



Remember! When talking to or in front of law enforcement, anything you say can be used against you—don't talk about your immigration status, citizenship, when or how you came to the US, or where you're from. (Not intended as legal advice.)

*If you or a loved one think you have been wrongly held for immigration, please call **415-621-2488** (760-239-7959 in San Diego) or email calrustact@gmail.com.

The TRUST ACT: *Know Your Rights!*

Starting January 1, 2014, a new California Law limits local jails from holding people for *extra time* just so they can be deported. This law is called the TRUST Act.

What is an immigration or “ICE hold”?

A request from immigration asking the local jail to hold a person for extra time (after the criminal case allows for release) so that immigration can pick up the person and take them into immigration custody.

The TRUST Act protects you across California:

Under the TRUST Act, local police and sheriffs CANNOT hold you for immigration if you are arrested for or convicted of minor crimes - for example, most traffic offenses. And in many other cases, local law enforcement can only hold you if you have a conviction.

This is the law *everywhere* in California.

Many counties have even stronger policies:

All people have a basic right to due process. A federal court recently found that all immigration holds violate this right and may be unconstitutional.

Now, over 40 counties in California have entirely stopped detaining people for extra time on ICE holds. In these counties, you can only be turned over to ICE if the hold is **signed by a judge** and based on “**probable cause**” (reasonable evidence).

Remember:

ICE holds violate the Fourth Amendment of the Constitution because they are not signed by a judge and are not based on a finding of probable cause (reasonable evidence) to authorize detention (holding you).

- An ICE hold is not enough reason to hold you [in a local jail].
- If any local law enforcement agency - like the police or sheriff - detains you on an ICE hold without probable cause issued by a judge they can be sued and they may have to pay you compensation.

For more information on the TRUST Act and for a copy of your county's policies on ICE holds, visit www.catrustact.org.