

IF YOU ARE ARRESTED BY POLICE

- If you are arrested and charged with a crime, immediately say: “I wish to remain silent” and “I want to speak to a lawyer.” If you can’t pay for a lawyer, you have the right to a free one.
- Don’t talk, sign anything, or make any decisions without a lawyer.
- You have the right to make a phone call. The police cannot listen if you call a lawyer.
- Be prepared in case you are arrested. Remember the phone numbers of your family and your lawyer. Make emergency plans if you have children or take medication.
- After an arrest by the police, identifying information about you, including your fingerprints, can be shared with ICE automatically. ICE can also obtain your phone number and address.

IF YOU ARE A NON-CITIZEN ARRESTED BY POLICE

- If you are being charged with a crime, tell your criminal lawyer about your immigration status. The immigration consequences of a criminal conviction can be worse than the punishment for the crime itself.
- Don’t talk about your immigration status with anyone except your lawyer.
- While you are in jail, an immigration agent may visit you. Do not answer questions or sign anything before talking to a lawyer.
- You have the right to refuse to sign documents without consulting with a lawyer.

IF YOU ARE TAKEN INTO IMMIGRATION (“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 except 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.

IF YOU ARE CONTACTED BY THE FBI

- If an FBI agent comes to your home or your work, you do not have to answer any questions. Tell the agent you want to speak to a lawyer first.
- If you are asked to meet with FBI agents for an interview, you have the right to say you do not want to be interviewed.
- If you agree to an interview, have a lawyer present. You do not have to answer any questions you feel uncomfortable answering, and you can say that you will only answer questions on a specific topic.

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 if you wish.
- File a written complaint with the ACLU of RI by emailing info@riaclu.org, or call (401) 831-7171.

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 brochure is not intended as legal advice.

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Rhode Island

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KNOW YOUR RIGHTS: WHAT TO DO IF YOU’RE STOPPED BY POLICE, IMMIGRATION, OR THE FBI



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 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.

• *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.*



IF YOU ARE STOPPED FOR QUESTIONING

- Stay calm. Don't run. Don't argue with or resist the police, even if you are innocent or police are violating your rights. Keep your hands where police can see them.
- You do not have to answer any questions, including giving your name and what country you are from. You can say “I wish to remain silent.”
- Ask “am I under arrest?” If not, calmly walk away.

IF STOPPED BY POLICE

- Police officers are not allowed to search (or ask to search) pedestrians and children unless officers have a good reason to believe the individuals are involved in a crime.
- You do not have to agree to a search of yourself or your belongings. Police may “pat down” your clothing if they think you have a weapon.
- If you are under arrest by police, you have a right to know why.

IF STOPPED BY IMMIGRATION AGENTS (“ICE”)

- Remember: You do not have to speak. ICE agents often makes an arrest after just asking for a name.
- Do not show ICE agents an ID from another country.
- If the ICE agents say that they are arresting you, do not answer any questions. Stay silent and ask for a lawyer. You can refuse to sign documents until you talk to a lawyer.
- Say “I do not consent to a search” if they search your pockets or your belongings.
- ICE agents can have fingerprint machines. You can refuse to be fingerprinted if you have not been arrested.

IF YOU ARE STOPPED IN YOUR CAR

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.

IF STOPPED BY POLICE

- If they ask, show police your driver's license, registration and proof of insurance.
- If an officer asks to look inside your car, you should not agree to the search. If police think your car has evidence of a crime, your car can be searched without your consent.
- Both drivers and passengers have the right to remain silent. If you are a passenger, you can ask if you are free to leave. If the officer says yes, sit silently or calmly leave. As a passenger, you do not have to carry an ID, but you may be asked to show it to the officer or to share your name and address.

IF STOPPED BY IMMIGRATION AGENTS (“ICE”)

- 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.”
- 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.”
- You have the right to a lawyer if you are arrested—do not answer questions if your lawyer is not with you.

IF THE POLICE OR IMMIGRATION AGENTS COME TO YOUR HOME

If the police or immigration agents come to your home, you do not have to open the door unless they have a warrant *signed by a judge*.

IF POLICE COME TO YOUR HOME

- Ask them to slip the warrant under the door or hold it up to the window so you can look at it.
- A *search warrant* allows police to enter the address listed on the warrant, but officers can only search the areas, and for the items, listed.
- An *arrest warrant* allows police to enter the home of the person listed on the warrant if they believe the person is inside.
- Even if police officers have a warrant for a criminal arrest, you do not have to speak. If you choose to speak to the police officers, step outside and close the door.

IF IMMIGRATION AGENTS (“ICE”) COME TO YOUR HOME

- Immigration agents cannot enter your home without a warrant *signed by a judge*. Documents only signed by ICE officials do *not* give them the right to enter your home.
- Ask 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.
- 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 tell you they are ICE agents.