



KNOW YOUR RIGHTS

***A Guide to Your Rights When Interacting
with Law Enforcement***



Know Your Rights

A Guide to Your Rights When Interacting with Law Enforcement

YOU HAVE RIGHTS regardless of your immigration status. You may be at risk of being deported if you are undocumented, if you are a non-citizen with a criminal history, if you are on parole or have a prior deportation order. To protect yourself, your family and your community you must KNOW YOUR RIGHTS.

Knowledge is power. Act NOW. Do not wait. Be prepared.

This guide contains:

- What you need to know and what to do when encountering immigration agents, the police or FBI in different places
- Information about how to read a warrant
- Twelve things for you and your family to remember in ANY situation
- Your Emergency Planning Checklist
- Your Emergency Contact Information Sheet
- Your plan for what to do if a loved one calls you from an immigration detention center or police station
- Your Workplace Planning Checklist

This information is intended as guidance for use by the general public. For legal advice about your own situation, consult an attorney or authorized immigration representative. See a list of CLINIC affiliates that provide low-cost immigration representation at cliniclegal.org/directory.

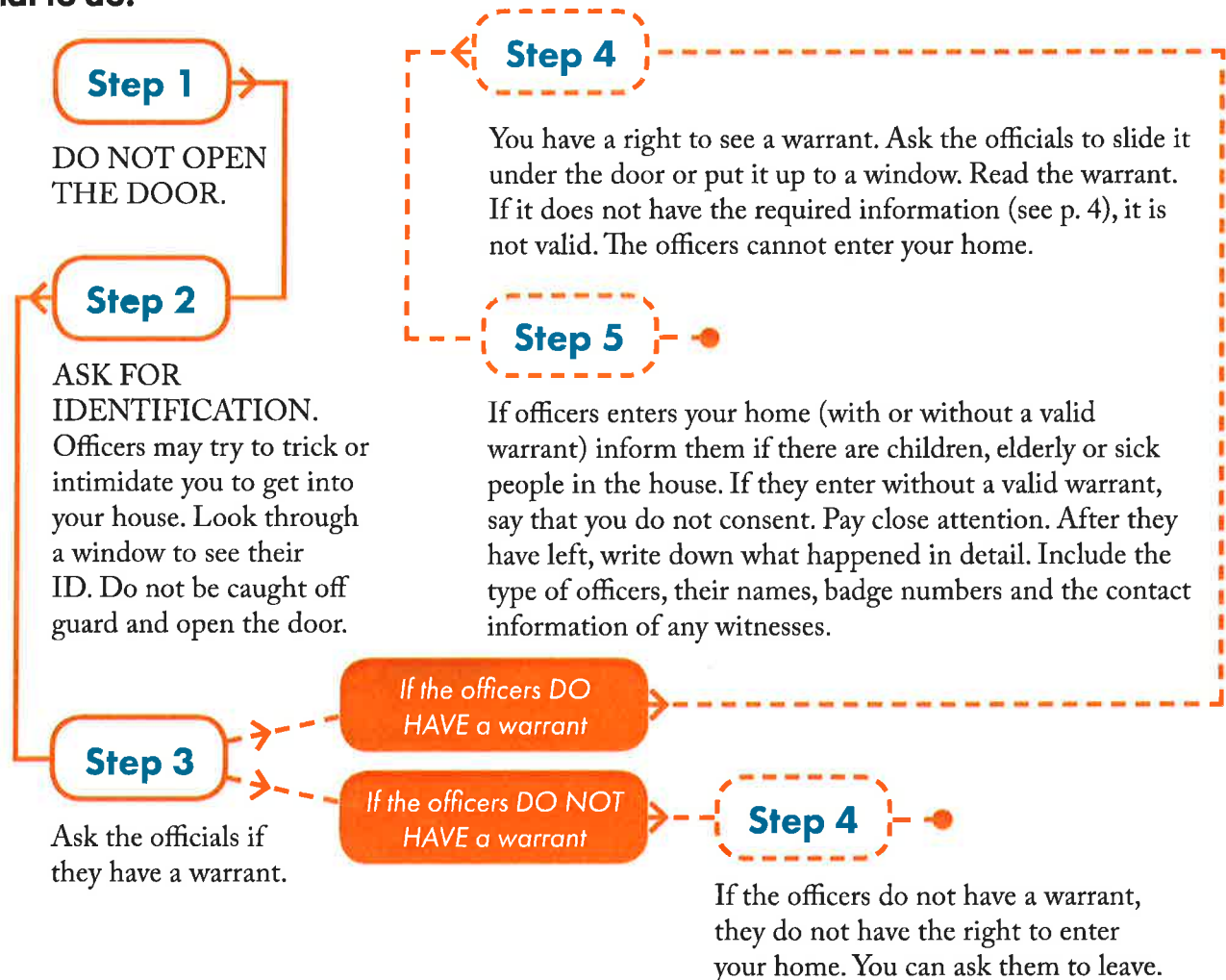


WHERE: Your home

What you need to know:

- To enter your home, immigration officers or the police need either 1) a valid warrant signed by a judge or magistrate, or 2) your permission.
- **DO NOT OPEN THE DOOR.** Opening the door could mean you give the officers permission to enter your home.
- A warrant **DOES NOT** mean you have to answer questions.
- If immigration officers or the police are questioning you and you wish to remain silent, say out loud that you wish to remain silent or show the officials your Know Your Rights card.

What to do:



Reading a Warrant

How to read a warrant

- Officers may only enter your home or workplace with 1) a **VALID** warrant, or 2) your permission or the permission of your employer. (Valid means that a warrant has authority and must be obeyed.)
- For a warrant to be valid, it must contain certain information.
- Below, please find samples of the different types of warrants and information they must contain to be valid.
- Warrants may look different depending on your state or location. This means that information required to make a warrant valid may appear in different orders or look different from the samples below.
- If officers do not have permission to enter and they do not have a warrant or a valid warrant, it is your right to ask them to leave!

Search warrant

A valid search warrant:

- Must be signed by a judge, justice of the peace or magistrate.
- Must state the address to be searched.
- Must state in detail the area to be searched. In some cases, search warrants may be many pages long describing locations to be searched.
- Look for other information that might make the warrant invalid, such as being out of date.
- If the officer does not have a valid warrant you can say, "This is not a valid warrant. You may not enter. Please leave."
- If the officer has a valid warrant, you must allow them to enter your home. When they enter say, "I do not consent to this search." This should limit where they are allowed to search.
- Observe where the officers search. Observe if they search in areas that the warrant does not list. Repeat that you do not consent to the search. If an officer takes any of your property, ask for a receipt.

SW No. _____

**STATE OF CALIFORNIA - COUNTY OF LOS ANGELES
SEARCH WARRANT AND AFFIDAVIT
(AFFIDAVIT)**

_____, swears under oath that the facts expressed by her in this Search Warrant and Affidavit and in the attached and incorporated statement of probable cause are true and that based thereon she has probable cause to believe and does believe that the property and/or person described below is lawfully seizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

Signature of Affiant

NIGHT SEARCH REQUESTED: YES [] NO [X]
HOBBS SEALING REQUESTED: YES [] NO [X]

(SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICE OFFICER OR PEACE OFFICER IN THE COUNTY OF LOS ANGELES: proof by affidavit having been made before me by _____

(Name of Searcher) (Name of Affiant)

that there is probable cause to believe that the property and/or person described herein may be found at the locations set forth herein and is lawfully seizable pursuant to Penal Code Section 1524 as indicated by "X" in that:

it was stolen or embezzled.

it was used as the means of committing a felony.

it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery.

it tends to show that a felony has been committed or that a particular person has committed a felony.

it tends to show that sexual exploitation of a child, in violation of P.C. Section 311.3, or depiction of sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring.

there is a warrant for the person's arrest;

YOU ARE THEREFORE COMMANDED TO SEARCH:

(See the attached description page 1 through 12 incorporated herein)

FOR THE FOLLOWING PROPERTY/PERSON:


(See the attached description page 1 through 12 incorporated herein)

AND TO SEIZE IT IF FOUND and bring it forthwith before me, or this court, at the courthouse of this court. This Search Warrant and Incorporated Affidavit was sworn to as true and subscribed before me this _____ day of _____, 2011, at _____ P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

Signature of Magistrate

NIGHT SEARCH APPROVED: YES [] NO [X]

Judge of the Superior Court, LOS ANGELES, CENTRAL Judicial District



Arrest warrant

A valid search warrant:

- Must be signed by a judge, justice of the peace or magistrate.
- Must state the name of the person to be arrested.
- Must describe the person to be arrested.
- Look for other information that might make the warrant invalid, such as being out of date.
- If the officer does not have a valid warrant, you can say, "This is not a valid warrant. You may not enter. Please leave."
- If the officer has a valid arrest warrant and the person named in the warrant is there, that person should go outside to meet the officer. Close the door behind them. If the person named in the warrant is not there, tell the officer that the person is not there, and do not open the door.

IN JUSTICE COURT,		WARRANT OF ARREST		Bond Amount	
PRECINCT No. <u>3</u>	Cause No. <u>025W-14</u>	Fine & Cost Amount	\$ <u>20,000.00</u>	Warrant Fee	\$ _____
of Williamson County		Warrant Fee Total	\$ _____		
THE STATE OF TEXAS					
VS					
[Redacted Name]					
Address [Redacted]	City [Redacted]	State <u>TX</u>	ZIP [Redacted]		
DOB [Redacted]	D.L. State <u>TX</u>	D.L. # [Redacted]			
D.L. Expires <u>00/00</u>	Social Security # [Redacted]	Other ID Info [Redacted]			
Race <u>White</u>	Sex <u>Male</u>	Height [Redacted]	Weight [Redacted]	Hair <u>Brown</u>	Eyes <u>Brown</u>
THE STATE OF TEXAS					
To any PEACE OFFICER of the State of Texas Greeting:					
YOU ARE HEREBY COMMANDED to arrest [Redacted] to be found in the State of Texas, and bring him before me, a Justice of the Peace in and for Precinct No. <u>3</u> of Williamson County, Texas, at my office in [Redacted] in said County immediately, to answer to the STATE OF TEXAS for an offense against the laws of said State to wit: <u>Manufacture or Delivery of a Controlled Substance in Penalty Group 1 less than 1 gram, to wit: Methamphetamine, HSC 481.112 (State Jail Felony)</u> on or about August 1 st , 2014 of which offense [Redacted] is accused by the written complaint, under oath of [Redacted] filed before me.					
Herein Fail Not, but of this writ make due return, showing how you have executed the same.					
Witness my official signature this <u>9th</u> day of <u>Nov</u> , A.D. 20 <u>14</u> [Signature]					
Justice of the Peace,					
W.C.S.O. Case # [Redacted] Precinct No. <u>3</u> Williamson County, Texas					
PEACE OFFICER RETURN					
Caused to hand the _____ day of _____ A.D. 20 <u>14</u> at <u>09:30</u> o'clock <u>A</u> .M., and executing on the _____ day of _____ A.D. 20 <u>14</u> at <u>09:30</u> o'clock <u>A</u> .M., by arresting the said Defendant at _____ in Williamson County, Texas, and taking _____ bond, which is herewith returned, placing him/her in the County Jail of Williamson County, Texas. ("Erase according to the facts") I actually and necessarily traveled _____ miles in the service of this Writ, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.					
FEES - Processing/Processing Arrest Fee	\$ _____	Sheriff			
Mileage _____ Miles	\$ _____	Williamson County, Texas			
Making Bond _____	\$ _____	Peace Officer			
Commitment _____	\$ _____	[Redacted]			
Release _____	\$ _____	(Law Enforcement Agency / Department)			
Total _____	\$ _____				

Warrant of removal/deportation (immigration warrant)

- A warrant of removal or deportation (an immigration warrant) DOES NOT give an officer the right to enter your home. Say, "You do not have the right to enter with this warrant. Please leave."

U.S. Department of Justice Immigration and Naturalization Service		Warrant of Removal/Deportation	
File No: _____		Date: _____	
To any officer of the United States Immigration and Naturalization Service:			
[Redacted Name]			
who entered the United States at _____ (City of entry) on _____ (Date of entry) at _____ (City of entry)			
is subject to removal/deportation from the United States, based upon a final order by:			
<input type="checkbox"/> an Immigration Judge in exclusion, deportation, or removal proceedings <input type="checkbox"/> a district director or a district director's designated official <input type="checkbox"/> the Board of Immigration Appeals <input type="checkbox"/> a United States District or Magistrate Court Judge			
and pursuant to the following provisions of the Immigration and Nationality Act: Section 241(a)(5) of the Immigration and Nationality Act (Aot), as amended.			
I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of the appropriation: "Salaries and Expenses Immigration and Naturalization Service 2002," including the expense of an attendant if necessary.			
_____ (Signature of IIRB Official) _____ (Signature of IIRB Official) _____ (Date and Office Location)			

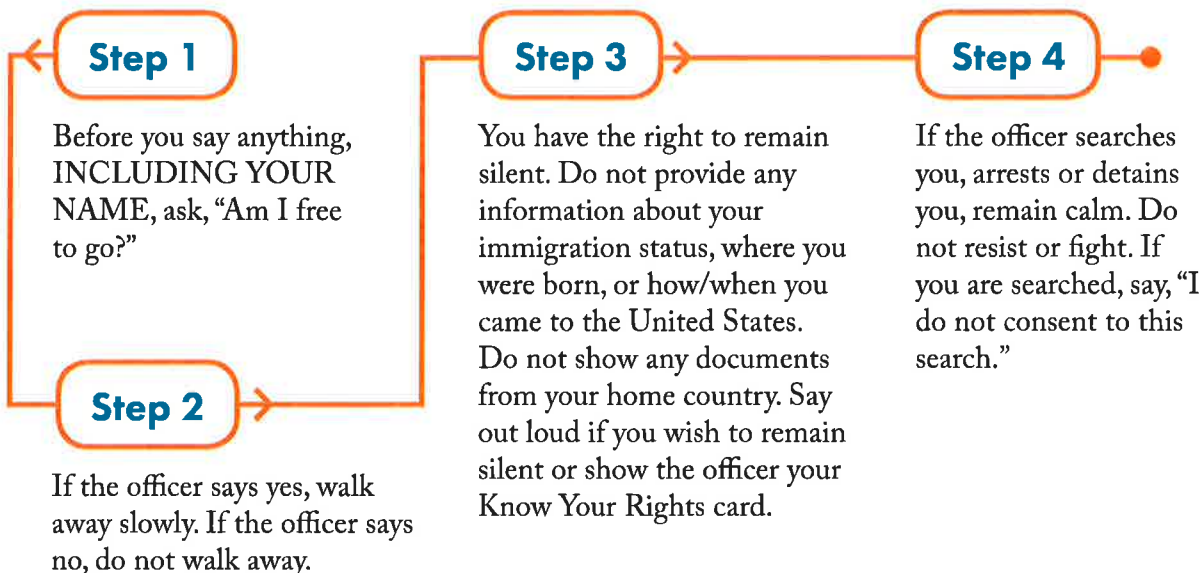


WHERE: The street or a public area

What you need to know:

- Do not run if you see immigration officers or the police approaching you.
- If you are stopped on the street or in a public area, you have the right to remain silent and not answer questions.
- In some states, the law says that you must tell the police your name if they ask. See the emergency plan on page 14 for more information and to make a plan that is best for you.
- In general, an officer needs a warrant to arrest you. In some situations you could be arrested if the officer has evidence you do not have legal status or if you have committed a crime.
- In some situations, officers have the right to search you to make sure you are not carrying weapons or illegal materials. Do not resist or fight back.
- If you are in an airport or near the United States border, you may be questioned or detained without a warrant. You still have the right to remain silent.
- In the past, immigration officers would not stop or detain people in certain public places, including schools, hospitals, places of worship, funerals, weddings, public religious ceremonies or public demonstrations (a march, rally or procession). This may change in the future. Also remember that you could be stopped on your way to or from these places.

What to do:



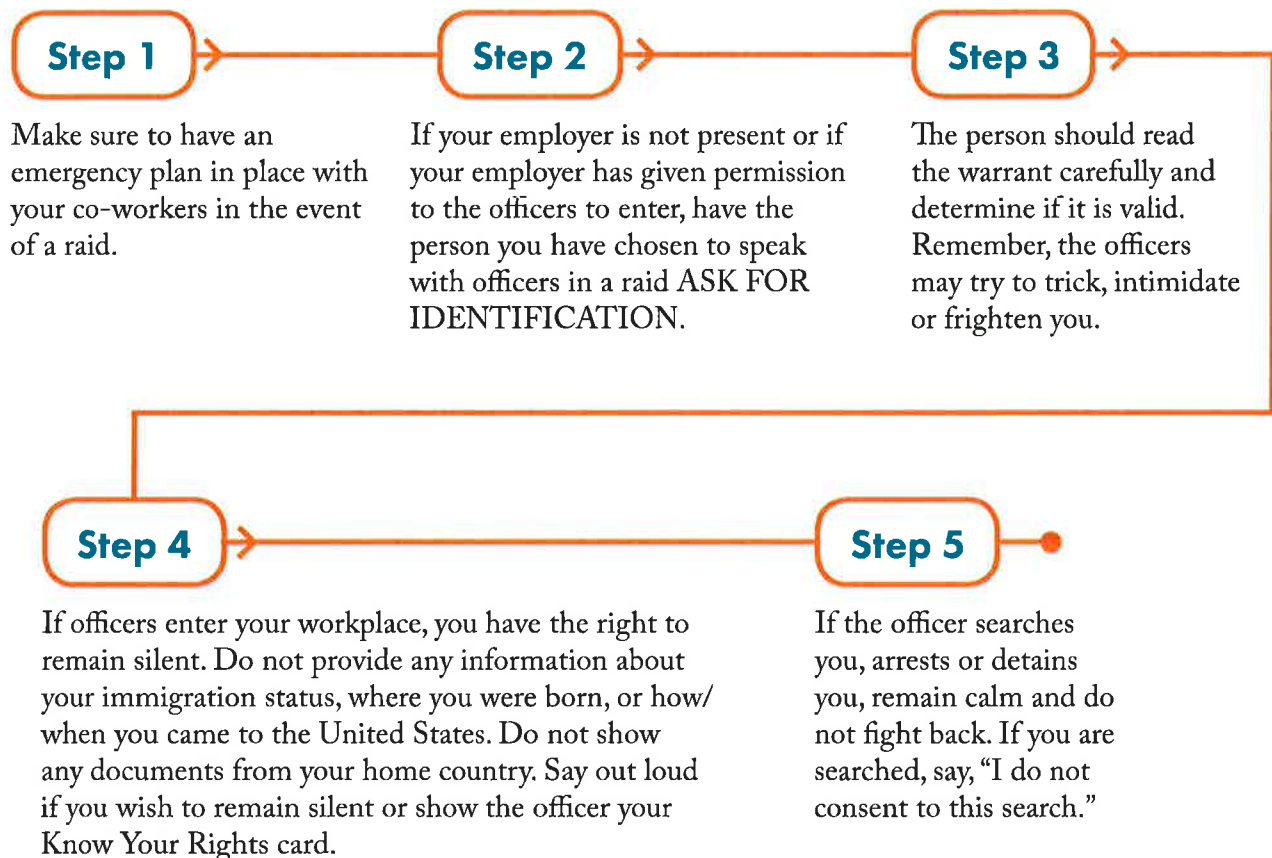


WHERE: Your workplace

What you need to know:

- To enter your workplace, immigration officers or the police need either 1) a valid warrant, or 2) the permission of your employer.
- Do not run. If you run, it may lead to you being arrested or detained.
- A warrant DOES NOT mean you have to answer questions.
- If immigration officers or the police are questioning you and you wish to remain silent, say out loud that you wish to remain silent or show the officers your Know Your Rights card.
- Make sure to complete the workplace checklist on page 18.

What to do:





WHERE: Your car

What you need to know:

- Different laws apply when you are stopped in your car than if you are stopped on the street.
- If you are stopped at a border checkpoint, officers may search your car.

What to do:

Step 1

Pull the car over and turn it off. Put on the overhead lights in the car. Put your hands on the steering wheel where the officer can see them.

Step 2

When asked, follow the officer's instructions and provide your license, registration and proof of insurance. If you do not have a license or registration, do not provide false documents or lie.

Step 3

If the officer asks to search your car you can say "No, I do not consent to a search." In some situations, the officer can search your car without your consent and without a warrant. You should still say that you do not consent to a search.

Step 4

You have the right to remain silent. Do not provide any information about your immigration status, where you were born, or how/when you came to the United States. Do not show any documents from your home country. Say out loud if you wish to remain silent or show the officer your Know Your Rights card.



WHERE: In police custody/jail

What you need to know:

- Arrests, charges and convictions can affect your immigration status.
- If you are at risk for deportation, you should avoid contact with the police.
- You have the right to make a phone call.
- You have the right to remain silent. Being arrested or detained by the police does not mean you have to answer questions.
- You have the right to speak to an attorney. You should request an attorney and one will be provided for you.
- You have the right to refuse to sign anything before speaking with your attorney.
- You should not discuss your immigration information with **ANYONE** other than your attorney while you are with the police. This includes where you were born, how/when you came to the United States or any criminal history. Say out loud if you wish to remain silent or show your Know Your Rights card.
- In some cases, the police may contact immigration or hand you over to immigration. This is why you must not to discuss your immigration information with **ANYONE** besides your attorney.
- You must tell your attorney about your immigration status and your criminal history.

What to do:

Step 1

Request a phone call so that you can call your emergency contact (family member, attorney, religious or community organization, consulate). (See p. 14 to create an emergency plan.)

Step 2

Do not discuss your immigration status with **ANYONE** other than your attorney. This includes where you were born, how you came to the U.S., or your criminal background. Say out loud if you wish to remain silent or show your Know Your Rights card. Anything you say can be used against you.

Step 4

Make sure to request your own copy of all documents your attorney submits to the judge as part of your case.

Step 3

Do not sign anything without speaking to your attorney. If you are being asked to sign something, say, "I will not sign anything until I speak with my attorney." Ask questions if you do not understand what you are being asked to sign.

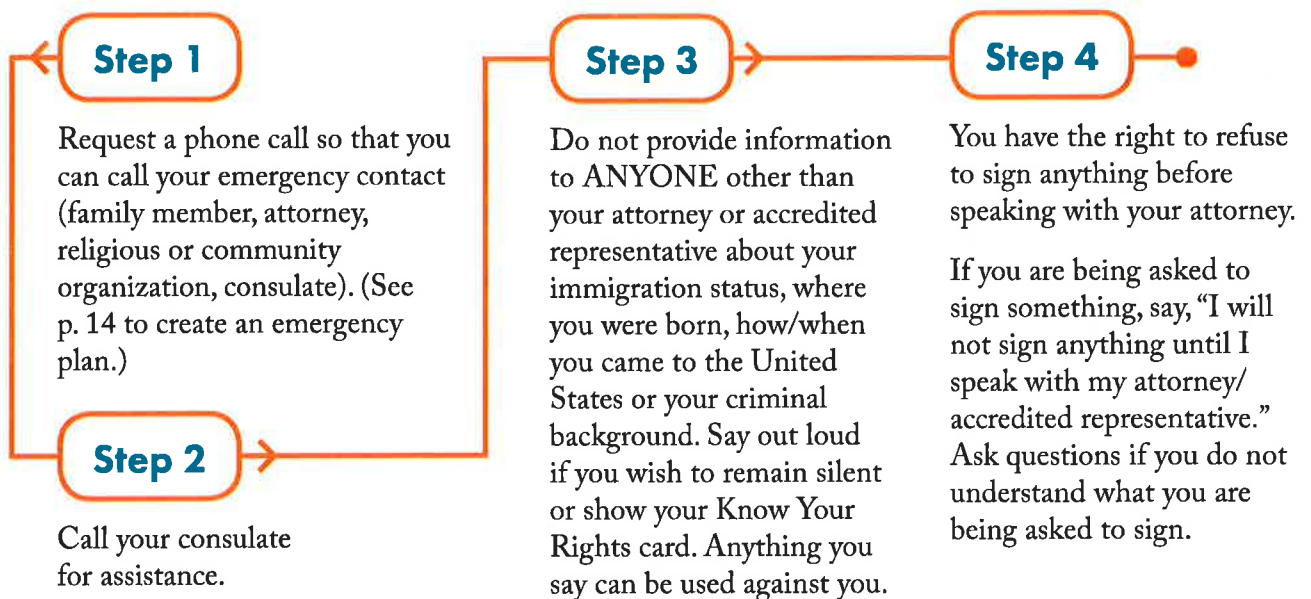


WHERE: In an immigration detention center

What you need to know:

- You have the right to make a phone call.
- You have the right to call your consulate.
- You have the right to remain silent. Being detained does not mean you have to answer questions.
- You have the right to speak to an attorney or accredited representative. You or a family member must contact the attorney or accredited representative. This will not be provided for you automatically.
- You have the right to refuse to sign anything before speaking with your attorney or accredited representative.
- When you speak to an attorney or accredited representative, it is essential that you tell them about any prior arrests or criminal history even if someone told you it was erased from your record.
- A person at risk of deportation should never visit a detention center or voluntarily interact with immigration officers.

What to do:



Twelve things for you and your family to remember in ANY situation

1 Anything you say can be used against you.

2 You have the right to remain silent.



3

If you wish to remain silent, say it out loud or show your Know Your Rights card.

Get one on page 13!



4 Always carry U.S. identification and copies of immigration documents.

5 Never carry false documents or documents from another country.

6 Never lie to officers.

7 You have the right to speak with your attorney.

8

Never run in a raid or if you are approached by officers.



9

Never physically fight back if you are being arrested or detained.



10

You have the right to refuse to sign anything before speaking with your attorney.



11

If you are in police custody or detention, do not discuss your immigration information or criminal history with ANYONE other than your attorney.

12

If you are questioned or in a raid, write down what happened in detail as soon as it is safe to do so. Tell your attorney and your support groups right away.



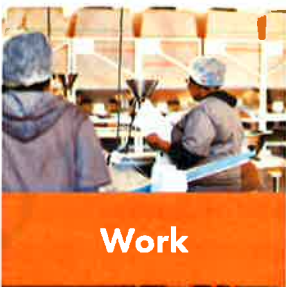
Home

- DO NOT OPEN THE DOOR. Ask for ID (look through a window).
- Officers can only enter with a valid warrant or with your permission.
- Ask to see a warrant. If it is not valid, ask the officers to leave.
- If officers enter (with or without a valid warrant) say you do not consent. Tell them if there are children, elderly or sick people in the house.



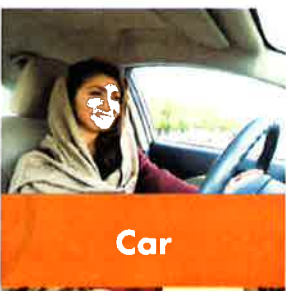
Street/Public Place

- Do not run.
- Before saying anything (including your name) ask, "Am I free to go?"
- If yes, walk away slowly. If no, do not walk away.
- In some states, you must give your name.
- If you are searched, stay calm and say "I do not consent to this search."



Work

- Officers can only enter with a valid warrant or with permission from your employer.
- Have an emergency plan with your co-workers (see p. 18).
- If your employer is not available or has given permission to officers to enter, know who will speak to officers. The person should ask for identification and a warrant.
- If you are searched, stay calm and say, "I do not consent to this search."



Car

- Pull over, turn the car off and put your hands on the steering wheel.
- Follow all instructions, including providing license, registration and insurance. Do not give fake documents.
- If officer searches your car, stay calm and say, "I do not consent to this search."



Jail/Police Custody

- Request a phone call to your attorney or other emergency contact.
- Use your Know Your Rights card. Remember your right to remain silent and say you will not sign anything before speaking with your attorney.
- Request a copy of all papers your attorney submits to the judge as part of your case.



Immigration Detention Center

- Request a phone call to your attorney or other emergency contact and your consulate.
- Use your Know Your Rights card. Remember your rights to remain silent and to refuse to sign anything before speaking with your attorney.
- Request a copy of all papers in your case.
- Request to be released on bond.

Know Your Rights Card

Instructions on how to use your Know Your Rights card

1. Cut out the two copies of the card. Fold them in half.
2. Make sure to fill out both cards with the name of your attorney and your attorney's phone number.
3. Keep both copies of the card with you at all times. If you show immigration officers or the police this card, they make take the card and not return it. This is why it is important to carry two copies of the card at all times.
4. In the event of a raid or interaction with immigration officers or the police, use this card to help you remember and exercise your rights.
5. On the front of this card is a statement that you are exercising your right to remain silent. If you are interacting with immigration officers or the police, you should remember that anything you say can be used against you. It is your right to remain silent. To exercise your right to remain silent, show officers a copy of this card or read the statement out loud. You do not need to say the statement word-for-word but you must communicate that you are exercising your right to remain silent.
6. On the back of the card you will find a list of your rights. Read them often. Be prepared.
8. To protect yourself, MEMORIZE the information on the card.

<p>I AM EXERCISING MY RIGHT TO REMAIN SILENT.</p>	<p>Please be informed that I am choosing to exercise my right to remain silent. I am also exercising my right to refuse to sign anything until my attorney reviews it. If I am detained, I request to contact my attorney immediately. My attorney's contact information is:</p> <p>Name _____</p> <p>Phone _____</p>	<p>I AM EXERCISING MY RIGHT TO REMAIN SILENT.</p>	<p>Please be informed that I am choosing to exercise my right to remain silent. I am also exercising my right to refuse to sign anything until my attorney reviews it. If I am detained, I request to contact my attorney immediately. My attorney's contact information is:</p> <p>Name _____</p> <p>Phone _____</p>												
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Emergency Planning Guide

Emergency plan for: _____

- Find an attorney or accredited representative who will help you in the event of an emergency. Make sure to speak with the attorney or accredited representative. Do not just write down the phone number without making sure the person will be able to help you.
- Get screened by an attorney or accredited representative to determine if you are eligible for another immigration status.
- Register with your local consulate.
- Register and form a relationship with your church, parish or other religious or community center.
- Make a family plan about what to do in the event a family member is arrested, detained or goes missing.
 - Decide who will be called and in what order.
 - In some states, the law requires you to give your name to the police. Find out whether you are required to provide your name in your state. Make a plan about what you will do if you are asked your name. Consider that not giving your name could cause you to be arrested or detained. Not giving your name could make it difficult or impossible for your family to locate you in detention or police custody. Speak to an attorney about what to do in your unique situation.
- Make copies of all immigration and other important papers for all members of the family. Keep them in a safe place. Make sure a trusted friend, family member that does not live with you or member of the community knows where you keep these papers or make a set of copies for them to keep.

Important papers:

- Work authorization
- Copies of identification
- Passports
- Copies of any other immigration papers, including receipt notices for any pending cases and approval notices for family petitions
- Birth certificates (with English translations)
- Marriage certificates (with English translations)
- Social Security cards
- Documents related to criminal arrests or cases
- Name and contact information for attorneys who have represented you in the past
- Other important information such as a list of medications family members take

- Decide who will take care of your children** in an emergency. Make sure that person has important information about your children, such as medications they need. Speak to an attorney to see if you should sign any legal documents (such as a power of attorney) to make sure your children are cared for in the event of an emergency. Make sure children born in the United States have passports.
- Speak to your attorney about signing a power of attorney.** A power of attorney will allow someone you trust to take care of decisions involving your finances, children and other needs if you are detained or deported.
- Save money** for rent, food, medications and other needs if you are detained. Talk to your attorney or employer about signing a document allowing a family member to pick up your paycheck if you are detained.
- Ask a relative, friend or member of the community to post bond for you if you are detained.** This person must be a U.S. citizen or Lawful Permanent Resident (green card holder). A bond to be released from immigration detention is usually \$1,500, but it can be more. In most cases, once your immigration case is over, the bond money will be returned.
- Review this guide and your emergency plan with your entire family. MAKE SURE EVERYONE IN YOUR FAMILY KNOWS THEIR RIGHTS.** You may want to practice exactly what you will say and do in the event of contact with an officer.

Information you must memorize

- The phone number of your attorney (also carry a copy of your attorney's phone number with you at all times)
- The phone number of your consulate (also carry a copy of your consulate's phone number with you at all times)
- The phone numbers of family members
- Your Alien Registration Number/A# (the number on your immigration documents), if applicable
- Your date of entry into the United States
- Your immigration status when you entered the United States
- Your current immigration status
- Your criminal history—including any arrests, charges, the outcome (guilty or innocent), and dates

Emergency contact sheet

Make sure all members of your family have access to this information.

Attorney/accredited representative

Name: _____

Phone: _____

Consulate

Name: _____

Phone: _____

Religious or community organization

Name: _____

Phone: _____

Other: _____

Name: _____

Phone: _____

Other: _____

Name: _____

Phone: _____

Other: _____

Name: _____

Phone: _____

Detention Centers and Police Stations

Make sure all members of your family have access to this information.

Immigration Court Information System (for information about hearings and court dates): 1-800-898-7180

ICE Detainee Locator system: locator.ice.gov

Local Immigration Detention Center: _____

Name: _____

Phone: _____

Local Immigration Detention Center: _____

Name: _____

Phone: _____

Local Police Station: _____

Name: _____

Phone: _____

Local Police Station: _____

Name: _____

Phone: _____

Questions to ask if a loved one calls you from detention or police custody:

Make sure to record the answers carefully and in as much detail as possible.

- Do you need medical attention?
- What law enforcement agency arrested or detained you?
- Where are you?
- What is the largest city or town near you?
- What papers have you been given and what do the papers say?
- Do you have any court date or hearing scheduled?
- Have you spoken with your attorney/ accredited representative?

Workplace Checklist

- Review the information in this guide with your co-workers. Make sure that everyone knows their rights. Remember that immigration officers can raid your workplace 1) with a warrant, or 2) with permission from your employer.
- If you are a member of a labor union, speak to your union representative about what you can do to protect yourself and other co-workers who are at risk.
- If possible, speak with your union representative to come up with an agreement with your employer. An agreement could include:
 1. The employer will not permit immigration officers to enter the workplace without a valid warrant.
 2. The employer will notify the union if immigration authorities contact the employer.
 3. The employer will allow the union to bring immigration attorneys or advocates to the workplace to assist employees with questions and to prepare for an emergency.
 4. The employer will not provide the name, address or any immigration information to police or immigration officers, unless it is required by law.
 5. The employer will not use computer verification programs to look at employee immigration information.
- Make a plan about what to do in the event of a raid. For example, it would be beneficial if everyone agrees to remain silent and not run.
- Your employer should be responsible for speaking with officers during a raid. In the event your employer is not present during a raid or if your employer has given permission to the officers to enter, elect a representative(s) to ask officers for identification and review any warrants they present.
- Make sure that person knows how to read a warrant and what a warrant requires. Use the information about warrants in this guide to help prepare.