



Know Your Rights



Disclaimer

Please note that this presentation is not a means to legal advice or should be treated as such.

Legal advice can only be given by a licensed attorney or an accredited DOJ Representative

Under the constitution, all people have certain rights and protections regardless of immigration status





Customs & Border Protection (CBP)

US Citizen & Immigration Services (USCIS)

Immigration & Customs Enforcement (ICE)

Enforcement & Removal Operations (ERO)

Homeland Security Investigations (HSI)

Under the Law, Who Can Be Deported?

People Without Lawful Immigration Status: (3)

1. Overstayed a Visa
2. Walked Across a Border
3. Arrived By Boat

People Present in the U.S. After Being Ordered Removed (2)

1. Post Final Order (PFO)
2. Has a Deportation Order

People with Lawful Immigration Status Who Have Certain Criminal Convictions

1. Green Card Holder (LPRs)
2. Asylees
3. Individuals on Valid Visas (student, work)
4. Individuals with TPS, U/T Visas
5. DACA

Judicial Warrants vs. ICE Warrants

AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the _____

In the Matter of the Search of _____)
(Briefly describe the property to be searched)
or identify the person by name and address) Case No. _____)
)
)
)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____
(Identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (Identify the person or describe the property to be seized):

YOU ARE COMMANDED to execute this warrant on or before _____ (not to exceed 14 days)
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to _____
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box):
 for _____ days (not to exceed 14 days) _____, specifying the later specific date of _____

Date and time issued: _____
City and state: _____

Judge's signature

Printed name and title

This is issued by DHS, NOT a court

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____
Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to take into custody for removal proceedings under the Immigration and Nationality Act the named alien.

Signed by an immigration officer, NOT a judge
(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)
on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

This is an ICE administrative warrant. It does NOT authorize immigration agents to enter your home! Form I-200 (Rev. 09/14)

Who is at highest risk of ICE Arrest and/or Detention?



Those most vulnerable to deportation, or ICE arrest/detention are:

- People Who have a Deportation Order
- People who have been Arrested for Criminal Offenses

Laken Riley Act

Enacted as of January 29, 2025

“This law mandates the federal detention of illegal immigrants who are accused of theft, burglary, assaulting a law enforcement officer, and any crime that causes death or serious bodily injury.” -*Department of Homeland Security*

Immigration Warrant ≠ Entry

- ICE oftentimes does not have a warrant signed by a judge
- Usually, they have a document signed by an ICE supervisor that has the word “warrant” written on it.
- **ADMINISTRATIVE ICE WARRANTS DO NOT PERMIT ICE TO ENTER OR SEARCH A HOME**



Rights Inside Your House

Home includes curtilage: the area immediately surrounding a home where home-related activities take place

Examples:

- Area just outside the home: doorstep
- Garage/Driveway
- Space or yard INSIDE of a closed PROPERTY FENCE or GATE
- Hallways inside of apartment buildings

******ICE MUST LEAVE IF THEY DO NOT HAVE A JUDICIAL WARRANT
AND YOU TELL THEM THEY CAN'T BE THERE******

What To Do If ICE is at Your Home

1. Don't open the door. Ask ICE to leave.
2. Identify who you are talking to: ask for ID and a warrant.
3. If officers are inside, ask ICE to leave.
4. Don't give ICE documents or information
5. Tell them you don't want them to search.

****THESE RIGHTS APPLY TO EVERYONE REGARDLESS OF YOUR IMMIGRATION STATUS****

REMEMBER: You have the Right Not to Open the Door



- All conversations can be had with a closed door
- If you open your door a crack, ICE may push their way in even though this is **NOT** consent for them to enter
- Identify who is at your door **BEFORE** opening it or answering questions
- Ask to see their badge
- Ask them for their name and to slide a card under the door
- Ask if they are the local police
- Ask if they have a warrant and to slide it under the door. **TAKE A PHOTO OF IT!**

If ICE does not have a warrant that gives permission to enter....

Everyone can repeat these phrases in their best language:

- **I DO NOT WANT TO TALK TO YOU**
- **I DO NOT WANT TO ANSWER ANY QUESTIONS**
- **I DO NOT GIVE YOU PERMISSION TO COME INSIDE**
- **PLEASE LEAVE A CARD WITH YOUR NAME AND NUMBER**
- **I DO NOT WANT TO SPEAK TO YOU; PLEASE LEAVE**

If ICE Ignores Your Rights

If ICE agents force their way into your home or search without consent, you can still say that you don't consent.

Everyone can repeat these phrases in their best language:

- **I DO NOT CONSENT TO YOU BEING IN MY HOME. PLEASE LEAVE.**
- **I DO NOT CONSENT TO THIS SEARCH.**
- **I DO NOT WANT TO GIVE YOU ANY DOCUMENTS**

Rights in Public

1. Ask if you are free to go.
2. Stay silent.
3. Don't give false or foreign documents.
4. Don't give permission to search.

*****THESE RIGHTS APPLY TO EVERYONE REGARDLESS OF YOUR IMMIGRATION STATUS*****

In Public Spaces

- ICE does not need a judicial warrant to arrest someone in public or to stop a car.
- ICE DOES need reasonable suspicion to believe people are here in violation of immigration law—which is why silence is important.
- ICE usually knows the person they are targeting—but others nearby may be at risk at the same time
- ICE sometimes collects information or fingerprints from other people who are near an arrest.

What if ICE asks for My Name in Public?

- Identify who is questioning you (ICE, local police, FBI, etc.)
- Assess whether refusing to give your name will be used by ICE to escalate the situation
- Assert your right to remain silent if that feels the safest in the moment
 - **SAY: I AM INVOKING MY RIGHT TO REMAIN SILENT. I DO NOT WANT TO ANSWER QUESTIONS**

Remember: DO NOT lie to law enforcement or give false documents

If ICE asks for my ID in Public

- Ask if you are free to go. If they say yes, LEAVE.
- If they say no, invoke your right to remain silent.
- You can refuse to give your ID to ICE. HOWEVER, some states require you to show ID to LOCAL police.
- **SAY: I DO NOT WANT TO GIVE YOU MY DOCUMENTS**
- ASSESS your safety. If you feel forced to show ID, consider whether you have a valid ID that does not say your place of birth or immigration status.

REMEMBER: NEVER GIVE FALSE DOCUMENTS

If ICE Stops You While Driving

- Show them your license
- If they ask, show them your registration and insurance
- Then **REMAIN SILENT**
- If a police officer or an immigration officer wants to search your car, you can deny consent to the search
- **HOWEVER**, if the police believe your car contains evidence of a crime, they **DO NOT** need your consent to do the search



If ICE Asks for your Fingerprints in Public

- ICE is only allowed to take fingerprints if they have reasonable suspicion that you violated an immigration law or after they have arrested you
- If you are not under arrest by ICE and they ask to take fingerprints, ask: **Why am I being fingerprinted?**
- If they start to fingerprint you and you don't want them to, say:
 - **I DO NOT CONSENT TO GIVING MY FINGERPRINTS**

Can ICE Search my Belongings in Public?

- ICE needs a judicial warrant or your consent to search you bag, inside your pockets, or the glove box and trunk of your car
- ICE cannot search without your consent
- SAY:
 - **I DON'T CONSENT TO YOU SEARCHING ME**
 - **I DON'T CONSENT TO YOU SEARCHING MY BELONGINGS**
 - **I DON'T CONSENT TO YOU SEARCHING MY CAR**

YOU HAVE THE RIGHT TO RECORD IN PUBLIC PLACES

You can record:

- Badges and Uniforms
- Vehicles and Weapons
- Paperwork
- What officers say
- Landmarks, street signs, clocks, anything that show time and place

DO NOT record:

- Faces of the person being questioned or arrested
- Identifying clothes, tattoos, piercings, etc.
- Anything that can expose a community member's identity

*****SAY: I AM PULLING OUT MY PHONE TO RECORD*****

Businesses and Organizations

PRIVATE V. PUBLIC SPACES

- Labels help indicate which areas are public and which are private
- Businesses and organizations can take the initiative to make these labels and place them accordingly

REMEMBER

1. Stay calm
2. Don't Run
3. You have the right to a lawyer
4. You have the right to remain silent
5. Don't open the door
6. Don't sign anything
7. Have a Plan

Sources:

Immigrant Defense Project: Train-the-Trainer Workshop, Community Slides and KYR Presentations / Presentación Comunitaria. 2025. [URL](#).



THANK YOU!

For more information, contact us!

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