

# KNOW YOUR RIGHTS IF YOU ARE APPROACHED BY ICE



NATIVE AMERICAN  
RIGHTS FUND

## AT YOUR HOME:

- Do not open the door unless ICE presents a valid judicial warrant signed by a judge. Most ICE warrants are administrative and do not allow them to enter your home without permission.
  - » A valid judicial warrant: 1. Names a person in your residence and/or what specific areas are to be searched at your residence and 2. Is signed by a judge (must be a judge that is not an immigration judge)
  - » An administrative warrant is: signed by an ICE officer
  - » (If you need help determining what is a valid judicial warrant you can review this resource: <https://www.nilc.org/resources/know-your-rights-warrants/>)
- Ask ICE to slide the warrant under the door for you to review. Do not open the door to receive the warrant.
- If an ICE agent enters your home without your permission or a valid judicial warrant, do not physically resist as that could subject you to potential criminal charges. But make it clear that you did not provide consent.
- If ICE begins to search your home, make it clear that you do not consent to the search.
- You do have a right to remain silent or state clearly: "I am exercising my right to remain silent."
- If you do not remain silent, do not lie to ICE agents as that may impact you in the future.
- Record the interaction if it is safe to do so or ask someone else to record it. If you record, do not interfere with the ICE operation.

## AT WORK:

- ICE can enter the public space of any workplace without any type of warrant.
- Public spaces can include an office lobby, a supermarket, retail store, or dining area of a restaurant.
- ICE cannot legally enter the private space of a workplace unless they have the permission of your employer or a judicial warrant. Private spaces include employee-only areas.
- If approached, do not panic. Stay calm and avoid running or making sudden movements.
- Ask if you are free to leave. If yes, calmly walk away. If you are not free to leave, ask if you are being detained. If you are being detained, you do not have to answer any questions. You always have the right to remain silent.
- If you are asked about another person's identification or for information pertaining to another person's whereabouts, you do not have to answer those questions.
- If you are being detained, you must show a form of identification. You can use your non-expired state-issued ID or Tribal ID to show your United States citizenship.
- If an ICE agent does not accept your Tribal ID, request to speak with their supervisor. Not all ICE agents are aware that a Tribal ID is a legal form of identification in the United States.
- Do not sign anything without consulting an attorney.
- If it is safe to do so, record the interaction or ask someone else to record it. Do not interfere with the operation.

## IN PUBLIC:

- ICE can enter public spaces without any type of warrant.
- Public spaces include an office lobby, a supermarket, retail store or dining area of a restaurant.
- If approached, do not panic. Stay calm and avoid running or making sudden movements.
- Ask if you are free to leave. If yes, calmly walk away. If you are not free to leave, ask if you are being detained. If you are being detained, you do not have to answer any questions. You always have the right to remain silent.
- If you are being detained, you must show a form of identification.
- You can use your non-expired state-issued ID or Tribal ID to show your United States citizenship.
- If an ICE agent does not accept your Tribal ID, request to speak with their supervisor. Not all ICE agents are aware that a Tribal ID is a legal form of identification in the United States.
- If it is safe to do so, record the interaction or ask someone else to record it. Do not interfere with the operation.