

# DACA TERMINATION

Source:



Understanding your risk of deportation

@unlocalinc

646 216 8210



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ICE **cannot** deport you unless you have a removal order. Figure out if you have a removal order by checking your A# at **800 - 898 - 7180**

If you do not have a removal order, proceed to Tier 2 *(less at risk for immediate ICE enforcement)*

## Tier 1a: I have a removal order

*"I have DACA. I was ordered removed and have been checking in with ICE. What happens to me now?"*



- ICE check-ins are postponed until July 1, 2020 but may occur over the phone
- Discuss a "**MOTION TO REOPEN**" your deportation case and a "**STAY OF REMOVAL**" with legal counsel ASAP
- Detention **IS** possible. An "MTR" and "Stay of Removal" reduces the chance of detention
- If detained, think about "**HUMANITARIAN PAROLE**," which means asking ICE to release you based on your community ties, medical conditions(s), family obligations, among other things. This is most likely available to those who do not have a criminal history



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*Check in with yourself and your role in your community and family. What letters or support from friends, family, and other community members can you get? Do you know who your elected officials are? Can their office support you?*

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# Tier 1b: I have a removal order but I don't check-in with ICE

*"I have DACA and an order of removal but I don't check-in with ICE. What happens to me now?"*



- This is very difficult to answer at this time, but ICE has said that it will arrest and deport people in this situation.
- Detention is less likely than Tier 1a but ICE does arrest people at homes and places of work
- The possibility of arrest if real, though we cannot say how likely yet. Refer to the the steps above for potential pathways



**\*\*\* The RAPID RESPONSE LEGAL COLLABORATIVE ("RRLC")** helps folx who are arrested and detained by ICE and have an old order of removal/deportation. Please reach out to UnLocal, Make the Road New York, or NYLAG if you need help from the RRLC.\*\*\*

*A "removal order" is the legal term for a deportation order*

**Contact our Rapid Response Paralegal  
Daniel Morote (daniel@unlocal.org)  
347 - 395 - 3390**

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## Tier 2: I do not have a removal order

*"I have DACA and have never  
had to see and Immigration  
Judge. What happens to me  
now?"*



- You cannot be deported without seeing an Immigration Judge
- DHS will send or give you a "Notice to Appear," which is the document that begins the deportation process
- You will be required to appear at a court hearing, usually many court hearings.
- Sometimes the court date is written on the NTA, sometimes you get a second letter telling you the court date. Pay attention to your mail! You can also call **800 - 898 - 7180** to find out if you have a court date
- You **MUST** go to court dates of the Judge will order you removed in your absence
- There are usually many hearings before any decision is made in your case. The process for people NOT detained by ICE can take YEARS. The process for people detained can take many months.

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## ***Can I be detained while waiting to see an Immigration Judge?***

**YES**, you can be detained while your case is in process. You can likely request "bond" so that you can fight your case while free from detainment.

***\*\*\*The possibility of being put into deportation proceedings and being detained increases if you have been arrested in the past\*\*\****

***\*\*\*The NEW YORK IMMIGRANT FAMILY UNITY PROJECT ("NYIFUP") provides free legal representation for folx detained by ICE and who are in removal proceedings for the first time. You may be eligible for their services if detained by ICE. Find out more here: <https://bit.ly/NYIFUPinfo>.\*\*\****

### **Possible Supreme Court Dates:**



Monday, June 8th  
Monday, June 15th  
Monday, June 22nd  
Monday, June 29th



**Contact our DACA EMERGENCY Hotline**

Email

XXX - XXX -XXXX

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