

KNOW YOUR RIGHTS



WHO DOES ICE WORK WITH?



ICE



WHO IS AT RISK OF BEING PICKED UP BY POLICE & ICE?



PEOPLE WHO ARE REMOVABLE UNDER IMMIGRATION LAW

People present in the U.S. after being ordered removed.

People without lawful immigration status

People with lawful immigration status who have certain criminal priors

WHAT ARE MY RIGHTS?



YOUR RIGHTS

- 1. You have the right to remain silent. If you wish to exercise that right, say so out loud.**
 - Say: *"I choose to remain silent."*
- 2. You have the right to refuse to consent to a search of yourself, your property, or your home.**
 - Say: *"Do you have a search warrant? I do not consent to a search."*
- 3. If you are not under arrest, you have the right to calmly leave.**
 - Say: *"Am I under arrest? Am I free to go?"*
- 4. You have the right to a lawyer if you are arrested. Ask for one immediately.**
 - Say: *I want to speak to my lawyer! Can I make a call?*

YOUR RESPONSIBILITIES



1. Stay calm and be polite.
2. Do not interfere with or obstruct the police.
3. Do not lie or give false documents.
4. Prepare yourself and your family in case you are arrested.
5. Remember the details of the encounter.
6. File a written complaint or call the ACLU of Arizona if you feel your rights have been violated.

POLICE & ICE RAIDS: HOW TO PROTECT YOURSELF



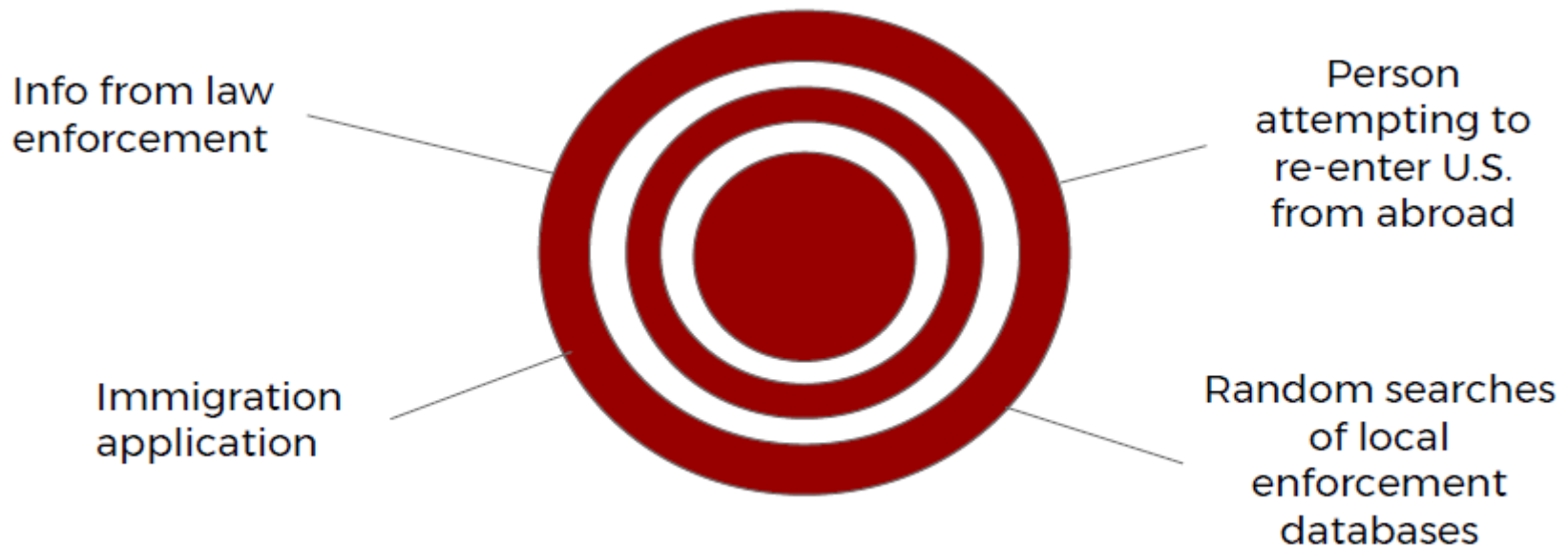
**If ICE agents see the person in a public space,
they confirm identity & detain them.**

WHAT IS A RAID?

- Police or ICE arrests in the community, home, or workplace
- ICE can pick up one or more individuals during a raid
- ICE uses databases & info surveillance to identify possible location of person
- Raids are planned by ICE officials



HOW DOES ICE GET MY INFORMATION?



HOME RAID: WHAT TO EXPECT IF ICE IS AT YOUR DOOR

WARNING!

PROTECT YOURSELF FROM IMMIGRATION RAIDS!



Some people who are not United States citizens have been arrested or detained by the U.S. government. Learn how to protect yourself if this happens to you!

- ICE comes early in the morning (5 a.m. - 8 a.m.)
- Multiple armed officers
- Dressed like police, in bulletproof vests that say “police,” or in plain clothes
- May identify themselves as “police” or “federal police”
- To enter or search a home: ICE needs a warrant signed by a judge
- OR they need permission from a resident to enter

ASK FOR A WARRANT!

U.S. Department of Homeland Security

Warrant for Arrest of Alien

FD-156 (Rev. 10-16-2013)
Form 156-10-16-2013
Date: October 28, 2013

To any officer delegated authority pursuant to Section 287 of the Immigration and Nationality Act:

From evidence submitted to me, it appears that:
[redacted] (the name of the alien)

an alien who entered the United States at or near [redacted] on [redacted] March 1, 2003 is within the country in violation of the immigration laws and is therefore liable to being taken into custody as authorized by section 236 of the Immigration and Nationality Act.

By virtue of the authority vested in me by the immigration laws of the United States and the regulations issued pursuant thereto, I command you to take the above-named alien into custody for proceedings in accordance with the applicable provisions of the immigration laws and regulations.

[redacted] (signature of ICE officer)
[redacted] (signature of ICE officer)
[redacted] (signature of ICE officer)

Certificate of Service

Served by me at [redacted] on October 28, 2013 at 12:00 PM
I certify that following such service, the alien was advised concerning his or her right to counsel and was furnished a copy of this warrant.

[redacted] (signature of ICE officer)
[redacted] (signature of ICE officer)
[redacted] (signature of ICE officer)

ICE Rule 26 00145
2014 FCM 0178 00230

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- ICE typically does not have a warrant signed by a judge.
- If ICE doesn't have a proper warrant they cannot enter without permission.
- If ICE has a proper judicial warrant, they will enter the home regardless of whether they've been given permission to do so.

IF ICE IS INSIDE YOUR HOME

If ICE has a judicial warrant, they may stay.
Otherwise, they should leave.

THINK:

- NO INFO
- NO ENTRY
- NO SEARCH

1. ASK THEM TO LEAVE THE HOME
2. DON'T ANSWER QUESTIONS ABOUT YOURSELF OR LOVED ONES
3. DON'T GIVE THEM PERMISSION TO SEARCH
4. DON'T GIVE THEM DOCUMENTS

Say: ***I DON'T WANT YOU IN MY HOME.
PLEASE LEAVE.***

IF I DON'T SPEAK ENGLISH, CAN I STILL INVOKE MY RIGHTS?

- **YES!** Invoke your rights out loud in whatever language you feel most comfortable.
- At least one ICE officer is supposed to speak the known language of the individual they are targeting.
- All documents should also be accessible in your language.



**WHEN POLICE OR
ICE APPROACH
YOU IN PUBLIC**

IF STOPPED IN A CAR: THE BASICS



1. STAY SILENT
2. DON'T GIVE THEM FOREIGN/
FALSE DOCUMENTS
3. DON'T GIVE THEM PERMISSION
TO SEARCH YOUR CAR
4. The driver of the car must give their
ID.
 - Hand over a document that does not
show a foreign place of birth.

DON'T GIVE POLICE/ICE FOREIGN OR FALSE DOCUMENTS

If you hand police or ICE a false document, it can lead to criminal prosecution

Okay:

Municipal ID card,
library card, U.S.
driver's license, U.S.
green card

Not okay:

Passport, consular ID,
matricula, expired visa,
anything fake or not yours

FILMING POLICE OR ICE



- Is it ok to videotape ICE during an arrest? **YES.**
- Can POLICE or ICE take my phone if I'm videotaping them?
 - If police or ICE asks you to hand over your phone, don't physically resist them but say: *I don't consent to giving you my phone. I don't consent to a search of my phone.*

SEARCH OF PROPERTY

Once I'm stopped, can police or ICE officers start searching my car?



- Police and ICE CANNOT search a car without permission, including opening the trunk, glove compartment, or any bag in the car, unless they have probable cause that there is evidence of criminal activity.
- If police or ICE begin searching, say: *I do not consent to a search.*

POLICE & ICE CONTACT IN PUBLIC OR THE WORKPLACE

1. Ask if you are free to go
2. Stay silent
3. Don't give them foreign/false documents
4. Don't give them permission to search
5. Always ask, "Am I being detained? Am I free to go?"
WALK AWAY (DO NOT RUN)
6. If officers say no, you are being detained. Say: "I don't want to talk without my lawyer present."
 - *Then, stay silent or repeat this answer to all their questions.*

FINGERPRINTING



If you are under arrest, it is legal for ICE to fingerprint you as part of the booking process.

If ICE asks to fingerprint me & I'm not under arrest, do I have to let them?

- You may refuse fingerprinting but should be aware that this may result in ICE arrest.
- ***Do not physically resist if ICE fingerprints you. Verbally repeat that you do not consent.***
- If I'm not under arrest and ICE asks for my documents, do I have to give them? **NO**
- Do not physically resist if ICE takes your documents. Verbally repeat that you do not consent.

YOUR RIGHTS IF ARRESTED OR TAKEN TO ICE CUSTODY

You have the right to:

1. Remain silent
2. Request a lawyer or list of free or low cost legal services
3. Refuse to give information about your immigration or criminal history
4. Not sign anything!
5. Seek care for your children
6. Remember your “**A**” number and keep all immigration documents

SEARCHES: ELECTRONICS

CBP claims the authority to search and seize your phone without any level of suspicion or a warrant.

DO

- Password protect your phone
- Turn off the Thumbprint ID
- Encrypt your phone

SAY

- “I do not feel comfortable giving you my password.”
- “My phone contains private information. I do not consent for you to search it.”

ASK

- If they take your phone, ask for a receipt.

SENSITIVE LOCATIONS

What are sensitive locations?

Immigration enforcement actions generally are not to occur at sensitive locations, such as:



Hospitals



Schools (all levels from preschool through college, also vocational and trade schools)



Places of worship or buildings rented for religious services



Public religious ceremonies, such as funerals



Public religious ceremonies, such as weddings



During a march, rally, parade or other public demonstration

KNOW WHAT TO DOCUMENT

1. **Where/when was the encounter with police/ICE?**
2. **How did ICE officers present themselves?**
 - Did they pretend to be police? Did they refuse to identify themselves?
3. **What did ICE agents say?**
 - Lied to enter the home, intimidated anyone, or used verbal physical force?
4. **Whether consent was given**
 - Reaction if no consent to enter/search.

If you think you or a loved one's rights have been violated during a police stop or ICE raid, contact us immediately.

- To report abuse, contact the ACLU of Arizona at info@acluaz.org.

