

If You're Asked About Your Immigration Status

You have the right to remain silent. You do not have to answer questions about where you were born, whether you're a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports and for individuals on certain nonimmigrant visas, including tourists and business travelers.)

If you're not a U.S. citizen and an immigration agent requests your immigration papers, you must show them. If you are over 18, carry your immigration documents with you at all times.

If you don't have immigration papers, say you want to remain silent.

Do not lie about your citizenship status or provide fake documents.

If You're Arrested by Police

Do not resist.

Say you wish to remain silent and ask for a lawyer. If you can't afford a lawyer, you have a right to a free one.

Don't say anything, sign anything, or make any decisions without a lawyer.

You have the right to make a local phone call. The police cannot listen if you call a lawyer.

Don't discuss your immigration status with anyone but your lawyer.

An immigration officer may visit you in jail. Do not answer questions or sign anything before talking to a lawyer.

Read all papers fully. If you don't understand or cannot read the papers, say you need an interpreter.

If the agents don't speak your language, ask for an interpreter.

This information is not intended as legal advice. Some state laws may vary. Separate rules apply at checkpoints and when entering the U.S. (including at airports). Updated Dec 2015.

The information in this handout was compiled by San Francisco Peninsula People Power from materials by the ACLU:

<https://www.aclu.org/files/kyr/MKG17-KYR-PoliceImmigrationFBI-OnePager-English-v01.pdf>

<https://www.aclu.org/know-your-rights/what-do-if-immigration-agents-ice-are-your-door>

MigraWatch Hotline

If you see ICE activity near you, please call this number immediately for assistance, 24 hours/day:

In San Mateo County:
203-666-4472 (203-NO-MIGRA)

In Santa Clara County:
408-290-1144

In San Francisco County:
415-200-1548

For other counties see:
<https://www.immigrantliberation.com/migrawatch/>

Write your county number here:

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[SFPPP.ORG](https://www.sfppp.org)

Know Your Rights

What to know if you are stopped by police, immigration agents, or FBI

If You're Stopped by Police

You have a right to remain silent. If you wish to remain silent, tell the officer. (Some states may require you to identify yourself to the police if you're suspected of a crime.)

Stay calm. Don't run. Don't argue, resist, or obstruct the police. Keep your hands where police can see them.

Ask if you're free to leave. If yes, calmly and silently walk away.

You do not have to consent to a search of yourself or your belongings.

If You're Stopped in Your Car

Stop the car in a safe place as quickly as possible. Turn off the car, turn on the internal light, open the window part way, and place your hands on the wheel.

Upon request, show police your driver's license, registration, and proof of insurance.

If an officer or immigration agent asks to search your car, you can refuse. But if police believe your car contains evidence of a crime, they can search it without your consent.

Both drivers and passengers have a right to remain silent. If you're a passenger, you can ask if you're free to leave. If yes, silently leave.

If the Police Or Immigration Agents Come To Your Home

If officers are at your door, **keep the door closed** and ask if they are Immigration agents, or from ICE.

Ask agents what they are there for.

Opening the door does not give the agents permission to come inside, but it is safer to speak to ICE through the door.

If the agents want to enter, ask them if they have a warrant signed by a judge. If ICE do not have a warrant signed by a judge, you do not have to let them in. *An administrative warrant of removal from immigration authorities does not require you to let them in.*

If they say they have a warrant, ask them to slip the warrant under the door. Officers can only search the areas and for the items listed on the warrant. An arrest warrant allows police to enter the home of the person listed on the warrant if they believe the person is inside.

Look at the top and at the signature line to see if it was issued by a court and signed by a judge. Only a court/judge warrant is enough for entry into your premises. *A warrant of removal/deportation (ICE warrant) does not allow officers to enter a home without consent.*

Do not open your door unless ICE shows you a judicial search or arrest warrant naming a person in your residence and/or areas to be searched at your address.

In all other cases, keep the door closed. State: “I do not consent to your entry.” If agents force their way in anyway, *do not attempt to resist.*

Even if officers have a warrant, you may remain silent. If you choose to speak, step outside and close the door.

If you wish to exercise your rights, state: “I am exercising my right to remain silent. I wish to speak to a lawyer as soon as possible.” Everyone in the residence may also exercise the right to remain silent.

Do not lie or show false documents.

Do not sign any papers without speaking to a lawyer.

If You’re Taken Into Immigration (or “ICE”) Custody

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

You have the right to contact your consulate or have an officer inform the consulate of your arrest.

Tell the immigration officer you wish to remain silent. Do not discuss your immigration status with anyone but your lawyer.

Do not sign anything such as a voluntary departure or stipulated removal, without talking to a lawyer. If you sign you may be giving up your opportunity to try to stay in the U.S.

Know your immigration number (“A” number) and give it to your family. It will help them locate you.

If You Feel Your Rights Have Been Violated

Write down everything you remember, including officers’ badges and patrol car numbers, which agency the officers were from, and any other details.

Get contact information for witnesses. If you’re injured seek medical attention immediately and take photographs of your injuries.

File a written complaint with the agency’s internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

Know Your Warrants

ICE agents or police officers **may not enter your home** without a **court warrant** signed by a judge. Compare the top portion of the warrant to the images below.

COURT WARRANT

If the officer has a signed warrant like the one below, they are allowed to enter.

AD 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT
for the _____

United States of America
v. _____
Defendant

Case No. _____

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (name of person to be arrested) who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

ADMINISTRATIVE WARRANT

If the warrant looks like the one below, do not open the door. Tell them that they may not enter without a court warrant.

U.S. Department of Justice
Immigration and Naturalization Service

Warrant of Removal/Deportation

File No: _____
Date: _____

To any officer of the United States Immigration and Naturalization Service:

_____ (Full name of alien)
who entered the United States at _____ on _____ (Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

an immigration judge in exclusion, deportation, or removal proceedings
 a district director or a district director's designated official
 the Board of Immigration Appeals
 a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:
Section 241(a)(2) of the Immigration and Nationality Act(Act), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the