

★ KNOW ★ — YOUR — RIGHTS

KNOW YOUR RIGHTS Stopped by Police, Immigration Agents, or FBI

If You're Stopped By Police

- You have a right to remain silent. If you wish to remain silent, tell the officer. (Some states may require you to identify yourself to the police if you're suspected of a crime.)
- Stay calm. Don't run. Don't argue, resist, or obstruct the police. Keep your hands where police can see them.
- Ask if you're free to leave. If yes, calmly and silently walk away.
- You do not have to consent to a search of yourself or your belongings.

If You're Stopped In Your Car

- Stop the car in a safe place as quickly as possible. Turn off the car, turn on the internal light, open the window partway, and place your hands on the wheel.
- Upon request, show police your driver's license, registration, and proof of insurance.
- If an officer or immigration agent asks to search your car, you can refuse. But if police believe your car contains evidence of a crime, they can search it without your consent.
- Both drivers and passengers have the right to remain silent. If you're a passenger, you can also ask if you're free to leave. If yes, silently leave.

If You're Asked About Your Immigration Status

- You have the right to remain silent. You do not have to answer questions about where you were born, whether you're a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports, and for individuals on certain nonimmigrant visas, including tourists and business travelers.)
- If you're not a U.S. citizen and have valid immigration papers, you should show them if an immigration agent requests it.

- Do not lie about your citizenship status or provide fake documents.

If The Police Or Immigration Agents Come To Your Home

- You don't have to let them in unless they have a warrant signed by a judge.
- Ask them to show you the warrant. Officers can only search the areas and for the items listed on the warrant. An arrest warrant allows police to enter the home of the person listed on the warrant if they believe the person is inside. A warrant of removal/deportation (ICE warrant) does not allow officers to enter a home without consent.
- Even if officers have a warrant, you may remain silent. If you choose to speak, step outside and close the door.

If You're Arrested by Police

- Do not resist.
- Say you wish to remain silent and ask for a lawyer. If you can't afford a lawyer, the government must provide one.
- Don't say anything, sign anything, or make any decisions without a lawyer.
- You have the right to make a local phone call. The police cannot listen if you call a lawyer.
- Don't discuss your immigration status with anyone but your lawyer.
- An immigration officer may visit you in jail. Do not answer questions or sign anything before talking to a lawyer.
- Read all papers fully. If you don't understand or cannot read the papers, say you need an interpreter.

If You're Taken Into Immigration (Or "ICE") Custody

- You have the right to a lawyer, but the government will not provide one. If you don't have a lawyer, ask for a list of free or low-cost legal services.
- You have the right to contact your consulate or have an officer inform the consulate of your arrest.
- Tell the immigration officer you wish to remain silent. Do not discuss your immigration status with anyone but your lawyer.
- Do not sign anything, such as a voluntary departure or stipulated removal, without talking to a lawyer. If you sign, you may be giving up your opportunity to try to stay in the U.S.
- Know your immigration number ("A" number) and give it to your family. It will help them locate you.

If You Feel Your Rights Have Been Violated

- Write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses. If you're injured, seek medical attention immediately and take photographs of your injuries.
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

This information is not intended as legal advice. Some state laws may vary. Separate rules apply at checkpoints and when entering the U.S. (including at airports). Updated Dec. 2016.

For more information, call your local ACLU
www.ACLU.org/affiliates.

ACLU

Legal Resources:

- Local Bar Association:
<https://www.osbar.org/public/index.html>
- Legal Aid: <https://lasoregon.org/>
- ACLU: <https://aclu-or.org/en/about/contact-us/legal-request>
- Justia: <https://www.justia.com/lawyers/oregon/multnomah-county/legal-aid-and-pro-bono-services>
- Avvo: <https://www.avvo.com/>

If you cannot afford an attorney in criminal matters, one will be provided for you.