

## **KNOW YOUR RIGHTS: WHAT TO DO IF YOU'RE STOPPED BY IMMIGRATION AGENTS ("ICE")**

*Regardless of your immigration or citizenship status, you have constitutional rights!*

### **YOU HAVE THE RIGHT TO...**

- NOT OPEN YOUR DOOR unless ICE has a warrant *signed by a judge*.
- NOT ANSWER QUESTIONS about your immigration status or what country you are from, when police, immigration agents, or any other officials ask.
- REMAIN SILENT AND TO REFUSE TO CONSENT TO A SEARCH of yourself, your car or your home. Say "I wish to remain silent" and "I do not consent to a search" loud enough for the officers and any witnesses to hear you.
- ASK FOR A LAWYER if you are arrested — do not answer questions until your lawyer is with you. You can refuse to sign documents without consulting with a lawyer.
- ASK "am I under arrest?" If you are not under arrest, you have the right to calmly leave.
- RECEIVE DOCUMENTS IN A LANGUAGE YOU UNDERSTAND. If you do not understand English, ask for an interpreter.

### **YOUR RESPONSIBILITIES**

- Do stay calm and be polite.
- Do carry your green card with you, if you have one. You may have to show it to immigration agents. If you do not have immigration papers, say "I wish to remain silent."
- Do ask for an interpreter if you need one.
- Do remember the details of what happened.
- Do not physically resist the police or immigration agents.
- Do not lie, or give a false name or false documents.

### **BE PREPARED FOR AN ICE ARREST**

- Carry this with you so you know your rights.
- Remember one or two phone numbers of people you can call if you are arrested. You will not be able to use your phone after you are arrested.
- Keep copies of your important documents in a safe place where someone can get them, as well as any medicine you need.
- Make an emergency family plan for care of your children if you are arrested.

### **IF YOU ARE STOPPED BY ICE IN PUBLIC**

- Stay calm. Don't run. Don't argue with or resist the ICE agents, even if you are innocent or the ICE agents are violating your rights. Keep your hands where the ICE agents can see them.
- Remember: You do not have to speak. ICE agents often make an arrest after just asking for a name. Say "I wish to remain silent."
- Do not show ICE agents an ID from another country or lie about your citizenship.
- If the ICE agents say that they are arresting you, do not answer any questions. Remain silent and ask for a lawyer. You can refuse to sign documents until you talk to a lawyer.
- You can say "I do not consent to a search" if they search your pockets or belongings.
- ICE agents can carry fingerprint machines. You can refuse to be fingerprinted if you have not been arrested.

### **IF YOU ARE STOPPED IN YOUR CAR BY ICE**

- Stop the car in a safe place as quickly as possible. Turn off the car, turn on the inside light, open the window part way and place your hands on the wheel.
- ICE agents may wear a vest saying "Police" and may not tell you they are ICE agents. Ask agents to show you their badges so you know what agency the officers work for.
- If ICE agents stop your car, you do not need to tell them what country you are from. Say "I wish to remain silent."
- Ask "am I under arrest?" If you are under arrest, ask for a lawyer immediately.
- If an immigration agent asks to look inside your car, you do not have to agree to the search. Say "I do not consent to this search."
- Both drivers and passengers have the right to remain silent. If you are a passenger, you can ask "am I free to leave?" If the agent says yes, sit silently or calmly leave.

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### IF IMMIGRATION AGENTS COME TO YOUR HOME

- If immigration agents come to your home, you do not have to open the door unless they have a warrant *signed by a judge*.
- Documents only signed by ICE officials do not give them the right to enter your home. Ask for the ICE agents to show you the copy of the warrant through a window or slip it under the door. Make sure it has a judge's name and signature.
- If you open the door to ICE agents, you are allowing them to enter your home, and you may not be able to challenge the ICE arrest in court later.
- Remember: You do not have to talk or answer questions. Say "I wish to remain silent."
- ICE agents may give misleading information to make home arrests. It is common for ICE agents to say they are investigating a crime, or fraud, in order to convince you to open the door and speak with them.
- ICE agents may wear a vest saying "Police" and may not identify themselves as ICE agents.

### IF YOU ARE TAKEN INTO ICE CUSTODY

- You have the right to a lawyer, but the government does not have to give you one.
- You have the right to contact your consulate, or have an officer tell the consulate that you have been arrested.
- Do not talk about your immigration status with anyone but your lawyer. Do not sign anything without talking to your lawyer.
- Find your A number on your ICE paperwork and give it to your family. You need this A number to get immigration court information and your detention location.
- You have a right to read the documents ICE gives you in a language you understand or ask for someone to translate for you. Get a copy of all the documents that ICE asks you to sign and keep them with you in detention.

### YOUR PRIVACY AND TECHNOLOGY

- Keep your social media profiles private and think about what information you share about your life on social media.
- Remember that your phone can also track your location, and companies share this information with each other and with ICE.
- ICE will keep your phone if you are arrested with it and ICE agents could go through your phone without your permission in some circumstances.

### IF YOU FEEL YOUR RIGHTS HAVE BEEN VIOLATED

- Remember: police misconduct cannot be challenged on the street. Don't physically resist officers or threaten to file a complaint.
- Write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses. If you are injured, take photographs of your injuries (but seek medical attention first).
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously.
- File a written complaint at [info@riaclu.org](mailto:info@riaclu.org), or call the ACLU of RI at (401) 831-7171.

*Separate rules apply at international borders and airports. For individuals on certain nonimmigrant visas, you may be required to answer questions about your immigration status.*

We rely on the police to keep us safe and treat us all fairly, regardless of race, ethnicity, national origin or religion. This card provides tips for interacting with police and understanding your rights. Note: Some state laws may vary. Separate rules apply at checkpoints and when entering the U.S. (including at airports). This wallet card is not intended as legal advice.

UPDATED FEBRUARY 2025

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AMERICAN CIVIL LIBERTIES UNION  
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