



## HB1105 – Anti-Immigrant Bill

### What is an immigration detainer or Immigration & Customs Enforcement (ICE) Hold?

If someone is arrested for a crime, their fingerprints are shared with federal law enforcement agencies, including ICE. ICE can then issue a detainer request to the arresting agency (usually, the local police or county sheriff). This request asks the arresting agency to:

1. Re-arrest and detain the individual for up to 48 hours **after** they would otherwise have been released from criminal custody to allow ICE to take custody of the individual.
2. Notify ICE before releasing the individual from criminal custody or transferring them to a different facility.

### What does Georgia’s new law (HB1105, “The GA Criminal Alien Track & Report Act of 2024”) do?

- Redefines “sanctuary policy” under Georgia law to mean any policy limiting compliance with ICE detainer requests.
- Local law enforcement must:
  - ✓ “Seek to verify” someone’s immigration status before issuing a citation instead of arresting them for motor vehicle violations (e.g. driving without a license).
  - ✓ Apply to enter into agreements with federal agencies to enforce immigration laws, including 287(g) or Warrant Service Officer agreements.
  - ✓ Comply with immigration detainer requests.
  - ✓ Collect a DNA sample for certain people convicted of a crime in Georgia who are also subjected to an immigration detainer.
- Cities, counties, and municipalities cannot pass any sanctuary policy. If local government violates this new prohibition, they or their agencies, like the police, can be defunded.

### Know Your Rights

- **DO NOT** lie to law enforcement; you should give an officer your real name. If you do not want to answer questions, you can exercise your right to remain silent and ask to speak to an attorney.
- **DO NOT** sign any documents without speaking with an attorney.
- **DO NOT** drive while under the influence of drugs or alcohol.
- **DO NOT** drive without a valid driver’s license.
- **DO NOT** carry or use false documentation.
- **DO** carry with you any valid immigration documentation that you have.
- **DO** request an interpreter if you are arrested and do not feel comfortable communicating in English.
- **DO** make an emergency plan about your children’s care and your finances in case you are arrested.
- **DO** memorize the phone number for your country’s consulate. You have the right to call your consulate if you are arrested.
- **DO** memorize the phone number of a family member or friend in case you are arrested.
- **DO** speak with an attorney if you need criminal or immigration legal advice:  
<http://www.immigrationlawhelp.org/>.