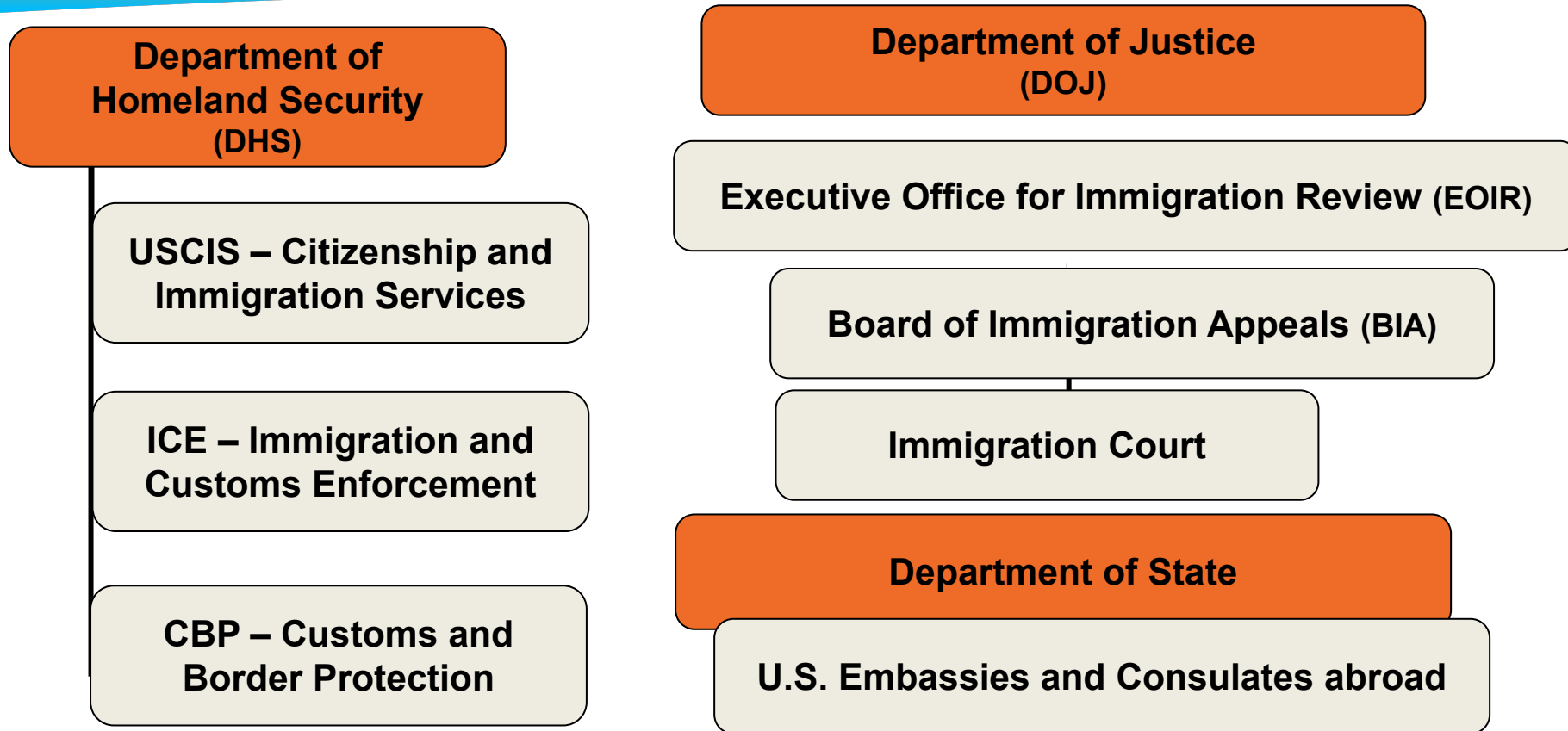
How to contact us

- Seattle: 206-587-4009/800-445-5771/seattlefrontdesk@nwirp.org
- Tacoma: 253-235-9279/TSUintake@nwirp.org
 - Detained community members can reach out by emailing:
Tacoma@nwirp.org / 253-383-0519 or 877-814-6444
- Granger: 509-854-2100 OR 888-756-3641/
grangerintake@nwirp.org
- Wenatchee: 509-570-0054 OR 866-271-2084
wenatcheeintake@nwirp.org



Basic Concepts in immigration law

Terminology of Immigration Agencies



Immigration Court/Deportation Proceedings



- Two courts in our region:
Seattle: Non-detained cases
Tacoma: Detained cases at NW Detention Center

- Important: There is NO right to an appointed attorney in immigration court if the person cannot afford private attorney.
- Many people are forced to represent themselves:
 - Approximately 35 % of removal cases in WA are represented
 - ~90% of detained cases in Tacoma are unrepresented!!!
 - Legal representation matters:
 - Those detained who have lawyer are 10 times more likely to win their case
 - For non-detained, it's 5 times more likely

Citizens and Non-Citizens

- **U.S. Citizens (USC):**

Born in U.S., Naturalized, Acquired/Derived (even if born abroad)

- **Non-Citizens: Three General Categories:**

Lawful Permanent Residents (LPR) = “Green Card” Holders

Asylees / Refugees

Difference is where you obtain status

Current annual refugee cap is 125,000.

By way of contrast, during the first Trump presidency the administration dropped the cap to 15,000 in Oct. 2020.

Temporary Legal Status:

Students, Temporary Workers, Visitors/Tourists, TPS, U visas

Undocumented: Visa Overstays/Entered w/o permission

Why “Undocumented Immigrant”?

How to obtain a Green Card

- Through a Family Member (around 65%)
 - Many eligibility/admissibility requirements, including lawful entry or paroled)
- Through Employment Visa (around 14%)
- Asylum / Refugee Status (14%)
- Others
 - Diversity Visa
 - Humanitarian Protections
 - VAWA, U visa, T visa

What do people in deportation proceedings need to know

- Do you have an A number?
- Make sure your court has been moved to Seattle or the nearest immigration court
 - <https://acis.eoir.justice.gov/es/800-898-7180>
 - If you do not show up for your court date, you may be given a deportation order
- Do you have appointments with ICE?
 - <https://www.ice.gov/es/reportarse>
 - (206) 277-2000
- You can get a Washington State ID or driver's license



What is a notice of appearance

Your A number

Notice to Appear

U.S. Department of Homeland Security

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED] FINS #: [REDACTED] File No: [REDACTED]
DOB: [REDACTED] Event No.: [REDACTED]

In the Matter of:

Respondent: [REDACTED] currently residing at:
[REDACTED] (Number, street, city and ZIP code) [REDACTED] (Area code and phone number)

☐ 1. You are an arriving alien.
☒ 2. You are an alien present in the United States who has not been admitted or paroled.
☐ 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of HONDURAS and a citizen of HONDURAS;
3. You arrived in the United States at or near [REDACTED], on or about [REDACTED], [REDACTED];
4. You were not then admitted or paroled after inspection by an Immigration Officer.

The immigration court
where your hearing will
be scheduled

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:
212(a)(5)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30(f)(2) ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:
5701 Executive Center Drive Suite 400 Charlotte NC US 28212

(Complete Address of Immigration Court, including Room Number, if any)

on a date to be set at a time to be set to show why you should not be removed from the United States based on the charge(s) set forth above.

Date: April 10, 2018

NICHOLAS E. MUNOZ
(Signature and Title of Issuing Officer)
McAllen, Texas
(City and State)

See reverse for important information

Form I-862 (Rev. 08/01/07) N

The Incoming Administration's fear mongering

A word or two about the incoming administration's expressed threats against the immigrant community

A word or two about the incoming administration's expressed threats against the immigrant community

1. Immediate mass deportation
 - a. The administration will neither have the manpower nor the infrastructure in place to engage in immediate mass deportations
 - i. However, community members with prior orders of removal will be in particular risk as ICE will be able to track them. This is why family planning is very important.
 - b. If and when the administration starts worksite raids and mass removals, they will still not be able to trample of the immigrant communities constitutional rights. There will be litigation.
2. What can you do if you are detained by immigration at work during an immigration raid?
 - a. Call 1-844-724-3737, a hotline to report raids in your communities
 - b. If you are detained at the detention center in Tacoma, you can call us at: (253) 383-0519 or (877) 814-6444
 - c. Text "ICE" or "Migra" to 509-300-4959 to receive news about raids in your community.
 - d. Make a family plan in case you are separated from your children or family members.
3. Taking away birthright citizenship under the 14th Amendment. Even if they do try to take this on, the issue will be litigated for years. Hence, no immediate threat.

A word or two about the incoming administration's expressed threats against the immigrant community - continued

What can the administration do?

- Expansion of expedited removal operations
 - a. Definition: summary expulsion process. No due process b/c at the border.
 - b. Currently the administration limits expedited removal to community members who entered the country within 14 days of being apprehended and were apprehended within 100 miles of the border. However, the incoming administration can expand this process to its statutory limit by starting to apprehend community members who have been in the United States for two years or less and are found within 100 miles of the border.
- Programs like DACA, DALE, and TPS are on vulnerable ground.
 - If Trump challenges there will be litigation.
- Bears reminding: some programs, such as TPS and various other forms of humanitarian relief, such as VAWA, U and T visas, have a statutory basis. So they cannot be taken away without a challenge and a change in the law.
- However, as the Sec. of Homeland Security does have options. For example, the Dept. in charge of designating certain countries for TPS protection can refuse to extend such protections in the future. Please remember that the ones that have been granted will remain in effect.
- Also, for other forms of humanitarian relief the secretary can make it difficult for people to apply. The secretary can raise the fee for various types of applications or place particularly onerous conditions on filings.
- The secretary can also slow-walk applications by re-assigning designated officers to do other work.

How will Washington State respond to the incoming administration's anti-immigrant policies

- Keep Washington Working (WA. S.'s sanctuary state law)
 - A State law that came into effect in May 2019. Prevents local law enforcement from engaging with ICE to enforce federal immigration laws.
 - NWIRP recently sued Adam's County Sheriff for engaging in just such a conduct.
- Sanctuary city/state. There is no real definitions. However, Washington State recognizes the value of all its people and will not arrest people for federal civil immigration violations.
 - Please remember that this does not prevent the federal law enforcement from doing so.
- Difference between sanctuary city/state and "sensitive locations:"
 - Sensitive location is a federal immigration policy. Likely to be rescinded. The policy says there are locations ICE agents should not enter, including places of worship, schools, hospitals...

Know Your Rights

WE ALL HAVE RIGHTS



Everyone (regardless of legal status) has basic rights under the constitution

- Right to remain silent
- Right to be safe at:
 - Home
 - Your car
 - On the street or at work
- Right to labor protections
- Right to due process
- Right to gather peacefully
- Right to equal protection

- Home: If immigration wants to enter your home, they need a court order from the federal district court.
- This order must have your name and correct address on it. It must also be signed by a federal judge.
- **Orders signed by ICE or an immigration judge are not valid in these situations.**
- If you do not have a court order signed by a judge, do not give ICE permission to enter or search your home.
- If immigration is knocking on your door, **DO NOT OPEN THE DOOR.**

Examples of the two different warrants for arrest

Orden de la corte – legítima
la puerta

Orden de inmigración – no abra

AD-204 (Rev. 10-2012) Search Warrant

United States District Court

SOUTHERN DISTRICT OF FLORIDA

In the Matter of the Search of
HOME, JAMES A. RODRIGUEZ, U.S. Sheriff, and any Authorized Officer of the United States
RESIDENCE OF: JAMES A. RODRIGUEZ, LOCATED AT
1011 W. 10TH STREET, MIAMI, MIAMI-DADE
COUNTY, FLORIDA

SEARCH WARRANT

TO: SAs Mary A. Rodriguez, U.S. Sheriff, and any Authorized Officer of the United States

Address(es) having been made known to me by SAs Mary A. Rodriguez who has known to
before, that () on the premises of or () on the premises known to me as described below:
THE RESIDENCE OF JAMES A. RODRIGUEZ, LOCATED AT 1011 W. 10TH STREET, MIAMI, MIAMI-DADE COUNTY,
FLORIDA.

in the SOUTHERN District of FLORIDA, State of FLORIDA, Sheriff of Miami
conducted a search of the premises, currently known to me as described below:
THE PREMISES OF JAMES A. RODRIGUEZ, DATE OF BIRTH DECEMBER 1, 1981, A NATIVE AND CITIZEN OF CUBA.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so
described is now concealed on the premises above-described and lawfully grounds for the issuance of this
warrant.

YOU ARE HEREBY COMMANDED to search on or before _____ at _____
(not to exceed 10 days) the person or place named above, the person or property specified, making this warrant and
making the search of the premises named above, at any time in the day or night as I find reasonable cause
has been established and if the person or property be found, I shall cause, having a copy of this warrant and
receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly
return the same to the U.S. District Court for the Southern District of Florida, Miami, Florida.

U.S. District Court
Southern District of Florida
Miami, Florida

**FIRMA DEL JUEZ
"JUDICIAL OFFICER"**

ORDEN DE LA CORTE

**NOMBRE
Y DOMICILIO CORRECTO**

**Immigration and Customs
Enforcement**

Warrant of Removal/Deportation
Pursuant to Section 217

File No. _____

To any Officer or Employee of the United States Immigration and Customs Enforcement:
Pursuant to Section 217 of the Immigration and Nationality Act, an authorized officer of the United
States Immigration and Customs Enforcement has ordered that

(Full Name of Alien)

who entered the United States at or near _____ on or about _____ a subject to
removal/deportation from the United States, based upon a final order by:

☒ an Immigration Judge in exclusion, deportation, or removal proceedings
☒ a District Director or a District Director's designated Official
☒ the Board of Immigration Appeals
☒ a United States District or Magistrate Court Judge

be deported from the United States of America. I, the undersigned Officer of the United States, by
virtue of the power and authority vested in the Attorney General under the laws of the United States
and by his or her direction, command you to take into custody and remove from the United States the
above-named alien, pursuant to law, at the expense of appropriation "Salaries and Expense,
Immigration and Naturalization Service, 2007", including the expenses of an attendant, if
necessary.

(Signature of INS Official)
Field Office Director/Dallas, TX
(Title of Authorized Official)

(Date)

**UNA ORDEN DE LA MIGRA
NO LE DA PERMISO AL
OFICIAL ENTRAR A SU
CASA...PERO**

**ES PROBABLE QUE ICE LO
BUSQUE EN UN LUGAR
PUBLICO CON ESTE TIPO
DE ORDEN.**

Know Your Rights: traffic stops

- **You always have the right to remain silent.**
- You can refuse to answer any questions about your criminal or immigration history.
- Ask the officers why they stopped you, and if they have a warrant for your arrest.
- If not, inform them that you refuse to speak with them or allow them to search you and you want to leave.
- You can leave if you are not under arrest.

Right to labor protections

- You have the same workplace protections as any other worker in Washington State
- You have the right to be paid for your work.
- You have the right to leave work after work hours.
- You have the right to receive workers' compensation if you are injured on the job.

Community Resources

Resources:

- www.nwirp.org
- www.waimmigrantsolidaritynetwork.org
 - Fantastic resources page in multiple languages.
- www.protectingimmigrantfamilies.org
- www.washingtonlawhelp.org

Community resources continued

- Nonprofit Agencies:
 - National Immigration Legal Services Directory:
 - www.immigrationadvocates.org/nonprofit/legaldirectory/
 - Executive Office for Immigration Review Roster of BIA-Recognized Agencies:
 - www.justice.gov/eoir/find-legal-representation
- Private Immigration Attorneys:
 - American Immigration Lawyers Association (AILA) Referral Service: www.ailalawyer.com
- Non-Immigration Legal Questions:
 - www.washingtonlawhelp.org