

# Joseph Law Firm<sup>PC</sup>

## Immigration Law Specialists

Newsletter

January/February 2016

### Immigration News

## KNOW YOUR RIGHTS RAIDS AND ICE ACTIONS

On Tuesday, January 5, 2016, the Department of Homeland Security confirmed that Immigration and Custom Enforcement (ICE) began immigration raids targeting Central American families who recently arrived to the United States and have final orders of deportation. These raids only serve to further victimize those escaping severe violence in their home countries and who have faced a deeply unjust and inadequate U.S. immigration system. For years, ICE has used tactics of intimidation, coercion, threats, and sometimes even force, in violation of the U.S. Constitution, to deport community members. See below plan of action to protect yourself against ICE and its tactics.

#### **Plan of Action – If an ICE Agent Comes to Your Door:**

**Do Not Open the Door** – If an ICE agent is knocking at your door with a search warrant, tell the agent you do not give them permission to enter your home based on your 4<sup>th</sup> Amendment rights under the United States Constitution. Tell them you will only permit them to enter your home if they show you a warrant signed by a judge or magistrate. If they have such a warrant, ask them to slide it under the door for your review. If they have a signed warrant by a judge or magistrate, open the door and remain silent.

**Do Not Say Anything to the Agent** – If an ICE agent comes to talk to you, you have the right to remain silent. Tell the agent you do not wish to speak with them or answer their questions, based on your 5<sup>th</sup> Amendments rights under the United State Constitution. You have the right to speak to an attorney.

**Call Joseph Law Firm, P.C.** - We advise that you store the phone number of our firm and trusted relatives in your cell phone, and in all members of your household.

Immigrant Legal Resource Center, <http://www.ilrc.org/resources/red-cards>

## CONOZCA SUS DERECHOS REDADAS Y ACCIONES DEL ICE

El martes 5 de enero de 2016 el Departamento de Seguridad Interior confirmó que la agencia del Control de Inmigración y Aduana (ICE) comenzó las redadas de inmigración dirigidas a las familias centroamericanas quienes llegaron recientemente a los EEUU y tienen órdenes finales de deportación. Estas redadas sólo sirven para victimizar aún más a las personas huyendo de violencia grave en sus países de origen y ahora se han enfrentado a un sistema de inmigración estadounidense profundamente injusto e inadecuado.

Durante años, ICE ha utilizado tácticas de intimidación, coacción, amenazas, e incluso a veces la fuerza, en violación de la Constitución de Estados Unidos, para deportar a miembros de la comunidad. Vea a continuación el plan de acción para protegerse contra ICE y sus tácticas.

#### **Plan de Acción - Si un agente de ICE toca su puerta:**

**No abra la puerta** - Si un agente de ICE está tocando su puerta con una orden de registro, dígame al agente que no le da permiso entrar a su casa basado en sus derechos bajo la enmienda 4<sup>o</sup> de la Constitución de los Estados Unidos. Dígame que usted sólo va a permitirle entrar a su casa si le muestra una orden firmada por un juez o magistrado. Si tiene una orden de este tipo, pídale que se la pase debajo de la puerta para su revisión. Si realmente tiene una orden firmada por un juez o magistrado, abra la puerta y permanecer en silencio.

**No diga nada al agente** - Si un agente de ICE viene a hablar con usted, usted tiene el derecho a permanecer en silencio. Dígame al agente que no desea hablar o responder a sus preguntas, basado en sus derechos bajo la enmienda 5<sup>o</sup> de la Constitución de los Estados Unidos. Usted tiene derecho de hablar con un abogado.

**Llame a Joseph Law Firm, P.C.** - Le recomendamos que guarde el número de teléfono de nuestra oficina, además de los números de familiares cercanos en su celular, y en todos los celulares de los miembros de su casa.

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# U.S. SUPREME COURT TO REVIEW PRESIDENT OBAMA'S EXECUTIVE ACTIONS ON IMMIGRATION

*Contributed by Jennaweh Hondrogiannis, Associate Attorney*

The U.S. Supreme Court announced Tuesday that it will hear oral arguments regarding President Obama's executive actions on immigration. In November of 2014, President Obama announced his plan to implement a program called Deferred Action for Parents of Americans and Lawful Permanent Residents, or DAPA, as well as the expansion of the current program called Deferred Action for Childhood Arrivals. The programs do not provide a path for qualifying individuals to obtain lawful permanent resident status or citizenship in the United States. Rather, the programs would allow qualifying individuals to obtain work authorization and a temporary period of authorized stay. The President has credited the unwillingness of Republicans in Congress to support bipartisan Senate legislation to reform immigration laws as a reason for his decision to act unilaterally on this issue.



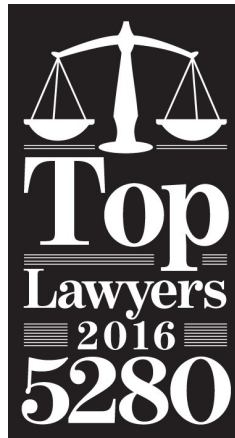
Following President Obama's announcement on the programs, a coalition of 26 states, led by the attorney general in Texas, filed a lawsuit claiming that the President exceeded his executive authority by over-stepping Congress and by changing federal rules without following the proper procedure to do so. In February of 2015, Judge Andrew S. Hanen of the Federal District Court in Brownsville, Texas entered a preliminary injunction which halted the program while the case was adjudicated. The administration appealed Judge Hanen's decision, and on November 9<sup>th</sup>, the Fifth Circuit Court of Appeals affirmed the injunction.

Due to the upcoming elections, the Obama Administration is eager for a decision from SCOTUS, so that if the decision is a positive one, the programs can be implemented before President Obama leaves office. Arguments in this case are expected to be heard by the Supreme Court in April and we hope to have a decision from the Justices by the end of June.

## Firm News

### PARTNERS JEFF JOSEPH AND AARON HALL RECOGNIZED BY 5280 MAGAZINE

Joseph Law Firm, P.C. is proud to announce that Jeff Joseph, Senior Partner, and Aaron Hall, Partner, have both been named Top Immigration Lawyers by 5280 Magazine. This prestigious recognition is based on a rigorous peer-review process and 5280's own research. Jeff and Aaron appear in the January 2016 issue of 5280 Magazine. This is the second consecutive year they both have received this recognition.



12203 East Second Avenue  
Aurora, CO. 80011

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

Aurora  
303-297-9171

Colorado Springs  
719-434-5660

Edwards  
970-446-7884