

KNOW YOUR RIGHTS

Immigrants with and without lawful status

Encounters with government officials like Police Officers, FBI Agents, or Immigration Agents from ICE or CBP

GENERAL

01

You have the right to remain silent and request a lawyer

For example, you can say "I wish to remain silent; I want to speak to a lawyer". You do not have to say anything else, even if they keep asking you questions.

02

Do not sign anything without speaking to an attorney

03

If the official asks about your immigration status, you do not have to answer

However, if you are not a U.S. citizen and have valid immigration papers, such as a green card, you may choose to show them if an immigration agent requests it.

04

You do not have to hand over documents or consent to a search

For example, you can say "I wish to remain silent; I want to speak to a lawyer". You do not have to say anything else, even if they keep asking you questions.

05

Stay calm

Speak calmly and keep your hands where the agents can see them to avoid escalating things.

06

Ask if you are free to leave

If yes, calmly and silently leave.

SPECIFIC SITUATIONS



In Your Car

If you are stopped in your car, stop your car in a safe place as quickly as possible. Turn off the car, turn on the inside overhead light, open the window partway, and place your hands on the wheel. If the police officer requests it, show the officer your driver's license, registration, and proof of insurance. **If the officer asks to search your car, you can refuse.** Everyone in the car has the right to remain silent. If you are a passenger in the car, you can ask if you are free to leave and, if you are, you can silently leave.



In Your Home

If officials come to your home, you have the right to refuse them entry unless they produce a warrant signed by a judge with your name or the name of someone in the home and your address on it.

If they do not have a signed warrant with the correct information, you have the right to not open the door and to say "I do not consent to you entering my home." Do not open the door, since that may be seen as giving them permission to legally enter. If officials do have a signed warrant, have them slide it under the door so you can verify that it has been

- 1) signed by a judge;
- 2) has the name of you or someone in your household on it; and
- 3) has your address on it. If any of those details are missing, tell them they do not have the right to enter.



If You're Arrested by Police

Do not resist. You have the right to remain silent and ask for a lawyer. If you can't afford a lawyer, the government must provide one. Do not say anything or sign anything without talking to a lawyer. You have the right to make a local phone call and the police cannot listen if you call a lawyer.



If You're Taken into Immigration (or "ICE") Custody

You have the right to remain silent and ask for a lawyer. While the government does not have to provide you with a lawyer unless you're mentally ill, you can ask for a list of free or low-cost legal services. Do not say anything or sign anything without talking to a lawyer. You have the right to contact your home country's consulate or have an officer inform the consulate of your arrest. Make sure you know your immigration number ("A" number) and give it to your family so they can locate you.

YOUR RIGHTS IN THE U.S.



Workplace Protections

Regardless of immigration status, you are protected under the National Labor Relations Act. You have the right to the minimum wage, overtime pay, fair treatment, and safe working conditions. You also have the right to form, join, or assist a labor union.



Education

Under federal law, all children and youth, regardless of their citizenship or residency status are entitled to a Kindergarten – 12th grade education. Schools must enroll students even if the student lacks a birth certificate or social security number, the student has a record indicating they were born outside of the U.S., or the student's parents or guardians lack a driver's license or state-issued ID.



Healthcare

You have a right to healthcare regardless of your immigration status. Medical providers may ask for information about your immigration status, but you do not have to answer to receive treatment. If you need emergency medical services, hospitals with emergency rooms must treat you, regardless of your status. Similarly, you can seek primary and preventative health care at community health centers regardless of your immigration status.