

# Know Your Rights With ICE Agents



**EL CENTRO**  
de Igualdad y Derechos

## STAY SILENT



If you are being questioned by a police officer, a prison officer, corrections officer or an ICE agent, you have the right to remain silent, including **NOT** giving information about your country of origin or immigration status. Everything you say or do can be used against you.

## DONT OPEN THE DOOR

In your home you have the right to **NOT** open the door (even if ICE says you have an arrest or deportation order). To enter without your permission, they need a search warrant.



## AT WORK



You have the right not to answer their questions, keep working, and/ or tell them you can not talk to them. You do not have to disclose your country of origin or immigration status, nor show any identification. ICE can't enter the private areas of your workplace without a search warrant or permission from the employer or business manager.

## PUBLIC PLACES

### Including:

- In front of a court
- In a parking lot
- A stores public space
- A park
- Etc.



You have the right to remain silent. You do not have to disclose your name, immigration status, country of origin, or show them identification. If you decide to run, and they manage to capture you, they can arrest you.

## IF UNDER ARREST



You can exercise your right to remain silent. Do not sign a document if you do not understand it or if you have not talked to a lawyer about your legal options. You have the right to request an interpreter during court proceedings.

## ORGANIZE:

Join the movement!  
As a community, we have to inform ourselves, protect ourselves, and keep organizing.



**For More Information Call: El CENTRO de Igualdad y Derechos :**



(505)246-1627



714 4th St SW, Albuquerque,  
NM 87102



@ElCentroDelgualdad  
YDerechos



## **Social Security No-Match Letters from the Social Security Administration**

### **What are SSA No-Match Letters?**

The Social Security Administration (SSA) has reinstated the practice of sending a no-match letter when the names or Social Security numbers listed on an employer's W-2's do not match SSA's records. The letter's purpose is to notify workers and employers of the discrepancy and to alert workers that they are not receiving proper credit for their earnings.

### **Does being named in a No-Match Letter indicate that a worker lacks work authorization or is undocumented?**

No. The No-Match letter itself states that it does not make any statement about an employee's immigration status.

### **Does an employer have to take any action upon receiving an SSA no-match letter?**

No. Even though the SSA No-Match letter mentions a 60-day period, there is no legal requirement to take any action. Employers face NO consequences if they never act.

### **Should an employer fire an employee based solely on the employee being named in a no-match letter?**

No. The SSA itself advises employers not to take adverse action against an employee named in a no-match letter. Such adverse action may include "laying off, suspending, firing, or discriminating against that individual.

### **YOUR RIGHTS AS A WORKER:**

A Social Security No-Match Letter is a private issue between the Social Security Administration and a worker.

A No-Match letter does NOT ask an employer to provide and re-verify their social security card or any other or any other immigration documents. **\*Once you have complied with the requirements on your I-9 form when you are hired, you do not need to answer any questions about your immigration status.**

#### **WHAT YOU CAN DO**

- Learn about your rights and form a workers' committee with other employees. Forming a workers' committee gives you and your co-workers additional protections against retaliation. Come to one of El CENTRO's bi-weekly orientations to learn how to form a committee (if you live outside of Albuquerque, Ask El CENTRO for a referral to an organization in your community).
- As a group, ask your boss for a copy of the Social Security No-Match letter.
- If you are the only one who has been notified about a No-Match, ask for a copy of the letter.
- As a group, let your boss know that you have formed a committee and that you will take care of the issue directly with the Social Security Administration.

#### **WHAT YOU SHOULD NOT DO**

- Do not tell your employer if you are undocumented. You have the right to remain silent if your employer asks you question about your immigration status/work authorization directly.
- It is recommendable that you don't present new documents.
- Don't present your ITIN. Your ITIN begins with the number "9" and will be evident that it isn't a Social Security Number.

**OJO:** across the nation, there has been an increase in I-9 audits at workplace conducted by the Department of Homeland Security (DHS). This is a different process and a different agency than the agency responsible for Social Security No-Match letters. During an I-9 audit, DHS reviews I-9 forms of each worker to verify that a person has authorization to work in the US. The fact that your employer receives a Social Security No-Match Letter does not mean that there will be an I-9 audit by DHS or that it will lead to ICE enforcement in your workplace.