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**Brief Teaching Guide:
Know Your Rights & Supporting
Immigrant Patients in Healthcare**

## **Check in:**

## Pause and reflect on the impact of the immigration policies on our patients and on ourselves.

## Acknowledge we each bring our own history and experience to this work, and for some of us, these issues are very personal.

## **Know Your Rights for Patients (from** [**ACILEP**](http://acilep.org)**)**

* **You have the right to remain silent**
	+ You have the right to remain silent and refuse to speak to immigration officers.
	+ Do not answer any questions, such as “Where are you from?”, “Where were you born?”, “What’s your nationality?”, and clearly state, “I want to remain silent”
	+ You cannot be deported without evidence proving that you are not a U.S. citizen. Avoid saying anything about where you are from, where you were born, what your nationality is or how you entered the United States.
	+ Carry a know-your rights card with you, and if stopped, show it to the officer. The card explains your right to remain silent and your wish to speak with an attorney.
* **You have the right not to disclose your identity to ICE**
	+ You have the right not to disclose personal information about your identity. You cannot be deported without evidence that you are not a U.S. Citizen.
	+ Do not provide any personal documents to ICE that could be used to identify you as a foreign national, such as a birth certificate, passport, or consular ID card (matricula consular, for Mexican Citizens).
	+ If you have valid immigration status, you may carry a copy of your immigration documents, such as a green card. However, avoid carrying the original document to prevent them from being lost or stolen.
* **Do not open the door**
	+ You have the right to refuse to open the door to an ICE agent who cannot show you a valid judicial warrant signed by a judge. If an ICE agent claims to have a warrant, request that they slide it under the door or hold it up to a window.
	+ An administrative warrant issued by ICE is not equivalent to a valid judicial warrant. A valid judicial warrant must be signed by a judge and have your correct name and address.
	+ Remember, you do not need to open the door to talk to ICE, and once the door is open, it becomes much harder to refuse their questions.
	+ You have the right to refuse a search – Without a valid warrant, you can say, “I do not consent to a search.”
* **You have the right to speak to a lawyer and to refuse to sign any documents**
	+ You have the right to speak to a lawyer. If you are stopped, you can say, “I need to speak to my attorney”
	+ Do not sign anything without first talking to a lawyer.
* **If you have children and are worried about being arrested**
	+ If you are the primary caregiver for a U.S. citizen or permanent resident child under 18, let the officer know you have children, ICE may “exercise discretion” and decide to release you.
* **Stay calm and do not run**
	+ This could be used against you. If detained, ask for a lawyer immediately.
* **Know Your Rights Card/Red Card:**



* [The ACLU has great videos on this - let’s watch them (or at least one of them) together!](https://www.wehaverights.us/) They are available in multiple languages

**2) How Healthcare Providers Can Support Immigrant Patients**

* **See** [**EveryoneBelongsHere.net**](http://everyonebelongshere.net) **for resources**
* **Provide Patients with Resources:**
	+ Everyone should get a red card
	+ Encourage patients to develop
		- A [Preparedness Plan](https://www.everyonebelongshere.net/copy-of-ice-raids-detentions)
			* Identify emergency contacts.
			* Gather key documents (IDs, medical records, power of attorney for children).
			* Ensure children have a caregiver plan if a parent is detained.
	+ Share additional resources including community training, legal aid and support
* **Do Not Document Immigration Status in medical record**
* **Understand Public Charge**
	+ Many healthcare services (emergency Medicaid, WIC, CHIP, community health centers) are NOT considered in public charge determinations.
	+ Learn more [here](https://www.everyonebelongshere.net/copy-of-patient-provider-rights)
	+ Public charge rules do not apply to all immigrants; consult legal experts for guidance.
* **Provide Safe and Welcoming Spaces**
	+ Mark Private/Public spaces
	+ Display “Safe Zone” or “We Welcome All Patients” signs.
	+ Train staff on immigrant rights and non-discrimination policies.
* **Offer Phone Visits**
	+ Families may be hesitant to leave home; be flexible with visit type
* **Know what to do in case of ICE raid- see Blue Card**
	+ Develop a plan for your clinical setting
	+ Designate an authorized person to interact with ICE
	+ See [Blue Card](http://everyonebelongshere.net) for additional actions

