



Immigrant Defense Project has been monitoring Immigration and Customs Enforcement (ICE) arrests in the community.

# KNOW YOUR RIGHTS with ICE

## Who is at risk of being arrested by ICE?

The law allows the federal government to deport certain immigrants, including:

- Anyone without lawful immigration status
- People with status (e.g., lawful permanent residents, refugees and visa holders) who have certain criminal convictions



The people the Trump Administration announced ICE will initially focus on deporting include:

- people with pending criminal cases and/or prior criminal convictions;
- people with final orders of removal;
- people who have committed fraud or misrepresentation in applications to the government;
- people they believe pose a threat to public safety or national security

### People with legal status and prior convictions

**Be aware:** You may be a target even if:

- Your conviction is from years ago;
- You didn't serve time in jail;
- Your case was minor or a misdemeanor;
- You've been an LPR for a long time; and/or
- All the other members of your family are US citizens.

Immigration and Customs Enforcement (ICE) is one of the federal government agencies responsible for deporting people. ICE is part of the U.S. Department of Homeland Security (DHS).

## Are ICE agents approaching anyone they think they can deport?

ICE agents usually identify the person they want to arrest ahead of time. Then, they go to homes, courthouses, shelters and even workplaces to look for that person. Sometimes they wait on the street to make the arrest.

## If I know I'm at risk, what can I do?

- **Make a plan** with your loved ones in case you are picked up by ICE!
- **Avoid contact with Immigration** – don't apply to change your immigration status or to renew your greencard and don't travel outside of the United States without talking to a lawyer first!
- **Avoid contact with the Criminal Justice System** (the police share your fingerprints with Immigration)!

## IF YOU OR A LOVED ONE IS AT RISK OF DEPORTATION, HAVE A PLAN!

Knowing which rights you have and exercising them is complicated. For more information on ICE community arrests, please see IDP's longer booklet at [immigrantdefenseproject.org/ice-arrests](http://immigrantdefenseproject.org/ice-arrests) or contact [KYR@immdefense.org](mailto:KYR@immdefense.org)

If you want to report a raid within NYC, call IDP at 212-725-6422

If you want to report a raid outside of NYC, contact United We Dream at 1-844-363-1423

## What should I do if ICE agents approach me on the street or in public?

When ICE agents arrest someone in public, it typically happens quickly. They may call your name out loud and ask you to confirm your name and then detain you.

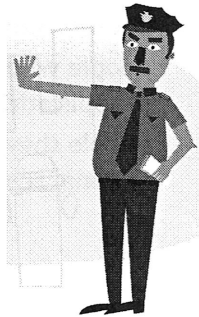
- Before you say your name or anything else, ask, **“AM I FREE TO GO?”**
  - **If they say YES:** Say, “I don’t want to answer your questions” or “I’d rather not speak with you right now.” Walk away.
  - **If they say NO:** Use your right to remain silent! Say, “I want to use my right not to answer questions” and then “I want to speak to a lawyer.”
- If ICE starts to search inside your pockets or belongings, say, **“I do not consent to a search.”**
- **DON’T LIE or show false documents. Don’t flee or resist arrest.**
- Don’t answer questions about your immigration status or where you were born. They will use any information you provide against you. Do not hand over any foreign documents such as a passport, consular IDs, or expired visas.
- If you are in Criminal Court for a court date, ask to speak to your defender before they take you away.

## If officers come to my home, will I know they are from ICE?

Not always! Beware: ICE agents often pretend to be police and say they want to talk to you about identity theft or an ongoing investigation.

## Can ICE agents enter my home to arrest me?

If ICE agents do not have a warrant signed by a judge, they cannot enter the home without permission from an adult. Opening the door when they knock does not give them permission to enter your home.



## So, what do I do if officers are at my door?

- Find out if they are from DHS or ICE.
- Try to stay calm. Be polite. Don’t lie. Say **“I don’t want to talk to you right now.”**
- Politely ask to see a warrant signed by a judge and to slip it under the door. If they don’t have one, decline to let them in.
- If they are looking for someone else, **ask them to leave contact information.** You don’t have to tell them where to find the person and you should **not** lie.

## What can I do if ICE is inside my home to make an arrest?

- Tell them if there are children or other vulnerable residents at home.
- Ask them to step outside unless they have a warrant signed by a judge.
- If they came inside without your permission, tell them **“I do not consent to you being in my home. Please leave.”**
- If they start to search rooms or items in your home, tell them **“I do not consent to your search.”**
- If ICE is arresting you, tell them if you have medical issues or need to arrange for childcare.

## What are my rights if I am being arrested by ICE?

- You have the right to **remain silent.** You have the **right to speak to a lawyer.**
- **DO NOT LIE.** It can only hurt you in the future.
- You do **NOT have to share any information** about where you were born, what your immigration status is, or your criminal record. Ask to speak to a lawyer instead of answering questions.
- You do **NOT have to give them your consular documents or passport** unless they have a warrant from a judge.
- You do **not have to sign anything.**

IDP updated this information in January 2017 with the legal support of the Center for Constitutional Rights. For more info, please see IDP’s longer booklet at [immigrantdefenseproject.org/ice-arrests](http://immigrantdefenseproject.org/ice-arrests)



# ICE HOME ARRESTS PROTECT YOUR RIGHTS



IMMIGRANT  
DEFENSE  
PROJECT



center for  
constitutional  
rights

Hang this on your door to remember key rights and details if ICE enters your home!

## What can I do if ICE officers are at my door? Do I have to let ICE into my home?

You do not have to let ICE in unless **they have a warrant signed by a judge** giving them authorization to enter to arrest someone at your address. Ask them to slip the warrant under the door, before you open it. ICE will most likely try to enter your home without a warrant and needs consent from an adult to enter. Opening the door does not mean that you consent.

**“Please slip the warrant under the door”**

**“I do not want to answer any questions”**

## If ICE agents are inside my home, can I ask them to leave?

**DO NOT LIE. DO NOT SHOW FALSE DOCUMENTS. DO NOT RUN OR PHYSICALLY RESIST ARREST.**

Say, **“I do not want to answer any questions,”** and ask agents to leave their contact information.

If they enter without consent, say **“I do not consent to this. Please leave the house.”**

**“I do not consent to this. Please leave the house.”**

## Can ICE walk through all rooms and search the home for specific people or items?

ICE is not supposed to search your home or belongings without your consent if they do not have a judicial warrant. If they are inside and start to search, say **“I do not consent to this search. Please leave the house.”**

Keep saying this, especially if they search for, take or try to photograph documents. They may not listen but it is important for you to exercise this right and tell a lawyer later. It may help you or a loved one in the future.

Do not give ICE passport or consular documents unless they have a search warrant signed by a judge listing those items. ICE agents often ask people to gather up their travel documents during an arrest. They are only doing this to help the government try to deport you. Say, **“I don’t want to bring my documents”** or **“I don’t want to give anything over.”** DO NOT give them false or invalid documentation (e.g. fake Social Security card or expired immigration visa).

**“I do not consent to this search. Please leave the house.”**

**“I don’t want to bring my documents”**

**“I don’t want to give anything over.”**

## What should I remember if ICE agents are inside my home?

**Tell them right away if: \*There are children or the elderly present. \*You are ill, on medication, nursing or pregnant. \*You are the primary caretaker for a loved one and need to arrange care.**

## What information is important to remember about ICE in your home?

It is important for you or a loved one to observe how ICE agents acted at your home and to tell a lawyer. It may make a difference in the immigration case!

**Please use the section on the back to take important notes after ICE leaves.**

If your loved one has been arrested by ICE, you can initiate the emergency plan. To learn more details on your rights with ICE visit [immdefense.org/ice-arrests](http://immdefense.org/ice-arrests) or email [KYR@immdefense.org](mailto:KYR@immdefense.org). To report an ICE raid in NYC, contact 212-725-6422. To report raids outside of NY, contact United We Dream at 1-844-363-1423. Images & Content © 2017 IDP

## What can I do if my loved one was arrested by ICE?

To locate your loved one: look online at [locator.ice.gov](http://locator.ice.gov) or you can find a phone number for a particular facility at [www.ice.gov/detention-facilities](http://www.ice.gov/detention-facilities).

To find out your loved one's court date: call the Immigration Court at 800-898-7180. You will need their Alien number ("case number" or "A#"), which is an 8- or 9-digit number that appears on all immigration documents. If they did not have an A# before the arrest, they will be assigned one.

In some cases, your loved one may not be eligible to see an immigration judge (for example, if they returned without permission from Immigration after being previously deported). If they are detained, eligible to see a judge and from NYC, they may be able to get a free attorney through the New York Immigrant Family Unity Project (NYIFUP).

**Family members can receive free legal advice for criminal-immigration cases from Immigrant Defense Project's helpline at 212-725-6422**

**Document what ICE agents did during their arrest below. Your loved one's lawyer may be able to use this information to support the immigration case.**

### AT THE DOOR:

Date: \_\_\_\_\_ What time of day? \_\_\_\_\_

How many officers? \_\_\_\_\_ Names: \_\_\_\_\_

Did they have guns drawn or were they touching their weapons? \_\_\_\_\_

How did their uniforms identify them? \_\_\_\_\_

Who did they say they were and why did they say they were there? \_\_\_\_\_

Did agents speak only English, or did anyone speak to you in your native language? \_\_\_\_\_

What did ICE say to get in the home? In what language? \_\_\_\_\_

Did they say who they were looking for? \_\_\_\_\_

If you live in a house, were ICE agents present at windows or in the back of the house? \_\_\_\_\_

Did they use verbal/physical force (banging hard on the door, yelling threats; touching, pushing person) to enter? How? \_\_\_\_\_

Who opened the door when they came in? Was the person 16 years old or younger? If so, how old? \_\_\_\_\_

### ONCE ICE WAS INSIDE THE HOME:

Did you verbally refuse consent to enter? I said: \_\_\_\_\_

How did they react if anyone said they denied consent to enter? \_\_\_\_\_

Did you verbally refuse consent to search? I said: \_\_\_\_\_

How did they react if anyone said they denied consent to search? \_\_\_\_\_

When did they tell you they were from immigration (before arrest, after arrest)? \_\_\_\_\_

Did they yell at anyone? \_\_\_\_\_

Did they touch or draw weapons inside the home? If so, did they identify themselves as ICE beforehand? \_\_\_\_\_

Did they keep anyone from moving around freely? \_\_\_\_\_

Did they enter bedrooms? Did they ask for permission first? \_\_\_\_\_

Did they look in closets or drawers? Did they ask for permission first? \_\_\_\_\_

Did you tell them if there were kids in the house? What did they do? \_\_\_\_\_

Did they handcuff anyone in front of children? \_\_\_\_\_

Did you bring up concerns like the need for childcare or medical issues? I said: \_\_\_\_\_

How did they react? \_\_\_\_\_

Did they take pictures of documents? If so, whose? How did they get the documents? \_\_\_\_\_

Did they take fingerprints? If so, whose? \_\_\_\_\_