

Graduate Association of Physicists @ Georgia Tech

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1 Am I at risk?

Over the past couple of months, we have seen legal US residents be targeted for arrest, detainment, and deportation both intentionally and unintentionally, and with the recent sweep of visa revocations (and potentially temporary visa restorations), you may ask yourself whether or not you should be worried.

If you are an international student and/or a visa holder, the news of visa revocations may make you wonder why one person's visa was revoked and another was not. At the time of publishing this document, no official communication has been released from the White House regarding their rationale for these choices. So far as can be gleaned from the anecdotal evidence around GT is that these choices were not made with respect to the visa holder's home country, stay duration, or any other demographic information. The common factor behind these cases is unilateral: has the visa holder had an interaction with law enforcement in the last five years or since their last visa renewal? "Interaction" here refers to being convicted of any crime (e.g., traffic citations, drug possession, etc.) or accusations of a crime. That means that if you have been charged with a crime and those charges have later been dropped, you have still had an interaction with law enforcement, and your visa may be at risk.

2 Advice for International Students and Visa Holders

2.1 Carry a copy of your documents

Whether you are a visa holder or a US citizen, it can be a good idea to carry a copy of your identifying documents. For non-citizens, the University of Pittsburgh's Center for International Studies provides a comprehensive list of which documents you should carry day-to-day for your given situation. Alternatively, US citizens are advised to carry a copy of at least one form of photo ID, such as a passport in addition to their driver's license or other ID. In the event that you are approached by ICE or other immigration law enforcement, these documents may resolve the interaction.

Note: Be sure that you only carry the necessary documents. Carrying a copy of one's social security card or birth certificate can lead to identity theft in the unfortunate event that you misplace such documents or they are stolen from you.

2.2 Avoid international travel

In times like these in which policies are being introduced and changed on a daily basis, it is impossible to know how immigration laws may be modified throughout the length of an international trip. Prior to travel, please consult the GT Office of International Education's (OIE) Travel page. It is easy to say that in these uncertain and high-stress times that you should not travel home to visit family, but doing so has a number of risks you must consider first.

2.3 Know your rights

Interactions with ICE and other forms of law enforcement can be stressful; the first step in protecting yourself is having a full understanding of your rights. The US Constitution guarantees the same set

of rights to all individuals on US soil, whether or not you are a citizen. Here, we provide some of the advice from the immigration law firm, Brudner Law.

- You have the right to remain silent. You do not have to answer questions about your immigration status or birthplace.
- ICE cannot enter your home without a judicial warrant. A valid warrant must be signed by a judge—an order signed by an ICE officer is not enough. As such, it is important to know the difference between these two documents. You can review examples of such documents and compare them here.
- You have the right to legal representation. You can request to speak to an attorney before answering any questions.
- Never sign documents without legal counsel. ICE may pressure you to sign paperwork that could lead to voluntary deportation.

Remember, ICE can and will lie to you. ICE can lie to gain access to your information and to trick you into inviting them into your home/office. To protect yourself, we direct you to the Immigrant Defense Project's page regarding ICE Ruses. To summarize their advice in avoiding ICE ruses: if someone you do not know is asking you personal questions about your immigration or citizenship status, assume they are an ICE agent, and if someone you do not know is asking to enter your home or office, you may exercise your right to refuse them.

If you think you might need help remembering your rights in a high-stress situation, you can order or print a Red Card for yourself or others to carry with you day-to-day. These cards have a script that you can read to an ICE agent to communicate to them that you know your rights, or can be given to the agent in lieu of talking.

2.4 Limit situations that may lead to police interactions

As mentioned in 1, the common thing that connects all the visa revocations that we have seen so far is interactions with law enforcement. As such, you are advised to limit your exposure to situations that may lead to police interactions. For example, seeing as 40% of all interactions between law enforcement and individuals are traffic stops, noncitizens who are concerned about their visa being revoked may want to consider limiting the amount they drive. Further, one may want to consider whether or not to call on law enforcement in the event that they are involved in a traffic accident.

2.5 Be conscious of the potential for retaliation for political speech

Despite everyone's explicit right to free speech and free association relating to both political and apolitical actions, we have seen international students have their visas and permanent resident status revoked for exercising these rights. We will not advise you not to exercise your constitutional rights. However, we do advise you to do so safely and protect yourself in the event that you do and to weigh the risks of doing so. Remember, actions taken with GT-provided devices and accounts are monitored and tracked; information contained within and posted from such devices is not private speech.

2.6 Know how to avoid immigration-related scams

In times of uncertainty, there are always people who try to take advantage of the vulnerable. As such, there has been an increase in the number of scams targeting non-citizen residents in the US. These scams include but are not limited to fake ICE agents, fake immigration lawyers, and fake government or embassy websites. It is important that you take steps to protect yourself from such scams. The FTC recommends protecting yourself by remembering that immigration enforcement will never call you demanding money or personal information. If someone calls you claiming to be from a government agency, hang up, go to the appropriate government website, and call the number they provide, and if the original caller was a scammer, report it at ReportFraud.FTC.gov. For more advice, see The LA Times' article ICE impersonators and other scammers are on the rise: How to protect yourself

2.7 Be prepared for the worst case scenario

It can be difficult to prepare yourself for such a tragic event, but it may be necessary to protect yourself from such a scenario. To be ready for such an instance, be sure to have copies of all the necessary documents collected safely in a place that a trusted friend or family member may access. Further, these have been reported instances in which individuals were detained and deported without the knowledge of their friends or families. To prevent such an occurrence, you may want to consider regular check-ins with a close confidant.

3 What Should I do if ICE is on campus?

Any interaction with law enforcement or, to a higher degree, with ICE is bound to be a stressful situation. As a result, it can be difficult to react appropriately.

3.1 What to do if you see ICE on campus

If you see ICE on or around campus, do not approach or speak to them and immediately notify your coworkers and friends through any communication system you have (e.g. GAP Discord, Teams, Slack, group chats). We can best keep ourselves safe by being prepared in the event of an interaction with ICE, and such interactions are safer with more eyes watching.

3.2 What to do if you are stopped by ICE

Here, we will summarize and expand upon GT's official policy regarding interactions with ICE. Remember, do not approach or speak with ICE unless necessary.

If a local, state or federal law enforcement agent requests access to non-public areas of campus, asks questions, or seeks records from you, either as an employee or as a student:

- 1. **Notify.** Immediately refer the agent to the Georgia Tech Police Department (GTPD) and call the GTPD non-emergency number at 404-894-2500 to notify them of the agent's presence.
- 2. **Delay.** Request that the agent wait in an area that does not expose confidential, proprietary, or export-controlled information. Remember, law enforcement cannot enter non-public areas without a warrant/probable cause. If you are in a non-public area (e.g. your office/lab) and an ICE agent requests entry, do not give it to them.
- 3. **Document.** Document the interaction clearly and politely, including the following: date, time, details of the interaction, and if available, the agent's name, identification number, agency affiliation, and contact information. If possible, record the interaction or ask someone else to record the interaction. Recording law enforcement is your first amendment right.
 - Note: While you have the right to document and report the incident, do not physically obstruct or interfere with the actions of the agents.
- 4. **Decline.** Do not disclose any non-public information or accept legal documents, such as a subpoena or warrant, addressed to the Institute. If documents are presented to you, inform the agents that you are not authorized to accept service on behalf of the Institute and refer the agent to the Office of the General Counsel at 404-894-4812.

4 Resources

- Know your Rights
 - Brudner Law's know your rights page
 - Shareable and informative infographics
- Faculty Governance GT
 - April 15 Resolution passed by Georgia Tech Faculty Senate in Support of Students

- Professional Associations
 - The American Association of University Professors (National)
 - * Updates
 - * In the News
 - The American Association of Universities (AAU)
 - Policy Tracker (American Institute of Physics)
 - Policy Tracker (AAAS)
- Official GT Resources
 - The Office of International Education (OIE)
 - Guidance for Interacting with Law Enforcement Agents on Campus
 - Legal consultation
 - Visa revocation
 - Travel
 - Emergency Financial Assistance (GTSTAR)
 - SGA Legal Adviser Scheduler
 - Wellness resources
- Immigration Attorneys Other Than Those Recommended by GaTech
 - Kuck Baxter Immigration
 - EA Law (Free in person consultations)
- News
 - Insider Higher Ed
 - Chronicle of Higher Ed
- Protecting yourself from scams
 - Federal Trade Commission's (FTC) advice
 - Other scams and advice