



## IMMIGRATION ISSUES: WAYS TO ASK PEOPLE ABOUT IMMIGRATION STATUS

*\*It is helpful to have some sort of trust or comfort level before asking someone about their immigration status. Additionally, it is also good to explain why you are asking and be clear that you will not report them to ICE or the police.*

*\*Some people may describe their status in terms of events, relationships, and experiences, therefore it is best to follow their lead as they describe and ask questions about the information they are giving. For example, a woman may not know how to say she has a green card but she can say her husband filed papers for her. You can follow her lead and ask things to determine her husband's status and then her status should flow from there.*

*\*This tip sheet is not intended to be legal advice.*

### QUESTIONS TO DETERMINE IF PERSON IS U.S. CITIZEN

- Were you born in the U.S.?
- Did you ever apply for citizenship?
- Are either of your parents U.S. Citizens?
  - Were your parents born in the U.S.?
  - Were you living in the U.S. with your parents when they became U.S. Citizens?
    - How old were you when they became U.S. Citizens?
    - Were you living with your parents when they became U.S. Citizens?
- Are you a lawful permanent resident? Do you have a green card?
  - How old were you when you got your green card?

### QUESTIONS TO DETERMINE STATUS OF NONCITIZEN

#### ENTRY

- How did you enter the U.S.?
  - Did you enter at an airport or by land?
    - If by land, did you go through a U.S. border checkpoint?

#### VISA

- If you entered the U.S. at an airport, do you have a visa?
  - What type of visa?
    - Do you have a visa stamp in your passport or an I-94 card?
    - Is the visa still good? When does it expire or end?
- If you entered the U.S. by land, do you now have a visa? (some visas can be given in U.S. even after unlawful entry, example: U visa for crime victim)

## QUESTIONS TO DETERMINE STATUS OF NONCITIZEN (cont.)

### GREENCARD

- Do you have a green card?
  - If so, how did you get it?
  - When did you get it?
- If you do not have a green card, has anyone ever filed papers for you to get a green card?
  - Who filed for you?
  - When did they file?
  - Are the papers still with immigration? Have you ever gone for an interview or gotten a letter from immigration?

### WORK PERMIT

- Do you have a work permit now? How did you get it?
  - Have you ever had a work permit?
- \*\*Some people may say no but they have a social security number. Social security numbers are not given without a work permit or a status, so someone who has/had a social security number had an approved or pending status at some point in time.

### MARRIAGE

- Are you married to a U.S. Citizen or green card holder?
  - How long have you been married?
  - Has s/he ever filed papers for you?

### REFUGEE/ ASYLEE

- Were you ever in a refugee camp?
- Did you ever apply for asylum since you came to the U.S.?
  - Where did you file- asylum office or in immigration court?
    - What happened to the case?
    - If granted asylum, when was that?
- If you are still an asylee or refugee, did you ever apply for your green card?
  - If so, when? Is case still pending?
  - If not approved, what happened next?

### DACA (Deferred Action for Childhood Arrivals)

- Did you ever apply to immigration as a “dreamer” because you entered the U.S. before you were 16?
  - How old were you when you came to the U.S.? When did you come?
  - If so, what happened?
  - Did you apply for a work permit?

### TPS (Temporary Protected Status)

- Where are you from?
- Did you ever apply for TPS?
  - Was your TPS application approved?
    - Did you ever renew your TPS application?

### REMOVAL PROCEEDINGS OR PREVIOUSLY REMOVED AND CAME BACK

- Have you ever been in front of an immigration judge?
  - If so, what happened?
    - Do you have the paper the judge gave you?

### ICE ORDER OF SUPERVISION

- Do you have to go see ICE every month?
- Do you wear a bracelet around your ankle from ICE?
- Did an immigration judge ever order you deported?