



# KNOW YOUR RIGHTS



## WITH POLICE & FEDERAL IMMIGRATION AUTHORITIES IN WA

In 2019 the Washington State Legislature passed the Keep Washington Working Act to protect the rights of immigrant communities from unnecessary contact with ICE (Immigration and Customs Enforcement) and CBP (Customs and Border Protection). The law, [RCW 10.93.160](#), requires that police and jails change their practices and policies to ensure the privacy of all Washingtonians by doing the following:

### LOCAL POLICE, WA STATE PATROL, SHERIFFS, JAILS, DEPARTMENT OF CORRECTIONS (DOC), AND SCHOOL RESOURCE OFFICERS ARE PROHIBITED FROM:

- Stopping or detaining you to determine your immigration status.
- Asking you about or collecting your place of birth, immigration status, or nationality. There is a limited exception that allows sheriffs and police to ask you for this information only where it is connected to an investigation regarding a violation of a state or local law (not immigration law) unless it is for an ongoing criminal investigation.\*
- Holding you on ICE/CBP civil immigration detainers or ICE administrative warrants (which are signed by ICE agents and not a judge).
- Allowing ICE/CBP access to interview you in jail to determine if you are here in violation of immigration laws unless you give the jail your written consent that you want to talk with ICE/CBP. If you choose to talk with ICE/CBP, which is generally not recommended, any information you give them can be used against you if they put you in deportation proceedings. If ICE/CBP is investigating a federal crime they think you are connected with, they can interview you even if you do not consent. (Not having legal immigration status is not a crime.) You always have the right to remain silent and refuse to speak with ICE if they want to talk with you about a crime. The jail must get written consent from you before ICE/CBP can interview you.
- Denying you services or benefits you are eligible to receive while in jail, even if ICE has filed documents with the jail indicating they think you are here in violation of immigration laws, such as a “detainer,” “notification request,” or “immigration warrant.”
- Contracting with ICE and CBP to allow local law sheriffs or police officers to enforce immigration law.
- Detaining immigrants for ICE/CBP in local jails through contracts between jails and the Department of Homeland Security (DHS): ICE and CBP are part of DHS.
- Using ICE and CBP as interpreters, translators, or for language classes.
- Giving ICE/CBP your personal information (for example, a home address).\*
- Notifying ICE/CBP when you will be released from custody.\*

*\*The Washington State Department of Corrections (DOC) is excused from this prohibition and is allowed to do this. DOC is the WA prison system where people convicted of a crime and sentenced to more than 1 year serve their jail time. Probation officers are part of DOC but are NOT excused and ARE PROHIBITED from doing this.*

### WA STATE AGENCIES (SUCH AS THE DEPARTMENT OF LICENSING):

- Cannot share your personal information (for example your home address) with ICE or CBP unless required by federal law.
- MUST provide services regardless of immigration status unless otherwise required by law.

**IF YOU BELIEVE YOUR RIGHTS LISTED ABOVE HAVE BEEN VIOLATED, PLEASE CALL THE WASHINGTON IMMIGRANT SOLIDARITY NETWORK (WAISN) DEPORTATION DEFENSE HOTLINE: 1-844-724-3737 VISIT US AT WAISN.ORG**



**WASHINGTON IMMIGRANT SOLIDARITY NETWORK**