



PREPARING FOR TRUMP IN 2025: WHAT TO EXPECT & KNOW YOUR RIGHTS

(1) WE EXPECT MASS DEPORTATIONS

The second Trump administration will begin on January 20, 2025. On the campaign trail and in multiple interviews, Donald Trump and his recent appointees have promised mass deportations. This is how we think this will play out.

We expect that ICE will raid and detain a large amount of people shortly after January 20th in a show of force. “Raids” usually means ICE arresting multiple people at their homes or at a workplace. We think that they will target people who have final orders of removal or criminal convictions, but we also expect that undocumented people who have just been arrested and booked by the police, but not charged with anything, are also at serious risk of ICE arrest. That is because when booked at a police station, prints are shared with the Department of Homeland Security. We also think there will be workplace raids targeting big groups of immigrants that do not have criminal convictions but are suspected of being undocumented.

Other people vulnerable to a mass deportation event include anyone who is “removable” under the Immigration and Nationality Act (INA) - the federal immigration laws. This includes:

→ Undocumented people - both (1) individuals who entered unlawfully over a border or on a boat and do not have lawful status & (2) individuals who entered lawfully on a visa and overstayed the time the border official allowed them to stay in the US or violated the terms of their visa in another way;

→ Documented non-citizens (including lawful permanent residents or “green card holders”) who have been convicted of certain crimes, committed certain types of fraud, or violated the terms of their status;

→ Note: Citizens CANNOT be deported. However, if the government finds that someone obtained citizenship through fraud, they can try to take away their United States citizenship.

We are also know that undocumented people who live in places that have 287(g) agreements, which allow local law enforcement to act as ICE officers, are particularly at risk.





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(2) WE EXPECT AN ATTEMPT TO USE THE NATIONAL GUARD

Trump has not explained exactly how he plans to deploy the military to deport migrants. However, Trump has described vague plans to federalize state national guard personnel and deploy them for immigration enforcement, including sending troops from friendly Republican-governed states into neighboring states with governors who decline to participate.

If this is attempted, lawyers will bring legal challenges which would provide, at the least, a temporary halt. Because states have control over their National Guards, it is unlikely that this tactic would work in California, New York, Illinois, and other states that have pro-immigrant policies.

(3) WE EXPECT A PROFOUND EXPANSION OF DETENTION

We believe the Trump administration will expand immigration detention and will detain everyone they arrest. They have threatened to put people in camps and hold them in tents in order to expand detention quickly enough. People who are already in removal proceedings who were released from ICE detention because ICE decided to release them, or who were never detained, run a new and serious risk of being detained in 2025 and beyond.

(4) WE KNOW IMMIGRATION LEGAL RELIEF WILL CHANGE

Temporary Protected Status (TPS) will slowly disappear for all countries that are currently protected because the Trump administration will not renew TPS designations. People who have TPS will not lose their protection immediately, but will only keep it until the expiration date. [Find all expiration dates here](#). We also expect that asylum relief will be completely dismantled and our borders will be closed to everyone under Title 42 or a similar policy. Lastly, we feel certain that the Trump administration will expand and use a process called expedited removal as much as possible. Expedited removal allows an ICE officer to deport someone immediately, without a hearing in immigration court. This was limited in the past to certain people who entered without inspection, but under the first Trump administration, DHS expanded expedited removal to apply to anyone who entered without permission and who couldn't prove that they have been in the U.S. for more than two years. In 2022, the Biden administration changed the policy back to what it was, but we expect that Trump will expand expedited removal again.

KNOW YOUR RIGHTS!

The Fourth Amendment of the Constitution still applies to all of us under the Trump administration regardless of immigration status. How these rights are applied with Immigration & Customs Enforcement (ICE) agents are as follows:



Stopped on the Street?

Ask "Am I free to leave?"

ICE is not allowed to keep asking you questions without reason. Before giving them your name or any information, ask if you are free to go. If they say "yes," stay away from the place. If they say "no" tell them you do not want to answer any questions and you want to talk to a lawyer. In some states, you may have to share your name but that's it!



If ICE is searching you or your belongings, you have the right to say "I do not agree to this search."



DO NOT RUN. If you run, ICE may go after you. It will make the encounter worse.



Stopped in the Car?

If you are detained while driving, it will likely be by police not ICE. When pulled over by police, receiving a ticket is better than having to go to a police precinct, since going to one increases the chance you are referred to ICE.

If you don't have a driver's license do not show any false documents.

Do not answer any questions related to your immigration status or your country of origin. Say: "I want to exercise my right to remain silent" and "I want to speak with a lawyer." If the officer asks to search your vehicle, you have the right to not consent to any search. They cannot do it without a proper warrant, unless there is reasonable suspicion.



If you are driving along border states, you may be pulled over by Border Patrol and could encounter checkpoints. They can pull you over if they have reasonable suspicion of an immigration violation or a crime, and they may ask questions about your status. They can continue to detain you to inquire about your status, **but they cannot force you to speak or to sign anything.**



ICE at Your Home?

Do not open the door.

ICE cannot enter your home without a judicial warrant. Also beware of sneaky tactics. ICE often uses tricks to get you to open the door, so be wary of anything they say.



You have the right to ask to see the warrant.

If the agents say they have a warrant, tell them to pass it under the door before opening it.

Check the warrant thoroughly. Confirm the name and address on the order to make sure it is valid. Also verify that it is signed by a judge. An ICE warrant is not the same as a court mandated warrant. **During house raids, agents often say they have a "warrant" when all they have is an ICE warrant.**

NUANCED KNOW YOUR RIGHTS FROM TRUSTED PARTNERS



Know your rights during travel within the U.S. and U.S. Territories

MRNY has created this know your rights document to provide guidance for individuals who want to travel by plane within the U.S. and to U.S. territories such as Puerto Rico and the Virgin Islands. Use this document to make the best decision for yourself, but remember that this document does not constitute legal advice.

Traveling to Puerto Rico, the Virgin Islands, Guam, American Samoa or the Northern Mariana Islands?

Even though these islands are part of the United States, immigrant travelers to these places can be put through the same review process by immigration officers as international travelers.

Customs and Border Protection (“CBP”) has the authority to conduct “preinspection” at the airport in Puerto Rico and other U.S. territories, where they can review if you are allowed to re-enter the mainland U.S. before you board the flight back. This “preinspection” process is generally done in a very informal manner and sometimes not done at all. This may involve CBP officers asking if you are a citizen of the U.S. and asking you about your immigration status or to see your passport. In some instances, CBP officers may take you to a separate area for more questioning.

Please be aware that travel to Puerto Rico and other U.S. territories can be risky for both (1) undocumented individuals; and (2) individuals with lawful status who are deportable or inadmissible due to criminal convictions or other bars to reentry. **If you are in these categories, it is important that you consult with an attorney or legal service provider before traveling by plane to Puerto Rico or any of the other U.S. territories.**

Traveling Within the Continental United States, Hawaii and Alaska

If you are a non-citizen planning to travel within the continental United States (48 states), Hawaii and Alaska, it is important to know your rights and what identification is required.

Starting May 3, 2023 everyone who travels on an airplane within the 50 states must present a REAL ID or passport. Unfortunately, New York licenses issued under the new Green Light law, for people without social security numbers, are not REAL IDs. Valid work authorization cards with a photo are REAL IDs.

Even if you are not flying internationally, immigration authorities have the power to inspect travelers in and around international airports. Because CBP is present in all major airports, there is a risk of being stopped and questioned by immigration authorities in the airport and, if you do not have status, of being placed in removal proceedings or detained. Some people do not need to be concerned about flying. For people with valid work permits, DACA or TPS status, or people who are already in removal proceedings, flying does not carry the same risks because immigration authorities already know that these individuals are here.

NUANCED KNOW YOUR RIGHTS FROM TRUSTED PARTNERS

Ways that ICE pretends to be local police

When Immigration & Customs Enforcement (ICE) agents go to homes or in the community to arrest non-citizens, they often tell lies or “ruses” about who they are and what they are doing. ICE agents use ruses to get into homes without judicial warrants, to obtain information, or to arrest people outside of their homes. A common ICE ruse is that agents pretend they are local law enforcement. ICE agents will say they are “police” and purposefully not identify themselves as ICE agents. This can be confusing as they are often dressed in plain-clothes or in uniforms that do not indicate that they are ICE. ICE police ruses can also happen over the phone.

“POLICE, open up”
 “I’m Detective [name]”
 “We are the warrant squad”
 “We are from the XYZ precinct”
 “I’m calling from [local court name] to confirm your address”
 “I’m calling from the District Attorney’s office”
 “We are looking for X, who is a victim of identity theft”

Ruse (In Person)



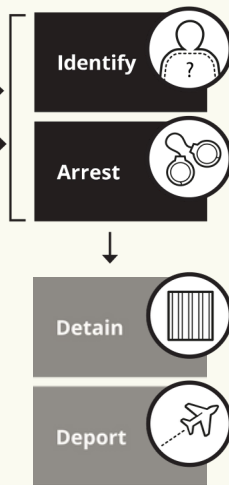
Ruse (By Phone)



“Can we come inside?”

“Can you come outside?”

Goal



NUANCED KNOW YOUR RIGHTS FROM TRUSTED PARTNERS



**KNOW YOUR RIGHTS
BASICS FOR
DOCUMENTING ICE**

**REGARDLESS OF YOUR IMMIGRATION
STATUS:**

- It is legal to film ICE agents making arrests
- Make sure to film openly – some states have laws prohibiting secret recordings
- Do not physically interfere with the arrest or interaction
- If directed to do so, backup. Not doing so may result in your arrest