

**ACLU**

**IMMIGRANTS IN WY**

# KNOW YOUR RIGHTS



# ACLU

Wyoming

A stylized graphic of the Statue of Liberty, rendered in a red and black halftone pattern. The statue is positioned on the right side of the image, with its crown and torch visible at the top. The background consists of a dense grid of red and black diagonal lines.

**AMERICAN CIVIL LIBERTIES UNION**

# ABOUT US

The ACLU of Wyoming works in communities, legislatures and courts to preserve the rights and liberties enshrined by the Constitution of the United States of America.

# WE DEFEND

Whether it's ending mass incarceration, protecting free speech, achieving full equality for the LGBTQ community, securing the rights of immigrants, establishing new privacy protections for our digital age, or preserving the right vote or the right to have an abortion, the ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach.

# HOW WE WORK

**IN THE COMMUNITY:** Educating and engaging with the public is vital to the mission of the ACLU of Wyoming. By providing information to the public about our constitutional rights, individuals are better able to advocate for civil liberties independently.

**IN THE LEGISLATURE:** Analyzing public policies, testifying on bills, and influencing policy-makers are important techniques to prevent the government from infringing on people's rights. The ACLU of Wyoming is non-partisan and does not endorse political candidates, but we do support ballot initiatives that promote civil liberties.

**IN THE COURTS:** Helping people secure their rights through negotiation and lawsuits is one of the main tools available to help us protect individual rights. We take on individual and class action lawsuits that have the potential to change the law and broaden and strengthen civil liberties in South Dakota.

# JOIN US

The ACLU is driven by members and a network of supporters established to bring together communities driven to defend civil liberties.

**For more information, to become a member, make a donation, or get involved visit [aclu-wy.org](http://aclu-wy.org)**

**PO BOX 20706 • Cheyenne, Wyoming 82003 • (307) 637 - 4565**

## WHO YOU MIGHT RUN INTO

- Highway Patrol on federal highways.
- Sheriffs in your city or local area.
- Federal Immigration Agents could pop up anywhere.

## WHAT A WARRANT MUST INCLUDE

- The name of the person(s) the officer or agent is searching for.
- A current address of said person(s).
- A signature from the judge from the court which issued the warrant.

## YOUR RESPONSIBILITIES

- Be polite.
- Do not lie to the police officer or immigration agent.
- Do not carry a false I.D.
- Carry the name and phone number of an immigration attorney with someone you trust and can call if you are in need.
- Keep a copy of all of your immigration documents with someone you trust and can call if you are detained.

## A NOTE ABOUT YOUR RIGHTS

- Even if you know your rights and exercise them properly, the police may not honor them. You should never resort to physical resistance of any kind, even if you know you are not in the wrong. Challenging police misconduct cannot be done on the street. It can only be done by a lawyer in the courtroom.

## IF YOU ARE ARRESTED

- Be aware that just because you know your rights, and choose to exercise them, doesn't mean that the agents or police will follow the law and respect your rights.
- Do not resist arrest.
- Give the name or card of your attorney to the agent and ask to speak to your attorney. **Do not talk about your situation, personal information, or immigration status in attempt to explain anything.**
- If you do not have an attorney, ask for the list of free legal services in your area.
- Do not sign anything without talking to an attorney.
- You have the right to an interpreter in your own language. Do not sign anything in a language you do not fully understand.
- It is illegal for agents or police to pick someone for questioning because of their ethnicity or race.
- You have the right to be treated with dignity and respect. IF you are beaten, threatened, called racist names or mistreated, you have the right to express concern about your treatment.

### More information:

To learn more about your rights, or if you believe your rights have been violated, please contact the ACLU of Wyoming at: **307-637-4565**

### CONTACT US:

**ACLU of Wyoming**  
P.O. BOX 20706  
Cheyenne, WY 82003  
307-316-4836  
aclu-wy.org

# INTERACTING WITH LOCAL LAW ENFORCEMENT & FEDERAL IMMIGRATION AGENTS

**KNOW YOUR  
RIGHTS**

**ACLU  
WY**

## YOUR RIGHTS ON THE STREET

First, you must always ask police officers or immigration agents if you can go. If the officer or agent says, “yes” you have the right to remain silent and leave.

If you do not wish to speak to the officer or agent, you may hand them your attorney’s card or this Know Your Rights pamphlet. You have the right to not answer questions they may ask.

If an officer says you are not free to go, you should give them your name. You do not have to share any other information though, such as your immigration status.

If an immigration agent says you are not free to go, and requests your immigration paperwork, you **must** give it to them if you have it with you. If you do not have your immigration paperwork with you, simply say you do not have the information they are asking for and nothing else.

## YOUR RIGHTS AT HOME

**You do not have to open your door to the police or immigration agents unless they provide you with a search warrant from the court, signed by a judge with your address on it.**

If you do not wish to allow immigration agents or police into your home, do not open the door. Ask the agents or officers, through closed doors, if they have a search warrant from a court, signed by a judge, which would allow them to enter your home. You have a right to read the warrant they provide.

If there is a warrant provided by the court, signed by a judge, from an immigration officer with your name on it, then you have the right to not allow the officers in your home and go outside to see the officers.

If you live in someone else’s home, you still do not have to open the door unless the immigration agents or police officers have a search warrant from a court with the proper address listed.

**If you do not understand the police officers or immigration agents, you have the right to an interpreter.**

## YOUR RIGHTS IN THE CAR

If police officers or immigration agents signal you to stop your car, you must pull over. If police officers or immigration agents ask to search your car, you may refuse to give them permission.

Police officers may ask for your name, driver’s license, vehicle registration, and proof of insurance. You must show them these documents if you have them.

You do not have to answer any questions or show any other documents. You should not have to answer questions regarding your immigration status. If a police officer writes up a citation, they will ask you to sign it. This is not an official admission of guilt - you are just stating you have received it.

If an immigration agent asks you questions, you can provide your name and your immigration documents if you have them. You do not have to answer any questions aside from those.

If a police officer or immigration agent questions a passenger in your vehicle, that person should ask if they are required to answer. If the police officer or agent says they do, the passenger should give their name but no more. The officer or agent may ask you to exit the car. Comply politely. **Remember, you have the right to remain silent.**

### A NOTE TO POLICE OFFICERS & IMMIGRATION AGENTS: I KNOW MY RIGHTS

I am giving you this pamphlet because I do not wish to speak to you or have any further contact with you. I choose to exercise my right to remain silent and to refuse to answer your questions. If you arrest me, I will continue to exercise my right to remain silent and to refuse to answer your questions. I would like to speak with a lawyer before answering your questions.

**MORE INFORMATION AT:  
ACLU-WY.ORG**

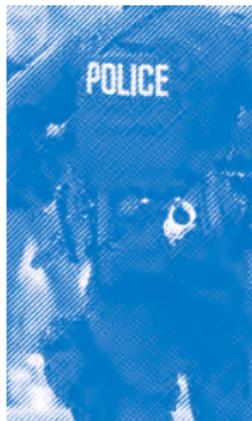
### NEED HELP?

Contact us, at the ACLU of Wyoming

P.O. BOX 20706 • Cheyenne, WY 82003

307-316-4836 • [aclu-wy.org](http://aclu-wy.org)

PRESENT THIS KNOW YOUR RIGHTS BROCHURE TO **POLICE OFFICERS OR IMMIGRATION AGENTS** WHO QUESTION OR STOP YOU.



# KNOW YOUR RIGHTS

**WHEN ENCOUNTERING LAW ENFORCEMENT**

**ACLU**  
WY

# Questioning

## **What you need to know:**

You could be questioned by a variety of law enforcement officers, including state or local police officers, Joint Terrorism Task Force members, or federal agents from the FBI, Department of Homeland Security (which includes Immigration and Customs Enforcement and the Border Patrol), Drug Enforcement Administration, Naval Criminal Investigative Service, or other agencies.

## **Common questions:**

### **Do I have to answer questions asked by law enforcement officers?**

**No. You do not have to talk to law enforcement officers.** You cannot be punished for refusing to answer a question. It is wise to talk to a lawyer before answering any questions.

### **Are there exceptions to the general rule that I do not have to answer questions by law enforcement? Yes, there are two limited exceptions.**

First, in some states, you must provide your name to law enforcement officers if you are stopped and told to identify yourself. But even if you give your name, you are not required to answer other questions. Second, if you are driving and you are pulled over for a traffic violation, the officer can require you to show your license, vehicle registration and proof of insurance (but you do not have to answer questions).

**Can I talk to a lawyer before answering questions? Yes.** You have the constitutional right to talk to a lawyer before answering questions, whether or not the police tell you about that right. The lawyer's job is to protect your rights. Once you say that you want to talk to a lawyer, officers should stop asking you questions. If they continue to ask questions, you still have the right to remain silent. If you do not have a lawyer, you may still tell the officer you want to speak to one before answering questions. If you do have a lawyer, keep his or her business card with you. Show it to the officer and ask to call your lawyer. Remember to get the name, agency, and telephone number of any law enforcement officer who stops or visits you and give that information to your lawyer as well.

## How to read a warrant:

Officers may only enter your home or workplace with a valid warrant or your permission and/or the permission of your employer. When a warrant is valid, it means it must be obeyed.

Below are examples of different types of warrants and information they must contain to be valid. They might look different depending on your state or location. This means that the information required to make a warrant valid may appear in different orders or look different than the samples below.

## Search warrant:

A valid search warrant contains:

- Signature of a judge, justice of the peace, or magistrate
- Stated address to be searched
- Stated, in detail, the area to be searched. In some cases, search warrants may be many pages long and describe locations to be searched.

## Arrest warrant:

A valid arrest warrant contains:

- Signature of a judge, justice of the peace, or magistrate
- Stated address to be searched
- Stated, in detail, the area to be searched.

This is a 'WARRANT OF ARREST' form from the State of Texas. It is issued by the District Clerk of Tarrant County, Texas, for the City of Fort Worth. The warrant is for the arrest of a person named [REDACTED] on a charge of [REDACTED]. The warrant is signed by a District Judge, [REDACTED], and is dated [REDACTED]. The warrant is valid for the State of Texas. The form includes a section for the arrestee's name, address, and the name of the arresting officer. It also includes a section for the judge's name and signature.

This is a 'SEARCH WARRANT AND AFFIDAVIT (AFFIDAVIT)' form from the State of California, County of Los Angeles. It is issued by the District Judge, [REDACTED], for the search of a person named [REDACTED] on a charge of [REDACTED]. The warrant is signed by the District Judge, [REDACTED], and is dated [REDACTED]. The warrant is valid for the County of Los Angeles. The form includes a section for the searchee's name, address, and the name of the arresting officer. It also includes a section for the judge's name and signature. The form includes a section for the searchee's name, address, and the name of the arresting officer. It also includes a section for the judge's name and signature.

# Interacting with police or immigration officers at home

## What you need to know:

In order to enter your home, immigration officers or the police must have a valid warrant signed by a judge or your permission.

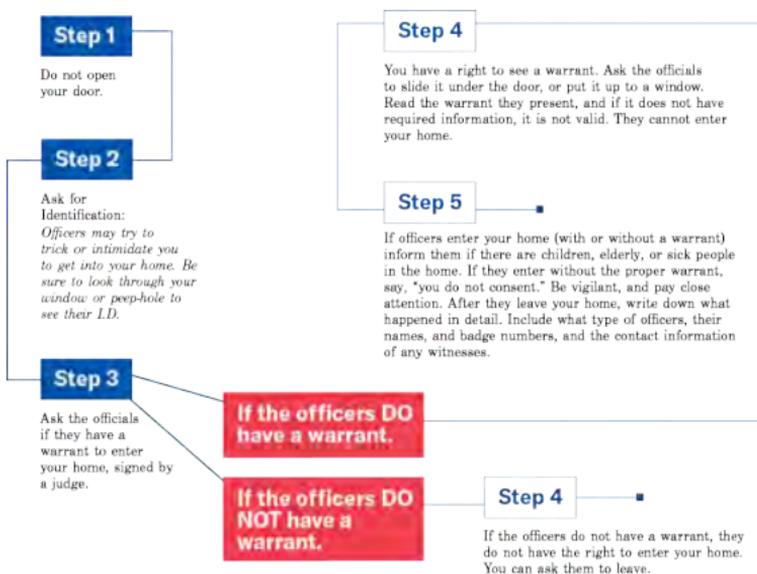
A warrant does not mean you are required to answer questions from police or immigration officers. If they do question you and you wish to remain silent, show the officials this Know Your Rights card.

## DO NOT OPEN THE DOOR

Opening the door for the police or immigration officers could mean you give them permission to enter your home.

## What you can do:

In order to enter your home, immigration officers or the police must have a valid warrant signed by a judge or your permission.



**KNOW YOUR RIGHTS AT HOME**

**What if I speak to law enforcement before my lawyer? Anything you say to a law enforcement officer can be used against you and others.** Keep in mind that lying to a government official is a crime but remaining silent until you consult with a lawyer is not. Even if you have already answered some questions, you can refuse to answer other questions until you have a lawyer.

**What if law enforcement officers threaten me with a grand jury subpoena if I don't answer their questions?** A grand jury subpoena is a written order for you to go to court and testify information you may have. If a law enforcement officer threatens to get a subpoena, **you still do not have to answer the officer's questions right then and there**, and anything you do say can be used against you. The officer may or may not succeed in getting the subpoena. If you receive a subpoena or an officer threatens to get one for you, call a lawyer right away. If you are given a subpoena, you must follow the subpoena's direction about when and where to report to the court, but you can still assert your right not to say anything that could be used against you in a criminal case.

**What if I am asked to meet with officers for a "counter-terrorism interview?"** You have the right to say that you do not want to be interviewed, to have an attorney present, to set the time and place for the interview, to find out the questions they will ask beforehand, and to answer only the questions you feel comfortable answering. If you are taken into custody for any reason, you have the right to remain silent. No matter what, assume that nothing you say is off the record. And remember that it is a criminal offense to knowingly lie to an officer.



# Interacting with police or immigration officers in public

Always ask police officers or immigration agents if you can go. If the officer or agent says “yes,” you have the right to remain silent and leave. If you do not wish to speak to the officer or agent, you may hand them your attorney’s card or this booklet. **You have the right to not answer questions they may ask.**

If an officer says you are not free to go, you should give them your name. You **do not** have to share any other information though, such as your immigration status.

If an immigration agent says you are not free to go and requests your immigration paperwork, you must give it to them if you have it with you. If you do not have your immigration paperwork with you, simply say you do not have the information they are asking for and nothing else.

**Below are steps you may follow if/when you are stopped by police or immigration agents:**

## Step 1

Pull your car over to a safe and well-lit spot, then turn off the engine. Put on overhead lights if you need them, and place your hands on the steering wheel.

## Step 2

When asked, follow the officer’s instructions and provide your license, registration, and proof of insurance. If you do not have these documents do not provide false ones or lie.

## Step 3

If the officer(s) ask to search your car, you can say, “No I do not consent to a search.” In some cases, the officer can search your car without consent and without a warrant. You can still say that you do not consent to a search.

## Step 4

You have the right to remain silent. Do not provide information about your immigration status, where you were born, or how/when you came to the United States. Do not show documents from your home country. You can say out loud that you wish to remain silent and show the officer your Know Your Rights card.

# What happens if I get pulled over?

Laws may vary, depending on where you are stopped.

Police officers may ask for your name, driver's license, vehicle registration, and proof of insurance. You must show them these documents if you have them.

You do not have to answer any questions or show any other documents. You should not have to answer questions regarding your immigration status. If a police officer writes up a citation, they will ask you to sign it. This is not an official admission of guilt - you are just stating you have received it.

If an immigration agent asks you questions, you can provide your name and your immigration documents if you have them. You do not have to answer any questions aside from those.

If a police officer or immigration agent questions a passenger in your vehicle, that person should ask if they are required to answer. If the police officer or agent says they do, the passenger should give their name but no more. The officer or agent may ask you to exit the car. Comply politely. Remember, you have the right to remain silent.

## If you are stopped, take the following steps into consideration:

### Step 1

Pull your car over to a safe and well-lit spot, then turn off the engine. Put on overhead lights if you need them, and place your hands on the steering wheel.

### Step 2

When asked, follow the officer's instructions and provide your license, registration, and proof of insurance. If you do not have these documents, do not provide false ones or lie.

### Step 3

If the officer(s) ask to search your car, you can say, "No I do not consent to a search." In some cases, the officer can search your car without consent and without a warrant. You can still say that you do not consent to a search.

### Step 4

You have the right to remain silent. Do not provide information about your immigration status, where you were born, or how/when you came to the United States. Do not show documents from your home country. You can say out loud that you wish to remain silent and show the officer your Know Your Rights card.

**KNOW YOUR RIGHTS WHEN PULLED OVER**

# Interacting with police or immigration officers at work

To enter your workplace an immigration officer or the police need either a warrant or permission from your employer. Please know that a warrant does not mean you are required to answer questions from the police officer or immigration agent.

## **What you need to know:**

- If law enforcement or immigration agents are welcomed into your workspace by your manager or business owner, they are legally allowed to search your workspace with or without your consent.
- If your place of work is being raided, it may not be clear whether you are free to leave. You have the right to remain silent in any situation and you do not have to answer questions about your citizenship, immigration status, or anything else. If you do answer questions and you say that you are not a U.S. citizen, you may be expected to produce immigration documents showing your status.
- Do not run away from the officers. They will then presume you are in the U.S. illegally and you will likely be arrested.
- If you are arrested at work assert your rights. You can tell the officer you'd like to see a lawyer, and you do not have to sign anything without reading it first.
- If you are arrested at work and you have children in your care, ask to call a friend or family member to take care of them before officers take you away.
- Know that you also have the right to call your consulate or have the law enforcement officer inform your consulate of your arrest.
- If you are treated poorly by law enforcement, write down the officer's name and badge number. You have the right to ask for this information. If you are injured, seek medical attention and take photos of injuries as soon as you can. You should also call a lawyer as soon as possible or contact the ACLU of Wyoming: **(307) 637-4565.v**

**KNOW YOUR RIGHTS WHEN AT WORK**

# Resources in your community

## **Wyoming Hope**

(208) 709-0131

[wyoingidaho@immigranthope.org](mailto:wyoingidaho@immigranthope.org)

## **Juntos**

(307) 200-8902

[www.juntoswyoming.com](http://www.juntoswyoming.com)

## **Wyoming Equality**

(307) 778-7645

[www.wyomingequality.org](http://www.wyomingequality.org)

## **ACLU of Wyoming**

(307) 637-4565

[acluwy@aclu.org](mailto:acluwy@aclu.org)

# Resources nationwide

## **DHS Office for Civil Rights and Civil Liberties**

This government entity investigates abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion by employees and officials of the Department of Homeland Security.

Email at [civil.liberties@dhs.gov](mailto:civil.liberties@dhs.gov).

## **U.S. Department of Transportation's Aviation Consumer Protection Division**

This government entity handles complaints against airlines for mistreatment by air carrier personnel.

Email them at [airconsumer@ost.dot.gov](mailto:airconsumer@ost.dot.gov).

## **Catholic Legal Immigration Network**

Find more information at [cliniclegal.org](http://cliniclegal.org).

**GET HELP**



# Your rights at airports and other ports of entry into the United States

## **What you need to know:**

**It is illegal** for law enforcement officers to perform any stops, searches, detentions, or removals based solely on your race, national origin, religion, sex, or ethnicity. However, Custom and Border Protection officials can stop you based on citizenship or travel itinerary at the border and search all bags.

## **Common questions:**

**What if law enforcement questions me when I travel and says I'm on the "no-fly" list?** If you believe you have been mistakenly put on the "no-fly" list, you can check for more information at [tsa.gov](https://www.tsa.gov).

### **While I'm on the airplane, can the staff ask me to get off the plane?**

The pilot of an airplane has the right to refuse to fly a passenger if they believe the passenger is a threat to the safety of the flight. Their decision must be reasonable and not based on presumptions of you or stereotypes.

### **What if I wear religious head coverings and I am selected by security for additional searching?**

You have the right to wear religious head coverings. Assert your right to wear that if asked to remove it. Employees may use a hand wand to check over head coverings.

**What if I am selected for a strip search?** A strip search is not common and must be supported by reasonable suspicion and done in a private area.

**What if I believe a customs or airport agent discriminated against me based on my race, ethnicity, or religion?** It is important to record the details of the incident while they are fresh in your mind. When documenting the event, be sure to note the airport, airline, flight number, names and badge numbers of employees, and any information you can recall. When possible, be sure to include a witness to any event.

# Referral contact information

**American-Arab Anti-Discrimination Committee:**

(202) 244-2990

[www.adc.org](http://www.adc.org)

**American Immigration Law Foundation:**

(202) 742-5600

[www.aifl.org](http://www.aifl.org)

**American Immigration Lawyers Association:**

(800) 954-0254

[www.aiala.org](http://www.aiala.org)

**Asian American Legal Defense and Education Fund:**

(212) 966-5932

[www.aaldef.org](http://www.aaldef.org)

**Council on American-Islamic Relations:**

(202) 488-8787

[www.cair.com](http://www.cair.com)

**Mexican American Legal Defense and Educational Fund:**

(213) 629-2512

[www.maldef.org](http://www.maldef.org)

**National Immigration Law Center:**

(213) 639-3900

[www.nilc.org](http://www.nilc.org)

**NAACP Legal Defense and Education Fund:**

(212) 965-2200

[www.naacpldf.org](http://www.naacpldf.org)

**National Immigration Project:**

(617) 227-9727

[www.nationalimmigrationproject.org](http://www.nationalimmigrationproject.org)

**Puerto Rican Legal Defense and Education Fund:**

(800) 328-2322

[www.prldef.org](http://www.prldef.org)

**South Asian American Leaders of Tomorrow:**

(310) 270-1855

[www.saalt.org](http://www.saalt.org)

**U.S. Commission on Civil Rights:**

(800) 552-6843

This booklet addresses what rights you have when you are stopped, questioned, arrested, or searched by law enforcement officers.

Information in this booklet is for citizens and non-citizens and tells you about your basic rights when interacting with law enforcement.

It is not a substitute for legal advice. **You should contact an attorney if you have been arrested or believe that your rights have been violated.**



For more information please visit our website: **[aclu-wy.org](http://aclu-wy.org)** or email us at: **[acluwy@aclu.org](mailto:acluwy@aclu.org)**.





These are some of the most important things to remember when interacting with law enforcement or immigration agents in any situation:

**• If you wish to remain silent, you have that right.**

- Never lie to officers.
- Anything you say can be used against you.
- Always carry U.S. identification cards and copies of your immigration documents.
- You have the right to speak with an attorney.
- You have the right to refuse to sign anything until you speak with an attorney.
- Never carry false documents or documents from another country.
- Do not immediately open the door if immigration agents show up at your home.
- Immigration agents and police officers need a judicial warrant or your permission in order to enter your home.
- You can refuse to consent to your vehicle being searched.
- You can show law enforcement this booklet to symbolize your wish to remain silent.



WHEN INTERACTING WITH

# POLICE AND I.C.E.

**KNOW YOUR  
RIGHTS**



**ACLU** Wyoming

# KNOW YOUR RIGHTS

## Interacting with Police and ICE

**No matter what your immigration status, you generally have the same constitutional rights as citizens when law enforcement officers stop, question, arrest, or search you, your vehicle, or homes.**

**However, there are some special concerns that apply to non-citizens, so the following rights and responsibilities are important for non-citizens to know.**

### What types of law enforcement officers might question me?

Different kinds of law enforcement agency officers might question you or ask you to agree to an interview where they would ask questions about your background, immigration status, relatives, colleagues, and other topics.

- Local Police
- Sheriff
- State Patrol
- Federal Bureau of Investigations Agents
- Immigration and Customs Enforcement
- Customs and Border Protection Border Patrol

### If you're stopped on the street

You do not have to answer any questions. Say, *"I do not want to talk to you."* Calmly walk away.

If you do not feel comfortable doing that, ask, *"Am I free to go?"* If the answer is yes, walk away calmly. Remember, do not run from the officer.

If the officer says you are not under arrest but you are not free to go, then you are being detained. Being detained is not the same as being arrested, though an arrest could follow. In order to detain you in this way, the police must have a reasonable suspicion that you are engaging in criminal behavior. Once detained, the police can pat down the outside of your clothing only if they have a reasonable suspicion that you are armed and dangerous. If they search any more than this, say clearly, *"I do not consent to a search."*

If they keep searching anyway, do not physically resist them.

**REMEMBER: YOU DO NOT NEED TO ANSWER ANY QUESTIONS IF YOU ARE DETAINED OR ARRESTED.**

Law enforcement officers may ask for your name and/or I.D. once you have been detained.

You can be arrested in some states for refusing to provide your I.D., but not in Wyoming.

### What can I do if local police officers want to question me and I'm undocumented?

You have the same right to be silent that U.S. citizens have.

The general rule is that you do not have to answer any questions that a law enforcement officer asks you.

### Do I have to answer questions about my status, where I was born, where I live, where I am from, or other questions by local police?

Local law enforcement should not and does not need to question you about your status.

You do not have to answer any of the above questions if you do not want to answer them. But do not falsely claim U.S. citizenship.

It is always a good idea to speak with a lawyer before you answer questions about your immigration status.

Immigration law can be complicated, and you could have a problem without realizing it. A lawyer can help protect your rights, advise you, and help you avoid a problem.

Even if you have answered some questions, you can still decide you do not want to answer any more questions.

**CALL THE ACLU OF WYOMING IF YOU RUN INTO TROUBLE: 307-637-4565.**

## **Do I have to answer questions about my status, where I was born, where I live, where I am from, or other questions asked by immigration agents like border patrol or ICE?**

Regardless of your immigration status, you retain the right to remain silent and do not have to discuss your immigration or citizenship status with immigration agents or border patrol.

However, if you are not a U.S. citizen but have permission to be in the country and an immigration agent requests your immigration papers, you must show them if you have them with you. While you can still choose to remain silent or decline a request to produce your documents, people in this category should be aware that a failure to produce these documents upon request can constitute a crime.

If you don't have your documentation with you, tell the officer that you want to remain silent or that you want to consult a lawyer before answering any questions.

## **Do I have to show local police officers my immigration documents?**

The law requires non-citizens who are 18 or older and who have been issued valid U.S. immigration documents to carry those documents with them at all times.

### **FAILURE TO COMPLY BY NOT CARRYING THESE DOCUMENTS CAN BE A MISDEMEANOR CRIME.**

If you have your valid U.S. immigration documents and a police officer asks for them, you should show them if you have them with you. Many local police forces do not have the authority to enforce the federal immigration laws which require you to carry these documents. However, some local law enforcement agencies have entered into arrangements with ICE that grant them more authority to enforce these laws. Therefore, if you have your documents with you and a local police officer asks for them, it is advisable to comply.

It is illegal to show an officer fake immigration documents, provide false information, or to pretend that someone else's immigration documents are yours.

If you are undocumented and therefore do not have valid U.S. immigration documents, you can decide not to answer questions about your immigration status or whether you have documents.

If you falsely tell a police officer that you are a U.S. citizen, there is a very good chance you will be arrested.

It is possible that a law enforcement agency might hold you for ICE for up to 48 hours after you post bond, serve a sentence, or criminal charges are dropped. After 48 hours and ICE hasn't arrived to take you into custody, the law enforcement agency is required to let you go.

## **Do I have to show immigration agents like border patrol and ICE officers my immigration documents?**

If you are undocumented and therefore do not have valid U.S. immigration documents, you can decide not to answer questions about your immigration status or whether you have documents.

As mentioned previously, the law requires non-citizens who are 18 or older and who have been issued valid U.S. immigration documents to carry those documents with them at all times.

Failing to comply by not carrying these documents can be a misdemeanor crime.

If you have your valid U.S. immigration documents and an immigration agent asks for them, you must show them if you have them with you. If you falsely tell an immigration officer that you are a U.S. citizen, there is a very good chance you will be arrested.

## **If stopped in a car by police**

Keep your hands where the police can see them.

You must show your driver's license, registration, and proof of insurance if you are asked for these documents. Officers can ask you to step outside of the car and they may separate passengers and drivers from each other to question them and compare their answers. No one has to answer any questions.

The police cannot search your car unless you give them your consent, which you do not have to give, or unless they have "probable cause" to believe (i.e. knowledge of facts sufficient to support a reasonable belief) that criminal activity is likely taking place, that you have been involved in a crime, or that you have evidence of a crime in your car.

If you do not want your car searched, clearly state that you do not consent. The officer cannot use your refusal to give consent as a basis for doing a search.

## **If stopped in a car by immigration agents like border patrol and ICE**

ICE officials can only stop a vehicle if they have a “reasonable suspicion” that the vehicle contains undocumented immigrants or of certain other violations. These suspicions must be based on specific, objective facts besides the occupants’ physical appearance.

Once the vehicle is stopped, these officials can ask for your driver’s license, registration, and proof of insurance. Additionally, they may briefly question the occupants about their immigration status if they have a reasonable suspicion that they are not legally admitted to the country.

**BUT** just as when stopped by local police, you retain the right to remain silent regardless of your immigration status. Therefore, you can choose to not answer any questions, including questions about your immigration status, where you were born, where you live, where you are from, or other similar questions.

You also retain the additional rights discussed above for when you are stopped in a car by police. For example, your vehicle cannot be searched without your consent or unless the police have probable cause to believe that illegal activity is taking place, that you have been involved in a crime, or that you have evidence of a crime in your car.

As with dealing with a police traffic stop, it is advisable to keep your hands where they can be seen and to refuse to consent to any searches of the vehicle.

### **Remain silent until talking to a lawyer**

Anything you say to a law enforcement officer can be used against you and others.

Keep in mind that lying to a government official is a crime but remaining silent until you consult with a lawyer is not.

Even if you have already answered some questions, you can refuse to answer other questions until you have a lawyer.

### **You have a right to a lawyer**

You have the constitutional right to talk to a lawyer before answering questions, whether or not the police tell you about that right.

The lawyer’s job is to protect your rights.

Once you say that you want to talk to a lawyer, officers should stop asking you questions.

If they continue to ask questions, you still have the right to remain silent.

If you do not have a lawyer, you may still tell the officer you want to speak to one before answering questions. If you do have a lawyer, keep their business card with you. Show it to the officer, and ask to call your lawyer.

Remember to get the name, agency, and telephone number of any law enforcement officer who stops or visits you and give that information to your lawyer.

### **Do I have the same rights to a lawyer as an undocumented immigrant?**

**Yes.** The right to a lawyer applies to anyone in the country regardless of their citizenship status. However, if you are taken into immigration or ICE custody, the government does not have to provide a lawyer for you. If you do not have a lawyer, ask for a list of free or low-cost legal services.

### **Can law enforcement officers search my home?**

Only if they have a warrant signed by a judge or your consent.

If a warrant was issued by ICE but not by a court, you have the right to refuse to let the officer in your home. Even if law enforcement has a warrant signed by a court, check to see if it is a search warrant or an arrest warrant. A search warrant allows police to enter the address listed on the warrant, but officers can only search the areas and for the items listed. An arrest warrant allows police to enter the home of the person listed on the warrant if they believe the person is inside.

In your absence, the police can search your home based on the consent of your roommate or a guest if the police reasonably believe that person has the authority to consent.

### **If ICE comes to your door**

**DO NOT** open the door. Try to remain calm and remember you have rights. If needed, ask for an interpreter.

If they want to enter your home, they need a warrant signed by a judge. Additionally, as discussed above, the type of warrant they possess can impact the areas of the home they can search once inside.

Ask them to show it to you through a window or slide it under the door. If it is not a warrant signed by a judge, **DO NOT OPEN THE DOOR.** If they do not have a warrant signed by a judge, you may refuse to let them in.

If they force their way in, **DO NOT RESIST.** Tell everyone in the residence to remain silent. If you are detained, stay silent and **do not sign anything until you speak with a lawyer.**

**CALL THEACLU OF WYOMING IF YOU  
RUN INTO TROUBLE: 307-637-4565.**

## Can law enforcement officers search my work place?

Only if they have a warrant signed by a judge or the consent of the employer.

If your employer consents to a search of your office, law enforcement officers can search your workspace whether you consent or not. However, your employer can only grant consent for officers to search areas where they retain some measure of access or control.

## Warrants

A search warrant is an order signed by a judge that authorizes the government to search for specific objects or materials at a definite location.

In order to get a warrant to search your home, the authorities must convince a judge that they have probable cause to believe that criminal activity or evidence of criminal activity can be found there.

Whether a judge will agree to issue a warrant and how long it takes the judge to do so depends heavily on the specific facts of each case.

Compared to your home, authorities have more flexibility to search your vehicle without a warrant. While they cannot search a vehicle that has been pulled over solely for a routine traffic stop, if before or during the stop they have probable cause to believe that evidence of a crime or other contraband is within a vehicle, they may search it for those items without a warrant.

## If you're arrested

If you are arrested, you do not have to answer any questions or volunteer any information.

Ask for a lawyer right away.

Repeat this request to every officer who tries to talk to or question you.

You should always talk to a lawyer before you decide to answer any questions.

**DO NOT SIGN ANYTHING.**

## If you don't speak English

Federal law requires federally assisted law enforcement agencies to take reasonable steps to provide meaningful access to individuals with limited English proficiency.

## Phrases to remember

- *"Have I done something wrong?"*
- *"Am I free to leave?"*
- *"I don't consent to a search."*
- *"I'm going to remain silent."*
- *"I want to speak to my lawyer."*
- *"I would like to see a warrant."*

## Filming and photographing law enforcement

You have the right to photograph or videotape during ICE raids or activity.

When you are lawfully present in any public space or your property, you have the right to film or photograph anything that is in plain view.

### This includes:

- Federal buildings
- Transportation facilities
- ICE
- The police

When you are on private property, the property owner may set rules about taking of photographs or video.

ICE or police may not confiscate or demand to view your digital photographs or video without a warrant, nor may they delete your photographs or video under any circumstances. The only exception to this rule is that police may be able to seize a camera if they believe it contains evidence of a crime. However, even in this situation, the police would not be able to view the camera's content without a warrant from a judge.

Law enforcement may legitimately order people to cease activities that are truly interfering with legitimate law enforcement operations.



The ACLU of Wyoming works in communities, legislatures, and courts to preserve the rights and liberties enshrined by the Constitution of the United States of America.

## **Power Of Attorney Arrangements**

### **IMPORTANT NOTE**

These are general templates and do not constitute the advice of an attorney. We strongly encourage you to seek the advice of an attorney if you have any questions about these or want to modify them beyond what the templates allow.

When filling out these documents please keep in mind there are many areas where you may want to customize these. The template documents have blank spaces where individual circumstances might warrant something additional. These templates also leave in provisions that generally apply to everyone.

### **Custodial Power Of Attorney**

A Custodial Power of Attorney (CPOA) is a document that gives another person temporary power to make decisions for your children. It is advised that you create a Custodial Power of Attorney with your designated caretaker as a way to possibly avoid having your children go into foster care if you are picked up by ICE. A Custodial Power of Attorney is a private agreement between you and another person, and is NOT a court order. If the children's mother and the father are both in close contact with the children, both parents should sign the CPOA. As the parent, you may cancel or revoke the CPOA at any time. The CPOA document can give your caretaker general authority over all parenting decisions for your children, or you can list the specific things you are giving her the temporary power to decide. You can include when you want it to go into effect (such as, in the event you are taken into custody) and when you want it to terminate (such as, when you are released). Though the CPOA is not required to be notarized, it is a very good idea to have it notarized. You should complete two originals: give one to your designated caretaker and keep one for yourself. You should also have two originals in your native language (in addition to two in English) if you have difficulty reading English. Also make an electronic version, if possible, for yourself and your designated caregiver. A sample Custodial Power of Attorney and a sample Revocation of Custodial Power of Attorney, with related instructions, are included in Part 3 of this guide.

### **Financial Power Of Attorney**

A Financial Power of Attorney (FPOA) is a document that gives another person temporary power to make decisions about your property and assets. You should create a Financial Power of Attorney to make sure that someone trusted has access to your money. Does My Caretaker Have to Have Immigration Papers? It is not required that your caretaker have legal status to care for your children in DC. But remember, the goal is stability and safety for your children, and there is always the risk that a person without legal status will be forced to leave the United States, so it is suggested that the caretaker have legal status. 6 bank accounts and other property, and who will make sure that your children receive the financial support they need, rent and other bills get paid, and that other financial obligations are met if you are detained. The person who you authorize to have Financial Power of Attorney can be any trusted adult. You may choose to have the designated caretaker of your children serve as your financial power of attorney, but it does not have to be that person. However, if you choose someone other than your designated caretaker, make sure the FPOA includes instructions about providing money for the care of your children. A Financial Power of Attorney is a private agreement between you and another person, and is NOT a court order. You can specify what accounts and property you want the person to have temporary access to and decision-making authority over. You also have the power to cancel or revoke the FPOA at any time, and like with the Custodial Power of Attorney, you can specify when you want it to go into effect and when you want it to terminate. Your bank may also have additional forms that you need to complete to give someone access to your bank account; you should ask the next time you go to the bank. A sample Financial Power of Attorney and a sample Revocation of Financial Power of Attorney are included in Part 3 of this guide. The FPOA should be notarized. You should complete two originals: give one to the person you have designated to have temporary access to and decision-making over your finances and keep one for

yourself in a safe place. You should also have two originals in your native language (in addition to two in English) if you have difficulty reading English. And you should make an electronic version, if possible, for yourself and the person who has your Financial Power of Attorney.

### **Identify A Caretaker For Your Children**

A caretaker is a term often used in the US to describe a person who you would ask to take care of your children if something were to happen to you. Most parents already have a person like this in mind, but they don't always make formal plans to assign this person as the official, or "designated," caretaker for their children. Follow the steps described below to put a plan in place for your children's care in case you are picked up by ICE. The designated caretaker can be anyone of your choosing. This includes your spouse or the other parent of your children, but does not need to be that person. The caretaker may also be your mother or father, or your aunt or uncle, brother or sister, or other relatives. They may be a god parent or a close family friend or neighbor. You may have several possible caretakers in mind. If you have more than one child you may want to identify different possible caretakers for different children. Ideally, your designated caretaker will be able to pick up your children right away if you are taken into custody, to avoid having CFSA take custody of them and file a case against you in Family Court (called a neglect proceeding).

### **Have A Conversation With The Person Who You Have Identified**

After you identify a person to ask to be the designated caretaker of your children, the next step is to have a conversation with her. There are many important things to discuss with the caretaker to make sure you both are in agreement with the plans. Make sure they understands what kind of commitment she is making to care for your children if you are picked up by ICE. *Make sure your caretaker is willing and able to care for your children for an indefinite period of time. Immigration cases and family law cases can take months and sometimes years to resolve, and you want to be sure your children are in a stable home for the entire time.*

Here are some questions you should think through and ask your possible designated caretaker when discussing whether she is willing and able to take care of your children if you are picked up by ICE.

*How long will she be able to take care of your children?* You both may think a situation will only last a few days or weeks, but unfortunately, immigration and family court proceedings can often last months, or in some cases, years. *If you are deported, your children may need to stay in the care of the caretaker for an even longer time.* It is best to make a plan that assumes your designated caretaker will take care of your children for a long time. Sadly, many children end up in foster care because the caretaker only planned to take care of them for a few weeks, and was not able to keep them any longer.

*How much will it cost to take care of your children?* Every day, your children will need food, shelter, transportation, medical care, and personal items like books and clothing. The designated caretaker may be able to obtain public assistance (and health insurance for your children if they are uninsured). But if not, will the designated caretaker be financially able to provide for your children? Are you able to set money and resources aside to help your designated caretaker in caring for your children if you are picked up by ICE? Is there someone else, such as a relative, friend, or pastor, who can contribute money for the needs of your children?

*Who else is in the household?* Do you know everyone who lives in your designated caretaker's home? You need to make sure you are comfortable with everyone who will have day-to-day contact with your children. If an adult member of the household has a criminal record or has had a case involving the abuse or neglect of a child in the past, your children may not be allowed to stay in that household if the Child and Family Services Agency (CFSA) gets involved in your case.

Will there be adequate supervision? Does the designated caretaker work? Find out who will be watching your children when she is at work. If your children attend school or daycare, who will drop them off in the morning and pick them up at the end of the day? You need to make sure your children will be supervised. Make sure the caretaker's home is safe for children the ages of your children.

Does your caretaker know of any special medical needs that any of your children have? You should provide the designated caretaker with the contact information for your children's doctor or medical provider, and a photocopy of each of their Medicaid or other insurance cards. If any of your children are on medication, the caretaker should know the reason for the medicine, where it's kept, the dose, how often it is taken, and be given information about where medications are purchased.

Does your caretaker know which school your children attend? Will she be able to keep your children in that same school? In DC, the caretaker will eventually need to establish that she is the primary caretaker of the children to register children in a school different from the one they were attending, or if one of the children moves on to middle or high school while in the caretaker's care. 5 *Make sure that you have put your designated caretaker's name, and the name of an emergency backup person, on the list of people authorized to pick your children up from school or daycare.*

### **Does My Caretaker Have to Have Immigration Papers?**

It is not required that your caretaker have legal status to care for your children in Wyoming. But remember, the goal is stability and safety for your children, and there is always the risk that a person without legal status will be forced to leave the United States, so it is suggested that the caretaker have legal status.

**POWER OF ATTORNEY FOR CARE AND CUSTODY OF MINOR CHILD(REN)**

**THIS POWER OF ATTORNEY for care and custody of child(ren) as listed below is**

given by me, \_\_\_\_\_, presently of  
Name of person granting power of attorney

\_\_\_\_\_, Wyoming, to \_\_\_\_\_,  
Name of city/town Name of person receiving power of attorney

presently of \_\_\_\_\_, Wyoming, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Name of city/town Date Month

20\_\_\_\_\_.  
Year

**1. Nature of Power**

I am the parent of the following minor children:

Child #1: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_,  
Month Year

Child #2: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_,  
Month Year

Child #3: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_,  
Month Year

Child #4: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_,  
Month Year

Child #5: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_,  
Month Year

Child #6: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_, \_\_\_\_\_;  
Month Year

Child #7: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_, \_\_\_\_\_; and  
Month Year

Child #8: \_\_\_\_\_, born on the \_\_\_\_\_  
Full name of child Date

day of \_\_\_\_\_, \_\_\_\_\_.  
Month Year

[If additional children exist, please attach an extra sheet containing the children's names and dates of birth.]

All children listed above are collectively referred to herein as "the children". This is a POWER OF ATTORNEY to act as my attorney-in-fact regarding the minor children named herein.

2. **Previous Power of Attorney**

I **REVOKE** any previous power of attorney granted by me concerning the children named in paragraph 1.

3. **Attorney-in-fact**

I **APPOINT** \_\_\_\_\_, presently of  
Name of person receiving power of attorney

\_\_\_\_\_, Wyoming, to act as my attorney-in-fact with all powers  
Name of city/town

listed below in paragraph 9.

4. **Authority to Convey Power of Attorney**

There are no court orders now in effect that would prohibit me from exercising the power that I now seek to convey.

5. **Governing Laws**

This instrument will be governed by the laws of the State of Wyoming. Further, my attorney-in-fact is directed to act in accordance with the laws of the State of Wyoming at any time they may be acting on my behalf.

6. **Delegation of Authority**

My attorney-in-fact may delegate any authority granted under this document in their sound judgment and decision where necessary.

7. **Liability of Attorney-in-fact**

My attorney-in-fact will not be liable to me, my estate, my heirs, successors or assigns for any action taken or not taken under this document, except for willful misconduct or gross negligence.

8. **Effective Date**

This Power of Attorney will come into effect only in the event that I am detained by a law enforcement agency of any kind or removed from the United States. Once in effect, this Power of Attorney shall remain in effect until: [Please check one and initial in the blank space to the right]

I am released from custody. \_\_\_\_\_

I am released from custody and able to reunite with the children. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

9. **Powers of Attorney-in-fact**

My attorney-in-fact will have the following power(s): [Please check **and initial** all that apply]

To assume and maintain physical custody of the children; \_\_\_\_\_

To participate in decisions regarding the children's education including enrolling the children in school, obtaining educational records regarding the children, attending conferences with the teachers or any other educational authorities, granting permission for the children's participation in school trips and other activities, and making any other decisions and executing any documents with respect to the children's education; \_\_\_\_\_

To grant consent for the children to participate in any activity which the attorney-in-fact feels appropriate; \_\_\_\_\_

To make health care decisions on behalf of the children, including decisions about medical, dental, optometric, or mental health care, whether routine or emergency in nature, including admissions to hospitals or other institutions; to refuse, consent or withdraw consent for any care, tests, treatment, and surgery procedure to diagnose or treat physical or mental conditions; to examine the children's medical records and to consent to the disclosure of those records where the attorney-in-fact thinks it's appropriate; \_\_\_\_\_

To generally act and execute all other documents which may be necessary or proper to attend to the needs of the children; \_\_\_\_\_

- To travel out of the United States and return to the United States with the children; and \_\_\_\_\_
- To act as representative payee for any Social Security benefits for which the children may be eligible; \_\_\_\_\_
- To receive any other benefits for which the children may be eligible; \_\_\_\_\_ and
- \_\_\_\_\_  

List any other powers you would like to confer here

**10. Powers Not Included**

This custodial Power of Attorney does not include authority to consent to the marriage or adoption of the children. In addition, unless otherwise agreed by the parties in writing, this form does not affect any of the following:

- A. The right of the children to inherit from their parent(s);
- B. The parent’s right to visit or contact the children;
- C. The parent’s right to determine the children’s religious affiliation;
- D. The parent’s responsibility to provide financial, medical, and other support for the children; and
- E. The parent’s rights in any future proceeding concerning custody of or allocation of parental rights and responsibilities for the children.

The powers granted in this form are further limited by the following instructions:

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**11. Attorney-in-fact Restrictions**

This Power of Attorney is not subject to any conditions or restrictions other than those noted above.

**12. Attorney-in-fact Compensation**

My attorney-in-fact [Please check one]  **will** /  **will not** receive compensation associated with execution of the duties created by this Power of Attorney.

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If receiving compensation, please describe the amount and manner of compensation here.

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**13. Notice to Third Parties**

Any third party who receives a valid copy of this Power of Attorney can rely on and act under it. A third party who relies on the reasonable representations of an attorney-in-fact as to a matter relating to a power granted by this Power of Attorney will not incur any liability to the principal or to the principal's heirs, assigns, or estate as a result of permitting the attorney-in-fact to exercise the authority granted by the Power of Attorney up to the point of revocation of the Power of Attorney. Revocation of the Power of Attorney will not be effective as to a third party until the third party receives notice and has actual knowledge of the revocation.

**14. Severability**

If any part of any provision of this instrument is ruled invalid or unenforceable under applicable law, such part will be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provisions or the remaining provisions of this instrument.

I, \_\_\_\_\_, being the Principal named in this Power of Attorney hereby acknowledge:  
Name of person granting Power of Attorney

1. I have read and understand the nature and effect of this Power of Attorney.
2. I recognize that this document gives my attorney-in-fact powers as listed above.
3. I am of legal age in the State of Wyoming to grant a Power of Attorney.
4. I am voluntarily giving this Power of Attorney and recognize that the powers given in this document will become effective upon the conditions identified in paragraph number 8.

**IN WITNESS WHEREOF** I hereunto sign my name at the City/Town of \_\_\_\_\_,  
County of \_\_\_\_\_, in the State of Wyoming, this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_  
[SIGNATURE OF PRINCIPAL]

**JURAT**

County of Teton     )  
  )ss.  
State of Wyoming    )

SUBSCRIBED AND SWORN to before me by \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESS MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
Notary Signature

**ACKNOWLEDGEMENT AND ACCEPTANCE OF POWER OF ATTORNEY BY  
ATTORNEY-IN-FACT**

I, \_\_\_\_\_, hereby acknowledge and accept the  
Name of person receiving power of attorney  
powers granted unto me herein,

and hereunto sign my name in the City/Town of \_\_\_\_\_, County of  
\_\_\_\_\_, in the State of Wyoming, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
[SIGNATURE OF GRANTEE]

**JURAT**

County of \_\_\_\_\_ )  
  )ss.  
State of Wyoming    )

SUBSCRIBED AND SWORN to before me by \_\_\_\_\_,

on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

WITNESS MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
Notary Signature



## Family Preparedness Plan

Every family should have a Family Preparedness Plan. While it is our hope that you never have to use your plan, it is a good practice to have one in place to help reduce the stress of the unexpected. This packet will help everyone create a Family Preparedness Plan, regardless of immigration status. However, because of the additional challenges immigrant and mixed status families face, we also have additional advice for immigrants.

### ➔ Make a Child Care Plan

Have a plan so that a trusted adult can care for your child if you cannot. This plan should include emergency numbers, a list of important contact information and a file with important documents. This packet includes templates to put together these documents. Whether you want your child to accompany you to your home country in the event you face deportation, or wish for your child to stay in the United States in the care of another trusted adult, you should begin planning to make these arrangements. This packet includes information about the options available to create an informal or formal care arrangement for your child in California.

### ➔ Find Out About Your Immigration Options

Information and resources to find good immigration legal help is included in this packet.

- If you have a green card, find out if you can become a U.S. citizen.
- If you are here on a visa, find out if you can get a green card.
- If you do not have immigration status, find out if you may be eligible to get a green card, visa or work permit.
- If you have a criminal arrest or conviction, find out how it might affect your situation, or if there is a way to erase it from your record.
- If you are detained or put into deportation proceedings, ask for a hearing in front of a judge to get out of detention and to fight your deportation.

### ➔ Know Your Rights

Everyone – both documented and undocumented persons – have rights in this country. Make sure you, your family members (even children), housemates, neighbors, and co-workers, regardless of their immigration status, know of their right to remain silent and all of their other rights if ICE or the police come to your home, neighborhood or workplace. A list of these rights, and a card asserting these rights, are included in this packet.

## Child Care Plan

### ➔ Talk to Your Children About Your Plan

Without worrying them, assure your children that they will be taken care of if for some reason you are unable to care for them, even for a short period of time. Let them know who will care for them until you can.

### ➔ Decide Who Can Care for Your Children if You Are Unable To

Ideally, the person you designate to care for your children is a U.S. citizen or someone with immigration status who does not also face the threat of detention or deportation. Make sure that person knows they will be listed as an emergency contact and knows how to access all of your important documents and information. Memorize that person's phone numbers and have your children memorize them too.

Make sure your children know who can pick them from up school, who cannot pick them up from school, and who will care for them.

Your child's school may only release your child to adults you designate. Therefore, make sure to regularly update all school, afterschool, day care, summer camp, and other programs' emergency contact sheets and release forms to include the names of those who can and cannot pick up your children. If you have a restraining order against anyone, make sure to give a copy of it to the school.

Make sure the people who can pick up and care for your children are up to date on your child's location and school. Provide them with all of the **Important Children's Information** contained in the sample form in this packet.

### ➔ Write Down Instructions if Your Child Has Any Medical Conditions and /or Takes Any Medications

Make sure to write down any medical conditions or allergies your child has, any medications that your child takes, as well as doctor and health insurance information. Keep a copy of this information in your important documents file. Give a copy to your child's school and the adult you designate to care for your children. Let your child know where to find this information if you are not around.

### ➔ Decide What Kind of a Child Care Plan You Want to Put in Place

If you plan for your children to remain in the United States with another caretaker if you are detained or deported, decide whether to prepare a formal or informal child care plan.

There are various ways to plan for another adult to care for your child if you are unable to do so.

**Verbal Agreement.** The most informal arrangement is to let another adult know of your wishes for your child and to **verbally agree with that adult that they will carry out your wishes and care for your child** if you cannot. The benefit of this is that it is informal and easy – you need not complete any forms or legal documents, and such an agreement will not affect your parental rights. The downside of this informal arrangement is that the other adult who you choose to care for your child will not have legal authority to make medical or school-related decisions on behalf of your child, which would be problematic if you were deported and unable to care for your child for an extended period of time.

**Caregiver’s Authorization Affidavit (“CAA”).** The next option in California is to not only get another adult’s verbal agreement to care for your child in the event you are unable, but to have that adult complete a **Caregiver’s Authorization Affidavit (“CAA”)** that will allow them to make certain school and medical decisions on behalf of your child. The benefits of this approach include: the CAA can be given to your child’s school or health care provider so that the person you choose as the caregiver can make certain decisions for the child, and it does not affect your parental rights (you still have custody and control of your child). More information about the CAA and a form you can use are included at the end of this packet. ***Please note: the Caregiver’s Authorization Affidavit is for use in California only.***

**Guardianship.** The most formal arrangement you can make for your child if you are not available to care for them is to **have a court appoint a guardian for your child**. The benefit of a guardianship is that once someone has been appointed as a guardian by a California Probate Court, that person has full legal and physical custody of your child, meaning they “step into the shoes” of the parent and can make decisions on behalf of your child. (When a guardian is appointed, this does not terminate parental rights, it just suspends them while the guardianship is in place.) However, the drawback of a guardianship is that because it is a formal arrangement put in place by the Probate Court, if you want to terminate the guardianship and get your parental rights back, you must file a petition in the Probate Court requesting the court to do so, and it will be up to the judge to decide whether to terminate the guardianship.

Keep in mind that you cannot grant another person guardianship of your child informally or through a power of attorney – only a state court can do that. However, you can prepare a Form GC-211 to nominate a specific person to be the guardian of your child. The court will then consider the Form GC-211 if/when a guardianship petition is filed. You can also make the nomination conditional upon your detention and/or deportation by completing an attachment to the form GC-211 that specifies when the nomination will be effective. For a sample GC-211 and attachment, and additional information about guardianships, see Bet Tzedek Legal Service’s [“How to Prepare for a Family Emergency Under the Trump Administration.”](#) Nominating someone else to have legal custody of your child is a serious decision; **you should talk to an attorney before taking this step.**

**A Note on Power of Attorney.** A power of attorney is a written document that you can sign to grant another person the authority to act on your behalf in specified ways. For example, a power of attorney may be used to designate another person to handle your finances, make business decisions, use your money to pay your rent or mortgage, use your money to provide for your child, and similar actions. **In California, we do not recommend that a power of attorney be used as a way to designate another person to care for your child.** While a power of attorney may be a good option in other states, in California, it cannot be used to transfer custody of your children to another person (only a state court can do that). It may be possible to use a power of attorney to grant someone else the authority to make medical and educational decisions on behalf of your child, but in California completing the Caregiver's Authorization Affidavit is a simpler and less costly way to do the same thing. If however you wish to give someone else the authority to access and use your finances in order to care for your child (a very serious decision that you should discuss with an attorney), you may wish to use a power of attorney.

### Want to Do Even More?

You can also **register your child's birth** with your country's government (for example, with your country's consulate) if your child was born in the United States. This may grant your child benefits, including citizenship in your home country in some cases.

### ➔ Make Sure Your Children All Have Passports

If your child was born in the United States, visit [www.travel.state.gov](http://www.travel.state.gov) for more information on obtaining a U.S. passport.

If your child was born in your home country, check with your embassy or consulate for more information on obtaining a passport.

### ➔ Inform Your Family and Emergency Contacts About How to Find You if You Are Detained by ICE

Family members can use the ICE detainee locator: <https://locator.ice.gov/odls/homePage.do>. Be sure your family and emergency contacts have a copy of your A-Number (your alien registration number found on your immigration documents from ICE) if you have one.

## Important Children's Information

*Keep this information so those you designate to care for your children in your absence have all of the information they need.*

<b>Child's Name</b>	
Date of Birth	
Child's Cell Phone Number (if applicable)	
School	
School Address	
School Phone Number	
Teacher's Name	
Classroom Number	
Afterschool Program	
Afterschool Program Phone Number	
Other Camp/Sports/Program	
Other Camp/Sports/Program Phone Number	
Allergies	
Medical conditions	
Medications	
Doctor's Phone Number	
Doctor's Address	
Health Insurance	

## Emergency Numbers and Important Contact Information

*Keep this information in one place so that you and your family can access it easily.*

<b>Emergency Numbers</b>	
Immediate Emergency	911
Police Department	
Fire Department	
Poison Control	
<b>Family Contacts</b>	
Mother/Parent/Guardian	
Home Phone	
Cell Phone	
Work Address	
Work Phone	
Father/Parent/Guardian	
Home Phone	
Cell Phone	

Work Address	
Work Phone	
Other Emergency Contact and Relationship	
Cell Phone	
Other Emergency Contact and Relationship	
Cell Phone	
Other Emergency Contacts and Relationship	
Cell Phone	

<b>Miscellaneous Contacts</b>	
Doctor	
Phone Number	
Health Insurance Company	
Policy Number	
Pediatrician	
Phone Number	
Health Insurance Company	
Policy Number	
Dentist	
Phone Number	
Dental Insurance Company	
Policy Number	
Car Make/Model	
License Plate Number	
Car Insurance Company	
Insurance Policy Number	
Phone Number	
Consulate	
Address	
Phone Number	
Attorney/Nonprofit Legal Services Provider	
Address	
Phone Number	
Church/Temple/Mosque/Place of Worship	
Address	
Phone Number	

## File of Important Documents

*Keep a file of all of these documents or a copy of these documents in a safe place. Tell your children, family members and emergency caregiver where to find this file in an emergency.*

- Passports
- Birth Certificates
- Marriage License (if applicable)
- Caregiver's Authorization Affidavit
- Any Restraining Orders you may have against anyone (if applicable)
- A-Number and any immigration documents (work permit, green card, visa, etc.)
- Documents demonstrating your residence in the United States and amount of time you have been physically present in the United States
- Driver's License and/or Other Identification Cards
- Social Security Card or ITIN number
- Registry of birth (for U.S. born children registered in parent's home country)(if applicable)
- Important Children's Information
- Emergency Numbers and Important Contact Information
- Children(s)' Medical Information, including health insurance, medication list, and doctor's contact information
- Any other documents you would want to be able to quickly find

## Find Out About Your Immigration Options

Find a local, nonprofit legal services organization that can help you find out if there is an immigration option for you to get a green card, work permit or visa, or protect you from deportation. Also, keep a list of these local organizations in case you ever have a problem with ICE. These organizations have attorneys who may be able to help you.

### Warning! Protect Yourself from Fraud!

Only a licensed attorney or accredited representative is authorized and qualified to assist you with your immigration case. Do not hire anyone who:

- Refuses to give you a written contract;
- Charges you for blank immigration forms;
- Promises you a good result because of their special contacts at Immigration;
- Pretends to be a qualified lawyer or bonded immigration consultant;
- Asks you to lie on a form or sign a blank document; or
- Charges you to “get on a waiting list” or “put your application in line.” There is no list. There is no line.

If you suspect fraud, report it to your consulate or the police, or contact the Federal Trade Commission to file a complaint in English or Spanish at 877-FTC-HELP (877-382-4357). Visit Stop Notario Fraud for more information and resources: <http://www.stopnotariofraud.org/>

### Do what you can now to protect you and your family in the United States.

- If you have a green card, find out if you can become a U.S. citizen.
- If you are here on a visa, find out if you can get a green card.
- If you do not have immigration status, find out if you may be eligible to get a visa or work permit. Also, review what to do if approached and questioned by ICE.
- If you have a criminal arrest or conviction, find out how it might affect your situation, or if there is a way to erase it from your record.
- If you are detained or put into deportation proceedings, ask for a hearing in front of a judge to get out of detention and to fight your deportation.

### Find a Legal Services Provider

The Immigration Advocates Network National Immigration Legal Services Directory lists nonprofit organizations that provide free or low-cost immigration legal services. You can use it to find an immigration service provider near you for a consultation.

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

### Find an Info Session or Immigration Workshop Near You

Ready California is a collaboration of California nonprofits organizations across the state. You can use the Ready California website to find local organizations as well as an events calendar that lists free immigration events throughout the state. These events may be DACA renewal workshops, Know Your Rights presentations, or Post-Election forums.

<http://ready-california.org/events-calendar/#1>

## Know Your Rights

**Remain calm and do not try to run away.  
If you do, ICE or the police may use that against you.**

**Everyone – both documented and undocumented persons – has rights in this country.** Talk to everyone in your family (including children) and household to make sure they all know what to do if approached by immigration officials (ICE) or if immigration officials (ICE) come to your house.

### ➔ ICE at Your Door

Do not open the door for ICE or any police officer without a signed warrant. You do not need to open the door unless an ICE agent can show you a warrant *signed by a judge with your specific and correct name and address on it*. If ICE knocks on your door, ask them to slide the search warrant under the door or show it through a window. Make sure the warrant is signed by a judge and has your address on it. If ICE or the police do not have this, then you do not have to open the door. Once you open the door, you lose certain rights.

**Keep a Know Your Rights red card on you and by your door at all times.** You can slide it under the door to ICE, show it to ICE, or read the English side of the card to ICE – it explains your rights and that you do not have to open the door. Have your children and other family members practice showing it or sliding it under the door.

<p>Usted tiene derechos constitucionales.</p> <ul style="list-style-type: none"><li>• NO ABRA LA PUERTA SI UN AGENTE DEL SERVICIO DE INMIGRACION ESTA TOCANDO A LA PUERTA.</li><li>• NO CONTESTE NINGUNA PREGUNTA DEL AGENTE DEL SERVICIO DE INMIGRACION SI EL TRATA DE HABLAR CON USTED. Usted tiene derecho a mantenerse callado. No tiene que dar su nombre al agente. Si está en el trabajo, pregunte al agente si está libre para salir y si el agente dice que sí, váyase. Usted tiene derecho de hablar con un abogado.</li><li>• ENTREGUE ESTA TARJETA AL AGENTE. NO ABRA LA PUERTA</li></ul>	<p>I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.</p> <p>I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door. I do not give you permission to search any of my belongings based on my 4th Amendment rights.</p> <p>I choose to exercise my constitutional rights.</p> <p><i>These cards are available to citizens and noncitizens alike.</i></p>
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### ➔ Talking to ICE

You do not have to talk to ICE or answer their questions. **You have the right to remain silent and can refuse to answer ICE's questions.** Say that you want to remain silent until you speak with a lawyer. Do not answer any questions, especially about your birth place, immigration status or how you entered the United States. Do not give ICE any personal information about yourself or anyone in your family. Have your children and others in your family and household practice saying "No" to ICE.

**You have the right to refuse to sign anything before you talk to a lawyer.** Do not sign anything you do not understand and agree with. That could eliminate your right to speak with a lawyer or have a hearing in front of an immigration judge. This may result in you being deported immediately without a hearing.

Ask to speak with your lawyer and to go before the immigration judge. **You have the right to speak to a lawyer and the right to make a phone call.** Make sure to memorize or carry with you at all times the phone numbers of the person you will call in an emergency. Ideally, this person would be someone who can put your plans and wishes into place, call your immigration attorney, and access all of your important documents.

## ➔ Other Resources

### Your Country's Consulate

Have the contact information for your country's nearest consulate. Many consulates have an emergency number for cases where you need immediate assistance from the consulate. Have that number written down in case ICE detains you.

### Know Your Rights Materials and Other Resources

There are a lot of resources available to teach you about your rights. Below are just a few places to start looking if you want to learn more about immigration law.

- **Informed Immigrant:** <https://www.informedimmigrant.com/>
- **Immigrant Legal Resource Center (ILRC):** <https://www.ilrc.org/community-resources>
- **National Immigration Law Center (NILC):** <https://www.nilc.org/>

#### Documents You Should and Should Not Carry With You

- Carry a valid work permit or green card, if you have one. If you do not have one, generally it is advisable to carry a municipal ID, state ID or driver's license if it was issued in the United States and contains no information at all about your immigration status or your country of origin. Ask a local immigration advocate about what kind of documents are safe to carry in your area.
- Carry a red card to exercise your right to remain silent in case you are stopped or interrogated by ICE or police officers.
- Carry the telephone number of someone who can put your plans and wishes into place, call your immigration attorney, and access all of your important documents in an emergency.
- Do not carry any documentation about your country of origin.
- Do not carry any false identity documents or false immigration documents.

## Caregiver's Authorization Affidavit Instructions

*Please note: the Caregiver's Authorization Affidavit is for use in California only.*

### ➔ Who completes and signs the Caregiver's Authorization Affidavit (CAA)?

The person who will be acting as your child's caretaker completes and signs the CAA. **The parent does not need to sign the CAA.** It is a good idea to have the person that you want to care for your child fill out the CAA in advance, but they should not sign or date it unless or until they need to use it (for example, only if you are actually detained or deported).

### ➔ Using the CAA, who can serve as a caregiver?

Any person, relative or non-relative, who is 18 years of age or older who completes the CAA may serve as a caregiver.

### ➔ What can the CAA be used for?

If the CAA is completed by a **non-relative**, it will allow that person to enroll your child in school and to consent to school-related medical treatment. School-related medical treatment includes immunizations, physical exams and medical exams conducted in school.

If the CAA is completed by a **relative** (including a grandparent, aunt, uncle, or other qualified relative of the minor (see the back of the CAA template in this packet for the full definition of "qualified relative")), it will allow that person to enroll your child in school, consent to school-related medical treatment, and consent to most other forms of medical and dental care for your child.

### ➔ Does my child have to live with caregiver for the CAA to be valid?

Yes, in order for the CAA to be valid, your child needs to live with the caretaker. (Of course, the child does not need to live with the caregiver, and the caregiver does not need to use the CAA, unless and until you are no longer available to care for your child.) If your child stops living with the caregiver, the caregiver must notify any school, health care provider, or health care service plan that has been given the CAA. The CAA is invalid after the school, health care provider, or health care service plan receives notice that your child is no longer living with the caregiver.

### ➔ Does the CAA need to be notarized?

No, the CAA does not need to be notarized. There have been reports that some schools want a notarized copy of the CAA, but that is not required by law. **Also, remember that the CAA is signed only by the caretaker, not by the parent(s).**

### ➔ **Should I give the CAA to my child's school and medical providers now and ask them to keep it on file?**

No, the CAA should not be given to your child's school or medical providers unless and until your child is living with the caretaker, and you as the parent are not available to make school and medical decisions for your child.

### ➔ **Does the CAA expire?**

Yes, the CAA will expire one year after the date it is signed.

### ➔ **If I would like to have someone complete a CAA to be able to make certain decisions for my children in my absence, what steps should I take?**

First, you should identify the person who you would like to serve as your child's caretaker.

Next, you should discuss with that person what the CAA does (it gives them power to make certain school and medical decisions on behalf of your child), and does not do (it does not give them legal custody of your child, guardianship over your child, or access to any of your financial resources to care for your child).

Finally, you should have that person complete a CAA, but they should wait to sign and date it until it actually becomes necessary to use it. (It's not necessary to sign and date it now since it won't be needed unless or until you are actually unavailable to care for your child. Plus, it will expire one year after the date it is signed). The caregiver should keep the CAA in a safe place, and you should also keep a copy of it in your file of important documents in case the caregiver cannot locate theirs when it becomes necessary.

### ➔ **Can a caregiver use the CAA to coordinate my child's travel to my home country in the event I am deported and decide to have my children accompany me to my home country?**

No, the CAA only allows the caregiver to make decisions related to school and medical issues for your child. Consult your home country's embassy or consulate for information about facilitating your child's travel to your home country if you will not accompany the child.

### ➔ **Must my child's caregiver have immigration status in the United States?**

No, but ideally, the person you authorize to be your child's caregiver would not also be at risk for deportation or detention. The person should be someone with a California driver's license or identification card (ID). If they do not have a California driver's license or ID, they should be ready to provide another form of identification such as a social security number or Medi-Cal number.

## Caregiver's Authorization Affidavit

Use of this affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code.

**Instructions:** Completion of items 1-4 and the signing of the affidavit is sufficient to authorize enrollment of a minor in school and authorize school-related medical care. Completion of items 5 through 8 is additionally required to authorize any other medical care. **Only complete items 5 through 8 if you are related to the child.** Print clearly.

The minor named below lives in my (the caregiver's) home and I am 18 years of age or older.

1. Name of minor: \_\_\_\_\_.

2. Minor's birth date: \_\_\_\_\_.

3. My name (adult giving authorization): \_\_\_\_\_.

4. My home address: \_\_\_\_\_.

5.  I am the minor's grandparent, aunt, uncle, spouse, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, niece, nephew, first cousin, grandaunt, granduncle, great-grandparent, great-grandaunt, great-granduncle, or the spouse of one of these persons.

6. Check one or both (for example, if one parent was advised and the other cannot be located):

I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.

I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time, to notify them of my intended authorization.

7. My date of birth: \_\_\_\_\_.

8. My California driver's license or identification card number: \_\_\_\_\_.

**Warning: Do not sign this form if any of the statements above are incorrect, or you will be committing a crime punishable by fine, imprisonment, or both.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

## NOTICES

1. This declaration does not affect the rights of the minor's parents or legal guardian regarding the care, custody, and control of the minor, and does not mean that the caregiver has legal custody of the minor.
2. A person who relies on this affidavit has no obligation to make any further inquiry or investigation.
3. This affidavit is not valid for more than one year after the date on which it is executed.

### Additional Information:

#### TO CAREGIVERS:

1. "Qualified relative," for purposes of item 5, means a spouse, parent, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin, or any person denoted by the prefix "grand" or "great," or the spouse of any of the persons specified in this definition, even after the marriage has been terminated by death or dissolution.
2. The law may require you, if you are not a relative or a currently licensed foster parent, to obtain a foster home license in order to care for a minor. If you have any questions, please contact your local department of social services.
3. If the minor stops living with you, you are required to notify any school, health care provider, or health care service plan to which you have given this affidavit.
4. If you do not have the information requested in item 8 (California driver's license or I.D.), provide another form of identification such as your social security number or Medi-Cal number.

#### TO SCHOOL OFFICIALS:

1. Section 48204 of the Education Code provides that this affidavit constitutes a sufficient basis for a determination of residency of the minor, without the requirement of a guardianship or other custody order, unless the school district determines from actual facts that the minor is not living with the caregiver.
2. The school district may require additional reasonable evidence that the caregiver lives at the address provided in item 4.

#### TO HEALTH CARE PROVIDERS AND HEALTH CARE SERVICE PLANS:

1. No person who acts in good faith reliance upon a caregiver's authorization affidavit to provide medical or dental care, without actual knowledge of facts contrary to those stated on the affidavit, is subject to criminal liability or to civil liability to any person, or is subject to professional disciplinary action, for such reliance if the applicable portions of the form are completed.
2. This affidavit does not confer dependency for health care coverage purposes.

**POWER OF ATTORNEY FOR CARE AND CUSTODY OF MINOR CHILD(REN)**

*CARTA DE PODER PARA EL CUIDADO Y LA CUSTODIA DE LOS HIJOS MENORES*

**THIS POWER OF ATTORNEY for care and custody of child(ren) as listed below is**  
**ESTE PODER PARA EL CUIDADO Y LA CUSTODIA DE LOS NIÑOS que se indican a continuación**

given by me, \_\_\_\_\_, presently of  
es dado por mí \_\_\_\_\_, actualmente de

Name of person granting power of Attorney / Nombre de la persona que otorga el poder

\_\_\_\_\_, Wyoming, to \_\_\_\_\_,  
Name of city/town / Nombre de la ciudad/pueblo a Name of person receiving power of attorney / Nombre de la persona que recibe el poder

presently of \_\_\_\_\_, Wyoming, on the \_\_\_\_\_ day of \_\_\_\_\_,  
actualmente de \_\_\_\_\_ en el día \_\_\_\_\_ Date / Fecha Month / Mes

20 \_\_\_\_\_.  
Year / Año

**1. Nature of Power**

**EL PODER**

I am the parent of the following minor children:

Yo soy el padre de los siguientes menores:

Child #1: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #1 Full name of child/ Nombre completo del menor Nacido en el Date/fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #2: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #2 Full name of child/ Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #3: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #3 Full name of child/ Nombre completo del menor Nacido en el Date/fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #4: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #4 Full name of child/ Nombre completo del menor Nacido en el Date/fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #5: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #5 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_;  
de Month / mes Year / año

Child #6: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #6 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_;  
de Month / mes Year / año

Child #7: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #7 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_; and  
de Month / mes Year / año y

Child #8: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #8 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_.  
de Month / mes Year / año

[If additional children exist, please attach an extra sheet containing the children's names and dates of birth.]

[Si existen más niños, adjunte una hoja adicional que contenga los nombres y las fechas de nacimiento de los niños.]

All children listed above are collectively referred to herein as “the children”. This is a POWER OF ATTORNEY to act as my attorney-in-fact regarding the minor children named herein.

Todos los niños mencionados anteriormente se llaman desde este momento como “los niños.” Este es un PODER DE ABOGADO para actuar como mi apoderado con respecto a los niños menores aquí mencionados.

2. **Previous Power of Attorney**  
**Poderes Anteriores**

**I REVOKE** any previous power of attorney granted by me concerning the children named in paragraph 1.

**YO REVOCO** cualquier poder anterior otorgado por mí en relación con los niños mencionados en párrafo 1.

3. **Attorney-in-fact**  
**Apoderado**

**I APPOINT** \_\_\_\_\_, presently of  
*YO NOMBRE* Name of person receiving power of attorney / nombre del apoderado actualmente de

\_\_\_\_\_, Wyoming, to act as my attorney-in-fact with all powers  
Name of city/town /Nombre del pueblo/cuidad actuar como mi apoderado con todos los poderes

listed below in paragraph 9.  
mencionados en el párrafo 9.

4. **Authority to Convey Power of Attorney**  
**Autoridad Para Transmitir el Poder**

There are no court orders now in effect that would prohibit me from exercising the power that I now seek to convey.

No hay órdenes judiciales en afecto que prohíban ejercer el poder que ahora quiero transmitir.

5. **Governing Laws**  
**Leyes Vigentes**

This instrument will be governed by the laws of the State of Wyoming. Further, my attorney-in-fact is directed to act in accordance with the laws of the State of Wyoming at any time they may be acting on my behalf.

Este documento se regirá por las leyes del estado de Wyoming. También, mi apoderado debe actuar de acuerdo con las leyes del estado de Wyoming en cualquier momento en que actúen en mi nombre.

6. **Delegation of Authority**  
**Delegación de Autoridad**

My attorney-in-fact may delegate any authority granted under this document in their sound judgment and decision where necessary.

Mi apoderado puede delegar cualquier autoridad concedida en virtud del presente documento según su buen criterio y decisión cuando sea necesario.

7. **Liability of Attorney-in-fact**  
**Responsibilidad del Apoderado**

My attorney-in-fact will not be liable to me, my estate, my heirs, successors or assigns for any action taken or not taken under this document, except for willful misconduct or gross negligence.

Mi apoderado no será responsable ante mí, mi patrimonio, mis herederos, sucesores o cesionarios por cualquier acción tomada o no tomada en virtud de este documento, excepto en caso de mala conducta o negligencia grave.

8. **Effective Date**

**Fecha de Vigencia**

This Power of Attorney will come into effect only in the event that I am detained by a law enforcement agency of any kind or removed from the United States. Once in effect, this Power of Attorney shall remain in effect until: [Please check one and initial in the blank space to the right]

Este Poder entrará en vigor sólo en el caso de que yo sea detenido por una agencia policial de cualquier tipo o expulsado de los Estados Unidos. Una vez que entre en vigor, este Poder permanecerá en vigor hasta: [Por favor, marque una y ponga sus iniciales en el espacio en blanco de la derecha]

I am released from custody. \_\_\_\_\_

Me hayan liberado de la custodia

I am released from custody and able to reunite with the children. \_\_\_\_\_

Me hayan liberado de la custodia y puedo reunirme con los niños (mis hijos).

\_\_\_\_\_

\_\_\_\_\_

9. **Powers of Attorney-in-fact**

**Poderes al apoderado**

My attorney-in-fact will have the following power(s): [Please check **and initial** all that apply]

Mi apoderado tendra los siguientes poderes: [por favor marque y ponga sus iniciales en todo lo que corresponda]

To assume and maintain physical custody of the children; \_\_

Asumir y mantener la custodia física de los niños;

To participate in decisions regarding the children's education including enrolling the children in school, obtaining educational records regarding the children, attending conferences with the teachers or any other educational authorities, granting permission for the children's participation in school trips and other activities, and making any other decisions and executing any documents with respect to the children's education; \_\_\_\_\_

Participar en las decisiones que involucran la educación de los niños, incluyendo la inscripción de los niños en la escuela, obtener registros educativos sobre los niños, atender citas y conferencias con los maestros o cualquier otra autoridad educativa, dar permiso necesario para la participación de los niños en los viajes escolares y otras actividades, y la realización de cualquier otra decisión y ejecución de cualquier documento con respecto a la educación de los niños;

To grant consent for the children to participate in any activity which the attorney-in-fact feels appropriate; \_\_\_\_\_

Otorgar permiso a los niños en participar en cualquier actividad en que el apoderado sienta ser apropiado;

To make health care decisions on behalf of the children, including decisions about medical, dental, optometric, or mental health care, whether routine or emergency in nature, including admissions to hospitals or other institutions; to refuse, consent or withdraw consent for any care, tests, treatment, and surgery

procedure to diagnose or treat physical or mental conditions; to examine the children’s medical records and to consent to the disclosure of those records where the attorney-in-fact thinks it’s appropriate; \_\_\_\_\_

Tomar decisiones sobre la atención sanitaria en nombre de los niños, incluidas las decisiones sobre la atención médica, odontológica, optométrica o de salud mental, ya sea de carácter rutinario o de emergencia, incluidos los ingresos en hospitales u otras instituciones; rechazar, consentir o retirar el consentimiento para cualquier atención, prueba, tratamiento y procedimiento quirúrgico para diagnosticar o tratar afecciones físicas o mentales; examinar los historiales médicos de los niños y consentir la divulgación de dichos historiales cuando el apoderado lo considere oportuno;

To generally act and execute all other documents which may be necessary or proper to attend to the needs of the children; \_\_\_\_\_

Actuar y ejecutar en general todos los demás documentos que sean necesarios o convenientes para atender las necesidades de los niños(as);

To travel out of the United States and return to the United States with the children; \_\_\_\_\_

Viajar afuera de los Estados Unidos y regresar a los Estados Unidos con los niños;

To act as representative payee for any Social Security benefits for which the children may be eligible; \_\_\_\_\_

Actuar como beneficiario representante de cualquier beneficio del Seguro Social para el que los niños puedan ser elegibles;

To receive any other benefits for which the children may be eligible; \_\_\_\_\_ and  
Recibir cualquier otros beneficios en que los niños son elegibles; \_\_\_\_\_ y

\_\_\_\_\_  
List any other powers you would like to confer here  
Escribe otros poderes que quiere dar aquí  
\_\_\_\_\_

**10. Powers Not Included**

**Poderes no Incluidos**

This custodial Power of Attorney does not include authority to consent to the marriage or adoption of the children. In addition, unless otherwise agreed by the parties in writing, this form does not affect any of the following:

Este poder de custodia no incluye la autoridad para consentir el matrimonio o la adopción de los niños(as). Además, a menos que las partes acuerden lo contrario por escrito, este formulario no afecta a nada de lo siguiente

A. The right of the children to inherit from their parent(s);

El derecho de los niños(as) a heredar de su(s) padre(s);

B. The parent’s right to visit or contact the children;

El derecho del progenitor a visitar o contactar a sus niños(as);

C. The parent’s right to determine the children’s religious affiliation;

El derecho del progenitor a determinar la afiliación religiosa de los niños(as);

D. The parent's responsibility to provide financial, medical, and other support for the children; and

La responsabilidad del padre de proporcionar apoyo financiero, médico y de otro tipo a los niños(as); y

E. The parent's rights in any future proceeding concerning custody of or allocation of parental rights and responsibilities for the children.

Los derechos del padre en cualquier procedimiento futuro relativo a la custodia o a la asignación de los derechos y responsabilidades parentales de los niños(as).

The powers granted in this form are further limited by the following instructions:

Los poderes otorgados en este formulario están limitados además por las siguientes instrucciones

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11. **Attorney-in-fact Restrictions**

**Restricciones al Apoderados**

This Power of Attorney is not subject to any conditions or restrictions other than those noted above.

El poder notarial no está sujeto a ninguna otra condición o restricción que las indicadas anteriormente.

12. **Attorney-in-fact Compensation**

My attorney-in-fact [Please check one]  will /  will not receive compensation

Mi apoderado [marque una opción] recibirá / no recibirá una compensación

associated with execution of the duties created by this Power of Attorney.

asociada a la ejecución de las obligaciones creadas por este poder.

---

If receiving compensation, please describe the amount and manner of compensation here.  
Si recibe una compensación, por favor describa la cantidad y la forma de compensación aquí.

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### 13. **Notice to Third Parties**

#### Notificación a terceros

Any third party who receives a valid copy of this Power of Attorney can rely on and act under it. A third party who relies on the reasonable representations of an attorney-in-fact as to a matter relating to a power granted by this Power of Attorney will not incur any liability to the principal or to the principal's heirs, assigns, or estate as a result of permitting the attorney-in-fact to exercise the authority granted by the Power of Attorney up to the point of revocation of the Power of Attorney. Revocation of the Power of Attorney will not be effective as to a third party until the third party receives notice and has actual knowledge of the revocation.

Cualquier tercero que reciba una copia válida de este poder puede confiar en él y actuar en virtud del mismo. Un tercero que confíe en las representaciones razonables de un apoderado en cuanto a un asunto relacionado con un poder otorgado por este Poder no incurrirá en ninguna responsabilidad ante el mandante o los herederos, cesionarios o patrimonio del mandante como resultado de permitir que el apoderado ejerza la autoridad otorgada por el Poder hasta el momento de la revocación del Poder. La revocación del Poder no será efectiva en cuanto a un tercero hasta que éste reciba la notificación y tenga conocimiento real de la revocación.

### 14. **Severability**

#### Disociabilidad

If any part of any provision of this instrument is ruled invalid or unenforceable under applicable law, such part will be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provisions or the remaining provisions of this instrument.

Si alguna parte de cualquier disposición de este instrumento se considera inválida o inaplicable en virtud de la legislación vigente, dicha parte será ineficaz únicamente en la medida de dicha invalidez, sin que ello afecte en modo alguno a las restantes partes de dichas disposiciones o a las restantes disposiciones de este instrumento.

I, \_\_\_\_\_, being the Principal named in this Power  
Yo, Name of person granting Power of Attorney/ nombre de la persona que otorga el poder Siendo el/la Principal nombrado(a)

of Attorney hereby acknowledge:

En este poder reconozco que:

1. I have read and understand the nature and effect of this Power of Attorney.  
He leído y entiendo la naturaleza y el efecto de este Poder.
2. I recognize that this document gives my attorney-in-fact powers as listed above.  
Reconozco que este documento otorga a mi apoderado las facultades arriba indicadas.

3. I am of legal age in the State of Wyoming to grant a Power of Attorney.

Tengo la edad legal en el Estado de Wyoming para otorgar un Poder.

4. I am voluntarily giving this Power of Attorney and recognize that the powers given in this document will become effective upon the conditions identified in paragraph number 8.

Doy voluntariamente este poder y reconozco que los poderes otorgados en este documento entrarán en vigor en las condiciones identificadas en el párrafo número 8.

**IN WITNESS WHEREOF** I hereunto sign my name at the City/Town of \_\_\_\_\_,

EN TESTIMONIO DE LO CUAL firmo en mi nombre en la Ciudad/Pueblo de

County of \_\_\_\_\_, in the State of Wyoming, this \_\_\_\_ day of \_\_\_\_\_,

Condado de \_\_\_\_\_ en el Estado de Wyoming, en este \_\_\_\_ día de

20\_\_\_\_.

\_\_\_\_\_  
[SIGNATURE OF PRINCIPAL]

FIRMA DEL PRINCIPAL

**JURAT**

County of Teton / Condado de Teton )  
 )ss.

State of Wyoming / Estado de Wyoming )

SUBSCRIBED AND SWORN to before me by \_\_\_\_\_  
JURADO antes mi por

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
en este día de

WITNESS MY HAND AND OFFICIAL SEAL  
DE MI MANO Y CON MI SELLO OFICIAL

\_\_\_\_\_  
Notary Signature  
Firma Del Notario

**ACKNOWLEDGEMENT AND ACCEPTANCE OF POWER OF ATTORNEY BY  
ATTORNEY-IN-FACT**

**RECONOCIMIENTO Y ACEPTACIÓN DEL PODER POR PARTE DEL APODERADO**

I, \_\_\_\_\_, hereby acknowledge and accept the  
YO Name of person receiving power of attorney/ nombre de la persona que recibe el poder reconozco y acepto

powers granted unto me herein,  
los poderes que se me otorgan en la presente,

and hereunto sign my name in the City/Town of \_\_\_\_\_, County of  
y firmo con mi nombre en la Ciudad/ Pueblo de Condado de

\_\_\_\_\_, in the State of Wyoming, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
En el Estado de Wyoming, este día de

\_\_\_\_\_  
[SIGNATURE OF GRANTEE]  
[FIRMA DEL CONCESIONARIO]

County of \_\_\_\_\_ / Condado de \_\_\_\_\_ )  
 )ss.  
State of Wyoming / Estado de Wyoming )

SUBSCRIBED AND SWORN to before me by \_\_\_\_\_, on this  
JURADO antes mi por \_\_\_\_\_, en este

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
día de

WITNESS MY HAND AND OFFICIAL SEAL  
DE MI MANO Y SELLO OFICIAL

\_\_\_\_\_  
Notary Signature  
Firma del Notario

**REVOCATION OF POWER OF ATTORNEY FOR CARE AND CUSTODY OF  
MINOR CHILD(REN)**

**REVOCACIÓN DEL PODER PARA EL CUIDADO Y LA CUSTODIA DE LOS HIJOS  
MENORES**

**1. Parent and Children**

I, \_\_\_\_\_ am the parent of the following minor children:  
Yo, \_\_\_\_\_ Name of Parent/ nombre del padre soy el padre de los siguientes menores:

Child #1: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #1 Full name of child/ Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #2: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #2 Full name of child/ Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #3: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #3 Full name of child/ Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #4: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #4 Full name of child/ Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #5: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #5 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year /año

Child #6: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #6 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_, \_\_\_\_\_;  
de Month /mes Year / año

Child #7: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #7 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_,  
de Month / mes Year / año

Child #8: \_\_\_\_\_, born on the \_\_\_\_\_  
menor #8 Full name of child / Nombre completo del menor Nacido en el Date / fecha

day of \_\_\_\_\_,  
de Month / mes Year / año

[If additional children exist, please attach an extra sheet containing the children's names and dates of birth.]  
[Si existen más niños, adjunte una hoja adicional que contenga los nombres y las fechas de nacimiento de los niños.]

All children listed above are collectively referred to herein as "the children".  
Todos los niños mencionados anteriormente se llaman desde este momento como "los niños."

My current address is: \_\_\_\_\_  
Mi dirección actual es:  
\_\_\_\_\_

2. **Attorney-in-Fact**

**Apoderado**

\_\_\_\_\_, is an adult whose address is \_\_\_\_\_  
Name of person receiving power of attorney / Nombre de la persona recibiendo el poder es un adulto cuya dirección es

\_\_\_\_\_  
\_\_\_\_\_

On the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, I signed a Power of Attorney to  
En el día de he firmado una Carta de Poder para

\_\_\_\_\_ for the care and custody of the  
Name of person receiving power of attorney / Nombre de la persona recibiendo el poder para el cuidado y custodia de los

children.  
niños(as).

3. **Revocation of Power of Attorney**

**Revocación del poder**

I hereby **REVOKE** the above-referenced Power of Attorney. I have sent written notice  
Por la presente, **REVOCO** el poder arriba mencionado. He enviado una notificación

of this revocation in person, by regular mail, or by email to  
por escrito de esta revocación en persona, por correo ordinario o por correo electrónico a

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_,

Name of person receiving power of attorney Nombre de la persona recibiendo el poder en el día Date/ fecha Month/ Mes

20\_\_\_\_\_.

Year/ Año

This revocation shall take effect immediately upon the attorney-in-fact's

Esta revocación surtirá efecto inmediatamente después de que el apoderado

receipt of said notice.

reciba dicha notificación.

**IN WITNESS WHEREOF** I hereunto sign my name at the City/Town of \_\_\_\_\_,

**EN TESTIMONIO DE LO CUAL** firmo en mi nombre en la Ciudad/Pueblo de County

in the State of Wyoming, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

En el Estado de Wyoming, este día de

\_\_\_\_\_  
[SIGNATURE OF PRINCIPAL]

[FIRMA DEL PRINCIPAL]

**JURAT**

County of Teton / Condado de Teton )

)ss.

State of Wyoming / Estado de Wyoming )

SUBSCRIBED AND SWORN to before me by \_\_\_\_\_

JURADO ante mí por\_

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

en este día de

WITNESS MY HAND AND OFFICIAL SEAL  
DE MI MANO Y CON MI SELLO OFICIAL

---

Notary Signature  
Firma del Notario

**FINANCIAL POWER OF ATTORNEY**  
**PODER FINANCIERO**

1. **Principal**

**Principal**

I, \_\_\_\_\_ currently reside at \_\_\_\_\_  
Yo, Name of person granting power of attorney/ nombre de la persona que otorga el poder acutalmente reside en Address/Direccion

\_\_\_\_\_  
\_\_\_\_\_

2. **Attorney-in-Fact**

**Apoderado**

\_\_\_\_\_, is an adult whose address is \_\_\_\_\_  
Name of person receiving power of attorney/ nombre de la persona que recibe el poder es un adulto cuya direccion es

\_\_\_\_\_  
\_\_\_\_\_

3. **Power of Attorney**

**Poder**

Upon the conditions described in paragraph 4 below, I **APPOINT**  
En las condiciones descritas en párrafo 4, Yo **NOMBRE**

\_\_\_\_\_ as my agent and attorney-in-fact to  
Name of person receiving power of attorney Nombre de la persona que recibe el poder como mi agente y apoderado para

act on my behalf in any lawful way with respect to the following: [Please initial all that apply]  
actuar en mi nombre de cualquier manera legal con respecto a lo siguiente: [por favor, ponga sus  
iniciales en todas las opciones que correspondan]

\_\_\_\_\_(A) Banking and other financial institution transactions, including authority  
necessary to open, close, or change an account, deposit and withdraw funds, and  
otherwise manage my financial accounts;

A) Operaciones bancarias y de otras instituciones financieras, incluida la autoridad  
necesaria para abrir, cerrar o modificar una cuenta, depositar y retirar fondos y gestionar de  
otro modo mis cuentas financieras

\_\_\_\_\_(B) Personal property transactions, including authority necessary to buy, sell, rent, manage, maintain, and modify personal property;

(B) Transacciones de bienes personales, incluida la autoridad necesaria para comprar, vender, alquilar, administrar, mantener y modificar bienes personales;

\_\_\_\_\_(C) Business operating transactions, including authority necessary to buy, sell, modify, and operate a business;

(C) Transacciones de operación de negocios, incluyendo la autoridad necesaria para comprar, vender, modificar y operar un negocio;

\_\_\_\_\_(D) Benefits from Medicare, Medicaid, or other public assistance programs, or military services, including authority necessary to secure and maintain my benefits for the support of my children and resolve any disputes regarding or discrepancies with my benefits;

(D) Beneficios de Medicare, Medicaid, u otros programas de asistencia pública, o servicios militares, incluyendo la autoridad necesaria para asegurar y mantener mis beneficios para la manutención de mis hijos y resolver cualquier disputa o discrepancia con mis beneficios;

\_\_\_\_\_(E) Tax matters, including authority to prepare, sign, and file federal, state, local, and foreign tax returns and any other tax-related documents, pay taxes due, and collect refunds, and act on my behalf in all tax matters;

(E) Asuntos fiscales, incluida la autoridad para preparar, firmar y presentar declaraciones de impuestos federales, estatales, locales y extranjeros y cualquier otro documento relacionado con los impuestos, pagar los impuestos adeudados y cobrar los reembolsos, y actuar en mi nombre en todos los asuntos fiscales;

\_\_\_\_\_(F) To apply for a Certificate of Title upon, and endorse and transfer title thereto, for any automobile, truck, van, motorcycle, or other motor vehicle, and to represent in such transfer or assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer or assignment;

(F) Solicitar un Certificado de Título sobre, y endosar y transferir el título de propiedad, para cualquier automóvil, camión, furgoneta, motocicleta u otro vehículo de motor, y declarar en dicha transferencia o cesión que el título de propiedad de dicho vehículo de motor está libre y exento de todos los gravámenes y cargas excepto los que se establecen específicamente en dicha transferencia o cesión;

\_\_\_\_\_(G) From my available funds, my attorney-in-fact will: (1) give money to cover the living expenses of my children; (2) handle my banking and depositing and withdrawing money in my name; and (3) pay all my bills in a timely manner; and

(G) De mis fondos disponibles, mi apoderado podrá (1) dar dinero para cubrir los gastos de manutención de mis hijos; (2) encargarse de mis operaciones bancarias y de depositar y retirar dinero en mi nombre; y (3) pagar todas mis facturas de forma puntual; y

\_\_\_\_\_(H) \_\_\_\_\_  
Please list any other financial decisions you would like your attorney-in-fact to be empowered to make on your behalf /  
Enumere cualquier otra decisión financiera que desee que su apoderado esté facultado para tomar en  
su nombre  
\_\_\_\_\_  
\_\_\_\_\_

4. **Effective Date**  
**Fecha de vigencia**

This Power of Attorney will come into effect only in the event that I am detained by a law enforcement agency of any kind or removed from the United States. Once in effect, this Power of Attorney shall remain in effect until: [Please check one and initial in the blank space to the right]

Este Poder entrará en vigor sólo en el caso de que yo sea detenido por una agencia policial de cualquier tipo o expulsado de los Estados Unidos. Una vez que entre en vigor, este Poder permanecerá en vigor hasta: [Por favor, marque una y ponga sus iniciales en el espacio en blanco de la derecha]

I am released from custody. \_\_\_\_\_  
Me han liberado de la custodia.

I am released from custody and able to reunite with my children. \_\_\_\_\_  
Me liberan de la custodia y puedo reunirme con los niños (mis hijos).

\_\_\_\_\_  
\_\_\_\_\_

5. **Powers Not Included**  
**Poderes No Incluidos**

This financial Power of Attorney does not include the following authority:

Este poder financiero no incluye la siguiente autoridad

[Please list any limitations on this power of attorney here] [Por favor, enumere aquí las limitaciones de este poder]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. **Attorney-in-fact Compensation**

**Remuneración del Apoderado**

My attorney-in-fact [Please check one]  will /  will not receive compensation  
Mi apoderado [marque una opción] recibirá / no recibirá una compensación asociado

with execution of the duties created by this Power of Attorney.  
con la ejecución de las obligaciones creadas por este poder.

---

If receiving compensation, please describe the amount and manner of compensation here./ Si recibe una compensación, por favor describa la cantidad y la forma de compensación aquí.

---

7. **Notice to Third Parties**

**Notificación a terceros**

Any third party who receives a valid copy of this Power of Attorney can rely on and act under it. A third party who relies on the reasonable representations of an attorney-in-fact as to a matter relating to a power granted by this Power of Attorney will not incur any liability to the principal or to the principal's heirs, assigns, or estate as a result of permitting the attorney-in-fact to exercise the authority granted by the Power of Attorney up to the point of revocation of the Power of Attorney. Revocation of the Power of Attorney will not be effective as to a third party until the third party receives notice and has actual knowledge of the revocation.

Cualquier tercero que reciba una copia válida de este poder puede confiar en él y actuar en virtud del mismo. Un tercero que confíe en las representaciones razonables de un apoderado en cuanto a un asunto relacionado con un poder otorgado por este Poder no incurrirá en ninguna responsabilidad ante el mandante o los herederos, cesionarios o patrimonio del mandante como resultado de permitir que el apoderado ejerza la autoridad otorgada por el Poder hasta el momento de la revocación del Poder. La revocación del Poder no será efectiva en cuanto a un tercero hasta que éste reciba la notificación y tenga conocimiento real de la revocación.

8. **Severability**

**Divisibilidad**

If any part of any provision of this instrument is ruled invalid or unenforceable under applicable law, such part will be ineffective to the extent of such invalidity only, without in any way affecting the remaining parts of such provisions or the remaining provisions of this instrument.

Si alguna parte de cualquier disposición de este instrumento se considera inválida o inaplicable en virtud de la legislación vigente, dicha parte será ineficaz únicamente en la medida de dicha invalidez, sin que ello afecte en modo alguno a las restantes partes de dichas disposiciones o a las restantes disposiciones de este instrumento.



**REVOCATION OF FINANCIAL POWER OF ATTORNEY**  
**REVOCACIÓN DE PODER FINANCIERO**

1. **Principal**

Principal

I, \_\_\_\_\_, currently reside at \_\_\_\_\_  
Yo Name of person granting power of attorney/ Nombre de la persona que otorga el poder acualmente reside en Address / Dirección

\_\_\_\_\_  
\_\_\_\_\_

2. **Attorney-in-Fact**

Apoderado

\_\_\_\_\_ is an adult whose address is \_\_\_\_\_  
Name of person receiving power of attorney/ Nombre de la persona que recibe el poder es un adulto cuya dirección es

\_\_\_\_\_  
\_\_\_\_\_

3. **Revocation of Power of Attorney**

Revocacion del Poder

On the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, I signed a Power of Attorney to  
En el día de he firmado un poder para

\_\_\_\_\_ for the management of my  
Name of person receiving power of attorney/ Nombre de la persona que recibe el poder para la gestión de mis

financial matters. I hereby **REVOKE** the above-referenced Power of Attorney. I  
asuntos financieros. Por la presente, **REVOCO** el poder arriba mencionado. He enviado una

have sentwritten notice of this revocation in person, by regular mail, or by email to  
notificación por escrito de esta revocación en persona, por correo ordinario o por correo electrónico a

\_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_,  
Name of person receiving power of attorney / Nombre de la persona recibiendo el poder Date/fecha Month / mes

20\_\_\_\_\_.  
Year / Año

This revocation shall take effect immediately upon the attorney-in-fact's  
Esta revocación surtirá efecto inmediatamente después de que el apoderado

receipt of said notice.  
reciba dicha notificación.

**IN WITNESS WHEREOF** I hereunto sign my name at the City/Town of \_\_\_\_\_,  
**EN TESTIMONIO DE LO CUAL** Yo, firmo en mi nombre en la Ciudad/Pueblo de

County of \_\_\_\_\_, in the State of Wyoming, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.  
Condado de \_\_\_\_\_ en el Estado de Wyoming, en este, \_\_\_\_\_ día de

\_\_\_\_\_  
[SIGNATURE OF PRINCIPAL]  
[FIRMA DEL PRINCIPAL]

**JURAT**

County of Teton / Condado de Teton )  
)ss.  
State of Wyoming / Estado de Wyoming )

SUBSCRIBED AND SWORN to before me by \_\_\_\_\_  
JURADO ante mí por

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.  
en este día de

WITNESS MY HAND AND OFFICIAL SEAL  
DE MI MANO Y CON MI SELLO OFICIAL

\_\_\_\_\_  
Notary Signature  
Firma del Notario

## The Asylum Process

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### 1. Credible Fear Interview

In order to get asylum, you need to prove that you have good reason to fear that you will be harmed physically, psychologically, or emotionally if you return to your home country.

### 2. Parole and Bond

If you pass your interview, you may request parole or bond. In order to be eligible, you need to prove that you will attend your court dates and meetings with ICE, that you are not a threat to the community, and that you have a sponsor who can provide you with food and housing during your immigration proceedings. If you are granted either, you will be released and complete your immigration process outside of detention. Parole means that you can leave detention without paying money. Under bond, you pay ICE money that will be returned to you after your case is completed unless you are ordered to be re-detained. In either case, you will be closely monitored by ICE while outside of detention.

### 3. Master Calendar Hearings

A judge will read any charges against you and give you any applications that you need to file for asylum. If you do not have a lawyer yet, you can request the judge more time to find one.

### 4. Merits Hearing

This is the hearing regarding your individual case. If possible, it is better to have a lawyer who can represent you. During this hearing, the judge and ICE attorneys may ask you questions regarding your case, and you can use evidence and testimony from people who know you to support your case.

[continue reading ↗](#)

## The Asylum Process (continued)

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### 5. Possible Outcomes

There are three outcomes that allow you to stay in the US. You can be granted asylum, through which you can become a legal permanent resident of the US. You can also get a Withholding of Removal or Convention Against Torture (CAT). These allow you to stay in the country but do not allow you to become a legal permanent resident.

### Breathing Exercise

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Sometimes our situations make us feel anxious, stressed, or afraid. It can feel like we have lost control of everything. When this happens, it is important to bring ourselves back to the present. One way to do this is through breathing exercises. Controlling your breathing can help you feel relaxed and think more clearly. You can do breathing exercises at any time—you can practice them every day or during stressful moments.

Breathe in for four seconds and out for four seconds. You can put your hand on your stomach and feel your belly expand as you breathe in.

*Breathe in*

2...

3...

4...

*Breathe out*

2...

3...

4...

As you do this more, you might notice your muscles begin to relax and your heartbeat calming down. This is all due to your great work in taking care of yourself.

# QDEP

Queer Detainee  
Empowerment Project



## Contact Us

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Hotline

**(347) 645-9339**

Our hotline is open Monday – Friday  
10 am – 5 pm (Eastern Time).



Email

**info@qdep.org**



Twitter

**@queerdep**



Facebook

**facebook.com/qdepnyc**

## Who We Are

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The Queer Detainee Empowerment Project (QDEP) works with Lesbian, Gay, Bisexual, Queer, Two Spirit, Trans, Gender Non-Conforming, and HIV+ immigrant prisoners and their families.

We work with people who are currently in detention centers, those that are recently released from detention centers, and those at risk of entering immigration detention.

We work to organize around the structural barriers and state violence that LGBTQIA+ detainees face in relation to their immigration status, race, sexuality, and gender expression and identity.

We are committed to assisting our members in building lives outside of detention and to breaking down the barriers that prevent folks from building fulfilling and strong lives.

We believe in creating a narrative of thriving, not just surviving.

The Queer Detainee Empowerment Project is a project of the Center for Transformative Action.

## Our Services

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These are the specific services that QDEP offers. If you need something not listed here, don't be afraid to ask. We will let you know if we can help.

### For people in detention:

- Referrals to free legal services
- Modest monthly commissary stipend (depending on available funds)
- Pen-pal letters
- Letters of support for court hearings
- In-person visitation to detention centers in New Jersey
- Accompaniment to court hearings in the New York City area
- Books upon request

### Outside detention:

- Weekly member meetings in New York City
- Referrals to temporary free housing and food pantry services
- Referrals to health and mental health services
- Assistance with finding housing and employment
- Support in getting public benefits, health insurance, work permits, social security, etc.
- Clothing and toiletries on-site

## You are not alone.

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You may not want to tell your story because you are afraid of deportation. But there are people who want to help you in this country.

In order for lawyers and organizations to help, you need to tell your story. You have a greater chance of being able to stay here if you can explain why you left your country, or why you are afraid of going back.

### You have many rights.

- You have the right to receive **health** and mental health **treatment**, including doctors' visits and any medications you need.
- You have the right to be **protected from** physical and mental **abuse**.
- You have the right to **look for a lawyer** and contact your lawyer by mail or phone.
- You are **protected** by law **against discrimination** based on your gender, sexuality, HIV status, race, ethnicity, religion, or political beliefs.

You are strong for having arrived here. Together we will fight for your freedom!

## Criminal Justice Reform

We have very little faith and trust in a criminal justice system that disproportionately targets the poor, homeless, immigrants, communities of color, LGBTQ+, and Two Spirit people. We see our current criminal justice system as flawed, corrupt, and racist.

- We are opposed to any increased funding for any law enforcement agency or department in Wyoming.
- We are opposed to the death penalty. The death penalty is racist and inhumane.
- We are opposed to new laws and policies that could be used against immigrants and communities of color.



## Equitable representation policies

We have seen how a lack of representation for communities of color leads to those communities being ignored locally and nationally. Elected officials who supposedly represent a community they've never been part of inherently lack the valuable insight and experiences of someone who lives in it.

- We call for representational based elections for all multi-seat government offices, boards, councils, and similar forms of organization that are currently elected at-large in order to ensure true representation for each community.



## Know your rights

Law enforcement and ICE are known for taking advantage of people not knowing their rights. We also see nationally and locally that for many BIPOC an interaction with law enforcement could mean the loss of life. This is why we feel strongly that if the community knows their rights they are better equipped to protect themselves and their loved ones while interacting with law enforcement.

- We are committed to providing KYR resources and training to the community. This means we will provide as many public KYR trainings as requested with free KYR resources
- We will empower and train community leaders to expand the reach of our KYR work. It is community leaders who know how to connect with their community so we will make sure they have all the tools and resources they need to lead the work in their community.



## Anti-detention advocacy

We still have a broken immigration system that is putting adults and children in dangerous and inhumane conditions during this pandemic. Child prisons with flowers painted on the walls are still child prisons. The way ICE operates under the current administration is no different than how they operated under the previous administration.

Until the abolition of ICE and CBP we are committed to holding them accountable for their abuses, and we will work to prevent Wyoming from taking part in any immigration detention.

- We call for the abolition of immigrant detention in any form.
- We call for the abolition of private prisons.
- We call for the abolition of Immigration and Customs Enforcement/ICE.
- We call for the abolition of Customs and Border Protection/CBP.



### La Ventanilla de Salud (VDS)

Busca facilitar el acceso de los inmigrantes mexicanos a servicios primarios y preventivos de salud, así como promover una cultura de prevención entre las familias mexicanas en Estados Unidos.

### Promoción

El Consulado también tiene a su cargo la cooperación y la promoción económica, comercial, turística, cultural y académica con autoridades locales y agencias de gobierno federal, estatal y municipal.

### Centro de Información y Asistencia a Mexicanos (CIAM)

El CIAM es un centro de llamadas que brinda orientación integral a la comunidad mexicana en temas como servicios consulares, actualidad migratoria y prevención y protección consular.

El CIAM orienta para localizar a familiares y amigos, asesora en materia jurídica y migratoria, ofrece información de interés en materia migratoria y brinda orientación a víctimas de abuso o fraude.

Para más información llama al:  
520-623-7874

## CITAS MEXITEL

1 877 639 4835

<https://mexitel.sre.gob.mx/citas.webportal>

[/pages/public/login/login.jsf](#)

(Pasaporte, Matrículas Consulares, Poderes Notariales y credencial para votar)

TELÉFONO DEL CONSULADO

303-331-1110

TELÉFONO DE EMERGENCIAS DE PROTECCIÓN

303-667-8657

DIRECCIÓN

5350 LEETSDALE DR.  
DENVER, CO. 80246

CORREO ELECTRÓNICO

infodenver@sre.gob.mx

REGISTRO DE MEXICANOS

(Doble nacionalidad)  
rcivilconden@sre.gob.mx

PÁGINA OFICIAL

consulmex.sre.gob.mx/denver/

**CIAM**

CENTRO DE INFORMACION  
Y ASISTENCIA A  
MEXICANOS

520 623 7874



@CONSULMEXDEN



# SRE

SECRETARÍA DE  
RELACIONES  
EXTERIORES

Consulado General de  
México en Denver

## ¿Qué es un Consulado?

Un Consulado es la oficina del Gobierno de México en el extranjero, cuya principal misión es proteger los derechos e intereses de los mexicanos. Dentro del Consulado encontraremos tres diferentes áreas que brindan atención al público: servicios consulares, protección y asuntos comunitarios.

## Servicios Consulares

En los consulados se pueden realizar diversos trámites de Documentación, Fe Pública y Registro Civil. El Consulado General de México en Denver atiende estas funciones en Colorado y los condados del este de Wyoming y Montana.

## Documentación:

- ◊ Pasaporte\*
- ◊ Matrícula Consular\*
- ◊ Credencial para votar\*
- ◊ Cartilla militar
- ◊ Certificado de cotejo de documentos
- ◊ Certificado de supervivencia para pensionistas
- ◊ Menaje de Casa
- ◊ Visas para extranjeros
- \* Requiere cita, agendarla en MEXITEL

## Fe Pública:

Los Cónsules están facultados para actuar como notarios públicos, sólo para actos que tienen validez en México, mediante la expedición de:

- ◊ Poderes notariales, generales y especiales, así como revocaciones de los mismos
- ◊ Testamentos
- ◊ Repudio de Derechos Hereditarios

## Registro Civil:

El Consulado ofrece el servicio de Registro Civil en los siguientes casos:

- ◊ Registro de nacimiento en el extranjero de personas que tengan al menos un padre mexicano.
- ◊ Registro de personas nacidas en México, cuyo nacimiento no fue asentado oportunamente en el Registro Civil mexicano.
- ◊ Celebración de matrimonio entre personas mexicanas.
- ◊ Expedición de copias certificadas de actas de nacimiento, defunción, divorcio y matrimonio.
- ◊ Información y citas en el correo: [rcivilconden@sre.gob.mx](mailto:rcivilconden@sre.gob.mx)

## Protección a Mexicanos:

Se encarga de velar por el respeto de los derechos de los mexicanos que se encuentran en la circunscripción del Consulado sin importar la calidad migratoria de la persona, además de ejecutar acciones para orientar a la comunidad en las siguientes materias:

### -Migratoria

- ◊ Visitas a personas en detención migratoria
- ◊ Consultas migratorias semanales
- ◊ Talleres "Conoce tus Derechos"
- ◊ Localización de personas
- ◊ Permisos Humanitarios
- ◊ Asistencia a víctimas de trata de personas

### -Penal

- ◊ Visita a centros de detención y prisiones
- ◊ Atención a notificaciones consulares
- ◊ Programa de asistencia legal con abogados especializados

### -Administrativa

- ◊ Apoyo en repatriación de personas vulnerables
- ◊ Traslado de restos humanos
- ◊ Recuperación de pertenencias
- ◊ Búsqueda de personas mexicanas en el exterior

### -Laboral

- ◊ Visitas a trabajadores agrícolas
- ◊ Indemnizaciones por accidentes en el lugar de trabajo
- ◊ Condiciones generales de trabajo
- ◊ Salarios no pagados
- ◊ Atención en casos de discriminación, acoso, violencia y esclavitud en el lugar de trabajo

### -Familiar

- ◊ Custodia de menores
- ◊ Atención a víctimas de violencia doméstica

## Asuntos Comunitarios

Atiende los programas diseñados por el Instituto de los Mexicanos en el Exterior y abarca temas sobre educación, educación financiera, salud y cultura, entre otros. Para ello se trabaja con organizaciones aliadas locales, quienes son expertas en cada uno de esos temas.

### La Ventanilla de Orientación Educativa (VOE)

Difunde las oportunidades educativas existentes en Estados Unidos y en México, a fin de disminuir el rezago educativo en ambos lados de la frontera.

### La Ventanilla de Asesoría Financiera (VAF)

Provee orientación sobre cómo proteger el patrimonio, así como asesoramiento financiero, con la finalidad de incrementar la educación de la comunidad mexicana en este tema.

NATIONAL

SUICIDE



PREVENTION

LIFELINE™

1-800-273-TALK

[www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

RED NACIONAL

de

PREVENCIÓN

del

SUICIDIO



1-888-628-9454

[prevenciondelsuicidio.org](http://prevenciondelsuicidio.org)



# MÉXICO

CONSULADO GENERAL EN DENVER

## Consulado General del México en Denver

**Dirección:** 5350 Leetsdale Drive, Suite 100  
Denver, Colorado 80246

**Teléfono:** 303-331-1110

**EMERGENCIA:** 303-667-8657

**El correo electrónico:** [infodenver@sre.gob.mx](mailto:infodenver@sre.gob.mx)

El Consulado General de México en Denver se encarga de proteger y promover los derechos y el bienestar de nuestros connacionales sin importar su calidad migratoria, en especial de las personas que han sido víctimas de delitos, de violencia doméstica, o que requieren asistencia en asuntos penales, migratorios o familiares.

Si requieres asistencia consular, comunícate con nosotros a nuestro número de emergencia 303-667-8657 (disponible 24/7) o escríbenos al correo [infodenver@sre.gob.mx](mailto:infodenver@sre.gob.mx)

The Consulate General of Mexico in Denver works to protect and promote the rights and well-being of the Mexican nationals regardless of their immigration status, especially serving people who have been victims of a crime, domestic violence, or those who have open criminal, immigration or family cases.

In case you are in need of consular assistance, contact us at our emergency number 303-667-8657 (24/7 line) or send us an email at [infodenver@sre.gob.mx](mailto:infodenver@sre.gob.mx)

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## Consulado General del Perú en Denver

## Consulado General del Perú en Denver

**Dirección:** 6795 East Tennessee Avenue  
Suite 550, Denver, Colorado 80224

**Teléfono oficina:** 001 303.355.8555

**Cónsul General:** 001 303 355.8908

**CELULAR DE EMERGENCIA:** 001+303.748.3063

**El correo electrónico:**

[conperdenver@consuladoperu.net](mailto:conperdenver@consuladoperu.net)

[registro@consuladoperu.net](mailto:registro@consuladoperu.net)

[poderes@consuladoperu.net](mailto:poderes@consuladoperu.net)

**Pag Web**

<http://www.consulado.pe/es/Denver/>

El Consulado General del Perú en Denver cubre como parte de su jurisdicción consular nueve (9) Estados del Centro-Oeste de EEUU: Colorado, Dakota del Norte, Dakota del Sur, Idaho, Montana, Nebraska, Nuevo México, Utah y Wyoming.

Esta Oficina Consular orienta su accionar en base a los lineamientos de la Política Consular diseñada por el Ministerio de Relaciones Exteriores del Perú, y mantiene permanente coordinación con la Embajada del Perú en Washington y con los otros doce (12) Consulados Generales del Perú acreditados en EEUU para la ejecución de las acciones de protección y asistencia consular en favor de la inserción comunitaria y bienestar social de los miembros de la comunidad peruana residente en este país.

En los últimos tres años, el Consulado General del Perú en Denver ha implementado importantes mejoras de modernización digital y de atención al público, con lo cual se han fortalecido los alcances de las acciones de asistencia legal humanitaria y demás servicios consulares, habiéndose priorizado los trámites en línea y vía postal durante el contexto de la pandemia por el COVID-19.

Asimismo, se han desplegado renovados esfuerzos para velar por la integridad y respeto de los derechos de los ciudadanos peruanos detenidos en los centros correccionales de la Oficina de Migraciones de los EEUU, y en favor de los pastores ovejeros peruanos que laboran en las zonas de montaña, brindándoles apoyo legal y atendiendo sus variadas solicitudes de asistencia consular para la preservación de sus derechos humanos y laborales.

El Consulado General del Perú en Denver realiza un permanente seguimiento y asistencia consular en favor de la situación de inserción y bienestar social de la comunidad peruana residente en toda la jurisdicción consular, y promueve la vinculación con los residentes peruanos en los nueve Estados de la jurisdicción consular.

Cabe destacar que, junto con las Oficinas Consulares Generales de México, El Salvador y Guatemala en Colorado, se priorizó la coordinación de eventos conjuntos en materia migratoria para la comunidad latinoamericana en general, como fue el caso de las “Conferencias Migratorias y sesiones de orientación legal”, las cuales fueron impartidas durante el año 2019 junto a abogados especialistas en temas migratorios como respuesta al endurecimiento de las políticas migratorias en este país.



### **Consulado General de Guatemala en Denver**

**EMERGENCIA:** (303)-638-4955

**EMERGENCIA(sólo texto):** (303)-506-6679

**El correo electrónico:** [consdenver@minex.gob.gt](mailto:consdenver@minex.gob.gt)

**Facebook:** Consulado General de Guatemala en Denver, CO

**Twitter:** @ConsGuaDenver

## ACLU Wyoming

If you were released from the custody of immigration officials and instructed to report to a US Immigration and Customs Enforcement (ICE) office, you can now schedule your check-in with ICE online appointment scheduler. Languages available include English, Spanish, Portuguese, Haitian Creole, and French. Previously, appointments were only made either through phone or in person.

In order to schedule an appointment online you will need to know your subject ID number and your birth country. Both of these pieces of information can be found on your I-385 form, which is the paper you received when ICE or CBP released you.

1. To access the online scheduler, go to <https://checkin.ice.gov/fos>.
2. Choose your preferred language.
3. On the next page, enter your subject ID number and place of birth, both found in form I-385. The subject ID number is located at the top of the form.
4. Click “**I am not a robot**” and then **submit**.
5. On the next page, enter your physical address and click **search**. The online scheduler will then auto-populate the three closest ICE offices near you.
6. Choose your preferred office from the list and click **continue** to see the available appointments based on your office location.
7. Select your preferred appointment date and time and click **continue**.
8. The next page will allow you to review your appointment details, including the date, duration, and number of individuals reporting with you. If you plan to bring an attorney or anyone else, enter the number of people here. Once you review everything to make sure it is correct, click **confirm**.
9. On the next page, you will be able to view your appointment details and confirmation number. You will also have the option to print, email, or send a text with your appointment confirmation details. It is suggested you write down your appointment information, just in case the website is having technical issues.
10. Once you are done, click **end session**.
11. You can retrieve your appointment details by going to <https://checkin.ice.gov/fos> and entering your subject ID number and place of birth, as listed on your I-385 form.

It is important to note that even if you use a language other than English to schedule your appointment with the online scheduler, ICE will not provide an interpreter at your appointment.

For more information, please visit <https://www.ice.gov/check-in>, which contains a video with visual instructions to access the online scheduler.

# STUDENTS IN WYOMING

**KNOW YOUR  
RIGHTS**

**ACLU** Wyoming

**KNOW YOUR  
RIGHTS**

**ACLU**  
Wyoming

**Please advise:** This document introduces important information for students in Wyoming public schools. Please note that this isn't intended as strict legal advice, but a guide to knowing what rights you are afforded while attending public school and how you can exercise them.

Email us at [acluwy@aclu.org](mailto:acluwy@aclu.org) with any questions or call 307-637-4565 anytime.



## DO I HAVE THE RIGHT TO A K-12 EDUCATION AS AN UNDOCUMENTED STUDENT?

YES. Every child who lives in Wyoming has the right to a free public education regardless of the child or their family's race, nationality, sex, religion, whether they speak English or not, and immigration status. Every child in Wyoming, including non-citizens and undocumented students, has a right to attend a public school in the district where their parent resides or a charter school.

You have the right to receive an education that is free from discrimination based on real or perceived immigration status.

You have the right to access free or reduced-price school meals, special education, and all school activities.

**NOTE: Free and reduced-price meals have no effect on a "public charge" determination for immigration purposes.**

Your parents have the right to receive information about evaluations, support services, and Individualized Education Programs (IEPs) in their native language.

You have the right to meaningfully participate in your education. This includes the right to access English language development classes.



**KNOW YOUR RIGHTS**

# IMMIGRATION ENFORCEMENT ACTIONS ON SCHOOL CAMPUSES

## **Will the U.S. government conduct immigration enforcement actions on my school campus?**

- USUALLY NO. The United States government has a policy that generally prohibits immigration enforcement actions on or directed towards school campuses. The types of schools covered by this policy include primary, secondary, and post-secondary schools such as colleges and universities, as well as licensed daycare centers, pre-schools, school bus stops, and any school-related activity or event.
- Right now, students and parents should not fear encountering immigration officials at any of these locations. But this could change in the future, so it is important to remain vigilant.

## **What do you mean by an “immigration enforcement action”?**

- Immigration enforcement actions are actions taken by U.S. Immigration Customs Enforcement (ICE), and U.S. Customs and Border Protection (CBP) officers. Examples of such actions include searches, interviews, surveillance for immigration purposes, and arrests.

## **What is a “safe haven” or “safe zone” school district policy?**

- Some school districts in the U.S. have declared that they are “safe zone” or “safe haven” school districts. This means that the district promises to resist efforts of immigration authorities to come on campus or use school records for immigration enforcement purposes.

## **Should I be worried if my school has not declared itself a “safe haven” or “safe zone” district?**

- NOT RIGHT NOW. Under current policy and practice, immigration enforcement actions are generally not allowed on school campuses. But because some undocumented students and families are fearful that things will change in the future, some districts have declared themselves a “safe haven” or “safe zone” to reassure these students and families.

# SCHOOL REQUESTS FOR STUDENT DOCUMENTS



## **Can my school district ask about my citizenship or immigration status for proof that I live in the school district?**

- NO. School districts may NOT ask about a student's citizenship or immigration status as proof of a student's residency within a district. Schools may ask for phone bills, lease agreements, affidavits, or other documents to prove residency instead.

## **Do I have the right to withhold information on my citizenship or immigration status from my school districts?**

- YES. You have the right to withhold information on your citizenship or immigration status from your school. Your school MAY NOT stop you from enrolling if you do not provide that information.

## **Can my school district request my birth certificate as proof of my age?**

- YES, HOWEVER your school district may NOT stop you from enrolling in school because you lack a birth certificate or have a foreign place of birth.

## **Do I have the right to refuse to provide my social security number to my school district?**

- YES. Some school districts request a student's social security number during enrollment to use as a student identification number. If a school district requests a student's social security number, it must: (1) inform you and your parent that providing it is voluntary and that refusing to provide it will not bar you from enrolling in or attending school, and (2) explain for what purpose the number will be used.
- A school district MAY NOT prevent you from enrolling in or attending school if you choose not to provide your social security number.

## **Does my parent have the right to refuse to provide their social security number to my school?**

- YES. Your parent or guardian can refuse to provide their social security number if asked by a school. Your school cannot stop you from enrolling because your parent or guardian refuses to provide their social security number.

**KNOW YOUR  
RIGHTS**

# PRIVACY OF STUDENT RECORDS

## Could immigration enforcement authorities get my student records from my school?

- **MAYBE.** It may be possible for immigration enforcement authorities to access your student records, including identifying information such as your place of birth and immigration status if you have provided it to your school. However, it is not current policy or practice to do so. This could change in the future, so it is important to be careful about what information you share.

## More details about the government's ability to obtain your student records are provided below.

## Do I have the right to control who sees the student records held by my school?

- **GENERALLY, YES.** However, there are exceptions. A law called the Family Educational Rights and Privacy Act (also known as "FERPA") requires that your school ask for your permission before it discloses information from your student records. But there are some times when your school can share your student records without your permission, as described more below.

## Could my school give my personal information, including my immigration status, to the federal government without my permission?

- **YES.** Although FERPA and state law protects the privacy of your student records generally, there are circumstances when your school must share such information without your permission to the federal government. For example, your school must share your records without your permission if a court issues a subpoena or court order.

## What happens if a court issues a subpoena to my school for my student records?

- Your school must comply with any order it receives from a judge to turn over student records. Therefore, it is important to be cautious about what information you share.

## Can my school share my place of birth with immigration enforcement authorities without my permission?

- **YES.** FERPA allows your school to share some of your student information, including your place of birth, email address, telephone number, and address, without your permission. However, your school can refuse to share this information. You should ask your school district to promise not to share such information.

## Can other federal agencies ask my school to turn over my student records without my permission?

- **IT DEPENDS.** The United States Department of Justice and Department of Education could ask your school to share your student records without your permission, but they may **NOT** ask for just any reason. The records they request must relate to a program at your school.
- If these agencies receive such information, there are rules that make it difficult for them to re-share the information with others, such as immigration enforcement authorities.

## If the United States Department of Justice or Department of Education asks for my student records, is my school required to provide those records?

- **NO.** Unless there is a court order to do so, your school has the right to refuse to provide such records, or parts of these records, to these federal agencies.
- You should encourage your school to adopt a policy promising not to share any information on your undocumented status with federal agencies unless required to do so by a court order.

**KNOW YOUR  
RIGHTS**

**ACLU**  
Wyoming

# HIGHER EDUCATION



## **What rights do I have to higher education (community colleges, trade schools, colleges, or universities) as an undocumented student?**

- There is no federal or state law prohibiting undocumented students from accessing higher education in the United States. Some individual schools, however, may have admissions policies that prohibit undocumented students from attending or treat undocumented students as foreign students, who must pay much higher tuition rates than in-state residents.

## **As an undocumented student am I eligible for federal financial aid to attend college?**

- NO. Unfortunately, as an undocumented student you cannot receive federal financial aid. In Wyoming, undocumented students are also ineligible for Hathaway Scholarships. However, you may be eligible for other forms of aid such as state scholarships (outside of Wyoming), private scholarships, or university-specific programs.

## **If I am eligible for federal student aid but have an undocumented parent, can I complete the Free Application for Federal Student Aid (FAFSA)?**

- YES. The FAFSA form does not ask about your parents' immigration status directly, and having an undocumented parent does not disqualify you from receiving federal student aid. The FAFSA form does ask for your parents' social security numbers, however. Undocumented parents should enter all 0's instead of a social security number, which will indicate that the parent is in the U.S. without authorization. There could be some risk associated with revealing an undocumented parent on your FAFSA application, which is discussed below.

## **Keep in mind: Never enter an ITIN or false SSN on this or any other government applications.**

It's unlikely, but some students around the country have been denied financial aid because of their parents' immigration status. If that happens, you should reach out to the nearest ACLU office, because that could constitute discrimination.

**Email us at [acluwy@aclu.org](mailto:acluwy@aclu.org) anytime.**

Many colleges and universities have resources available to help students who have undocumented parents. Contact your school's financial aid office and ask about options.

**KNOW YOUR  
RIGHTS**

## PRIVACY OF FEDERAL STUDENT AID RECORDS

**In my application for federal student aid through FAFSA, I revealed that my parents are undocumented by filling in “0s” for their social security number as asked in the FAFSA form. Could immigration enforcement authorities access this information from my FAFSA records?**

- YES. There is some risk involved in submitting a FAFSA form that reveals an undocumented parent because the U.S. Department of Education can share FAFSA application information with law enforcement agencies. Immigration enforcement authorities have never requested student FAFSA information in the past, but that could change in the future.
- The Department of Education says it does not investigate parents’ immigration status or use information about parents’ immigration status to make any decisions about a student’s eligibility for financial aid. Their website says, “When the FAFSA form is processed, only the student’s citizenship/eligible noncitizen eligibility is verified.”
- Each student should make the decision that is best for them in light of this risk and the important decision to attend college.

## PREPARING FOR THE POSSIBILITY OF A PARENT’S ARREST OR REMOVAL

**What should I do if my undocumented parent or guardian is detained by immigration enforcement authorities?**

- It is important to have a plan in place if your parent or guardian is detained by immigration enforcement authorities. We recommend that the “emergency contact” in your student file at school include information of a relative or friend who has legal status who can be available to care for you.
- It may be a good idea for your parent(s) to fill out a Custodial Power of Attorney form. This document gives another person temporary power to make decisions for your children. You can get a copy of this form, and more details regarding it, by emailing [acluwy@aclu.org](mailto:acluwy@aclu.org).

**What else can I do to make sure that I am safe if my parent or guardian is detained by immigration enforcement authorities?**

- Urge your school to adopt a policy that it will return any student to a family member or emergency contact listed in your student file, rather than to state protective services, if a parent or guardian is detained by immigration enforcement authorities. Your school should only call state protective services as a last resort. Your school should never contact immigration enforcement authorities.

**KNOW YOUR  
RIGHTS**

## **ADDITIONAL RESOURCES**

Immigration Law Resource Center-Immigration Youth:  
[ilrc.org/immigrant-youth](http://ilrc.org/immigrant-youth)

ACLU National Know Your Rights: Immigrants' Rights:  
[aclu.org/know-your-rights](http://aclu.org/know-your-rights)

## **GENERAL INFORMATION ON DACA**

On June 15, 2012, the U.S. Department of Homeland Security (DHS) announced that it would not deport certain undocumented individuals who came to the United States as children. Under a directive from the DHS Secretary, these individuals may be granted a type of temporary permission to stay in the U.S. called “deferred action.” The Obama administration called this program Deferred Action for Childhood Arrivals, or DACA. On September 5, 2017, DHS issued a memo reversing this policy. The reversal has since been challenged in court and the ultimate outcome is still uncertain. For more information about the current status of the DACA program visit: [nilc.org/issues/daca/](http://nilc.org/issues/daca/)

**Please keep in mind, new initial DACA applications are not currently being processed, but existing DACA holders are eligible to renew their DACA grants every two years.**