

# Immigration Enforcement Know Your Rights for UMass Amherst Unions

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# Overview

*Empowerment,  
not fear*



**OVERVIEW OF IMMIGRATION  
ENFORCEMENT AND TRUMP  
ADMINISTRATION'S IMMIGRATION  
EXECUTIVE ACTIONS**



**CONSTITUTIONAL PROTECTIONS  
IN ACADEMIC SETTINGS**



**UMASS AMHERST'S POLICY AND  
PROCEDURES ON RESPONDING  
TO GOVERNMENT AGENTS**



**UNION COLLECTIVE ACTION  
STRATEGIES**



## Understanding Immigration Enforcement

**Immigration and Customs Enforcement (ICE)** is a federal law enforcement agency under the Department of Homeland Security. ICE arrests, detains, and removes/deports noncitizens who have violated immigration laws.

# Why might immigration enforcement agents come to campus?

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- **Employment verification:** Auditing I-9 forms to ensure proper work authorization
- **Student visa compliance:** Verifying international students maintain valid status (F-1, J-1 visas)
- **Criminal investigations:** Pursuing specific individuals with outstanding warrants
- **ICE raids:** Arriving without warning to investigate suspected immigration violations


**Note:** ICE agents' uniforms may say "police" or "federal agent" or they could be wearing casual clothing, they may carry guns, and they may be accompanied by other law enforcement

# What happens when an individual is detained by ICE?

- They may be held in a detention center before trial or deportation
  - Use the ICE detainee locator to find a person currently held by ICE:  
<https://locator.ice.gov/odls/#/search>
- They may go before a judge in immigration court, unless subject to expedited removal
- They may be eligible for release on bond (like bail) while their immigration case continues



# Removal/ Deportation Grounds for Noncitizen Students and Staff

- **Violations of visa conditions** (e.g., working without authorization, failure to maintain full course load)
  - **Overstaying a visa**
  - **Criminal convictions, including relatively minor nonviolent crimes** (e.g., nearly all drug convictions)
  - **Immigration fraud**
  - **Entering the country without authorization**
  - **Security related ground** (e.g., gang involvement, terrorism)
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# Trump Administration's Executive Actions on Immigration

 The White House   
@WhiteHouse

ASMR: Illegal Alien Deportation Flight 



## ❑ **Attempt to ban birthright citizenship**

- **Note:** Federal court enjoined this EO, calling it “blatantly unconstitutional”

## ❑ **Declaration of national emergency at the border**

## ❑ **Enhanced screening and vetting**

## ❑ **Expansion of expedited removal:** For individuals who entered without permission and have been in the US for less than 2 years, no opportunity to go in front of an immigration judge unless they pass an initial asylum screening.

## ❑ **Immigration Enforcement Memo:** Instructs federal prosecutors to pursue charges against state or local officials who attempt to resist, obstruct, or otherwise fail to comply with immigration-related commands and requests.

- ❑ But see [Joint Statement From Thirteen State Attorneys General: State And Local Law Enforcement Cannot Be Commandeered For Federal Immigration Enforcement.](#)

## ❑ **Additional Measures to Combat Anti-Semitism:** Federal agencies must report on measures and legal actions to address anti-Semitic harassment and violence, particularly on college campuses. Encourages colleges to “monitor for and report activities by alien students and staff” to bring about their deportation.

- **Accompanying fact sheet:** “Deport Hamas sympathizers and Revoke Student Visas: ‘To all the resident aliens who joined in the pro-jihadist protests, we put you on notice: come 2025, we will find you, and we will deport you.’”



# Rescission of Protected Areas Policy

- In 2021, the Biden administration issued guidance requiring ICE to refrain from enforcement actions (arrests, interviews, searches, and surveillance) at or near “**sensitive locations**,” including churches, hospitals, and **schools/university campuses**, except in limited circumstances
- On January 20, 2025, Trump administration rescinded the protected areas guidance. Now ICE Agents are to use “common sense” in deciding whether to enter these spaces.
- Trump Administration has issued quotas to ICE officers increase arrests (1200-1500 per day)





What to do now that ICE can come to campus?

**KNOW YOUR RIGHTS!**

and familiarize yourself with  
University policies and procedures

# 4<sup>th</sup> and 5<sup>th</sup> Amendments

- **4<sup>th</sup> Amendment** protects individuals from unreasonable searches and seizures
  - **What this means for you:** ICE needs a **VALID** warrant to enter a **PRIVATE** space without consent
- **5<sup>th</sup> Amendment** protects your right to remain silent when confronted by law enforcement

**Apply to everyone in the US,  
regardless of immigration status**

# Know Your Rights Red Card

<https://www.ilrc.org/red-cards>

- Outlines constitutional rights and protections and provides tips for interactions with law enforcement
- Helps people assert their rights
- Fits in your wallet
- Comes in 19 languages

You have constitutional rights:

- DO NOT OPEN THE DOOR if an immigration agent is knocking on the door.
- DO NOT ANSWER ANY QUESTIONS from an immigration agent if they try to talk to you. You have the right to remain silent.
- DO NOT SIGN ANYTHING without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your home, ask the agent if you are free to leave and if they say yes, leave calmly.
- GIVE THIS CARD TO THE AGENT. If you are inside of your home, show the card through the window or slide it under the door.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

*These cards are available to citizens and noncitizens alike.*

# Law enforcement cannot enter a private area without a valid warrant – but what is a valid warrant?

- It must be a **JUDICIAL** warrant, issued by a court and signed by a judge
  - **NOT** a warrant signed by DHS (“administrative warrant”), which may authorize an arrest or seizure but does not authorize a search of an area
- It must state the person or place to be searched
- It must be presented within the valid time period specified in the warrant (not expired)
- **If the warrant is not a valid warrant, you can deny access**



# Private vs Public Areas

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- Fourth Amendment protects spaces where people have a “reasonable expectation of privacy”
- **Public spaces** on campus would likely include lobbies, waiting areas, parking lots
  - UMass Amherst’s “Federal Actions” page says “As a public university, the University of Massachusetts is largely open to the public.”
- **Private spaces** on campus would likely include faculty and administrator offices, student dormitories, research laboratories, lecture halls while classrooms are in session
- **What you can do:**
  - **Mark areas “PRIVATE” with a sign**
  - **Keep doors closed or locked**
  - **Have a policy that visitors cannot enter the area without permission**



# Laws Protecting Student Information

- Under the **Family Educational Rights and Privacy Act (“FERPA”)**, schools cannot disclose students’ education records without consent with limited exceptions (e.g., court order or subpoena).
- However, the University is permitted to disclose **directory information** (including name, address, date and place of birth, and dates of attendance).
  - **Encourage students to opt out of participating in directory.**
  - UMass website says students can request that their directory information remain confidential at the Office of the University Registrar.



# If immigration or police request access to a private area

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- **Do not immediately open the door**, stay calm, and take a deep breath
- Ask officers to identify themselves (agency, name, ID).
- Ask if they have a warrant signed by a judge. **You do not have to open the door unless the officer provides you with a warrant signed by a judge.**
- You have the right to remain silent and to an attorney. State to officers **“I request my right to silence and to an attorney.”**
  - Or slide a “Know Your Rights” card under the door.
- Call a US citizen friend or family or an attorney.
- (If on campus) Inform the officer that you are not authorized to respond to the request and need to contact the appropriate campus person before you can provide access, and ask the officer to wait outside while you do so.

# If immigration or police stop you in public

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- Stay calm, do not run or resist arrest.
- Say, am I under arrest or am I free to leave? If they say you are free to leave, you can walk away.
- **Say, “I request my right to silence and to an attorney.”**
- **Remain silent.** Do not answer questions about your immigration status.
- If you have valid immigration documents, the law requires you to carry them and you should show them if asked
  - **Never carry false documents!**
- Police can search you if they have a reasonable suspicion that you are armed and dangerous

# UMass Amherst Guide for Responding to Law Enforcement or Government Agents

<https://www.umass.edu/news/federal-actions/responding>

(last updated February 26, 2025)

## **“You are NOT authorized to:**

1. Provide any information about any University student or employee to any Agent unless OGC [Office of the General Counsel] has specifically authorized you to do so . . . . This includes, but is not limited to, providing any personal information about a student or employee, or confirming that any person is a University student or employee.
2. Allow an Agent into any non-public campus space in the absence of an arrest or search warrant without timely advising your Campus Public Safety or Police Department Police who will then inform OGC of the event.
3. Nothing in this guidance authorizes the obstruction of justice or the administration of justice as defined under Federal law.

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## **“CRIMINAL WARRANTS/CRIMINAL INVESTIGATIONS:**

If the Agent indicates to you that they have a criminal warrant, search warrant, or are conducting a criminal investigation, you **MUST:**

- 1.Immediately direct the Agent to University Campus Public Safety/Police Department, who will verify the Agent’s credentials and coordinate, as they deem necessary, with OGC.
- 2.Comply with a lawful order from a credentialed Agent.
- 3.Inform OGC [774-570-2123] of the event.”

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## “SITE INSPECTIONS/COMPLIANCE VISITS:

Department of Homeland Security (DHS) may conduct inspections or visits for compliance purposes as it relates to international students and exchange visitors on F-1 or J-1 visas, as well as workers on H-1B or other non-immigrant visas. If the Agent’s visit is an unannounced site inspection or compliance visit as it relates to individuals on these visa types you MUST:

1. Inform the Agent that you are required to contact the OGC immediately and inform them of the visit.
2. Contact OGC who will assist you in directing the Agent to the proper authorized University employee.”

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## “WRITTEN OR ORAL REQUESTS:

If the Agent asks you for information about any University student or employee and/or states that they are trying to serve a subpoena, summons, complaint, restraining order, injunction, request for disclosure of information, I-9 Notice of Inspection, or any other legal document you MUST:

1. Ask the Agent to provide you with the name of their agency, their name, and badge number and for their permission to scan and send a copy of the document they wish to serve on the University to OGC for its review.
2. Ask the Agent to permit you to have a consultation with OGC outside their presence.
3. Contact OGC who will determine and involve the appropriate University representative to respond, with OGC, to the Agent’s request.”

# Your rights to engage in immigration advocacy

- **Academic freedom** protects faculty's right to discuss immigration-related issues in class as long it is related to the subject matter
- For public employees generally, speaking out on immigration issues is protected by the **First Amendment** as long as:
  - they are speaking as a private citizen on a matter of public concern, and
  - the speech would not disrupt university operations or interfere with their ability to do their job
- **Labor laws** protect employees' right to engage in lawful concerted political advocacy, including on immigration issues, if connected to their working conditions



# What unions can do to protect non-citizen members and students

- Train members and students on their constitutional rights and distribute red cards
- Share University policy and procedures on interactions with law enforcement
- Demand to bargain to negotiate improvements on University policy and procedures
- Request that the University issue a statement of support for non-citizen students and staff
- If a student reveals to you that they are undocumented, keep that information confidential and connect them to student legal services and mental health services
- **NOTE: IT IS ILLEGAL TO CONCEAL, HARBOR, OR SHIELD FROM DETECTION AN UNDOCUMENTED IMMIGRANT**

SPRING 2025

Student Legal Services Office

## Ask the Attorney Series

### International Students

Do you have immigration related questions?

Join us for **FREE**, confidential legal consultation with Attorney Ben Farrell

### DROP-IN HOUR

**TUESDAYS  
2PM to 3PM**



UMassAmherst | Office of Global Affairs

### IN-PERSON

- March 11th
- April 8th
- May 6th

Student Legal Services Office,  
Campus Center, 9th Floor, Room 922

### VIA ZOOM

- February 25th
- March 25th
- April 22nd

ZOOM LINK: <https://umass-amherst.zoom.us/j/6130532062>

Co-sponsored by the Office of Global Affairs and the Student Legal Services Office (SLSO)



# If you witness immigration enforcement make an arrest

- You can recite the constitutional rights
- You can try to de-escalate the situation
- You can provide support by making a call for the family (a call to a US citizen friend or family member that can help or a call to an attorney)
- You can video record what the ICE agents do. You may be able to prove the agents violated the individual's rights.
- **DO NOT OBSTRUCT OR OTHERWISE INTERFERE WITH THE ARREST**

# **Union actions on UMass Amherst campus**