Hartnell College Fact Sheet and Resource Guide
For Dreamer Students and Students from Mixed Status Families

Hartnell’s Commitment to Diversity

Hartnell College embraces and celebrates differences and uniqueness among all students and employees. We welcome students and employees of all backgrounds. Hartnell’s core value is Students First. Hartnell maintains its commitment to supporting all students regardless of their residency status.

Dreamer Access to In-State Tuition and Financial Aid

In California, in-state enrollment fees and state financial aid -- including Board of Governor’s Fee Waivers, Cal Grant and privately funded institutional scholarships -- are available to certain undocumented students, or Dreamers. These benefits are protected by California law, and more information can be found by clicking on the “Dream Act” link at icanaffordcollege.com

Hartnell Support Services for Dreamer Students and Mixed Status Families

Hartnell provides specialized services to meet the unique needs of Dreamer students including: Assistance with DACA, AB 540 Affidavit, and Dream Act Applications, Educational Planning, Transfer Assistance, Crisis Counseling, Advocacy, and Referrals. Specialized services are available through our Dreamer Center (Mi CASA). These services will remain intact regardless of the election outcomes.

For more information please contact:

Mi CASA Dreamer Center
Hartnell College Main Campus Building D, Room 383
411 Central Avenue, Salinas, CA 93901
Phone: 831.755.6723
http://www.hartnell.edu/specialprograms
Resource Guide: Table of Contents

Please note: The following pages contain resources from outside agencies

I. Website Links

II. Immigrant Rights

i. “Know Your Rights,” National Immigration Law Center

ii. “Immigrant Rights Under a Trump Presidency,” MALDEF

III. DACA Advisories

i. “California Community Colleges Join UC and CSU to Ask President-elect Trump to Preserve Deferred Action for Childhood Arrivals (DACA),” C CCCO

ii. “Post Election Talking Points and Resources,” Immigrant Legal Resource Center
Website Links

Center for Achievement and Student Advancement (Mi CASA): Hartnell College Dreamer Center
http://www.hartnell.edu/specialprograms

The Dream.US : Scholarships and information for undocumented students
http://www.thedream.us/

United We Dream: Immigrant youth-led organization information, advocacy, scholarships
http://unitedwedream.org/

Immigrant Legal Resource Center (ILRC): Providing legal trainings, educational materials, and advocacy for immigrant rights
https://www.ilrc.org/

Mexican American Legal Defense and Educational Fund (MALDEF): Latino civil rights organization, scholarship directory, legislative updates for immigrant rights
www.maldef.org/

Educators 4 Fair Consideration (E4FC): Empowering undocumented young people to achieve educational and career goals
http://www.e4fc.org/

United Farm Workers Foundation: Non-profit immigration legal services
http://www.ufwfoundation.org/

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KNOW YOUR RIGHTS

Everyone has certain basic rights, no matter who is president

NOVEMBER 10, 2016

By now everyone knows that Donald Trump has been elected president of the United States and will begin to serve his term in January 2017. No matter who is president, everyone living in the U.S. has certain basic rights under the U.S. Constitution. Undocumented immigrants have these rights, too. It is important that we all assert and protect our basic rights.

If you find you have to deal with Immigration and Customs Enforcement (ICE) or other law enforcement officers at home, on the street, or anywhere else, remember that you have the rights described in this factsheet. The factsheet also provides suggestions for what you should do to assert your rights.

✓ You have the right to remain silent. You may refuse to speak to immigration officers.

• Don’t answer any questions. You may also say that you want to remain silent.

• Don’t say anything about where you were born or how you entered the U.S.

✓ Carry a know-your-rights card and show it if an immigration officer stops you.

• The card explains that you will remain silent and that you wish to speak with an attorney.

✓ Do not open your door.

• To be allowed to enter your home, ICE must have a warrant signed by a judge. Do not open your door unless an ICE agent shows you a warrant. (They almost never have one.) If an ICE agent wants to show you a warrant, they can hold it against a window or slide it under the door. To be valid, the warrant must have your correct name and address on it.

KNOW YOUR RIGHTS!

If you are stopped by immigration or the police:

✓ Hand this card to the officer, and remain silent.

✓ The card explains that you are exercising your right to refuse to answer any questions until you have talked with a lawyer.

TO WHOM IT MAY CONCERN:

Please be informed that I am choosing to exercise my right to remain silent and my right to refuse to answer your questions. If I am detained, I request to contact an attorney immediately. I am also exercising my right to refuse to sign anything until I consult with my attorney. Thank you.
• You do not need to open the door to talk with an ICE agent. Once you open the door, it is much harder to refuse to answer questions.

☑ You have the right to speak to a lawyer.
• You can simply say, “I need to speak to my attorney.”
• You may have your lawyer with you if ICE or other law enforcement questions you.

☑ Before you sign anything, talk to a lawyer.
• ICE may try to get you to sign away your right to see a lawyer or a judge. Be sure you understand what a document actually says before you sign it.

☑ Always carry with you any valid immigration document you have.
• For example, if you have a valid work permit or green card, be sure to have it with you in case you need to show it for identification purposes.
• Do not carry papers from another country with you, such as a foreign passport. Such papers could be used against you in the deportation process.

☑ If you are worried ICE will arrest you, let the officer know if you have children.
• If you are the parent or primary caregiver of a U.S. citizen or permanent resident who is under age 18, ICE may “exercise discretion” and let you go.

Because Donald Trump has made many anti-immigrant statements, ICE and other law enforcement officers may think they can get away with violating your rights.
Sometimes ICE officers lie to people in order to get them to open their doors or sign away their rights. If ICE detains you or you are concerned that they will conduct raids in your area, this is what you can do:

☑ Create a safety plan.
• Memorize the phone number of a friend, family member, or attorney that you can call if you are arrested.
• If you take care of children or other people, make a plan to have them taken care of if you are detained.
• Keep important documents such as birth certificates and immigration documents in a safe place where a friend or family member can access them if necessary.
• Make sure your loved ones know how to find you if you are detained by ICE. They can use ICE’s online detainee locator (https://locator.ice.gov/odls/homePage.do) to find an adult who is in immigration custody. Or they can call the local ICE office (https://www.ice.gov/contact/ero). Make sure they have your alien registration number written down, if you have one.
• You can call the Executive Office for Immigration Review (EOIR) hotline number at 240-314-1500 or 1-800-898-7180 (toll-free) 24 hours a day, 7 days a week to get information on your case’s status.

✓ Report and document raids and arrests.

• If it is possible and safe for you to do so, take photos and videos of the raid or arrest. Also take notes on what happened.
• Call United We Dream’s hotline to report a raid: 1-844-363-1423.
• Send text messages to 877877.

✓ Find legal help.

• Nonprofit organizations that provide low-cost help can be found at www.immigrationlawhelp.org.
• The immigration courts have a list of lawyers and organizations that provide free legal services: www.justice.gov/eoir/list-pro-bono-legal-service-providers-map.
• At https://www.adminrelief.org there is a search engine into which you type a zip code and then are given a list of all the legal services near you.
• You can search for an immigration lawyer using the American Immigration Lawyers Association’s online directory, www.ailalawyer.com.
• The National Immigration Project of the National Lawyers Guild also has an online find-a-lawyer tool: https://www.nationalimmigrationproject.org/find.html.

✓ Learn more about your rights.

• Read NILC’s tips on how to prepare for a raid—in English or Spanish.*
• Read resources and booklets in English and Spanish by the American Friends Service Committee and Casa de Maryland: https://www.afsc.org/category/topic/know-your-rights.
Immigrants’ Rights Under a Trump Presidency:
FAQs for Students, Educators & Social Service Providers

During his campaign, President-elect Donald Trump called Mexican immigrants “criminals” and vowed to build a border wall, rescind the Obama Administration’s DACA (Deferred Action for Childhood Arrivals) and DAPA (Deferred Action for Parents of Americans and Lawful Permanent Residents) initiatives, and “mass deport” millions of undocumented immigrants. Many families feel afraid and confused. Below are answers to common questions about what we know at this point about what a Trump presidency might mean for immigrants.

I am undocumented / have undocumented family members. Will we be immediately deported? No. We do not know at this time what approach the Trump Administration will take toward undocumented families. Individuals without status who are present in the U.S. have certain legal and constitutional rights. You have a right to a hearing and to have a judge review your case. That process can take years in some cases, and you can remain in the U.S. until a final decision is made. Other constitutional protections prevent certain enforcement tactics, and may present a basis to challenge overly aggressive attempts at immigration enforcement by the federal government.

I have DACA. Will my deferred action be terminated when Trump takes office in January? The new President may cancel DACA if he chooses. At this time, we do not know if Trump will immediately cancel the DACA initiative or when that might happen. Even if DACA is terminated, whether or not your lawful presence and work permit will cease right away depends on the announcement by the President and how it is implemented by the federal government.

I have DACA. Will the federal government use my information to find and deport me? Deporting over 700,000 DACA recipients would be very time-consuming and expensive. DACA recipients are also near the bottom of the government’s priority list for deportation. However, Trump’s actions are difficult to predict, so families should take precautions now by discussing other legal options with a qualified immigration lawyer. There would also certainly be a legal challenge to use of private data submitted under DACA for enforcement activity.

Should I apply for DACA now? The answer depends on your personal circumstances, which you should discuss with an immigration lawyer. Some considerations are your age, whether you need deferred action or work authorization urgently, and whether your situation would allow you to wait several months to see what happens to DACA. It is important to consider that applying for DACA will give your personal information to the government and may put you at risk should Trump rescind DACA. It is also important to note that current processing and review times indicate that any application filed now would not result in an answer until after the Trump Administration takes office.

Should I renew my DACA application or seek “Advance Parole” to travel as a DACA beneficiary? If your deferred action is set to expire within 150 days, you should apply to renew it now. If you have urgent humanitarian reasons to travel outside the U.S., you may seek permission to travel by seeking “Advance Parole” with USCIS (Form I-131). The government already has your personal information, so you are not creating a new risk by applying for renewal unless your situation has changed in a way that you might not be eligible for DACA any more, for example, a criminal conviction. If you travel on “Advance Parole,” be sure to return before January 20, 2017.
What will happen with DAPA / Expanded DACA (DACA 2014)? Implementation of these initiatives has been halted by a lawsuit. MALDEF is vigorously defending these programs in court. However, the new President can rescind these initiatives if he chooses, effectively making that court process moot.

I have a pending immigration petition. What will happen with my application? For non-DACA applications pending with USCIS, there is no reason to believe that those applications will stop being normally processed according to current laws.

How can I find out if I have other options to avoid deportation? Seek assistance from a reputable immigration lawyer. Avoid notario scams. Visit immigrationlawhelp.org for more information about non-profit legal service organizations by state.

I've been placed in removal proceedings. What can I do? Talk to an immigration lawyer immediately to plan your next steps. You have the right to a hearing before any decision is made about whether you have to depart the country. You also have the right to an appeal.

Can my citizenship be taken away if my parents are undocumented? No. The U.S. Constitution grants citizenship to all people born in the U.S. regardless of their parents’ immigration status. There is not enough support to amend the Constitution to remove birthright citizenship, and any attempt to amend the Constitution would take years and would likely apply only to those born after adoption of an amendment.

Will in-state tuition / admission for undocumented college students end? No. The laws that provide in-state tuition/admission for students are passed by states and cannot be changed by the President.

Should I worry about going to the hospital emergency room? No. Under federal law, your personal information should be kept private by doctors and staff.

Should I still report crime to the police? Yes. Most police officers are only interested in investigating crime and won’t be interested in your immigration status. If you are a crime victim, you may be eligible for a visa that would allow you to stay in the U.S. Talk to an immigration lawyer about the facts of your case.

I plan to file an application for VAWA / U visa/ T visa. Should I wait? No. There is no reason to delay filing for this relief. It is established in U.S. law and cannot be changed by the President acting alone.

What can my family do to prepare for any interaction with ICE, for example, if my workplace is the target of an ICE raid? The Immigrant Legal Resource Center has created Red Cards that provide information about how to assert your constitutional rights during a raid. Visit iirc.org/red-cards for details.

My family sends money to relatives in Mexico. Can the government confiscate that money? No. Companies that transfer money among relatives from the U.S. to Mexico do not track their clients’ immigration status. Even if companies could distinguish between legal and undocumented immigrants in their clientele, seizing funds based on national origin or immigration status would be unconstitutional and would be immediately challenged in court.

I’m a Latino immigrant. Does half of the U.S. hate me? No. A 2016 poll shows 79% of Americans favor providing a way for undocumented immigrants to become U.S. citizens or legal permanent residents.
Contact: Paige Marlatt Dorr  
Office: 916.327.5356  
Cell: 916.601.8005  
Office E-mail: pdorr@cccco.edu

California Community Colleges Join UC and CSU to Ask President-elect Trump to Preserve Deferred Action for Childhood Arrivals (DACA)

SACRAMENTO, Calif. – Incoming California Community Colleges Chancellor Eloy Ortiz Oakley, along with the heads of the University of California and California State University, today formally asked President-elect Donald J. Trump to continue the Deferred Action for Childhood Arrivals (DACA) program, which allows children of undocumented immigrants to pursue higher education in the United States.

“California’s three systems of public higher education are committed to supporting all students, including those pursuing their higher educational goals through this important program,” Oakley said. “It is vital that these students, who were brought to this country as children, have the ability to learn without fear of being deported. The California community colleges stand with these students because they represent some of the best qualities that our state and nation have to offer.”

As outlined in the letter, the California Community Colleges, UC and CSU systems each have thousands of DACA students at campuses across the state. Oakley, UC President Janet Napolitano and CSU Chancellor Timothy P. White ask that as he assembles his cabinet and prepares to take office Trump let DACA students know that they will be allowed to remain in the country and pursue their dreams. A full copy of the letter can be found here: http://californiacommunitycolleges.cccco.edu/Portals/0/DocDownloads/PressReleases/NOV2016/UC-CSU-CCC-DACA-Letter-FINAL-11-29-16.pdf

“DACA is rooted in the fundamental premise that no one should be punished for the actions of others,” the joint letter states. “In order to be eligible for DACA, an individual must have been brought to this country as a minor, stayed out of trouble, and continued to pursue an education.”

Oakley will take over as chancellor of the nation’s largest system of higher education on December 19.

The California Community Colleges is the largest system of higher education in the nation composed of 72 districts and 113 colleges serving 2.1 million students per year. Community colleges supply workforce training, basic skills education and prepare students for transfer to four-year institutions. The Chancellor’s Office provides leadership, advocacy and support under the direction of the Board of Governors of the California Community Colleges. For more information about the community colleges, please visit http://californiacommunitycolleges.cccco.edu/, https://www.facebook.com/CACommColleges, or https://twitter.com/CalCommColleges.

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President-elect Donald Trump pledged to end DACA when he becomes President. Trump will not be President until he is inaugurated on January 20, 2017. Until that time, DACA will remain in place and USCIS will continue to process both initial and renewal DACA requests.

**The risk.** Those who receive or apply for DACA will not necessarily be targeted for deportation. Administrative programs like this have never been used for wholesale deportation in the past. It would be extremely costly for the government to try to deport all 700K+ DACA recipients. However, Trump is more unpredictable than past presidents, so we do not really know what to expect.

**Initial DACA applications.** For those who have not yet applied for DACA, the processing of those applications is taking long enough now that they would likely not be adjudicated until after January 2017, and it is possible the DACA program will not exist by then. Therefore, at this point potential applicants’ efforts to assemble an initial DACA application and pay the filing fees (which go up in December 2016) may result in no benefit and expose them to DHS.

**DACA renewals.** It is unknown whether the next Administration will terminate existing DACA grants or instead not allow DACA recipients to renew. Those who have already received DACA are known by the government. Therefore, renewing DACA does not carry a new risk. In fact, renewing DACA may mean a DACA recipient can have a work permit until it expires one to two years into the next Administration. One risk, however, is again that the renewal might not be adjudicated before Trump becomes President, and the effort and money to renew will be for nothing. People who file to renew soon may be successful, as DACA renewals are currently being processed in 8 weeks with USCIS’ upgraded system. The cost may be offset by loans and other funding available through Mission Asset Fund, the Mexican Consulate, some DACA collaboratives and/or other programs.

**Advance parole.** At this point, advance parole may be a little bit harder to get, because processing time is three months or more, which would put approvals (even if filed today) and subsequent travel in February 2017. Emergency advance parole requests, however, may still be useful in helping people travel and subsequently adjust status under 245(a).
What the Future Holds

Based on Trump's campaign rhetoric and the new composition of Congress, we do not expect a comprehensive immigration reform that includes legalization to be introduced in the coming years.

- We do not expect expanded DACA or DAPA to make it through the courts.
- It is possible that some states will try to introduce additional state legislation creating benefits and some protections for immigrants like California has done. Some other states may introduce legislation that increases immigration enforcement at the local level.

What Immigrants Can Do Now

People should go to a legal services provider to be screened for any possible immigration options other than DACA they for which they may already eligible.

- The ILRC has a comprehensive client intake form to assist practitioners in screening. It can be found online at https://www.ilrc.org/screening-immigration-relief-client-intake-form-and-notes.
- The Immigration Advocates Network maintains a national directory of more than 950 free or low-cost nonprofit immigration legal services providers in all 50 states. It can be found online at https://www.immigrationlawhelp.org.
- Community members should be warned of fraudulent service provider schemes and educated about how to seek competent immigration help. The ILRC has created community education flyers about this available in English and Spanish available online at https://www.ilrc.org/anti-fraud-flyers.

People should know their rights when in contact with an immigration agency.

- The ILRC has created Red Cards to help both citizens and noncitizens defend themselves against constitutional violations during ICE raids. These cards provide citizens and noncitizens with information about how to assert their constitution rights and an explanation for ICE agents that the individuals are indeed asserting their constitutional rights. Go https://www.ilrc.org/red-cards for more information and contact us at redcards@ilrc.org to order. The ILRC also has information about raids and immigrants' rights available online at https://www.ilrc.org/community-resources.

People should continue to avoid negative interaction with law enforcement. Something like a DUI or conviction related to drugs can have irreversible negative immigration consequences.

If filing to renew DACA, applicants need to be aware that the filing fee increases to $495 on December 23, 2016.

- The Mission Asset Fund (http://missionassetfund.org/lending-circles-for-dreamers/), Self-Help Federal Credit Union (http://www.self-helpfcu.org/personal/loans/immigration-loans), the Mexican Consulate or local DACA service providers may have information about loans or grants to help with the filing fees.