



An Overview of Immigrant Rights for Food Bank Member Agencies

This document is part of the Food Bank's *All Are Welcome* Campaign. The campaign's goal is to provide immigration law information as it pertains to guests of food assistance programs, to communicate the rights of immigrants and program staff and volunteers; and to make it clear to people in need that *All Are Welcome* to come for food assistance, regardless of immigration status.

This is general information only. It is not legal advice, nor is it tailored to your specific agency or situation.

If you or a guest need legal advice, talk to a qualified immigration lawyer. The handouts provided in this packet are from the National Immigration Law Center (<https://www.nilc.org/get-involved/community-education-resources/know-your-rights>).

Check their website regularly for updates.

Common Terms:

- **ICE** - U.S. Immigration and Customs Enforcement is an American federal law enforcement agency under the United States Department of Homeland Security.
- **Illegal immigrant** - there is no designation. Referring to people this way is disrespectful. No human is illegal.
- **Undocumented immigrant** - a foreign-born person who does not have the legal right to stay in the US. This includes individuals who enter the country without proper documentation such as a visa and those who have overstayed the time allotted by a visa. A person typically gets to stay in the U.S. for 6-months at a time, even with a 10-yr visa visitor pass. Visa visitors do not qualify for any federal benefits.
- **Green cards** - officially known as a Permanent Resident Card. People carry these if/when they are living in the U.S. lawfully as a Legal Permanent Resident. In general, people with green cards cannot get benefits from any federal or state agency/program for the first 5 years of lawful residency.

Critical Facts to Know:

1. Community agencies should not give information about your guests even if ICE is at the door.
2. Social service agencies do not have an obligation to collect immigration status, only the Rhode Island Department of Health and Human Services needs to. The Food Bank *strongly discourages* our members asking for non-essential information from their guests, including immigration status.
3. It is *strongly suggested* that your agency establish a protocol to follow should ICE come to your agency's door.
4. Raids are not allowable at hospitals, schools, churches, or social events.
5. ICE cannot come into a home or a private area of your agency without a judicial warrant. You have the right to ask to see a warrant and to ensure it is correct. The warrant must be from the U.S. District Court, not Immigration Court. Warrants should also have the EXACT name, spelled correctly, on it and signed by a U.S. District Court judge. See sample copies in the packet.
6. There is a U.S. Citizenship and Immigration Service Office in RI. **This is not a court.** It is where immigrants can go for a variety of services and if they are court-ordered, it is where they go to periodically check-in to ensure that they are in compliance with their court order. Visiting this office does not qualify as an Immigration court visit. People may have to go to visit this office AND go to Immigration Court. Note: RI courts will never ask for immigration status of a client.
7. The closest Immigration Court is in Boston. If someone is called to court, they should go! Most people called to court are OK to stay in the U.S. under certain conditions. If people miss a mandated court appearance, they will be subject to immediate deportation.

2023 All Are Welcome Campaign packet components include:

1. Bilingual Rights cards
2. KNOW YOUR RIGHTS *Everyone has certain basic rights, no matter who is president* (English & Spanish)
3. IMMIGRATION ENFORCEMENT *Know Your Rights at Home and at Work* (English & Spanish)
4. 2023 RICFB Community Resource for Refugees & Immigrants (English & Spanish)
5. *All are Welcome* signs (English, Spanish, Portuguese, Russian, Cape Verdean Creole) – Post in your agency space where guests can view them.