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Latin American and Caribbean Cultural Heritage Archives (LACCHA) and the Society of American Archivists (SAA)

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# Immigrant Rights & Records Literacy



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Desmantelando Fronteras/Breaking Down Borders  
SAA LACCHA Webinar, March 27, 2017

# Objectives

- Latino Literacy, Librarians & Archivists in Boston (LAB)
- Records Literacy
- Conclusion

# Latino Literacy LAB

Linking Latino  
Information Needs  
to Librarian and  
Archivist Outreach  
in Boston, MA

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# Latino Immigrant Community, Boston

- 215,400 Hispanic population in the greater Boston area
- \$24,000 median income (compared to \$58,263)
- 38.5% speak Spanish at home

# Immigrant Rights

ALA 2006-07 Resolution to Support Immigrant Rights:

“...That ALA strongly supports the protection of each person's civil liberties, regardless of that individual's nationality, residency, or status”

#LibrariesRespond

@Concerned\_Arch

REFORMA Statement on Human Rights

# Records Literacy

**Creating Surrogate Archives**

**Reading Warrants**

**Documenting Raids**

# Creating Surrogate Archives

## Copies of records...

- Legal Passport, driver's license, car registration
- Financial, Bank account, tax id, mortgage contract
- Health, Vital records, medical records, medications
- Family, School registration, family telephone #s, kids health records

## ...kept in the custody of a trusted third party

- Power of Attorney and Legal Guardianship



# Reading Warrants

- ICE Administrative Warrant for Removal/Deportation
- Judicial Search or Arrest Warrant

# ICE Warrant

\_\_\_\_\_  
(Full name of alien)  
who entered the United States at \_\_\_\_\_ On \_\_\_\_\_  
(Place of entry) (Date of entry)

Immigrant Name

is 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

Pending Court Order

## Warrant of Removal/Deportation

File No: \_\_\_\_\_

Date: \_\_\_\_\_

Type of warrant

US707701 12-22 FAX 5208787801 FFD 6/002

U.S. Department of Justice  
Immigration and Naturalization Service

### Warrant of Removal/Deportation

File No: \_\_\_\_\_  
Date: \_\_\_\_\_

To any officer of the United States Immigration and Naturalization Service:

\_\_\_\_\_  
(Full name of alien)  
who entered the United States at \_\_\_\_\_ On \_\_\_\_\_  
(Place of entry) (Date of entry)

is 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

and pursuant to the following provisions of the Immigration and Nationality Act:  
Section 241(a)(5) of the Immigration and Nationality Act (Act), as amended.

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 the appropriation. "Salaries and Expenses Immigration and Naturalization Service 2002," including the expense of an attendant if necessary.

\_\_\_\_\_  
(Signature of INS official)

\_\_\_\_\_  
(Title of INS official)

\_\_\_\_\_  
(Date and office location)

\_\_\_\_\_  
(Signature of INS official)

\_\_\_\_\_  
(Title of INS official)

\_\_\_\_\_  
(Date and office location)

-ACLU

Form I-205 (Rev. 4-1-97)

Officer Signature

# Judicial Search/Arrest Warrant

## Court Order and Type of Warrant

The Premises Known As,

Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, and all its appurtenances, parking areas, and outdoor working areas

Defendant.

Defendant Name and Address

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,  
Plaintiff,

v.

The Premises Known As,  
Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, and all its appurtenances, parking areas, and outdoor working areas  
Defendant.

CIVIL NO. 06-457 JSM

**ORDER  
FOR WARRANT FOR  
ENTRY ON PREMISES TO  
SEARCH FOR ALIENS  
WHO ARE IN THE UNITED  
STATES WITHOUT LEGAL  
AUTHORITY**

The United States of America, having filed an application to authorize officers of United States Immigration and Customs Enforcement to enter the building on the premises described above in order to search for persons who are aliens in the United States without legal authority, together with an Affidavit and memorandum of Points and Authorities in support of the application, and the Court finding on the basis of the affidavit that there is probable cause to believe that located within the business premises described above are persons who are aliens in the United States without legal authority and subject to removal proceedings pursuant to Section 240 of the Immigration and Nationality Act, 8 U.S.C. § 1229a (1996).

**-ACLU**

IT IS THEREFORE ORDERED that the officers of U.S. Immigration and Customs Enforcement are authorized to enter the building and

**ORDER  
FOR WARRANT FOR  
ENTRY ON PREMISES TO  
SEARCH FOR ALIENS  
WHO ARE IN THE UNITED  
STATES WITHOUT LEGAL  
AUTHORITY**

described herein and to make such search as to the aliens present in the United States, altered, or imposter documents possessed by persons who are not lawfully entitled to reside

within the United States and who are employed at present within Swift, Inc. (See Attachment B). In making this search, the agents of ICE are authorized to enter any locked room on the premises in order to locate persons who may be such aliens in the United States without legal authority and, if any such persons are found on the premises, to exercise their authority pursuant to section 287 of the Immigration and Nationality Act, 8 U.S.C. § 1357, to question them to determine whether they are such aliens and, if there is probable cause to believe

IT IS FURTHER ORDERED that the officers of ICE and Customs Enforcement shall conduct the search for a period of ten (10) days from its return to this Court and search have been completed.

Dated: December 8, 2006

*Janie S. Mayeron*  
JANIE S. MAYERON  
United States Magistrate Judge

*Janie S. Mayeron*  
JANIE S. MAYERON  
United States Magistrate Judge

Judge's Signature

# Documenting Raids

- Photography
- Video
- Phone Apps

## FILMING THE POLICE

Be ready and willing to act as an eyewitness. Good witnessing can de-escalate a situation, help someone confronted by police, and provide valuable documentation for advocacy and justice.

**STEP 1 Know your rights.** It is legal to film police in the **United States**, as long as you don't interfere and comply if you're told to back up. Exercising your rights while respecting officers' requests can be a balancing act; look to ACLU, NLG, EFF, or local copwatchers for guidance.



» Learn more about your rights at [bit.ly/ACLU\\_Right2Record](http://bit.ly/ACLU_Right2Record)

**STEP 2 Prep your phone.** Video takes up lots of space, so pay attention to storage. A password (not Touch ID) is essential for protecting photos and videos from searches under the Fifth Amendment. Having auto backup can save footage to the cloud if it's lost, deleted, or confiscated.



» The police can't search your phone without your consent or a warrant, but they can take it as evidence.

**STEP 3 Film with intention.** Assess the risks before filming. Stay calm and film long, steady and uncut shots. Capture as much of the encounter - beginning to end - as you can. Film key details and other sources of evidence. Write down additional details and info shortly afterwards.



» Hold each shot steady for at least 10 seconds!

**STEP 4 Think before sharing.** Think about how your video can make an impact, and how you can protect yourself and those you film. Instead of immediately uploading to social media, consider first going to a lawyer, the victim or their family, or local activists.



» Preserve the original file and make copies if you plan to edit it.

FILMING POLICE - USA - V 1.0 | [LIBRARY.WITNESS.ORG](http://LIBRARY.WITNESS.ORG)



## WHAT TO CAPTURE?

Filming for human rights can be dangerous. Be safe. Be ethical. Be effective.

### IMAGES

*Key Details: Weapons, bullet holes, injuries, blood stains, surrounding area, distances, badges/helmet/license plate numbers, uniforms/indications of ranking, police formations, others observing/filming - including supervisors giving orders, surveillance cameras, etc.*

*Multiple angles can add context: birds-eye view, wide shots, medium shots, close ups*

*Location, Time, Date: Film a landmark, street sign, watch, newspaper, etc., so it's easier for lawyers and investigators to verify the content in the video.*

### AUDIO

*Let the video speak for itself. Refrain from adding narration or commentary. Attorneys need to hear what the police are saying.*

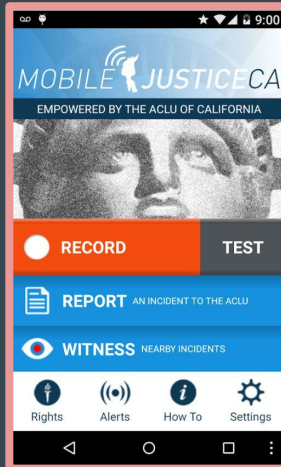
*Testimony: If safe, collect contact info and preliminary statements from consenting witnesses so attorneys can contact them later on. It may be safer and more efficient to take written notes rather than use video.*

*Announce yourself: If it will not escalate the situation, let the person being detained know that you are there to observe and document the cops' behavior.*



Find more resources, case studies and articles on documenting police abuse in the U.S. at [bit.ly/WML\\_FilmThePolice](http://bit.ly/WML_FilmThePolice).

FILMING POLICE - USA - V 1.0 | [LIBRARY.WITNESS.ORG](http://LIBRARY.WITNESS.ORG)



# Providing Services

- Assistance copying records
  - Xerox, Notifica app
- Identifying resources
  - AALL SR-SIS, Immigration Advocates Network
- Legal Clinics
  - Oakland Public Library, Brooklyn Public Library
- “Know Your Rights” Workshops
  - Los Angeles Public Library, Milwaukee Public Library
- Video Documentation Workshops

# Conclusion

- Latino Immigrants
- Librarians & Archivists in Boston
- Literacy
  - Preserving records
  - Recognizing types of warrants
  - Exercising constitutional rights

# Contact

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# Resources

- [#Libraries Respond](#): Immigrant, Refugees, and Asylum Seekers Toolkit
- [Know Your Rights \(Warrants\)](#), ACLU
- [Notifica app](#) sends select contacts personalized texts in case of emergency
- [AALL SR-SIS](#) Immigration Lawyer Assistance Google Doc
- [Immigration Advocates Network](#) Low Cost and Free Legal Services Resource
- [Lawyers in the Library](#) Oakland Public Lib, [Immigrant Justice Corp](#) Brooklyn Public Lib
- [Know Your Rights \(Presentation\)](#), Los Angeles Public Lib
- [Mobile Justice App](#), ACLU
- [Witness](#) How-To Guides