

# KNOW YOUR RIGHTS

## WHAT TO DO IF YOU ARE ARRESTED



### BE PREPARED!

 Have a plan in place before anything happens

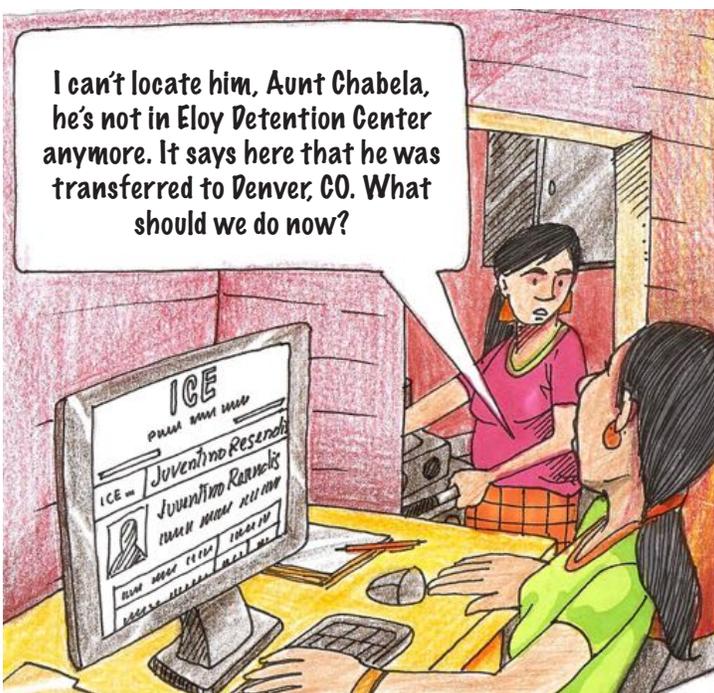
 Keep a copy of all your important documents in a safe place and make sure a trusted person knows where it is. This includes any papers related to immigration or criminal matters. It also includes your birth certificate, marriage certificate, passport, and documents related to your children and other family members. If you have an “Alien Number” (A number), write it down and keep it with your important documents.



 If you have children or other people who rely on you to take care of them, ask a trusted person to agree to care for them temporarily if you are arrested. Memorize that person’s phone number.

 Make a plan for anything else essential that would need to be cared for if you are arrested. Do you have pets? Is there someone who can notify your employer? Are there other people who would need to know if you were arrested?

 Print out the attached Know Your Rights Card and carry it with you. You can give it to Immigration or the police if you are arrested to show that you are going to exercise your right to remain silent and request an attorney.



### PAY ATTENTION

 If you are arrested, try to notice the uniforms and cars of the arresting officers. Remember the name of the agency (Police, Sheriff, ICE, CBP). If you can, read the officers’ badges and remember or write down their names.

 If you are taken to a jail or detention center, pay attention to whether you are given a “booking number” (in criminal custody) or “alien number” (in immigration custody). Write down the number or remember it so you can share it with your loved ones. It will help them keep track of you if you are transferred to another facility.

## DO NOT SPEAK TO ANYONE OR SIGN ANYTHING WITHOUT A LAWYER



This is very important. You have the right to remain silent. You do not have to speak to the police or to Immigration agents about anything. You do not have to sign any documents. In particular, you should never sign anything or say anything about your immigration status or where you were born without first speaking to your attorney. Anything that you say or sign can be used against you.

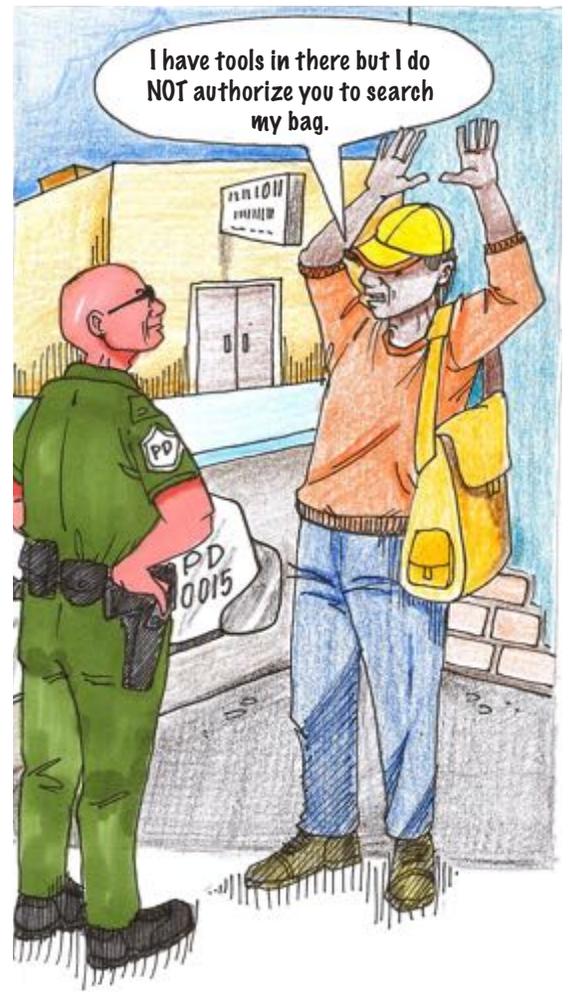
## DO NOT AUTHORIZE ARRESTING OFFICERS TO SEARCH YOU OR YOUR HOME OR YOUR BELONGINGS



Police and Immigration agents cannot come into your home without your permission, unless they have a warrant signed by a judge—which they rarely have. If they say they have a warrant, ask them to slide it under the door so you can confirm that it is signed by a judge. If they don't have a warrant, don't let them in!



Police and Immigration agents can only search your person or your belongings without your permission in very specific circumstances. You should not physically resist any search. But you should make it clear that you do not consent to a search. You can provide a Know Your Rights card to assert your rights without saying anything.



Excuse me, are you the Police, ICE, Sheriff's Deputy, Security Guard, Soldier or Robocop?



## LET YOUR FAMILY AND FRIENDS (AND MAYBE YOUR CONSULATE) KNOW WHERE YOU ARE



Usually you have the right to make a phone call after you are arrested. Memorize the phone number of the person(s) you want to contact— you may not be able to look it up when you are in jail!



When you talk to your loved ones, be sure to let them know who arrested you (Police, Sheriff, ICE, CBP) and give them your booking number or alien number and the location where you are, if you know.



If you are a foreign national, you have the right to tell your consulate you were arrested. Sometimes you can contact your consulate yourself. Other times, the law enforcement agency will contact your consulate for you. Your consulate may be able to help you find a lawyer. But be careful – if you say where you're from in order to contact your consulate, that information could be used against you in criminal or immigration court.

## FIND A LAWYER (A GOOD ONE)



If you are in criminal custody and cannot afford a lawyer, one will be provided for you. Make sure your attorney knows about your immigration status! Before you make any decision in your criminal case, ask your attorney how it could affect your immigration status.



If you are in immigration custody you must find your own lawyer. It is important not only to have an attorney, but to have a good attorney. People with attorneys win their immigration cases much more often than people without attorneys.



Some organizations provide free legal representation in immigration proceedings, but in many cases, it is difficult to find free legal assistance and you must pay a private lawyer if you are able to do so.



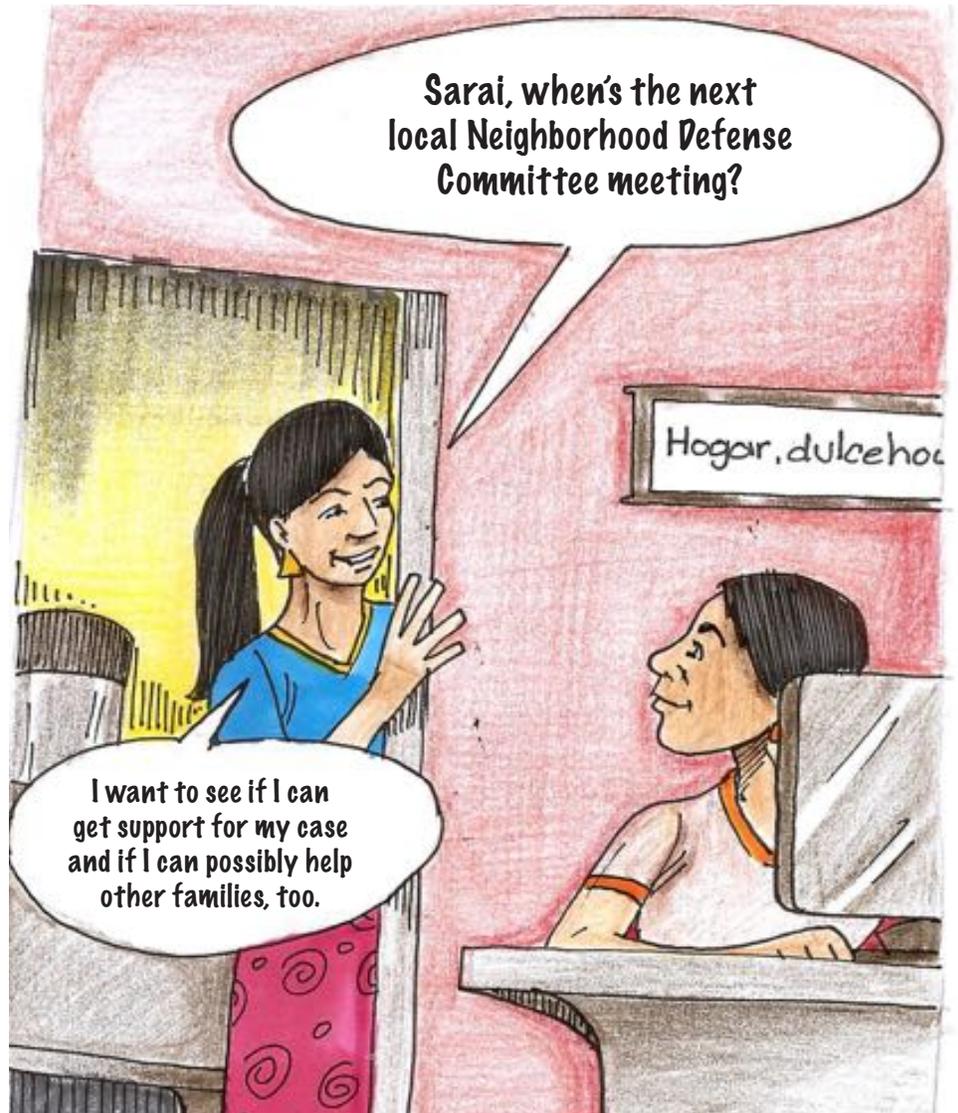
You should ask trusted people and organizations if they know an attorney they can recommend. A list of free legal services providers is available at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers-map>. This list is incomplete, and the quality of the attorneys on the list is not verified.



When possible, you should always get a second (and third!) opinion before choosing an attorney.



If you can't find an attorney, you can try to defend yourself or your family member. You can find resources to help you on the website of the Florence Project: <https://firrp.org/resources/prose/>



## BE AWARE YOU MIGHT BE TRANSFERRED



If you are in criminal custody, immigration agents may try to begin deportation proceedings against you.

They can do this in different ways.

- 1 First, they can place a hold, or detainer, on you. An immigration hold is a request that the police detain you for an extra 48 hours after you would otherwise be released in order to transfer you to immigration. The police are required to provide you with a copy of any immigration hold, but sometimes they do not.

## KEEP IN TOUCH WITH YOUR FAMILY AND YOUR ATTORNEY

Most jails and detention centers allow friends and family members to deposit money for their loved ones who are detained. This money can be used to make phone calls and to buy things within the jail or detention facility. You should ask an officer in the jail or detention center how you or your loved ones can deposit money.

- 2 Second, they may ask the police to let them know when you will be released or to give them your address.
- 3 Third, they can interview you while you are in criminal custody to get information they can use to try to deport you. Remember your right to remain silent! You should not talk to immigration agents or sign any documents without speaking with your lawyer.

## DON'T GO THROUGH IT ALONE



Encourage your family members to reach out to community members and organizations who can support you and them. You and your family can learn from the experiences of others. You can be stronger with the support of others.

## KNOW YOUR RIGHTS CARD



I do not wish to speak with you, answer any questions, or sign any documents.



I am choosing to exercise my right to remain silent. If I am detained, I request to speak with an attorney immediately. I am also exercising my right to refuse to sign anything until I consult with my attorney.



I also do not consent to a search of my person, my belongings, or my home unless you have a warrant signed by a judge, or unless you are otherwise constitutionally permitted to conduct a search without my consent.



Note: The content of this handout does not constitute legal advice. Please consult an immigration attorney for legal advice.