



## Committee for Public Counsel Services

### Immigration Impact Unit

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### **Immigrant children and Identification**

*How can I obtain a photo ID for my immigrant child client?*

Photo IDs: Teens and young adults can receive non driver ID's in Massachusetts (regardless of their legal status) but sometimes face barriers with having enough other documentation for identification to complete this transaction. Discuss with DCF social worker if obtaining a state ID can be completed in a reasonable time. If substantial delay is expected, request a DCF foster ID for the child to have in the meantime. Consider hiring an expert social worker to support client with this step.

*Will identification eliminate the risk of ICE detention for my child client?*

No, if a client is undocumented, simply having a state ID will not prevent ICE from detaining them. Being in the process of obtaining lawful status is not sufficient either. Those individuals are still technically subject to ICE arrest.

However, if a child has lawful immigration status (e.g. a green card, asylee status, etc), unless otherwise deportable because of an adult criminal conviction, such individuals should not be subject to ICE arrest. For kids under 18, having proof of that lawful status could be useful. If a person has valid immigration documents and is over the age of 18, the law requires them to carry their documents with them.

*What should I advise my child client?*

Children should be aware of their rights. If stopped by ICE officers, they have the right to remain silent. They do not have to present any identification. In fact, they should be encourage not to provide any information without a lawyer. Any information they provide can be used against them in immigration proceedings. Children should memorize a phone number they can contact in the event of ICE detention. Know your rights information can be found [here](#). Additionally, [redcards](#) are available here and are printable.

Immigration Impact Unit is available to answer questions and support you with understanding your client's status. Please contact Fabrizia Rodriguez at [fmrodriguez@publiccounsel.net](mailto:fmrodriguez@publiccounsel.net)