

RIGHTS OF UNDOCUMENTED SURVIVORS IN ILLINOIS



RESILIENCE

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- Resilience advocates will not ask for legal status and services are not dependent on a survivor's status. Communications with Resilience advocates are protected by absolute privilege, the highest level of confidentiality available under Illinois law. Resilience will never share information with U.S. Immigration and Customs Enforcement (ICE) or anyone else without the survivor's written consent.
- All options available to immigrant survivors (including but not limited to free healthcare and medical forensic services related to sexual assault and U-Visas for undocumented victims of crime) remain intact. Resilience can also provide referrals for legal support.
- Hospital emergency department staff should not ask for or disclose legal status. Registration may ask for a social security number, but survivors can say they do not have one and should not be penalized. The Health Insurance Portability and Accountability Act (HIPAA) restricts disclosure of patients' health information.
- Law enforcement and ICE are prohibited from entering a patient's private room in the hospital (unless they have a warrant signed by a judge or the patient consents). Under the Sexual Assault Survivors Emergency Treatment Act (SASETA), survivors who present to an emergency room to receive medical forensic services should be placed in a private room within 90 minutes of arriving to the ER.
- Chicago's Welcoming City Ordinance remains intact. The Chicago Police Department (CPD) is not allowed to cooperate with ICE and CPD should not ask for immigration status.
- Chicago Public Schools (CPS) will not ask students or families for legal status. CPS will not cooperate with ICE, admit ICE into schools, or give ICE access to student records (unless there is a warrant signed by a judge).
- You have the right to remain silent and do not have to share any information with ICE.

LOCAL RESOURCES

- **Illinois Coalition for Immigrant and Refugee Rights:** Family Support Network Hotline (1-855-435-7693), available in English, Spanish, Korean, and Polish.
- **National Immigrant Justice Center:** Asylum seeker in removal proceedings, call 312-660-1328. If you or someone you know is detained, call the NIJC Detention Project at 312-583-9721. Other issues, call 312-660-1370.
- **Know-Your-Rights** cards are available at ilrc.org/red-cards-tarjetas-rojas.

- If an ICE agent asks to search you, you have the right to decline. They cannot search you or your belongings without consent or probable cause.
- You do not need to open the door for ICE unless they show you a warrant signed by a judge. You can ask them to slip it under the door or show it through a window before opening. You can keep repeating, "I do not consent to your entry".

Additional information and resources can be found [here](#).