AMERICAN IMMIGRATION LAWYERS ASSOCIATION

Know Your Rights: If ICE Stops You in Public

All people living in the United States, including undocumented immigrants, have certain U.S. Constitutional rights. If you are undocumented and immigration (ICE) officers stop you on the street or in a public place, know you have the following rights:

- **You have the right to remain silent**. You do not need to speak to the immigration officers or answer any questions.
  - You may ask if you are free to leave. If the officer says no, you may exercise your right to remain silent.
  - If you are asked where you were born or how you entered the United States, you may refuse to answer or remain silent.
  - If you choose to remain silent, say so out loud.
  - You may show a know-your-rights card to the officer that explains that you will remain silent and wish to speak to an attorney.
  - You may refuse to show identity documents that say what country you are from.
  - Do not show any false documents and do not lie.
- **You may refuse a search**. If you are stopped for questioning but are not arrested, you do not have to consent to a search of yourself or your belongings, but an officer may "pat down" your clothes if he or she suspects you have a weapon.
- **You have the right to speak to a lawyer**. If you are detained or taken into custody, you have the right to immediately contact a lawyer.
  - Even if you do not have a lawyer, you may tell the immigration officers that you want to speak to a lawyer.
  - If you have a lawyer, you have the right to talk to them. If you have a signed DHS Form G-28, which shows you have a lawyer, give it to an officer.
  - If you do not have a lawyer, ask an immigration officer for a list of pro bono lawyers.
  - You also have the right to contact your consulate. The consulate may be able to assist you in locating a lawyer.
  - You can refuse to sign any/all paperwork until you have had the opportunity to speak to a lawyer.
  - If you choose to sign something without speaking to a lawyer, be sure you understand exactly what the document says and means before you sign it.

If you want more information about your rights or to learn if you might be eligible for immigration benefits or relief, speak to a reputable immigration lawyer. Go to www.ailalawyer.org to connect with a lawyer in your area.

The contents of this document do not constitute legal advice.

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