

# Don't Get Your Undocumented Friends in Trouble: A How-To

*The following is adapted from an article circulating on the internet, written by Felicia Jarvis for a blog called The Daily Demand. I know nothing about Felicia but the material came to me from several people/organizations I trust, and the advice seems sound. It should not be taken as legal advice. I welcome comments and suggestions. Margaret White*

Many US Citizens take our citizenship for granted. It's something most of us never worry about or think about, and the majority of us have never experienced life without it. As a consequence, we are incredibly out of touch with what privileges come with citizenship and what our impact as citizens can have on our undocumented friends and neighbors.

If we are serious about defending DACA (Deferred Action for Childhood Arrivals), organizing against ICE raids and detention centers, and exploring other ways to exercise allyship with undocumented folks, **there are precautions we must take.**

Organizing against deportations and the forces that carry them out is not like campaigning for a candidate, an initiative, or other causes we may all have experiences with- the risk is much higher. While organizing efforts may very well include politicians and initiatives, the nature of the work means that if we are not careful, we can literally get our colleagues, friends, and their families locked up or deported.

\*You should not consider the following list legal advice nor an exhaustive list of precautions to take. If there are undocumented people in your lives or on your campaigns, someone should be reaching out to get familiar with their personal boundaries, risk levels, and safety plans.

## **Don't Get Your Undocumented Friends in Trouble!**

### **1. Don't "out" people who are undocumented.**

This information in the wrong hands can be life or death. If it isn't 100% absolutely necessary information, don't include it, don't bring it up, and don't ask. Even if it is already public information, you never know who is listening or reading, or what their intentions are. Also consider this when choosing where to do voter registration drives where people may feel pressured to disclose their status.

### **2. Don't "out" areas where undocumented people live.**

Example: "We are going to organize/reach out to people in X neighborhood, because there is large undocumented population there." Did I need to know that? No, I didn't. And ICE doesn't need to find out either. Keep that to yourselves and those you are working with. If you were not explicitly asked by undocumented people there to organize with them, what business do you have going and making a bunch of noise there?



Are you 100% familiar with how to protect their information, communicate safely and securely, and execute their safety and emergency plans? Probably not. Organize your own folks to leverage the resources and power you have.

**3. Don't organize events to feature undocumented people. This may lead to deportation.** This can include inviting them to speak at press conferences. Recently a DACA recipient was detained by ICE shortly after participating in a press conference about fears of deportation. This person is being deported now without a hearing..

**4. Don't list build if you don't have to.**

Lots of events, workshops, know-your-rights type events are happening around immigration and documentation. Consider doing away with the sign in sheet (there is no grant or money in the world more important than people's actual lives). There is only so much information you really need to collect for contact information. Phone numbers, addresses, things like that are more than likely none of your business. This includes taking photos of rooms where undocumented people are gathering.

**5. Protect your lists as if your own deportation depended on it.**

If you are going to have a sign in sheet anyway or other list of some sort, someone should be watching it all times. No one in the organization who doesn't the need information should have access to it. It should be destroyed as soon as possible.

**6. Don't put YOUR OWN name on lists.**

For example: Is there a link you can sign onto if you want to volunteer to protect undocumented people by keeping them in your home? Don't sign things saying you're going to violate the law.

**7. Some things you can do on your own, in secret-- and you should.**

You don't need to join a church to keep someone in your house. You don't even have to tell anyone that you are doing it. You shouldn't tell anyone you are doing it. You should definitely not brag to anyone about it for ally points or street-cred. You would be putting yourself at legal risk, but more importantly, are endangering the person or family you are trying to help.

If you can keep someone in your house (or finance it for someone else), keep your name off lists saying you want to do that. Just do it and tell nobody. Create systems of anonymity if you and close friends are organizing it.

**8. Understand that Homeland Security, ICE, and other federal agencies are not like your local police department.**

Surveillance is real and so is the number of times both police departments and federal agencies have broken their own rules and laws to get the job done. When I say real, I mean malware on cell phones to collect data undetected, undercovers pretending to be activists and organizers, ICE agents pretending to be undocumented, and so forth.

ICE can also "ghost" a cellphone to pretend to be people close to undocumented folks and/or lure them into custody.

I don't care how many of your friends are police officers or if you live in a sanctuary city. Your University or College could be a sanctuary campus, but they will still hand over every undocumented student they know of if the law requires it (don't just believe me, ask your institution yourself). Don't talk to them about your activities



#### **14. DON'T TALK ABOUT SENSITIVE INFORMATION ON THE INTERNET.**

#### **15. Do not spread information that you are not COMPLETELY SURE is accurate and verified.**

Creating unjustified fear and paranoia can only make things worse, and is a form of control that we should not accidentally participate in. Many posts are going around without sources, without clear photos of logos and emblems (police and transit authorities being mistaken for ICE) etc.

In addition to being verified, information should be time-stamped with location (including state). A basic "ICE is on the metro" post can get spread to metro areas all around the nation causing unnecessary panic.

#### **16. Do not post media of undocumented people on social media. Only videotape what is necessary and destroy what isn't needed.**

There's really no reason for you to have extensive photo or video footage of gatherings of undocumented folks. If they are hosting the event, they are perfectly capable of arranging their own photographers or videographers and likely already have.

#### **17. Take the time to understand all the risk undocumented people face and how they are treated differently in the legal system.**

White citizens- This is not like ratting out your buddy if you get caught shoplifting from Forever21. They do not get a fine or a night in jail or community service.

Undocumented people do not have the same rights as citizens.

Undocumented people can be held in the detention center indefinitely.

Undocumented people, except in very specific circumstances, do not have the right to a public defender, or any lawyer.

The risks you would usually consider are not the same. Learn about them!

#### **18. Don't ask undocumented people to take coordinated arrests.**

If there is a time for political theater, now is not it. Do not ask your undocumented friends or rank-and-file to willingly give themselves to the legal system or draw attention to themselves so you can raise money or make a point. And don't give yourself to the legal system in the heat of a demonstration moment. The moment will pass, but a jail sentence can be for a long, long time. There is nothing to be gained by being a demonstration cowboy.

As a reminder, this is not a complete list nor are risk levels the same for all undocumented people. There are extra considerations and risks according to race, class, gender, and so on. We should not let fear and paranoia paralyze us from action or lead us to engage in patronizing behaviors, but we also should not treat the movement to protect the safety and dignity of our undocumented friends and family without the precaution and respect they deserve.

*This advice was written by Felicia Jarvis for The Daily Demand, in collaboration with local leaders from the Washington Dream Coalition, an organization led by undocumented youth. Adapted and edited by Margaret B. White.*



with undocumented friends. Look into the kind of technology that ICE, Homeland Security, the FBI, and so on use to conduct their operations and adjust accordingly--while local police are still becoming more and more militarized, these agencies have them beat by a long shot.

**9. Don't invite your undocumented friends to the detention center.**

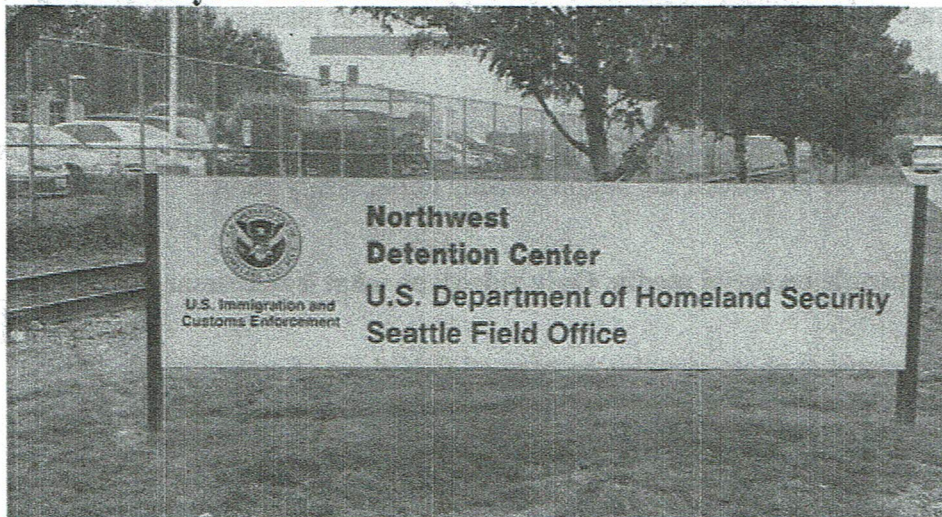


Image pulled directly from the blog "Attorney On the Move"

Detention centers are Homeland Security territory and regularly attending events there could land you on various lists, sometimes with cellphone data, biometric information, and so on. Don't encourage undocumented friends to participate at rallies or protests there. The organizers have political connections and lawyers—most undocumented people don't. Be sure they know what risks there are.

**10. Do not communicate about sensitive issues around documentation, immigration, etc on phones or digital devices, let alone the internet.**

And don't think that being a citizen totally exempts you from surveillance or its consequences. Keep your involvement off phone conversation, digital devices, and the internet.

Imagine getting any one of your phones, computers, laptops, tablets, or other devices scooped up with a court order or worse, seized at the border-something border patrol can do at any time. This includes searches of your social media feeds, messages, etc.

If you use your fingerprint to unlock your phone, switch to an actual passcode. Legally your fingerprint is considered biometric data and is not protected, so they can force you to unlock your phone with your fingerprint. Not so with a passcode. Again, you shouldn't be putting any potentially compromising information on your phone anyway, but safety first.

**11. This includes your encrypted apps like Signal.**

**12. This includes your email servers like RiseUp.Net.**

**13. This includes Slack.**