

# If you have an ICE detainer: Practical Tips for Preparing to Transfer from State Prison to the Northwest Detention Center

Revised August 2019

**LEGAL DISCLAIMER:** *The information provided below is based on the best information that we have on the date of this document. It is for general information purposes only. This information is not a substitute for individualized legal advice regarding a person's specific situation, problem, or case.*

Northwest Detention Center (NWDC) is in Tacoma, Washington. Tacoma is about a 2-hour drive north of the Oregon border.

 **Do not sign anything you do not understand.** Do not sign a “stipulated order of removal” or “voluntary departure” form, or any other paper giving up any rights, before speaking with an attorney.

## BEFORE RELEASE FROM DOC CUSTODY

### CONTACT PERSON

- Identify a responsible family member or friend in the community who will be your primary contact person. If possible, you want this person to have immigration status in the U.S. and preferably be a U.S. Citizen or a Lawful Permanent Resident (LPR or green card holder) because, in case you are able to post bond, only a U.S. Citizen or an LPR can post bond for you.
- Talk to your contact person about what you hope or expect from them. For example:
  - Answer your call on the day you are released from state prison.
  - To stay in communication with you while you are in the NWDC so you can share your needs with them.
  - To help you or an immigration attorney gather evidence in support of bond or relief from deportation/removal.
  - To call the Northwest Immigrant Rights Project (NWIRP), which provides limited legal help to people detained in the NWDC.
- Give your contact person:
  - Your “A” number, if you know it.
  - Copies of any immigration documents or other important documents an attorney might need to understand and present your case.
  - Your release date from state prison.
  - A copy of the NWIRP Guide so that they have information about the NWDC, i.e. how to contact you there, how to put money in your account, etc.
- Remind your contact person to stay by their phone on your release date so that they do not miss your call when you are transferring from state prison to NWDC.
- Memorize the phone number of your contact person.

ERO: Enforcement and Removal Operations, in Portland, Eugene, and Medford

LPR: Lawful Permanent Resident (a.k.a. green card holder)

NWDC: The Northwest Detention Center in Tacoma, Washington.

NWIRP: The Northwest Immigrant Rights Project, a non-profit organization that provides legal assistance to people detained at the NWDC.

## **“A GUIDE TO THE NORTHWEST DETENTION CENTER”**

Read “A Guide to the Northwest Detention Center” published by the NWIRP. There is a copy in the law library. Try to read the most recent version that you can. The guide will give you basic information about the NWDC, including communicating from the NWDC, legal services, your property, bond hearing, and immigration court.

### **SAVE MONEY**

- Save as much money as possible. If you have family members or friends who want to support you financially, they should also save as much money as possible.
- You can use this money when you are in the NWDC for phone calls, etc.
- If you save lots of money, you can use this money for bond, if bond is set in your case, or for an attorney.
  - Bond, if it is available to you, may be very high. As of this writing, average bonds are between \$7,000 and \$15,000.
  - An immigration attorney can cost thousands of dollars. To hire an attorney to represent you in a bond hearing, it could cost about \$1,500. To hire an attorney to defend you from deportation/removal it could cost about \$10,000. Attorney fees vary widely depending on how complicated the case is.

### **YOUR PERSONAL PROPERTY**

You will not be able to take a large amount of property with you when you are detained by ICE. It is best to send any large or valuable property to family prior to your release date.

### **YOUR PO**

- What we've heard is that PO's do not understand well, if at all, the ICE detention processes.
- We've also heard that your PO will unlikely know if/when you are released from the NWDC.
- If you think that you will be released from the NWDC while you are on post-prison supervision, you might consider talking to your PO when they do their “reach in” in the days or weeks before your release. You might consider talking to them about what is expected of you, for example, when do you need to check in with them and how do you check in with them when you are released.
  - If you decide to have this conversation with your PO and need an interpreter, find a way to let them know before your reach in. Your prison counselor may know the name of your PO and how to contact them.

## DAY OF YOUR RELEASE FROM DOC CUSTODY

- You will be able to take a small amount of property, e.g. a small bag with personal items, but ICE will keep the personal property until you are released or deported. You should be able to keep legal documents with you, or at least have access to legal documents at your request.
- When you exit the prison gates, there will be ICE agents waiting to detain you. There will also be a van or a bus to transport you.
- ICE agents will likely cuff your hands and feet before you enter the van or bus, which may have other people on it who are also detained by ICE.
- The ICE agents will transport you to the nearest immigration Enforcement and Removal Operations (ERO) office. The Oregon ERO offices are in Portland, Medford, and Eugene.
- At the ERO, you will be processed before being transported to the NWDC.
- At the ERO, you will be able to make one phone call. Call your contact person and let them know: where you are being detained; your “A number”; and that you want them to call an attorney on your behalf. You do not want to use this one phone call to call an attorney because if the attorney is not available, you will not necessarily get a chance to call again or call other attorneys. Your contact person will be able to make multiple phone calls on your behalf, as well as schedule and pay for a legal consultation.
- You have the right to contact your consulate. ICE can give you the phone number of your consulate. Your consulate may be able to help you find a lawyer or provide other services.
- You will be held at the ERO for less than 24 hours before being transported by bus to the NWDC.

**If you are sincerely afraid to return to your home country:** Tell an ICE agent or staff that you are afraid and that you want to talk to an attorney, then ... **STOP** talking. You do not want to say anything else because your statements could be used against you and jeopardize any possible relief from deportation/removal.

## AT THE NWDC – FINDING LEGAL HELP

- In the NWDC, **go to a presentation by Northwest Immigrant Rights Project (NWIRP)** or look out for their staff. Although NWIRP will not represent you, their pro se help can be very useful. “Pro se” means that you are not represented by an attorney and you are representing yourself.
- According the NWIRP Guide: “Please be assured that the detained person will be scheduled for a Legal Orientation Rights Presentation as soon as possible. The detained person can also request to speak with one of NWIRP’s lawyers one-on-one after a group presentation. Please note that most detained people will NOT be represented by NWIRP because there are too many pro se detained people compared with the size of staff. However, NWIRP will provide legal assistance to detained people as long as they are pro se.”
- According to the NWIRP website: “Northwest Immigrant Rights Project's Tacoma office is dedicated to serving detainees at the NWDC, with 10 full-time staff currently focused on providing direct legal representation. Our staff meets with detainees one-on-one to access their immigration cases and identify forms of relief; conducts workshops to help detainees fill out applications for relief and prepare for court; identifies wrongfully detained US citizens and facilitates their release from detention; advocates for the most vulnerable of the detained population, including the mentally ill, elderly, and handicapped; and provides "Know Your Rights" presentations to detainees to explain the legal process and potential forms of relief.”