



IMMIGRANT LEGAL ADVOCACY PROJECT

WHAT THE ELECTION MEANS FOR YOUR IMMIGRATION STATUS AND LEGAL RIGHTS

Many people have questions about what the election means for their immigration status and legal rights. We won't know what President-Elect Trump will do until he takes office on January 20, 2017. He may not do all the things he talked about. ILAP will follow what is happening closely, and share important immigration updates. We will continue to work with local and national partners to advocate for the rights of Maine's immigrant community and our clients.

What power will President-Elect Trump have to change the laws?

Only Congress can change the immigration laws. The President can decide how to enforce or carry out the immigration laws, but he cannot violate the laws or the Constitution. If he tries to do this, people within the government and organizations around the country will challenge him.

President-Elect Trump has said he will end the Deferred Action for Childhood Arrivals (DACA) program. He can end DACA because DACA was created by the President, not Congress. We won't know if Trump will end DACA until he is in office. If you have DACA, are renewing DACA, or were planning to apply for DACA you should talk to an immigration lawyer.

Who is at risk of deportation?

President-Elect Trump said he will deport millions of people, especially those with criminal convictions. The law allows the President to deport people who are out of status or who have committed certain crimes. But nobody can be deported without a legal process and usually a hearing with a judge. If you are out of legal status or have been arrested, you should talk to an immigration lawyer.

What does the election mean for my asylum case?

Your right to apply for asylum will not change with the new President. The U.S. has signed an international treaty saying that we will not allow people to be deported without the right to apply for asylum if they are afraid to return home. Congress passed a law that gives you the right to apply for asylum and the President can't change that without an act of Congress.

What are my rights?

No matter who is president, everyone in the United States has certain basic rights under the U.S. Constitution, even people who are undocumented. You have the right to remain silent if you encounter the police or Immigration officers, and you can ask for a lawyer if you are under arrest. You have the right not to open your door for Immigration or the police unless they have a warrant.

How do I Report a Hate Crime?

If you have been threatened or feel you are in danger you should report this to the police or dial 911.

What if I have Questions about My Legal Status or My Immigration Options?

You should talk to an immigration lawyer. Do not get legal advice from a "notario" or someone who is not a lawyer. They may give you bad advice that can cause mistakes or deportation. You can call ILAP at 780-1593 ext. #100 to see if we can schedule an intake appointment for you to talk to a lawyer.