

What to Do If a Loved One Is Detained

BE PREPARED!

- ✓ Make sure all your family members have your phone number memorized. They may not be able to look it up if they are arrested.
- ✓ Keep a copy of all your family's important documents in a safe place (any papers related to immigration or criminal matters, passport, birth certificate, identity cards, marriage certificate.)

Immediate Steps to Take

1. Find Their A-Number (A#)

- This is a 9-digit number assigned by immigration authorities that begins with the letter "A".
- ICE will provide them with an A# if they are detained.
- If your friend/family member filed a previous immigration application, it's likely they already have an A# on any documents from immigration.
- If your friend/family member was arrested at the border and allowed to enter, it's likely they already have an A# in their immigration documents.

2. Locate Them in Detention

- Use ICE's online detainee locator: <https://locator.ice.gov/odls/#/search>
- Search using their A# and country of birth or their personal details.
- ICE lists its detention facilities here: <https://www.ice.gov/detention-facilities>
- It can take a few days for a detainee's location to be in the system.

3. Contact and Visit Them

- Once you locate your friend/family member, contact the detention facility to schedule calls or visits. Some facilities allow in-person visits, while others only permit video calls.
- Each facility has its own process for setting up phone accounts so that your friend/family member can call you. You should contact the facility to ask about setting up a phone account for your loved one.
- Similarly, call the facility for information on how to send your loved one money if you want them to have funds to purchase basic necessities or food at the detention center.

4. Find Their Immigration Court Information

- Use their A# to check information about any court hearing at <https://acis.eoir.justice.gov/en/> or call 1-800-898-7180 and follow the instructions provided in English or Spanish.

Will They Have a Court Hearing?

1. People Who Do **NOT** Have a Right to a Hearing

- **People with outstanding removal orders:** A judge already ordered them removed (deported) because they missed court, lost their immigration case, or were not eligible for a court hearing. ICE can remove them with the old removal order.

- **People who were previously deported:** ICE can remove people who were previously deported, including those deported in expedited proceedings at the border, without the right to a court hearing.
→ Check for outstanding removal orders and prior deportations by an immigration judge on the immigration court portal: <https://acis.eoir.justice.gov/en/>
- **People convicted of an aggravated felony without legal status.**
- **People caught near the border** may face expedited removal, unless they claim fear of returning to their home country and pass a Credible Fear Interview (CFI) with an Asylum Officer.

2. People Who DO Have a Right to a Hearing

- Most other immigrants, including undocumented people living in the U.S.
- ICE will give them a **Notice to Appear (NTA)**, which starts their case.
- The hearing date on the NTA may be wrong—check the court portal for updates because the court will issue a new notice of hearing once they process the NTA.
- **What to expect in a hearing?** An immigrant will typically have several hearings as part of their removal case. If they ask for more time to find an attorney, it is common for an immigration judge to schedule a new hearing to give them a chance to look. It is extremely unlikely that someone will be removed at their first court hearing unless they specifically say they want a removal order.

Can They Be Released on Bond?

- Some people are eligible for bond, while others are not. This depends on their immigration and criminal history.
- **Not eligible for bond:** People with outstanding removal orders, previous deportations, or convictions for serious offenses.
- Others can request a **bond hearing**. Since a person can usually only request one bond hearing, it's best to have an attorney assist.

Finding an Immigration Lawyer

- Immigration courts **do not** provide free lawyers.
- If you do not have an immigration attorney, you or your loved one should ask the immigration judge for time to find a representative. It can be difficult to find someone with availability, so reach out to several offices at once.
- Be careful of scams! **Notarios** are not lawyers in the U.S. and cannot practice law or appear in immigration court.

Resources for Legal Help:

- While our legal team does not handle cases of people in detention, we can provide a list of attorney referrals to assist in finding this type of legal representation. B1C cannot guarantee that any of the organizations or attorneys listed on this sheet will be able to represent you, and B1C is not responsible for services rendered by these organizations or attorneys.

This guide is for general information only. Always seek legal advice for specific cases.