

Know Your Rights in an encounter with ICE

This guide will help you understand **what your rights are**, what you **should and should not do** in an encounter with ICE, and what **steps you can take to protect your rights**.

What is ICE?

Immigration and Customs Enforcement (ICE) is a federal law enforcement agency in the United States.

- Their job is to **enforce federal immigration laws** and to keep the U.S. safe by **investigating cross-border related crimes**.
- ICE agents have the authority to detain, arrest, and raid.

...an officer asks to enter my house?



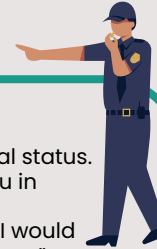
- **Do not open the door.**
 - You can communicate through a closed door.
- **ICE agents usually need a warrant to enter your home.**
 - If the ICE officers do not have a warrant to search your home, tell them that you do not consent to them entering.
- If they say that they have a warrant, ask them to slide it under the door or hold it up to a window so that you can **inspect it**.
 - The warrant must be **signed by a judge**. Sometimes ICE officers will use an ICE warrant signed by an ICE official, which does not give them permission to enter your house.
 - Make sure that the warrant is signed by a judge and that it has the correct address.

- "May I see the warrant please?"
- "I do not consent to you entering my home."
- "Please slide it under the door."

What should I do if...

...an officer approaches me?

- You have **the right to remain silent**.
 - You do NOT have to answer questions about your legal status.
 - In fact, anything that you say can be used against you in court later.
 - You can politely say, "I would like to remain silent" or "I would like to speak to my lawyer before I answer any questions."
- **Stay calm.** Don't resist. Don't fight.
- If you choose to answer the ICE officer's questions, **do not lie. Do not provide false documents.**
- **Do not sign anything** without advice from an attorney.
- The officer may **ask for your name**.
 - In some states, you must give your name to law enforcement if they ask.
- Politely **ask if you are free to leave**.
 - If you are not being detained, the officer will confirm that you are free to leave. Walk away calmly.



Important phrases:

- "I would like to remain silent."
- "I would like to speak to my lawyer before I answer any questions."
- "Am I free to leave?"

...an officer asks to search me or my belongings?

- ICE officers **do not have the right to search you without a warrant, probable cause, or your consent**.
 - If you do not wish to be searched, politely tell them that you do not consent to a search.



- "I do not consent to a search."

...I am arrested or detained?



- **Stay calm.**
 - Resisting can lead to problems later on.
- **You have the right to legal counsel.** Ask to contact your attorney right away.



- "I would like to speak to a lawyer."

...an officer asks to see my immigration papers?



- If you are **not a US citizen**, you **must show your immigration papers** if you have them with you.
 - **If you do not have your papers with you, remain silent.**
 - Note: If you are over 18, you should always carry your immigration papers with you.



- "I would like to remain silent."

...I am stopped while driving?



- If an officer of any kind stops you while you are driving, **you must pull over**.
- If they ask, you will have to **show them your driver's license, car registration, and proof of car insurance**.
 - Note: Driving without a valid driver's license is illegal and can lead to criminal and/or immigration consequences.
- If they ask to search the car, you can politely tell them you do not consent.
- You do not have to answer any other questions.



- "I do not consent to a search."

Note! It's very important that you talk to an attorney after an encounter with law enforcement. Your attorney can help you understand how the encounter affects your specific case, what rights you have, and what legal options you may have. **If you need help finding an attorney, get in touch!** We're here to help.