

Helping an Adult Family Member After Arrest: A Guide for Immigrant Families

If your loved one is arrested, you may be scared and unsure of what is happening and how you can help. This pamphlet is intended to give family members of people over the age of 18 who have been arrested some basic information about what to expect, how to locate your loved one, how best to support them, and how immigrant families can stay safe through the criminal process.

What happens after arrest?

When your loved one is stopped by a police officer, the officer can:

1. **RELEASE:** let them go without arresting them;
2. **RELEASE WITH A TICKET:** other times the police will let them go with a ticket and a date to appear in court;
3. **DETAIN:** take them to jail.

If your loved one is in jail, there will generally be 48 hours between arrest and the first court date.

In L.A., to get more information about where your loved one is held, call: **(213) 473-6100**

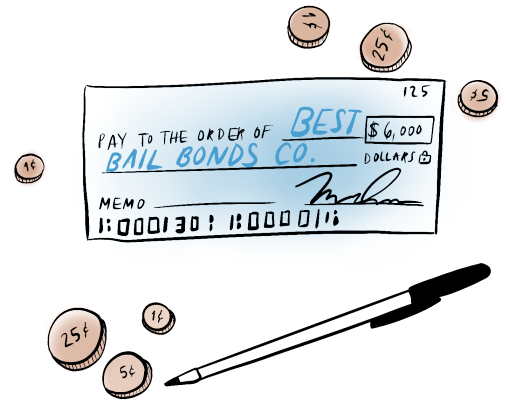
Where your loved one may be held in L.A. County:

- **Men's Central Jail** (Downtown L.A.)
- **Twin Towers Correctional Facility** (Downtown L.A.)
- **Pitchess Detention Center: North or South** (Castaic)
- **North County Correctional Facility** (Castaic)
- **Century Regional Detention Facility** (Lynnwood)
- Prior to their first court date they could also be held in one of several city jails temporarily.



To get your loved one out of jail at any time you can:

- Pay the full amount of the bail, which you will get back at the end of the case
- Contact a community bail fund that may be able to help pay your loved one's bail. Two options in Los Angeles are:
 - ◆ **The Bail Project:** (323) 366-0799, bailproject.org
 - ◆ **The FTP Fund:** ftpfund.org
- Contact a bail bonds company. Generally they make you pay 10% of the overall bail amount—for example, if your loved one's bail is \$60,000 you may have to pay \$6,000 to secure their freedom—and **you will never get this money back.**



Can I visit my loved one in jail?

Visiting has resumed for LA County jails.

All visitors must schedule their visit in advance. Information about scheduling visits can be found here: <https://visit.lasd.org/app>

What happens at the first court date?

The first court date is called the **arraignment**. This is when your loved one will be told their charges. If your loved one cannot afford to pay for a lawyer, they will get a free lawyer paid for by the government called a public defender. It is common not to see a lawyer before this first court date.

Even though you don't have to pay for them, Public Defenders are lawyers, most often very good lawyers.

Sometimes it might not seem like it because of how busy they are, but they are ethically required to provide your loved one with the BEST representation. While you might see them talking to the judge or the prosecutor, they are only on your loved one's side.



If your loved one is still in jail at their first court date, their lawyer can argue for their freedom at this court hearing.

What if my loved one is not a U.S. citizen?

If your loved one is not a citizen, they should tell only their lawyer at their first court date and ask their lawyer about all of their options to avoid immigration consequences. If your loved one has an immigration lawyer, make sure that their criminal lawyer and immigration lawyer have each other's contact information.

It is important to know that not all criminal convictions will have immigration consequences. That's why your loved one should talk over all of their options with their lawyer and consult an immigration lawyer if there might be immigration issues.

Don't be afraid to ask your loved one's lawyer questions!

If you're concerned about the quality of your loved one's lawyer, you should contact a trusted source for legal advice to discuss the issue.

What happens after the first court date?

Your loved one will have to keep coming back to court until their case is over. If they miss their court date, it is likely that a warrant will be issued for their arrest and they could end up back in jail. If something comes up for your loved one and they can't make a court date, they should contact their lawyer immediately to let them know.



What does it mean to be on probation?

If your loved one pleads guilty or is found guilty, they are often put on probation. This can look like:

- Taking alcohol or drug classes
- Taking parenting classes
- Submitting to drug tests
- Reporting to a probation officer
- Obeying a restraining order

Some of these requirements could cost money. If your loved one cannot afford to pay, they should tell their lawyer immediately so the lawyer can help find a solution.

If your loved one does not do what is required when they are on probation, or is arrested again, they will likely end up back in the court system and possibly in jail.

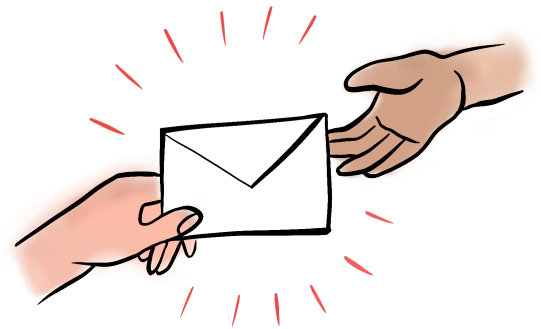
How can I help my loved one's case?

If the case does not resolve at the first court date, talk to your loved one's lawyer about how you can help.

One way to help is by collecting letters of support from family, friends, neighbors, employers, religious community, and others who know your loved one well.

Letters of support should include:

- Information about who is writing the letter
- How long the person has known your loved one & how the person knows your loved one (the loved one's boss, teacher, pastor, etc.)
- The person's opinion about your loved one (kind person, creative artist, intelligent, etc.)
- If the person is offering to help your loved one, how specifically they are offering to help (ex: give your loved one a place to stay or a job)



These letters should only be shared with your loved one's lawyer.

Another way to help is to be sure the attorney understands your loved one's immigration status.

Advocating for a family member in jail

If your loved one's rights are being violated in jail, you can make complaints as follows:

1. Call the **watch commander** at the jail (there is a different one for each jail and you can find this information online)
2. File a complaint with the **Office of Inspector General**:
<https://oig.lacounty.gov/Commendation-Complaint>
3. Submit a complaint to the **ACLU Southern California's Jails Project**:
<https://action.aclu.org/legal-intake/socal>

Should I attend my loved one's court dates?

If you have the time, it is helpful to attend your loved one's court dates because it shows they have community and family support.

During COVID-19, however, the courthouses may not allow family or other supporters inside. Check with your loved one's lawyer before you attempt to go to court.



Should I be worried about ICE at courthouses?

A California law called SB 54, ensures that state and local resources are not used to help federal immigration enforcement and that courthouses are a safe space for everyone in the community.

If you are worried about going to court, you should contact a trusted source for legal advice to discuss in advance.

How do I find my loved one's next court date?

- **STEP 1:** Go to the following link: <http://www.lacourt.org/criminalcalendar/ui/>
- **STEP 2:** Insert your loved one's name. Click search.
- **STEP 3:** The criminal case calendar will show up. Under the "hearing date" column you will see your loved one's next court date. It also tells you the time to be in court, the courthouse location, and what the court date is for.

Or you can call the public defender's office at (213) 893-1041

Can I visit my loved one in jail if I am undocumented?

YES. You must show some form of government issued ID to visit your loved one. That could be:

- A passport (non-U.S. is ok)
- A state-issued ID (non-driver's license is ok)



It is unlikely that ICE will be at the jails looking for visitors, but if you have concerns, you should contact a trusted source for legal advice.

RFK Immigration Family Legal Clinic Contact Information

This pamphlet is for informational purposes only and not for the purpose of providing legal advice. This information is specific to Los Angeles County. If you are a student or a parent at RFK Community Schools and have questions about your individual case, please contact the Immigrant Family Legal Clinic for a free and confidential consultation.

When campus is open, you can drop by our office, located across from the Welcome Center. For now, you can reach us in one of three ways:

- Fill out our online form available on our website: www.law.ucla.edu/iflc and [HERE](#)
- Email us at iflc@law.ucla.edu
- Call us at **(310) 794-6871** (leave a message with your name and number and we will call you back as soon as possible)

Illustrated by Ludi Leiva