



KNOW YOUR RIGHTS AT THE BORDER/AIRPORTS

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

At ports of entry, airports, and the border, you may encounter Customs and Border Protection (CBP), Homeland Security Investigations (HSI), Immigration and Customs Enforcement (ICE), or Transportation Security Administration (TSA). You have rights when interacting with them.

Immigration can question whether you have lawful immigration status and whether you are admissible to the United States.

You have the right to remain silent, but refusing to answer routine questions could delay you or cause you to be taken into secondary inspection.

If you are a U.S. citizen: You must only establish your identity and citizenship.

If you are a Lawful Permanent Resident: You must only establish your identity and residency. Thereafter, you cannot be denied entry, but you may be detained and placed in removal proceedings. Immigration may try to convince you to give up your residency by asking you to sign an I-407. Do not sign any documents without a legal representative. Only you or an immigration judge may revoke your residency.

If you are a non-citizen visa holder or visitor: You may be denied entry into the U.S. if you refuse to answer officers' questions.

If you are not a citizen, resident, or visa holder: You may be denied entry into the U.S. if you refuse to answer officers' questions.

You have the right to seek asylum.

If officers tell you that you cannot enter and you are afraid of being persecuted if you return to your home country, you should tell the officer you are afraid and ask for asylum.

Immigration can search your belongings for contraband.

Officers do not need a warrant or probable cause like in other contexts. However, you cannot be selected for a search based on your religion, race, national origin, gender, ethnicity, or political beliefs. Be sure to remember anything an officer says regarding why they are searching you and/or your belongings.

Strip Searches: Officers can only perform a strip search in a private space if they have reasonable suspicion of an immigration crime or violation.

Electronic Devices: Officers may ask for passwords for your electronic devices.

- If you are a citizen, you do not have to supply your password(s) or unlock your device.
- If an officer confiscates your electronic device, get a receipt and write down the officer's name, agency, and badge number.

Immigration may take you into secondary inspection.

Secondary inspection involves going to another room where you will be asked more questions. You should be treated with dignity and respect. Officers take the position that you are not entitled to a lawyer, but we encourage you to ask to call your lawyer. If it becomes clear that you are under arrest or being investigated for a crime, you should ask to speak to a lawyer and then exercise your right to remain silent.

Immigration may take your fingerprints.

Visitors and lawful permanent residents are generally fingerprinted upon entry from abroad.



KNOW YOUR RIGHTS IN POLICE CUSTODY/JAIL

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are in police custody or jail with state or local law enforcement (not immigration), you have rights that protect you.

Arrests, charges, and convictions can affect your immigration status.

If you are at risk of deportation, you should avoid contact with the police. However, if you do have contact with the police, it is important to assert your rights and talk to a lawyer. If you have been charged with a crime, your criminal defense lawyer must advise you on whether your charges or any plea offer carry the risk of deportation. It is important that your criminal lawyer consults with an immigration lawyer experienced in criminal-immigration matters and explains the risks to you.

You have the right to a phone call.

Request the opportunity to call a family member or trusted friend to let them know that you have been arrested and find a lawyer to represent you.

You have the right to speak to a lawyer.

If you have a criminal lawyer, you should request to call that person. If you do not have a criminal lawyer and you cannot afford to hire one, you should request a lawyer. The government must appoint a free criminal lawyer. The government will not pay for an immigration lawyer, but you have the right to hire one.

You have the right to remain silent.

Being arrested or detained by the police does not mean you have to answer questions. You should not discuss your immigration information with *anyone* other than your lawyer. This includes where you were born, how and when you came to the United States, and any criminal history.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

You should tell your lawyer about your immigration status and criminal history.

Your lawyer needs this information to be able to make sure they give you correct advice.

You have the right to refuse to sign documents.

Do not sign anything without talking to a lawyer. If you are being asked to sign something, say, "I will not sign anything until I speak with my lawyer." Ask questions if you do not understand what you are being asked to sign.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver's license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.



KNOW YOUR RIGHTS IN PUBLIC SPACES

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are in a public space, such as a street or sidewalk, and ICE (immigration officer) approaches, you have rights that protect you.

You should ask if you are free to leave.

If ICE approaches you in public, you may ask if you are free to leave. If the answer is “yes,” calmly, slowly, and quietly walk away. Do not run or speak. If they say “no,” do not walk or run away. Stay where you are.

You have the right to refuse a search.

You do not have to consent to a search of yourself or your belongings. State clearly that you do not consent. **Refusing consent may not stop the officer.** An officer may pat you down above your clothes if they suspect, for example, you have weapons or drugs in your possession. If the officer proceeds to pat you down or conduct a full search, stay calm, do not resist the inspection, and keep your hands where the officer can see them. Stating your objection preserves your rights. Thereafter, the officer cannot arrest you without a warrant or proof you have committed a crime.

You have the right to remain silent.

You do not have to answer any questions without the presence of your legal representative. (In some states, you may be required to state your name if an officer asks

you to identify yourself and an officer may arrest you for refusing to do so.) You can show the officer your Know Your Rights card or tell the officer you are exercising your right to remain silent. If you must speak, only say that you would like to speak to your legal representative before answering questions

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

You have the right to speak to a lawyer.

If the officer tells you that you cannot walk away, you have been detained. You should ask to speak to a lawyer and then remain silent. You have the right to speak to a legal representative. It is okay if you have not hired a legal representative; you still have the right to consult with one.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver’s license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.



KNOW YOUR RIGHTS IN YOUR CAR

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are pulled over while in a car, you have rights that protect you.

Stop the car as soon as safely possible.

After stopping, turn off the car, turn on the internal light, open the window part way, and place your hands on the wheel.

There must be a reason to stop you.

If a police officer stops you, they must have reasonable suspicion that someone in the car committed a local or state violation or crime. If an immigration officer stops you, they must have reasonable suspicion that someone in the car committed an immigration violation or federal crime. You can ask:

- Am I free to leave?
- Are you the police/immigration?
- Why did you stop me?

If you are driving, upon request, provide your driver's license, registration, and proof of insurance, if you have it.

If you do not have these documents, you can tell the officer you do not have them or that you are exercising your right to remain silent. In some states, if you are driving without a license, this is an arrestable offense, so failure to provide a driver's license could result in arrest. The officer may ask for other identification, and you may refuse to provide it.*

Passengers do not have to provide identification.

Generally, if an officer asks a passenger for identification, they do not have to provide it.*

Generally, you do not have to provide other identification.

If you are stopped by state or local police, you may choose to provide proof of lawful immigration status, if you have such proof. If you are stopped by an immigration officer, you must provide proof of lawful status if you have status and are not a U.S. citizen. If you do not have lawful status, you should **not** provide foreign identification.

If the officer says they have a warrant, ask for identification and review the warrant.

Search warrant: Officers can search your car if (1) you give consent, (2) they have a search warrant that specifies the exact car to be searched and the warrant is signed by a judge (**not an immigration officer**), or (3) they believe your car contains evidence of a crime.

Arrest warrant: If an ICE officer has an arrest warrant, they can arrest the person named on the warrant. An arrest warrant does **not** give ICE permission to search your car.

You have the right to remain silent.

You can exercise your right to remain silent by showing your Know Your Rights card or telling the officer you are exercising your right to remain silent. If you must speak, say you would like to speak to a lawyer before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver's license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.



KNOW YOUR RIGHTS IN YOUR HOME

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are home and ICE (immigration officer) knocks on your door, you have rights that protect you.

You do not have to open the door.

If ICE comes to your door, generally there are only two ways in which they can lawfully enter your home:

1. With your permission or the permission of someone in your home: or
2. With a search warrant issued by a judge.

You should not invite the officer into your home.

If ICE tells you they are there to arrest someone or search the home, do not open the door or invite them into your home. Opening the door may give them permission to enter. It is important to also tell this to others in your home, including children. If your child opens the door, that may give ICE permission to enter the home.

If the ICE officer says they have a warrant, ask for their identification and review the warrant. It must be issued by a judge and not just the agency.

ICE cannot enter your home without a valid search warrant. Talk with the officers through the door and ask them to show you their identification and the warrant. Review the warrant to determine if it is valid:

The warrant must be a search warrant.

There are search warrants and arrest warrants. ICE cannot enter your home with an arrest warrant. They must have a search warrant.

The warrant must have the correct address.

If the address on the warrant is incorrect, ICE cannot search your home, unless you grant them permission.

The warrant must have a judge's signature.

To be valid, search warrants must be signed by a judge. If an immigration officer signs the warrant, it is not a valid search warrant. Without a warrant signed by a judge, ICE cannot search your home, unless you grant them permission.

You have the right to remain silent.

If ICE has a valid warrant and enters your home, you can choose to remain silent. If you must speak, tell the agent that you would like to speak to a lawyer before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver's license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.



KNOW YOUR RIGHTS AT WORK

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If ICE (immigration officers) come to your work, they generally must have a search warrant or the consent of your employer to search non-public areas. If ICE approaches you, you have rights that protect you.

You should ask if you are free to leave.

If ICE approaches you in public, you may ask if you are free to leave. If the answer is “yes,” calmly, slowly, and quietly walk away. Do not run or speak. If they say “no,” do not walk or run away. Stay where you are.

You have the right to refuse a search.

You do not have to consent to a search of yourself or your belongings or provide proof of employment authorization. State clearly that you do not consent. Refusing consent may not stop the officer. If the officer proceeds to search your person or your belongings, stay calm, do not resist the inspection, and keep your hands where the officer can see them. Stating your objection preserves your rights.

You have the right to refuse to form a line.

If officers tell you to form a line based on immigration status, you have the right to stay where you are or move to a place that is not designated for a particular group of employees. You can tell officers that you are invoking your right to remain silent. If you are forced to move, do not resist.

You have the right to remain silent.

You do not have to answer any questions without the presence of your legal representative. (In some states, you may be required to state your name if an officer asks you to identify yourself and an officer may arrest you for refusing to do so.) You can show the officer your Know Your Rights card or tell the officer you are exercising your right to remain silent. If you must speak, only say that you would like to speak to your legal representative before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

You have the right to speak to a lawyer.

If the officer tells you that you cannot walk away, you have been detained. You should ask to speak to a lawyer and then remain silent. You have the right to speak to a legal representative. It is okay if you have not hired a legal representative; you still have the right to consult with one.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver’s license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.



KNOW YOUR RIGHTS IN REMOVAL PROCEEDINGS

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you have been put in removal proceedings, you have rights that protect you.

You must be given a copy of your Notice to Appear (NTA).

An NTA is the document that starts your removal proceedings and tells you why immigration believes you should be removed from the U.S. Be sure to review the NTA with a legal representative.

You have the right to fight your case and have a trial.

If you recently entered the U.S. near the border or you have been deported before, immigration may try to deport you without a hearing or a legal representative. Generally, though, unless you miss a hearing, the government cannot deport you without first giving you a trial (called an individual hearing) where you have the opportunity to fight for permission to stay in the U.S.

You must be given a Hearing Notice for each scheduled hearing.

The Hearing Notice lists the date, time, and place of your scheduled hearings. You can also check for scheduled hearings through the hotline. To use the hotline, you must have your immigration ("A") number. Call 1-800-898-7180 or go to acis.eoir.justice.gov/en.

You can be deported if you miss your hearing.

If you are not in court for a scheduled hearing, the judge will likely sign an order of deportation. With limited exceptions, this means you lose your case without a second chance to fight it.

You have the right to legal representation.

You can have a legal representative with you at all immigration hearings. The government will not provide you with free representation. If you do not have a representative, ask for a list of free or low-cost legal services and ask the judge for time to find one. A representative can help show that your reason for being here is a valid defense to being deported under U.S. law.

Note: In the U.S., notaries are not authorized to practice immigration law – only attorneys and accredited representatives. **Beware of anyone engaging in unauthorized practice of law!** You have a right to ask the person willing to help you if they are an attorney or fully accredited representative with authorization to practice law and go to immigration court with you.

You must be provided with an interpreter in a language you speak and understand fluently.

It is very important that you understand what is said in court, so if you have a hard time understanding the interpreter, you should tell the judge that.

You have the right to ask for voluntary departure.

You may do this if you do not want to fight your case. You are responsible for buying your ticket home and leaving within 60 days after the judge's order. Talk to a legal representative about the consequences of voluntary departure and deportation.

You have the right to appeal.

Generally, if a judge issues an order you disagree with, you can ask it to be reviewed by a higher authority. Consult a legal representative about deadlines and legal authority for an appeal.



KNOW YOUR RIGHTS IN IMMIGRATION DETENTION

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are arrested and placed in immigration detention, you have rights that protect you.

You have the right to remain silent.

You may be asked where you were born, how you entered the United States, or how long you have been here. You do not have to answer. If you respond, your responses may be used against you in immigration proceedings.

You have the right to a phone call.

Give your immigration number (“A” number) to family or a trusted friend to help them locate you and find a legal representative for you.

You have the right to refuse to sign documents.

Do not sign anything, such as a voluntary departure or stipulated removal, without talking to a legal representative. If you sign, you could give up your opportunity to try to stay in the United States.

You have the right to legal representation.

The government will not provide you with or pay for a legal representative, but you have the right to hire one. If you don’t have a lawyer, ask for a list of free or low-cost legal services.

- You have the right to legal representation during conversations with immigration.
- You have the right to be visited by a legal representative in detention.
- You have the right to legal representation at any immigration hearings before a judge.

You can contact your consulate.

Upon your request, immigration must either allow you to call your consulate or inform the consulate of your arrest. Your consulate may help you obtain a legal representative or free legal advice.

If you are physically responsible for children’s care, tell immigration.

Immigration must give you the opportunity to find someone to care for your children. Ideally, you have a safety plan in place that your children and their chosen caregiver were aware of before you were detained. If your children are in school, it will be important for the school to have documents you have signed allowing the chosen caregiver to pick them up from school.

You have the right to request to be released on bond.

Many people who are detained while their case is underway may be eligible for release on bond or with other reporting conditions. If you are denied bond by immigration, you have the right to ask for a bond hearing. An immigration judge can order release and/or lower bond. If you cannot afford the bond, you can contact a bond fund.

There are rules about the standards of the conditions of the detention center.

Detention standards vary by type of facilities, but they cover areas like safety, security, access to medical care, food, water, and sanitation, activities (like visitation), the ability to file a complaint, and overall facility administration and management.

- You have the right to be given a copy of the standards for where you are held.
- You have the right to mental and physical health care regardless of gender, sexuality, or sexual identity.