

Expansion of Expedited Removal: What is it, Who Does it Affect, and What are Our Rights?

The Trump administration has expanded the use of expedited removal. It is important to understand what expedited removal is – and how to be prepared.

What is expedited removal and what has changed?

Expedited removal is a process by which ICE can deport people quickly, without allowing them to see an immigration judge or apply for asylum or other relief from deportation.

Until now: it was only used against people who had been in the U.S. for less than 2 weeks AND who were within 100 miles of the U.S. border (most often near the Mexican border).

Now: it can be used nationwide and can apply against anyone who has been here for less than 2 years.

Can ICE remove anyone this way?

No. Many people cannot be lawfully subject to expedited removal. This includes:

- People who entered the U.S. on a visa and overstayed.
- People who have passed a fear interview already.
- People who are already in removal proceedings and have a court date before the immigration court.
- People who can show they have been present in the U.S. for more than 2 years.
- Children who entered the U.S. as an unaccompanied minor (i.e. spent time in an ORR shelter).

How can I protect myself?

For important resources on your rights, visit weprotectusny.org. Remember, anyone who is arrested by ICE has the **right to remain silent**. ICE needs to prove that you were born outside the U.S. and that you do not have permission to be here in order to deport you – you have the right not to give ICE this information.



If you HAVE been in the U.S. for more than 2 years:	If you HAVE NOT been in the U.S. for more than 2 years:
<p>You may want to gather documents that show you have been here longer than 2 years. This should <u>not</u> be an identification from your home country or passport. Instead, it could be documents issued here that have your name and dates on them like:</p> <ul style="list-style-type: none"> • Bills, pay stubs, receipts, lease, or bankbooks • Church, school, employment or birth records • License, IDNYC or other ID issued by a U.S. state, school or city • Evidence of tax payment <p>These can be carried with you or left with someone you trust, like a loved one or an attorney, whom you can contact if you are detained. If detained, you should <u>tell ICE</u> you need to contact this person to get documents.</p>	<p>If you are already in removal proceedings before the immigration court, <u>do not miss</u> your court date. It is important to attend court otherwise you will be ordered removed. You can check when your next court date is by calling 1-800-898-7189.</p> <p>If you are detained by ICE, you have the right to say you are <u>afraid of returning to your country</u> and want a fear interview.</p> <p>You should consult with a trusted legal service provider to understand your options & how to protect yourself from expedited removal. If you live in New York City, you can call 311 and ask for an immigration appointment.</p>

How can I fight this?

Contact Make the Road to join our fight against this policy and to seek a just immigration system!

If you or a loved one is the target of an ICE raid, you can call MRNY at 718-565-8500 immediately for assistance.