



League of United Latin American Citizens (LULAC)

<https://lulac.org/>

Educational Guide and Action plan to Clarify and Reaffirm the Human and Civil Rights of Undocumented Immigrants in California and in other States

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Artist: Manuel Unzueta: "Jesús Crossing the Border"

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SCOPE AND PURPOSE

The purpose of this Guide is to provide LULAC members and other like-minded pro-immigrant activists with advice and information to address the invidious anti-immigrant actions of the Trump Administration and its Immigration Customs and Enforcement (ICE) agency in our immigrant communities. Many of the provisions cited in this guide are applicable in other states across the nation.

THE LUNACY OF THE TRUMP ADMINISTRATION'S ASSAULT ON UNDOCUMENTED WORKERS

The U.S. Chamber of Commerce (Baseline), educated economists and workforce researchers across the nation have for decades made it irrefutably clear that immigrants, whether documented or not, are the lifeline to the quality of life for most people in this country. Immigrants, mainly of South and Central American descent (e.g. Mexican), are the primary source of willing and low-cost labor for the agriculture, construction, hospitality, meat packing, childcare, and ranching industries within this country (a partial listing). Please know that our organization does not condone the meager and inequitable wages that most employers pay immigrant workers. Nearly all these industries will collapse without the immigrant workforce, with the result being the loss of access to critically needed services and consumable products (e.g. affordable food on the table) by the U.S. population.



BACKGROUND INFORMATION

During his first presidential campaign, Donald Trump made promises to his anti-immigrant supporters, that if elected he would immediately proceed to deport all undocumented immigrants in the U.S. Now in his second term, he has again launched a mass deportation effort through the U.S. Immigration and Customs Enforcement agency (ICE).

Following is a listing of objectives designed to further educate and empower pro-immigrant activists and the immigrant community about their immigrant rights when confronted by ICE.

OBJECTIVE 1

To clarify and understand the motives and actions of the Trump Administration and ICE



The recommended action to achieve Objective 1 is to read and understand available information regarding the historical use of immigrant bashing to achieve personal and political opportunistic objectives by unethical and invidious politicians. In effect, Donald Trump exploited the portion of U.S. residents that are immigrant intolerant by promising them during his campaign that he would rid the nation of

their presence if elected. Trump’s public dispersion of mischaracterizations (lies) about people of South and Central American (e.g. Mexicans) origin is a clear indicator of his abhorrence towards this population.

OBJECTIVE 2

To clarify the power and authority of an Executive Order

The recommended action to achieve Objective 2: Awareness is the first step towards achieving any measure of success in any social justice movement. Since January 2025, President Trump has used his authority, pursuant to Article II of the U.S. Constitution, to issue ten various **Executive Orders** (E.O.) to propel his promises to carry out mass deportations of undocumented immigrant workers. However, it is important to know that a president cannot repeal a constitutional amendment such as the Civil Rights Act of 1964.

The Power and Limitations of Executive Orders

“An executive order is an official document signed by the president that declares government policy. In an executive order, a president is giving instructions to government agencies and departments about how to operate in a certain area. An executive order is legally binding [if it is only enforcing an already existent federal law], and written into the official journal of the government, the Federal Register. Each executive order is numbered. Executive orders cannot reverse a law passed by Congress. Limited in scope, their sweep isn’t as broad as a piece of legislation. President Trump can overturn any of President Obama’s executive orders, just as Trump’s successor can overturn anything he signs while in office.” (Liptak)

<http://www.cnn.com/2017/01/23/politics/donald-trump-executive-orders-executive-actions/>
<http://www.usnews.com/news/politics/articles/2016-10-31/what-can-the-president-really-do>

OBJECTIVE 3

To clarify the authority or absence of authority of a president to repeal Supreme Court decisions such as **Plyer vs Doe (1982)** which prohibits public school officials (K-16) from cooperating with ICE or other agencies to promote adverse actions against immigrant students (and their family members) in public school settings based on their immigration status.

As noted, pursuant to Supreme Court ruling Plyer versus Doe (1982), public school officials within the K-16 system of this nation are prohibited from exposing immigrant children, students, or their families to adverse actions (e.g. deportation) at the hands of ICE agents or other law enforcement officials. The provisions of the Plyer decision include the following. Public school officials cannot:

- Treat a student differently to determine residency.
- Engage in any practices to "chill" the right of access to school.
- Require students or parents to disclose or document their immigration status.
- Make inquiries of students or parents that may expose their undocumented status.
- Require social security numbers from all students, as this may expose undocumented status.

<http://www.k12.wa.us/MigrantBilingual/ImmigrantRights.aspx>

<http://www.cde.ca.gov/re/lr/cl/cefistatus.asp>

The recommended action to reaffirm the provisions of the Plyer ruling as noted in Objective 3 is for LULAC Councils, LULAC District offices, and/or other like-minded supporters, to reach out to their County school offices and every school district within their county to ensure that those institutions will continue to abide by Plyer vs. Doe (Supreme Court ruling) guidelines to protect the privacy and safety of all immigrant students.

The following link opens to every County School Superintendent's Office in California which includes name and title of the current Superintendent, their mailing addresses, phone numbers, and personal email addresses. The actual encounter with the Superintendent should be conducted in person between LULAC representatives and/or advocates and Superintendents. If you find or see any evidence that your respective school district(s) is violating the Plyer ruling, contact your local federal legislator immediately. Thus far, the LULAC State Office has not found nor heard of any pro-ICE activities by any public-school office within California. <http://ccsesa.org/members/directory/>



OBJECTIVE 4

To clarify the power and authority of a president to repeal the safeguards of legislation such as **Assembly Bill 540 and the California Dream Act of 2011** which, among other things, prohibits college and university officials from exposing immigrant students to adverse actions by ICE or other immigration agencies

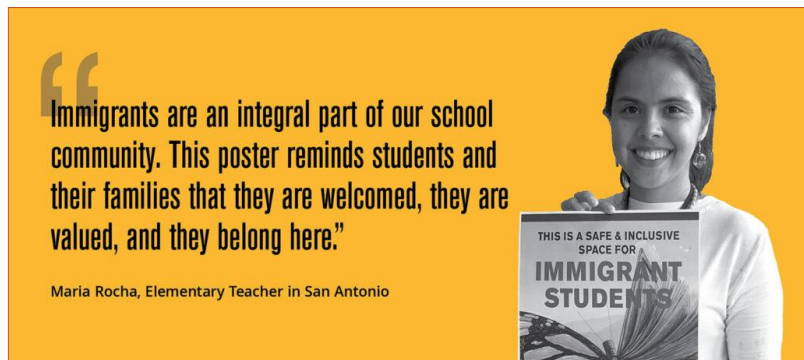
Pursuant to Assembly Bill AB 540 (2001) and the California Dream Act that was signed into law by Governor Brown in 2011, undocumented individuals who meet the included criteria, are eligible to attend public colleges and universities in California without fear of disparate or

adversarial treatment by college officials. College officials are therefore obligated to refrain from exposing undocumented students to deportation actions. In effect, public colleges and universities are presently mandated per state law to act in the capacity of sanctuary settings.

The following excerpt from Laney College in California represents the standard policy for colleges and universities within California and about seven other states across the nation:

“The information a student shares with a college or university is protected by federal law. This information cannot be shared with anyone, including immigration officials. The information that the student provides to the college is protected by the federal Family Educational Rights and Privacy Act (FERPA) of 1974. The school cannot legally share this information with third parties including the Department of Immigration and Naturalization (INS), now the Immigration and Customs Enforcement (ICE).”
<http://www.laney.edu/wp/ab540/privacy/>

The recommended action to achieve Objective 4 is California specific, that LULAC Councils, District Offices and supporters reach out to their area colleges and universities to ensure that all respective officials are committed to abiding by the requirements of Assembly Bill 540 and the California Dream Act Of 2011. The following is a listing of the online contact directories for the California Community Colleges, the California State University system, and the University of California system. To locate the college president or superintendent, simply call the posted main number on the website for a given campus or district office and ask to be connected to the President, or Superintendent or Chancellor’s office. This should be the main official that you or your



organization will want to address regarding your interest to have existing safeguards reaffirmed.

<http://californiacommunitycolleges.cccco.edu/Districts.aspx>

<http://admission.universityofcalifornia.edu/campuses/>

<http://www.calstate.edu/admission/documents/CSUAdmissionOffices.pdf>

There are a total of eighteen states in the U.S. where colleges and universities maintain provisions and safeguards similar to California's AB 504 and the California Dream Act of 2011 pro-immigrant initiatives. All these provisions are rooted in state legislative enactments that are not subject to federal scrutiny.

California
Colorado
Connecticut
District of Columbia
Hawaii
Illinois
Maryland
Massachusetts
Minnesota
Nevada
New Jersey
New York
Oregon
Rhode Island
Texas
Utah
Virginia
Washington

Source: <https://www.newsnationnow.com/us-news/immigration/states-give-undocumented-students-tuition/>

OBJECTIVE 5

To clarify the power and authority of local law enforcement agencies to perform or not perform ICE duties within our local communities.



There is no federal law in existence that obligates local law enforcement agencies to act in the role of ICE agents. The president cannot force local police to go out into their community and enforce federal immigration laws. The president can “deputize” and give permission to local police to act in the role of ICE agents but it’s not a legally binding action. The decision as to whether a local police department will act like ICE agents is left up to the people and elected officials of a given town or municipality, not the president. In the past local law enforcement in states like Alabama have empowered local police to aggressively profile and detain undocumented immigrants. As a result of the vicious and relentless actions of local police in that state (circa 2011 to the present) there was subsequently a mass voluntary exodus of immigrant families to other states. In this case, the agricultural industry in Alabama was decimated, thereby putting many farmers into a state of bankruptcy – the cost of persecuting essential immigrant workers.

https://www.huffpost.com/entry/alabama-immigration-law-farms_n_58c1d07fe4b0ed71826b55e0

Local police departments that volunteer to actively enforce ICE policy are required to first obtain a federal **287 (g) Memorandum of Understanding (MOU)** with ICE. Pursuant to the MOU, local police who are sworn in by ICE to assist them must first receive federal immigration policy training. The 287 MOU’s are presently most prominent in places like Alabama, Georgia, and Florida. For a general overview of the 287 (g) memorandum and its history, open the following link:

<https://www.ice.gov/identify-and-arrest/287g/287g-archive> (ICE and MOU 287)

To determine which communities across the nation presently have 287 (g) MOU agreements, open the following, first link, to the Homeland Security website. In California, only Orange County is listed as having a 287 (g) agreement with ICE. However, if you open the second link provided below by a community-based group, you will read that there are other counties in California that reportedly have a 287 (g) MOU in place, including Los

“ICE agents are arresting migrants showing up for their immigration hearings and readying them for deportation” – Independent News UK, Feb. 18, 2025

<https://www.independent.co.uk/news/world/americas/ice-arrest-immigration-hearings-court-b2700382.html>

Angeles, Riverside, San Bernardino, and the City of Costa Mesa. It is important to know that most County Sheriff's departments across the state, regardless of whether they have a 287 (g) MOU in place, cooperate with ICE in situations where they have a person in custody that is about to be released. They are reportedly required to conduct a data-base check on all individuals to determine if they are undocumented. Anyone found to be undocumented is disclosed to ICE who then has the option of going to the jail to intercept and detain the person about to be released.

In effect, there are two levels of possible cooperation between local police and ICE. The jail-only form of cooperation is the process just explained about people who are about to be released. Make sure that you know which level of involvement police in your community are performing. The second level of cooperation would be that of stopping and questioning immigrants on the street, a practice that LULAC and all other civil rights organizations deem to be a form of racial profiling that is banned by the Fourteenth Amendment and the Civil Rights Act of 1964.

<https://www.ice.gov/factsheets/287g>

<http://docshare01.docshare.tips/files/3483/34837319.pdf>

The recommended action to achieve Objective 5

is that every LULAC District Office and supporters reach out to their local law enforcement agencies to obtain a reaffirmation that they will continue to refrain from collusion with ICE and/or obtaining a 287 (g) MOU of cooperation with ICE. On the following pages is an English and



Spanish language version of the actual letter that was generated in Ventura County, whereby all local police agencies issued a collective letter reaffirming their intent to not participate in ICE activities. The result of distributing this letter was that it helped to put many immigrant families and supporters at ease regarding the intention of local police. One of the most disturbing results of Trump's actions is that he has created an incredible atmosphere of fear within immigrant communities, the universal fear that parents and individuals have of being separated from their children or spouses. The fact that many immigrant members of our communities are mistakenly believing that some local police are assisting ICE has added undue fear and stress to the situation. On the **following pages** are actual letters from police departments in Ventura County that exemplified their policy and their right to not collaborate with ICE officials within the communities they serve.



GREGORY D. TOTTEN
District Attorney

VENTURA COUNTY

INTERIM CHIEF ROBERT
ALBERTSON
Port Hueneme Police
Department

SHERIFF GEOFF DEAN
Ventura County
Sheriff's Office

**LAW ENFORCEMENT
COORDINATING COMMITTEE**

INTERIM CHIEF DAVID
LIVINGSTONE
Simi Valley Police
Department

CHIEF KEN CORNEY
Ventura Police
Department

CHIEF SCOTT WHITNEY
Oxnard Police Department
Chair

CHIEF SCOTT WHITNEY
Oxnard Police
Department

CAPTAIN TERRY
ROBERTS
California Highway
Patrol

February 9, 2017

With the president's recent immigration orders, local law enforcement leaders have received numerous inquiries about their role in enforcing immigration laws. As law enforcement leaders within Ventura County, we felt it was important to re-emphasize our longstanding practices in this area.

To be very clear, Ventura County law enforcement has not historically participated in the direct enforcement of immigration laws. We do not intend to change that practice.

A safe community needs an effective police department. In order to be an effective police department we need the trust and cooperation between residents and the officers sworn to protect them. We do not want the fear of immigration status to inhibit the members of our communities from interacting with their police officers, particularly when they are victims or witnesses in criminal cases.

However, we do believe that those who commit crimes that result in their incarceration in county jail and are in our country illegally should be referred to federal authorities for review of their immigration status. This procedure has been in place for years. Between September 2015 and September 2016, over 27,000 people were booked into our county jail from various law enforcement agencies. Of that number, only 238 (less than 1%) were removed by immigration officials. Their charges ranged from homicide, rape, possession of weapons, to driving while under the influence.

Once again, we want to reassure our communities that we intend to continue our practice of NOT participating directly in field level immigration enforcement. We deeply appreciate and value the trust and confidence Ventura County law enforcement shares with our communities and look forward to your continued support. (end of letter)



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California Highway Patrol

CHIEF SCOTT WHITNEY
Oxnard Police
Department

Las agencias de policía del condado de Ventura no van a participar en la aplicación de ICE

9 de Febrero, 2017

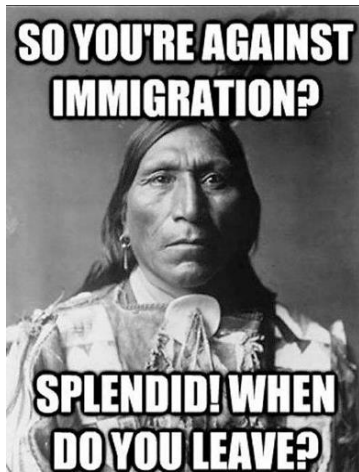
Con las recientes órdenes de inmigración del Presidente, los líderes locales del departamento de policía han recibido preguntas numerosas sobre su papel en la aplicación de las leyes de inmigración. Como líderes de la ley en el Condado de Ventura, sentimos que era importante volver a enfatizar nuestras prácticas que han estado por mucho tiempo en esta área.

Para ser muy claro, históricamente la policía del Condado de Ventura no ha participado en la aplicación directa de las leyes de inmigración. No tenemos la intención de cambiar esta práctica.

Una comunidad segura necesita un departamento de policía eficaz. Para ser un departamento de policía eficaz y para proteger a la comunidad necesitamos la confianza y la cooperación entre los residentes y los oficiales. No queremos que el temor al estatus migratorio impida a los miembros de nuestras comunidades a que tengan una relación con la policía, especialmente cuando son víctimas o testigos en casos criminales.

Sin embargo, creemos que aquellos que cometen delitos que resultan en su encarcelamiento en la cárcel del condado y que están en nuestro país ilegalmente deben ser referidos a las autoridades federales para revisar su estatus migratorio. Este proceso ha estado en vigor durante años. De este número, sólo 238 (menos el 1%) fueron removidos por oficiales de inmigración. Sus cargos iban desde el homicidio, la violación, la posesión de armas, hasta la conducción bajo la influencia. Una vez más, queremos asegurar a nuestras comunidades que tenemos la intención de continuar nuestra práctica de NO participar directamente en la aplicación de la ley de inmigración a nivel de las agencias de policía. La policía del Condado de Ventura aprecia y valora profundamente la confianza que comparte con nuestras comunidades y esperamos su apoyo continuo."

Hazards of 287 MOU's pertaining to the undocumented who are detained



According to the Coalition for Humane Immigrant Rights in Los Angeles, “Because immigration detainees are not guaranteed state-provided legal representation, the vast majority of detainees have no means by which to effectively defend themselves, even though some may have legitimate cases. Immigration detainees have fewer rights than prisoners in the criminal justice system because immigration is considered a civil offense. Many detainees effectively relinquish their rights by signing voluntary deportation orders, the implications of which many do not fully understand.”

Racial profiling is a violation of the Civil Rights Act of 1964. It also specifically violates the provisions of the Fourteenth Amendment of 1868, as stated by the American Civil Liberties Union (ACLU), “Racial profiling is patently illegal, violating the U.S. Constitution’s core promises of equal protection under the law to all and freedom from unreasonable searches and seizures. Just as importantly, racial profiling is ineffective. It alienates communities from law enforcement, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people they are sworn to protect and serve.” (ACLU)

OBJECTIVE 6

To advocate for the intervention of state and federally elected officials to protect their immigrant constituents from the unconstitutional actions being used by the ICE agency.

Excerpt: Fourteenth Amendment of the U.S. Constitution

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” (Encyclopedia Britannica)

Trump’s Executive Orders (E.O.) in 2017 prescribed very broad powers to ICE agents and local police that choose to jump on his bandwagon. His ten January 2025 E.O.’s pertaining to deportation efforts are no different in that they too provide broad powers.

The recommended action to achieve Objective

6 is for our Councils, District offices, and like-minded supporters to reach out to their respective state and federal elected officials to encourage them to stand up for our communities and our constitutional rights to not be racially profiled or persecuted because of their non-Christian religion (e.g. Muslim). In specific, we are recommending that our elected officials defend the right of every person in this country to due process of law, meaning that a person should never be approached by an ICE agent simply because of their physical characteristics or their religious beliefs, a clear violation of the Civil Rights Act and equal protection of the law under the Fourteenth Amendment.



OBJECTIVE 7

To clarify the privacy and sanctuary rights of immigrant patients while physically present in a health care facility waiting or receiving medical care.

According to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), a person’s medical records and personal information is confidential and cannot be released to anyone without their permission. Trump has made it clear that he wants to dismiss people’s privacy rights, and he has inserted that kind of language into his Executive Orders. However, as outlined in the U.S. Constitution, the president of the U.S. cannot repeal federal laws or create new ones. Though these are not his words, an analogy of what he intends to do is “we will do as much as we can get away with.” Congress passed into law the HIPAA enactment (Public Law 104-191) in 1996, and it remains in full force today. It cannot be repealed by a president or an Executive Order.

In the past, ICE intrusions into places like health care clinics to question patients has been handled by protective clinic staff in the following manner: They simply move the waiting patients into examination rooms which are still considered sacred territory that is off-limits to everyone except the patient and physician. In some cases, health care administrators have directly and immediately phoned their elected federal officials to have them stop the violation of patient privacy rights.

The recommended action to achieve Objective 7 is that our members be fully aware of the basic right to confidentiality that patients have pursuant to HIPAA. It is also recommended that our members and supporters reach out to the main health care providers in their respective communities, especially emergency rooms at hospitals, to find out if they plan to uphold the provisions of HIPAA should any ICE agents wander into their facilities to question patients.

OBJECTIVE 8

To obtain and distribute clarification as to the safeguards and civil rights of immigrants approached at their home by ICE agents; “what to do if ICE knocks on your door.”



The recommended action to achieve Objective 8 is for Councils, District offices, and supporters to read and distribute the ACLU’s written listing of civil rights for undocumented individuals when confronted by ICE agents. See Appendix C, Page 21, Item 3, for Spanish version. It is furthermore recommended that our members share and post this information on their websites and distribute this information to their immigrant communities which may include

enlarging and posting signs at churches and other places of congregation. Nearly every state in the nation has an ACLU office. Here is the ACLU recommended response to “the knock on the door.”

ACLU: What to do if ICE knocks on your door

Presented by: Damián Birchir, ACLU Artist Ambassador for Immigrants Rights

- (1). If officers are at your door, keep the door closed and ask if they are Immigration agents, or from ICE. Ask the agents what they are there for. Opening the door does not give the agents permission to come inside, but it is safer to speak to ICE agents through the door. If the agents don’t speak your language, ask for an interpreter.
- (2). If the agents want to enter, ask them if they have a warrant signed by a judge. If ICE agents do not have a warrant signed by a Judge, you may refuse to open the door or let them in. An administrative warrant or removal form immigration authorities is not enough. If they say they have a warrant, ask them to slip the warrant under the door.
- (3). Look at the top and at the signature line to see if it was issued by a court and signed by a judge. Only a court/judge warrant is enough for entry into your premises. One issued by DHS or ICE and signed by a DHS or ICE employee is not. Do not open your door unless ICE shows you a judicial search or an arrest warrant *naming a person in your residence and/or areas to be searched at your address*. In all other cases, keep the door closed. State: “I do not consent to your entry.”
- (4). If agents force their way in anyway, do not attempt to resist. If you wish to exercise your rights, state: “I do not consent to your entry or to your search of these premises. I am exercising my right to remain silent. I wish to speak with a lawyer as

soon as possible.” Everyone in the residence may also exercise the right to remain silent.

(5). Do not lie or show false documents. Do not sign any papers without speaking to a lawyer. If you need more information, contact your local ACLU affiliate at aclu.org/affiliates.

To contact the ACLU in the Southern California area, call their Los Angeles office at (213) 977-9500. They have Spanish and English-speaking attendants.

The following link opens up to every ACLU office in California:

https://en.lawinfopedia.com/pro-bono/ctg-ACLU-Pro-Bono?msclkid=0ee511fb9d88190ab569764aac4507c8&utm_source=bing&utm_medium=cpc&utm_campaign=Legal%20EN%20-%20Desktop%20-%20CPC%20-%20Adw%20-%20ACLU%20%231&utm_term=aclu%20office%20near%20me&utm_content=aclu%20near%20me

OBJECTIVE 9

To provide members and supporters with information and a strategy regarding sanctuary opportunities at churches in their respective communities

There are many churches throughout California and across the nation that have declared that they are prepared to provide sanctuary to immigrants being persecuted by ICE and/or any other immigration agency.

The recommended action to achieve Objective 9 is that LULAC councils, district offices, and supporters reach out to their respective church community to identify which churches are offering sanctuary to persecuted immigrants. It is furthermore recommended that you ask and find out what specific types of support they can provide. Some churches that our State Office examined provide more than just basic sanctuary shelter. They also provide resources to help with legal support, etc. The links below include news stories about sanctuary churches that will help you to get an idea of which churches to seek out in your area. A listing of sanctuary churches should be compiled and printed for distribution to the immigrant community. Public postings in targeted communities are one avenue to reaching potential victims of ICE activities.

According to staff from the Immigration Clinic at the University of Texas Law School, sanctuary churches are protected under the Fourth Amendment’s provision for reasonable search and seizure, as well as the Fifth Amendment’s provision for due process of law. In fact, ICE is required to obtain a search warrant before entering a

church and that warrant needs to be based on credible due cause before it is approved and signed by a judge. ICE also has a standing policy put into place by a “sensitive locations” memo and understanding that “according to ICE’s sensitive locations memo, written in 2011, agents are not to conduct raids at or near a church, school, or hospital.” (Hoffman)

The following first link opens to a news story about ICE agents that have willfully violated the church sanctuary policy of their own agency. The important thing for civil rights activists to remember is that ICE will impose whatever “the market will bear.” In other words, they will use whatever tactic they believe they can get away with. It will be up to local communities and their connection to local legislators to force ICE to abide by the laws of the land.

The following links provide background information on sanctuary churches in general. One of the local sanctuary churches in the Ventura County area is the Unitarian Universalist Church of Ventura, located as follows:

Unitarian Universalist Church of Ventura
5654 Ralston Street
Ventura, CA 93003
Jennifer Luce, Administrator
805-644-3898, extension 100

<https://unitarianuniversalistventura.org/community-service-justice/immigration-justice/>

<https://www.opb.org/article/2025/02/01/augustana-lutheran-church-sanctuary-immigrants/>

<https://www.latimes.com/politics/story/2025-01-29/faith-leaders-react-after-trump-rescinds-memo-preventing-immigration-arrests-in-churches>

<https://www.npr.org/2025/01/26/nx-s1-5273652/church-safe-haven-history-immigrants>

California Teachers Resource link to help immigrant students

The following link opens to a support website that is sponsored by the American Federation of Teachers (AFT).

<https://www.aft.org/our-community/immigration/standing-united/standing-united-protect-rights-immigrant-students-and>

OBJECTIVE 10

To provide pro-immigrant activists and supporters information that will help them reach and educate undocumented families about their civil rights when directly confronted by ICE agents.

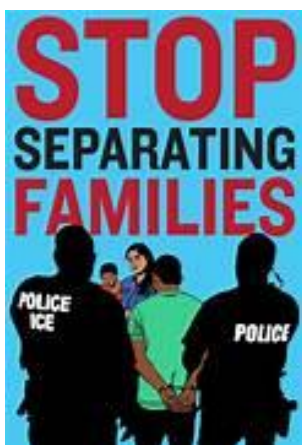
One of the most effective ways to reach immigrant families regarding safeguards against ICE is through the public school system. This investigator checked with the top public-school officials in my community (Ventura County). The same can be done with school districts across the nation. They advised on what their institution can legitimately do to reach and educate undocumented families about their civil rights. Public schools routinely hold meetings with parents to address various concerns. Some of these meetings are exclusively designed to assist the Spanish-speaking community. I was advised that school officials welcome any information from community members that is designed to benefit these families. School and Superintendent offices can provide you with a schedule for the noted meetings.

Circulating information such as what the ACLU has provided (see Appendix, Page 21, Item 3) at places immigrants frequent such as the farm fields, mercados (marketplaces), churches, and other public places can serve to reach many people. Ask recipients of the printed items you give them to make copies to share with family and friends.

One school official informed this investigator that he has frequently been interviewed on Spanish radio stations regarding immigrant rights. Communities with a significant Spanish and indigenous language (e.g. Mixteco) speaking populations usually have local radio stations that reach thousands of listeners. In the Ventura County area, the pro-indigenous people's organization MICOP will assist with outreach to the indigenous Mexicano community. <https://mixteco.org/>

OBJECTIVE 11

To provide undocumented parents with a possible safeguard to help them protect their children from being taken away by ICE, whether the children are U.S. citizens or not.



In the Appendix beginning on Page 21, Item 1 and 2, there is an English and Spanish version of a Power of Attorney form designed to allow parents to designate a family member, friend, or other trusted acquaintance with the acquirement and caretaking of their children so that ICE agents cannot take and separate them from the control and oversight of their parents. This form was obtained from a pro-immigrant group in Oxnard, California known as vcdefensa.org. Also, the University of California at Berkeley (UCB) has posted a rather informative listing of undocumented immigrant rights when confronted by ICE agents. For example, here is one of the listed items in the UCB posting: "If you are the parent or primary caregiver of a U.S. citizen or permanent resident who is under age 18, ICE *may* "exercise discretion" and let you go."

UC Berkeley link:

<https://undocu.berkeley.edu/faq/specific/know-your-rights-if-you-have-encounter-ice-officer>

Objective 12

To understand ICE's use of highly invasive secret technology to track undocumented immigrants known as the "Stingray" and "Crossbow" tactic.



The American Civil Liberties Union (ACLU) has exposed the use by ICE of highly invasive tracking technology that targets the cell phone of certain undocumented immigrants. It is, however, important to note that presently that technology is only being used by ICE to track and apprehend undocumented immigrants with a criminal history. Currently, ICE is not using that technology to track undocumented immigrants who are clear of any criminal

history. The ACLU's main concern is that the "Stingray" and "Crossbow" tactics are so secretive and non-transparent that it allows ICE to possibly ignore the due process and privacy rights of targeted individuals. ICE has gained access to the personal cell-phone information of thousands of immigrants by purchasing that data from mobile service companies. The following link opens to ACLU's rather detailed account of the matter at hand. (*Painting above: By the late Chicano artist Carlos Almaraz, 1989*)

<https://www.aclu.org/news/immigrants-rights/ice-records-confirm-that-immigration-enforcement-agencies-are-using-invasive-cell-phone-surveillance-devices>

The following second link, Cloudwards, informs a person how to block ICE from accessing your cell phone information. According to Cloudwards, the quick answer to blocking ICE is to have your mobile cell phone company disable the Legacy 2G feature on your cellphone settings. However, all the big mobile cell companies are gradually moving away from 2G technology. ICE is already trying to access more recently developed cell phone company security bases. The 2G, 3G, 4G, and 5G technology has to do with the communication and transfer of your outgoing calls to base stations (aka Towers). Presently ICE is intercepting what certain callers are sending out through their cell phones. Please open and read the Cloudwards information below if you want a thorough understanding of how to block ICE from invading your cellphone privacy.

Obviously, this information, once condensed in plain English, will need to be translated into Spanish for use by the immigrant community.

<https://www.cloudwards.net/how-to-block-stingray-surveillance/>

EXPECTED OUTCOMES OF THIS GUIDE

The desired and expected outcomes of achieving the objectives addressed in this Guide are as follows. LULAC members and like-minded supporters:

1. Will acquire an understanding of the unconstitutional actions being put into motion by President Trump and the ICE administration (e.g. racial profiling).
2. Will learn and understand the limitations of President Trump's Executive Orders and the fact that he cannot repeal existent laws created by Congress or rulings issued by the U.S. Supreme Court, such as the Plyer versus Doe ruling of 1982, the Fourteenth Amendment of 1868, and the Civil Rights Act of 1964.
3. Will take action to reach out to certain public institutions (e.g. school districts) to make sure that they are committed to continue upholding existent law regardless of any coercive action to the contrary by the Trump Administration to implement his unconstitutional policies.
4. Will adhere to the outreach strategies noted in Objective 10 regarding ways to reach the immigrant community to provide them with information about their safeguards and civil rights when and if confronted by ICE.
5. Will share with undocumented parents and pro-immigrant acquaintances the forms in the Appendix (Page 21), Items 1 and 2 that are provided to help safeguard their children from ICE captivity and potential permanent separation from family.
6. Will share with one's respective immigrant community the Spanish version of the information provided per Objective 12 pertaining to ICE's invasive tactic to use the tracking of personal cell phone information to find and apprehend certain undocumented individuals.



CONCLUSION

There is no guarantee that knowing and reaffirming the civil rights contained within the U.S. Constitution (e.g. Fourteenth Amendment) will stop ICE in the immediate



environment from raiding our communities, racially profiling people of South and Central American ancestry (e.g. Mexicans) and violating federal law. There are also no assurances, for the time being, that ICE agents will not feel empowered to ignore the existent privacy rights of immigrants by approaching and entering public places, such as schools, churches, and hospitals, to profile and question people who they suspect may be undocumented immigrants.

Knowing the rights of immigrants and demanding that those rights be reaffirmed and upheld, will be the strongest leverage point that our members and supporters will have available to them when engaging their local, state, and federally elected officials. Over the course of recent history, especially in the southern California area, elected officials have played a

highly effective role in stopping ICE agents from taking adverse and unconstitutional actions (e.g. racial profiling) against the immigrant community. Elected officials will need to be encouraged to continue supporting constituents who stand up for the rights of immigrants. (Above photo courtesy of Cynthia Salas. Oxnard high school students, teachers, and parents marching to protest ICE presence in their community)

Reaffirmation of existent privacy and civil rights will also no doubt continue to be promoted by our legal experts among the various civil and immigration rights organizations across the country. Ultimately, organizations like LULAC will be encouraging the leadership within our civil rights community to unite and combine their legal expertise and resources. This much needed collective effort will increase our capacity to help protect the human and civil rights of undocumented, as well as documented immigrants in this country.

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APPENDIX

Because some of the attached items in this Appendix will probably be copied and used in actual form by recipients of this Guide and/or shared with others, we did not mark them with Appendix alpha headings. The noted forms described below are therefore listed in the following sequence.

- Item 1: Power of Attorney form in English to protect children from being taken away by ICE agents and/or separating them from their parents.
- Item 2: Power of Attorney form in Spanish to protect children from being taken away by ICE agents and/or separating them from their parents
- Item 3: Spanish version of American Civil Liberties Union's (ACLU) civil rights for immigrants being approached by ICE agents

Important: Parents should complete and notarize two attached Power of Attorney forms, the one in English and the one in Spanish. The one in Spanish provides the parent with a clear understanding of what the form entails. The one in English would most likely be for ICE agents who have confronted the family and are not literate in Spanish. LULAC would like to express its appreciation to the Oxnard activist organization Vcdefensa.org for its development and sharing of the Power of Attorney forms contained in this Appendix.

POWER OF ATTORNEY FOR CHILD

1. I, _____ of _____, am the parent or guardian of the following minor child:

_____ of _____, born _____ (the "Child").

2. I appoint _____ of _____, home/cell phone number: _____, work phone number: _____, email address: _____, to be my attorney-in-fact (the "Attorney-in-fact") with regard to the care and custody of the Child.

3. I hereby delegate to the Attorney-in-fact all my powers and responsibilities regarding the care and custody of the Child, except the power to consent to the marriage or adoption of the Child; the termination of parental rights to the Child; or the performance or inducement of an abortion on or for the Child, for the duration as herein set out.

4. The rights and responsibilities granted in this Power of Attorney for Child become effective upon the occurrence of the following event: RELOCATION OR DEPORTATION OF PARENT(S) and will remain in full force and effect until this Power of Attorney for Child is revoked in writing, or is terminated as required by law.

5. It is not my intention to relinquish my parental rights in and to the Child.

6. I agree that any third party who lawfully relies on the authority granted in this document shall not be held liable for any claims arising against them due to that reliance.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2025.

Warning: Do not sign this form if any of the statements above are incorrect, or you will be committing a crime punishable by a fine, imprisonment, or both

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of VENTURA

On _____, before me, _____
personally appeared _____, who proved to me on the basis of
satisfactory evidence to be the person whose name is subscribed to the within instrument
and acknowledged to me that he/she executed the same in his/her authorized capacity, and
that by his/her signature on the instrument the person, or the entity upon behalf of which
the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____(Seal)

PODER NOTARIAL PARA MENOR

1. Yo, _____, de _____, soy el padre o tutor del siguiente menor de edad: _____, nacido el _____ (el "Menor").
2. Designo a _____ de _____, con número de teléfono celular: _____, número de teléfono del trabajo: _____, dirección de correo electrónico: _____, para que sea mi apoderado (el "Apoderado") en lo que respecta al cuidado y custodia del Menor.
3. Por la presente delego al Apoderado todos mis poderes y responsabilidades con respecto al cuidado y custodia del Menor, excepto el poder para consentir el matrimonio o la adopción del Menor; la terminación de los derechos parentales sobre el Menor; o la realización o inducción de un aborto en o para el Menor, durante el período aquí establecido.
4. Los derechos y responsabilidades otorgados en este Poder Notarial para Menor se harán efectivos en el momento de la ocurrencia del siguiente evento:
REUBICACIÓN O DEPORTACIÓN DE LOS PADRES, y permanecerán en pleno vigor y efecto hasta que este Poder Notarial para Menor sea revocado por escrito, o sea terminado conforme a la ley.
5. No es mi intención renunciar a mis derechos parentales sobre el Menor.
6. Acepto que cualquier tercero que confíe legítimamente en la autoridad otorgada en este documento no será considerado responsable de ninguna reclamación en su contra derivada de dicha confianza.

EN TESTIMONIO DE LO CUAL, firmo este documento el día _____ de _____, 2025.

Advertencia: No firme este formulario si alguna de las declaraciones anteriores es incorrecta, o estará cometiendo un delito castigable con una multa, encarcelamiento o ambos.

CERTIFICADO DE RECONOCIMIENTO DE NOTARIO PÚBLICO

Un Notario Público u otro funcionario que complete este certificado solo verifica la identidad de la persona que firmó el documento al cual se adjunta este certificado, y no la veracidad, exactitud ni validez de dicho documento.

Estado de California

Condado de Ventura

En _____, _____, ante mí, _____, personalmente compareció _____, quien me demostró con evidencia satisfactoria ser la persona cuyo nombre está suscrito en el presente documento y me reconoció que ejecutó el mismo en su capacidad autorizada, y que con su firma en el instrumento, la persona, o la entidad en nombre de la cual actuó la persona, ejecutó el instrumento.

Certifico bajo PENA DE PERJURIO según las leyes del Estado de California que el párrafo anterior es verdadero y correcto.

Testigo mi firma y sello oficial.

Firma: _____(Sello)

Si agentes del ICE llegan a tu puerta:

- No abras la puerta, pero mantén la calma. Tú tienes derechos.
- Pregunta para qué están ahí, (y solicita un intérprete si necesitas uno).
- Si ellos piden entrar a tu casa, pregúntales si tienen una orden firmada por un juez* y si la tienen, diles que te la muestren (por la ventana o que la pasen por debajo de la puerta).
- Si ellos NO tienen una orden firmada por un juez*, puedes negarte a dejarlos entrar. Pídeles que dejen cualquier información en tu puerta.
- Si entran a la fuerza, no te resistas. Dile a todos los que estén en la casa que permanezcan en silencio.
- Si eres arrestado, permanece en silencio y no firmes nada hasta que hables con un abogado.

*Una orden administrativa del ICE (forma I-200, I-205) no les da autorización para entrar a tu casa sin consentimiento.

ACLU CONOCE TUS DERECHOS

SERVICIO DE INMIGRACIÓN
Y CONTROL DE ADUANAS

source: <https://twitter.com/ACLU/status/830128855381852161>

<https://www.aclu.org/know-your-rights/what-do-if-immigration-agents-ice-are-your-door>