**KNOW YOUR RIGHTS!**

**How to Protect Yourself and Your Family During Immigration Raids**

(The content of this brochure is not legal advice. Please consult an immigration attorney

for legal counsel.)

**WHAT TO DO IF YOU ARE QUESTIONED BY THE POLICE:**

You have the right to ask the police officer if you are being arrested or detained.
1. If the officer says, “NO, you are not being arrested or detained,” ask the officer if you are free to leave. If the officer says you can leave, walk away slowly and calmly.

2. If the officer says, “YES, you are being arrested or detained”...

**YOU HAVE THE RIGHT TO REMAIN SILENT!**

IF YOU DO NOT HAVE DOCUMENTS...

Do not answer any questions, or simply say:

“I need to speak to my lawyer.”

If you have valid immigration documents, show them. Always carry them with you.

Do not say anything about where you were born or how you entered the United States.

Do not carry papers from another country. (If you do, the government may use that information in a deportation case.)

Show them your “Know Your Rights” card.

**Above all, do not show false documents and do not lie!**

**Important!**

In some states, it is a minor offense not to give your name when a police officer asks for it.

Even though the penalty for this offense is minor, you could still be arrested for refusing to provide your name.

Keep in mind that giving your name also carries risks, as it may be used to initiate deportation proceedings.

**If the police or Immigration comes to your home:**

You have the right to see the warrant if the police, immigration agents, or any other government agent tries to enter your home. A warrant is a document signed by a judge that authorizes the agent to enter your home. The warrant must clearly specify the areas the agent is allowed to search. Do not open the door.

Ask the agent to slide the warrant under the door. If you open the door and give the agent permission to enter your home, it may be considered that you have given your "consent" for them to enter. If the agent enters without a warrant, ask for their names and badge numbers and tell them clearly that you do not give your consent for the search. Also, take note of the names, addresses, and phone numbers of anyone who witnessed the event.

If the agent has a warrant, observe the search to see if the agent searches any area not specified in the warrant. Request a receipt for everything the agent takes.

**IF THE POLICE OR IMMIGRATION COMES TO YOUR WORKPLACE:**

Immigration agents must have a search warrant signed by a judge or the employer’s permission to enter your workplace. If it is a public area, they do not need a warrant.

Stay calm. Do not run, as it may be interpreted as an admission that you have something to hide.

**IF THE POLICE OR IMMIGRATION STOPS YOU ON THE STREET OR IN A PUBLIC PLACE:**

If the police or an immigration agent stops you on the street without a proper warrant, they cannot arrest you unless they have proof that you are not a citizen. Remember that you have the right to remain silent and to refuse a search. Do not say anything about your immigration status or where you were born. If you have valid immigration documents, show them.

1. Find out who arrested you

Take note of the names of the agents, the agencies they belong to (police, county sheriff, FBI, Immigration), and the identification and license plate numbers of their vehicles. This information can be obtained from their uniforms or their vehicles.

1. Do not sign any documents without speaking to a lawyer.

Government agents may try to pressure or trick you into signing.

Do not be fooled. Signing could mean giving up your right to a hearing before an immigration judge. You always have the right to speak with a lawyer.

1. Contact your lawyer or a family member

You have the right to make a phone call after your arrest. Memorize the phone number of your lawyer, a family member, or a union representative, and contact them immediately.

1. Contact your consulate

Foreign nationals arrested in the U.S. have the right to call their country’s consulate or request that the deportation officer notify the consulate of their arrest. Ask the deportation officer for a list of embassies and write down the phone number. Your country’s consulate can help you find a lawyer or may offer to contact your family.

1. Request bail

Once Immigration has you in custody, request bail (even if Immigration says you are not eligible). You must show that you are not a flight risk or a danger to the community. Also request a copy of the “Notice to Appear” — this is a document that lists the immigration charges filed against you.

1. Ask your lawyer for help to get released from police custody.

If local police arrest you, they must file charges in court within 48 hours (not including weekends or holidays), otherwise you must be released.

If the police do not press criminal charges, they must release you if:

(1) the charges are dropped,

(2) you are granted bail and you pay it,

(3) you win your criminal case, or

(4) you serve your sentence.

The police may contact immigration agents to determine your immigration status. For example, if you have a pending deportation order, the police may inform Immigration that you are in police custody. After that, Immigration can request a detainer, which gives them an additional 48 hours to come and pick you up.

If Immigration does not pick you up within that time frame, the police are required to release you.

If the police do not file criminal charges and Immigration does not issue a detainer, seek help from a lawyer or a community organization to request your release. Either one can send a letter to the jail or the sheriff demanding your release.

**What should you do if you are charged with a crime?**

Consult with an immigration lawyer to ensure that the crime will not affect your immigration status. If you wish to apply for citizenship or permanent residency (a green card), talk to your lawyer.

**What to do if you are facing deportation and need a lawyer?**

Find a lawyer who specializes in deportation defense. Always carry your lawyer’s full name and contact information with you. Ask your lawyer for a written contract before paying any legal fees. Make sure your lawyer reviews the Notice to Appear (NTA) or your immigration documents before making any promises.

**Do not be fooled by people who are only after your money!**

1. Make an action plan with your coworkers

Talk to your coworkers to see if they would be willing to make a collective decision that everyone — regardless of their immigration status — will remain silent and ask to speak with a lawyer in the event of a raid at the workplace.

Tell your coworkers not to run and to remain calm in the event of a raid.

If there is a union at your workplace, contact your union representative to learn more about how to prepare for a raid.

1. Know what documentation to carry with you

Carry a card with the contact information of your immigration lawyer or your union representative.

Carry a card that states your wish to remain silent. See the attached card.

1. Make a plan to care for your family

If you have children or elderly family members, make the necessary arrangements for a relative or friend to take care of them in case you are detained. Always carry the phone numbers of this family member or friend, and make sure others are aware of your plan. Designate trusted individuals to make decisions on your behalf if you are detained. They can help withdraw money for deportation or mortgage expenses.

You can sign a power of attorney to give legal authority to someone else if you are arrested.

Make sure your family has your immigration number (if you have one) and your full name with date of birth. This number appears on your work permit or green card and begins with the letter "A."

Ensure your family knows how to contact you if you are detained. If they don’t know where you are being held, they should contact the local Immigration office and the Detention and Removal Division of Customs Enforcement. They should ask to speak with the supervising deportation officer and provide your full name and “A” number. If they do not have the contact information for the local office, they can call the headquarters in Washington, DC at 1-202-305-2734.

1. Find an immigration lawyer

Find an immigration lawyer who specializes in deportation cases and could represent you if you are detained.

Memorize your immigration lawyer’s name and phone number. Keep the names and numbers of several good immigration lawyers easily accessible so your family knows who to call if you are detained.

1. Keep a copy of all immigration documentation

Leave a copy of all immigration documents you have submitted to Immigration with a trusted friend or family member. Also gather all important documents such as birth certificates, marriage certificates, and passports. Store these documents in a safe and easily accessible place so your family can easily access them.

Make a list of the names and contact information of every lawyer who has represented you in the past.

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