



JUSTICE INITIATIVES

Quick Guide

Got a Record? **Know Your Rights**

Immigration



Immigration

Will I get deported because I was convicted of a crime?

Depending on your immigration status, your age, how long you have been in the U.S., how you entered the U.S., if you have a U.S. citizen spouse or children, and the nature of the conviction, you may or may not be deported.

What if I have a Green Card?

You may still be deported if you are convicted of any of the following crimes:

- Drug or gun offense
- Fraud, money laundering, bad check, or similar offense if:
 - Committed within five years of admission to the U.S., and
 - Punishable by one year in prison (even if sentence is less)
- Domestic violence, stalking, or child abuse or neglect offense
- Crime of violence (murder, rape, theft, or burglary)

What if I do not have a Green Card?

You may be deported if you are convicted of any of the following crimes:

- Drug or gun offense
- Fraud, money laundering, bad check, or similar offense
- Domestic violence, stalking, or child abuse or neglect offense
- Crime of violence (murder, rape, theft, or burglary)

Where can I get help?

Have your criminal defense attorney consult an immigration attorney for specific advice *before* you take a plea or admit guilt.

You may still be deported even if you do not go to jail, so be very careful not to take a plea that keeps you out of jail but gets you deported. Your attorney must tell you if you could be deported for your offense.

The American Immigration Lawyers Association website maintains a list of Michigan attorneys specializing in immigration law at www.aila.org.

What if I already took a plea or was convicted?

Vacated criminal convictions can still be viewed as convictions for immigration purposes. The reasons surrounding the vacated conviction will determine whether it will be viewed as a conviction for immigration purposes.

It may be possible to raise defenses to deportation if your spouse or child is a U.S. citizen and depending on the crime and how long you have been in the U.S.

What if Immigration catches me?

You will probably be detained, and Immigration will decide whether to release you on bond or deport you.

You have a better chance of obtaining bond if you can show that you are not going to run away, that you have family and friends nearby, a steady job, and a place to live.

How can I get more information?

To find an attorney who works with immigration issues, go to www.aila.org. For more information, go to <http://www.michiganlegalthelp.org>. To find an attorney, contact the State Bar of Michigan Lawyer Referral Service at (800) 968-0738. If you cannot afford an attorney, ask to be referred to your local legal aid office.

Got a Record? Know Your Rights is a series of informational booklets for people reintegrating into society.

Know Your Rights Quick Guide Titles

Children, Child Support, and Parental Rights

Employment Brochure

Housing Brochure

Immigration Brochure

Attorney Client Questionnaire

Reentry Resources

The Michigan Reentry Law Wiki

<http://reentry.mplp.org/> works to provide individuals with criminal records, as well as attorneys, judges, and social service providers, with valuable information about how to overcome reentry issues.

If you have questions or would like additional copies, please contact materials@mail.michbar.org

Disclaimer: A reasonable effort was made to ensure the information in this brochure is timely, accurate and complete. However, because each legal issue depends on its individual facts and because the law is constantly changing, readers are advised to consult with an attorney before relying on any of the information. The information is provided "AS IS", without warranty of any kind, express or implied, and should not be construed as formal legal advice or as forming an attorney/client relationship.

The State Bar of Michigan Justice Initiatives Program, Michigan State Bar Foundation, and Legal Aid of Western Michigan provided support for the development of this brochure. Funding does not necessarily reflect an endorsement of its content.

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