



KNOW YOUR RIGHTS

“Knowledge is Power”

Let's Be Prepared



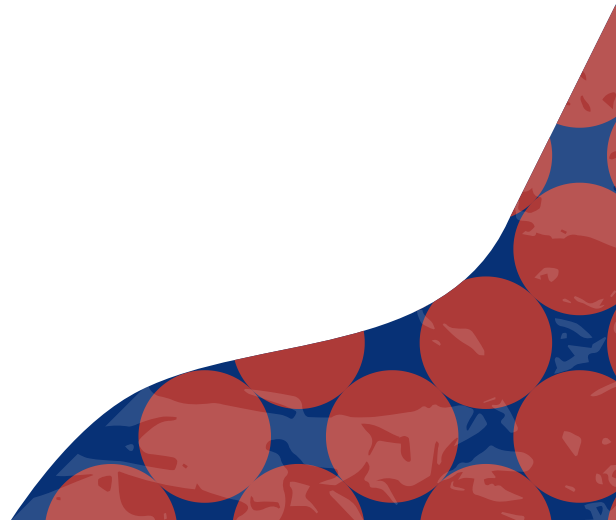
CATHOLIC
CHARITIES
OF LONG ISLAND





KNOW YOUR RIGHTS

All people in the United States, including undocumented immigrants, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.



EXCERCISING MY RIGHTS

I AM EXERCISING MY RIGHTS.

I am
choosing
to remain
silent.

- I want to contact a legal representative.
- I will not sign documents before my legal representative reviews them.
- I do not give you permission to enter my property OR to search my belongings.
- If I am under arrest, I want to make a phone call.

GIVE THIS CARD TO THE OFFICIAL TO EXERCISE YOUR RIGHTS.

I am
choosing
to remain
silent.

- I want to contact a legal representative.
- I will not sign documents before my legal representative reviews them.
- I do not give you permission to enter my property OR to search my belongings.
- If I am under arrest, I want to make a phone call.

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

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.

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

(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 _____,

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"(s) 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 15 day of AUGUST, 2011, at 3:59 P.M. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

_____, NIGHT SEARCH APPROVED: YES [] NO [x]

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



ARREST WARRANT

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.

WARRANT OF ARREST

IN JUSTICE COURT,
PRECINCT No. 3
of Williamson County

Cause No. 20FSW-14

Bond Amount \$ 20,000.00
Fine & Cost Amount \$
Warrant Fee \$
Total \$

THE STATE OF TEXAS
vs.
[REDACTED]

Address [REDACTED] City [REDACTED] State TX ZIP [REDACTED]
DOB [REDACTED] D.L. State TX D.L.# [REDACTED]
D.L. Expires [REDACTED] Social Security [REDACTED] Other ID Info. [REDACTED]
Race White Sex Male Height [REDACTED] Weight [REDACTED] Hair Brown Eyes Brown

THE STATE OF TEXAS

To any PEACE OFFICER of the State of Texas Greeting:
YOU ARE HEREBY COMMANDED to arrest [REDACTED] if to be found in the State of Texas, and bring him before me, a Justice of the Peace in and for Precinct No. 3 Of Williamson County, Texas, at my office in Georgetown, in said County immediately, to answer to the STATE OF TEXAS for an offense against the laws of said State to-wit: Manufacture or Delivery of a Controlled Substance in Penalty Group 1 less than 1 gram, to-wit: Methamphetamine, HSC 481.112 (State Jail Felony) on or about August 1st, 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 4th day of Nov A.D. 2014 [REDACTED] Justice of the Peace.
W.C.S.O. Case # [REDACTED] Precinct No. 3 Williamson County, Texas.

PEACE OFFICER RETURN

Came to hand the 5th day of Decmber A.D., 2014 at 9:20 o'clock A.M. and executed on the 5th day of Decmber A.D., 2014, at 9:20 o'clock A.M., by arresting the said Defendant at [REDACTED] in Williamson County, Texas, and * taking [REDACTED] 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 [REDACTED] 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 - Executing/Processing Arrest Fee \$ [REDACTED]
Mileage [REDACTED] Miles \$ [REDACTED]
Making Bond \$ [REDACTED]
Commitment \$ [REDACTED]
Release \$ [REDACTED]
Total \$ [REDACTED]

[REDACTED] Sheriff
[REDACTED] Williamson County, Texas
[REDACTED] Peace Officer
(Law Enforcement Agency / Department)

IMPORTANT

Must be signed by a judge
Must state the name of the
person to be arrested.

WARRANT OF REMOVAL / DEPORTATION

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:

_____ (Full name of alien)

who entered the United States at _____ (Place of entry) on _____ (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

an immigration judge in exclusion, deportation, or removal proceedings
 a district director or a district director's designated official
 the Board of Immigration Appeals
 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(Ac), 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 IIS officer)

(Title of IIS officer)

(Date and office location)

Form I-209 (Rev. 4-1-95)



AT YOUR HOME

If you are home and ICE (immigration officer) knocks on your door, you have rights that protect you.

You do not have to open the door.

If ICE comes to your door, generally there are only two ways in which they can lawfully enter your home:

1. With your permission or the permission of someone in your home: or
2. With a search warrant issued by a judge.

You should not invite the officer into your home.

If ICE tells you they are there to arrest someone or search the home, do not open the door or invite them into your home. Opening the door may give them permission to enter. It is important to also tell this to others in your home, including children. If your child opens the door, that may give ICE permission to enter the home.

If the ICE officer says they have a warrant, ask for their identification and review the warrant. It must be issued by a judge and not just the agency.

ICE cannot enter your home without a valid search warrant. Talk with the officers through the door and ask them to show you their identification and the warrant. Review the warrant to determine if it is valid:

The warrant must be a search warrant.

There are search warrants and arrest warrants. ICE cannot enter your home with an arrest warrant. They must have a search warrant.

The warrant must have the correct address.

If the address on the warrant is incorrect, ICE cannot search your home, unless you grant them permission.

The warrant must have a judge's signature.

To be valid, search warrants must be signed by a judge. If an immigration officer signs the warrant, it is not a valid search warrant. Without a warrant signed by a judge, ICE cannot search your home, unless you grant them permission.

You have the right to remain silent.

If ICE has a valid warrant and enters your home, you can choose to remain silent. If you must speak, tell the agent that you would like to speak to a lawyer before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

PUBLIC SPACES

If you are in a public space, such as a street or sidewalk, and ICE (immigration officer) approaches, you have rights that protect you.

You should ask if you are free to leave.

If ICE approaches you in public, you may ask if you are free to leave. If the answer is “yes,” calmly, slowly, and quietly walk away. Do not run or speak. If they say “no,” do not walk or run away. Stay where you are.

You have the right to refuse a search.

You do not have to consent to a search of yourself or your belongings. State clearly that you do not consent. **Refusing consent may not stop the officer.** An officer may pat you down above your clothes if they suspect, for example, you have weapons or drugs in your possession. If the officer proceeds to pat you down or conduct a full search, stay calm, do not resist the inspection, and keep your hands where the officer can see them. Stating your objection preserves your rights. Thereafter, the officer cannot arrest you without a warrant or proof you have committed a crime.

You have the right to remain silent.

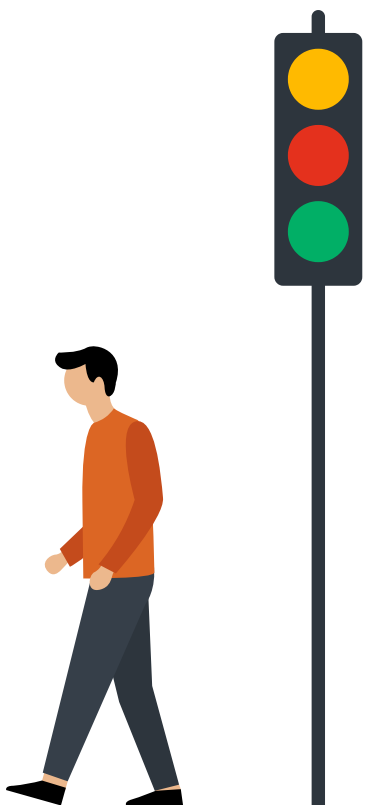
You do not have to answer any questions without the presence of your legal representative. (In some states, you may be required to state your name if an officer asks

you to identify yourself and an officer may arrest you for refusing to do so.) You can show the officer your Know Your Rights card or tell the officer you are exercising your right to remain silent. If you must speak, only say that you would like to speak to your legal representative before answering questions

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

You have the right to speak to a lawyer.

If the officer tells you that you cannot walk away, you have been detained. You should ask to speak to a lawyer and then remain silent. You have the right to speak to a legal representative. It is okay if you have not hired a legal representative; you still have the right to consult with one.





AT WORK

If ICE (immigration officers) come to your work, they generally must have a search warrant or the consent of your employer to search non-public areas. If ICE approaches you, you have rights that protect you.

You should ask if you are free to leave.

If ICE approaches you in public, you may ask if you are free to leave. If the answer is “yes,” calmly, slowly, and quietly walk away. Do not run or speak. If they say “no,” do not walk or run away. Stay where you are.

You have the right to refuse a search.

You do not have to consent to a search of yourself or your belongings or provide proof of employment authorization. State clearly that you do not consent. Refusing consent may not stop the officer. If the officer proceeds to search your person or your belongings, stay calm, do not resist the inspection, and keep your hands where the officer can see them. Stating your objection preserves your rights.

You have the right to refuse to form a line.

If officers tell you to form a line based on immigration status, you have the right to stay where you are or move to a place that is not designated for a particular group of employees. You can tell officers that you are invoking your right to remain silent. If you are forced to move, do not resist.

You have the right to remain silent.

You do not have to answer any questions without the presence of your legal representative. (In some states, you may be required to state your name if an officer asks you to identify yourself and an officer may arrest you for refusing to do so.) You can show the officer your Know Your Rights card or tell the officer you are exercising your right to remain silent. If you must speak, only say that you would like to speak to your legal representative before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

You have the right to speak to a lawyer.

If the officer tells you that you cannot walk away, you have been detained. You should ask to speak to a lawyer and then remain silent. You have the right to speak to a legal representative. It is okay if you have not hired a legal representative; you still have the right to consult with one.

If you are pulled over while in a car, you have rights that protect you.

Stop the car as soon as safely possible.

After stopping, turn off the car, turn on the internal light, open the window part way, and place your hands on the wheel.

There must be a reason to stop you.

If a police officer stops you, they must have reasonable suspicion that someone in the car committed a local or state violation or crime. If an immigration officer stops you, they must have reasonable suspicion that someone in the car committed an immigration violation or federal crime. You can ask:

- Am I free to leave?
- Are you the police/immigration?
- Why did you stop me?

If you are driving, upon request, provide your driver's license, registration, and proof of insurance, if you have it.

If you do not have these documents, you can tell the officer you do not have them or that you are exercising your right to remain silent. In some states, if you are driving without a license, this is an arrestable offense, so failure to provide a driver's license could result in arrest. The officer may ask for other identification, and you may refuse to provide it.*

Passengers do not have to provide identification.

Generally, if an officer asks a passenger for identification, they do not have to provide it.*

Generally, you do not have to provide other identification.

If you are stopped by state or local police, you may choose to provide proof of lawful immigration status, if you have such proof. If you are stopped by an immigration officer, you must provide proof of lawful status if you have status and are not a U.S. citizen. If you do not have lawful status, you should **not** provide foreign identification.

If the officer says they have a warrant, ask for identification and review the warrant.

Search warrant: Officers can search your car if (1) you give consent, (2) they have a search warrant that specifies the exact car to be searched and the warrant is signed by a judge (**not an immigration officer**), or (3) they believe your car contains evidence of a crime.

Arrest warrant: If an ICE officer has an arrest warrant, they can arrest the person named on the warrant. An arrest warrant does **not** give ICE permission to search your car.

You have the right to remain silent.

You can exercise your right to remain silent by showing your Know Your Rights card or telling the officer you are exercising your right to remain silent. If you must speak, say you would like to speak to a lawyer before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.



IN YOUR CAR

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver's license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.

POLICE CUSTODY OR JAIL

If you are in police custody or jail with state or local law enforcement (not immigration), you have rights that protect you.

Arrests, charges, and convictions can affect your immigration status.

If you are at risk of deportation, you should avoid contact with the police. However, if you do have contact with the police, it is important to assert your rights and talk to a lawyer. If you have been charged with a crime, your criminal defense lawyer must advise you on whether your charges or any plea offer carry the risk of deportation. It is important that your criminal lawyer consults with an immigration lawyer experienced in criminal-immigration matters and explains the risks to you.

You have the right to a phone call.

Request the opportunity to call a family member or trusted friend to let them know that you have been arrested and find a lawyer to represent you.

You have the right to speak to a lawyer.

If you have a criminal lawyer, you should request to call that person. If you do not have a criminal lawyer and you cannot afford to hire one, you should request a lawyer. The government must appoint a free criminal lawyer. The government will not pay for an immigration lawyer, but you have the right to hire one.

You have the right to remain silent.

Being arrested or detained by the police does not mean you have to answer questions. You should not discuss your immigration information with anyone other than your lawyer. This includes where you were born, how and when you came to the United States, and any criminal history.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

You should tell your lawyer about your immigration status and criminal history.

Your lawyer needs this information to be able to make sure they give you correct advice.

You have the right to refuse to sign documents.

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



PORTS OF ENTRY / AIRPORTS

At ports of entry, airports, and the border, you may encounter Customs and Border Protection (CBP), Homeland Security Investigations (HSI), Immigration and Customs Enforcement (ICE), or Transportation Security Administration (TSA). You have rights when interacting with them.

Immigration can question whether you have lawful immigration status and whether you are admissible to the United States.

You have the right to remain silent, but refusing to answer routine questions could delay you or cause you to be taken into secondary inspection.

If you are a U.S. citizen: You must *only* establish your identity and citizenship.

If you are a Lawful Permanent Resident: You must *only* establish your identity and residency. Thereafter, you cannot be denied entry, but you may be detained and placed in removal proceedings. Immigration may try to convince you to give up your residency by asking you to sign an I-407. Do not sign any documents without a legal representative. Only you or an immigration judge may revoke your residency.

If you are a non-citizen visa holder or visitor: You may be denied entry into the U.S. if you refuse to answer officers' questions.

If you are not a citizen, resident, or visa holder: You may be denied entry into the U.S. if you refuse to answer officers' questions.

Immigration can search your belongings for contraband.

Officers do not need a warrant or probable cause like in other contexts. However, you cannot be selected for a search based on your religion, race, national origin, gender, ethnicity, or political beliefs. Be sure to remember anything an officer says regarding why they are searching you and/or your belongings.

Strip Searches: Officers can only perform a strip search in a private space if they have reasonable suspicion of an immigration crime or violation.

Electronic Devices: Officers may ask for passwords for your electronic devices.

- If you are a citizen, you do not have to supply your password(s) or unlock your device.
- If an officer confiscates your electronic device, get a receipt and write down the officer's name, agency, and badge number.

Immigration may take you into secondary inspection.

Secondary inspection involves going to another room where you will be asked more questions. You should be treated with dignity and respect. Officers take the position that you are not entitled to a lawyer, but we encourage you to ask to call your lawyer. If it becomes clear that you are under arrest or being investigated for a crime, you should ask to speak to a lawyer and then exercise your right to remain silent.



Flight Information

Visual

5B

Ticketing / Check-In

PORTS OF ENTRY (CONT)

You have the right to seek asylum.

If officers tell you that you cannot enter and you are afraid of being persecuted if you return to your home country, you should tell the officer you are afraid and ask for asylum.

Immigration may take your fingerprints.

Visitors and lawful permanent residents are generally fingerprinted upon entry from abroad.

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.



12 THINGS FOR YOU AND YOUR FAMILY TO REMEMBER IN ANY SITUATION



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.



QUESTIONS?



If you or someone you know has any questions regarding a specific immigration case, please feel free to contact us at (631) 789-5210 or visit us at 145 Schleigel Blvd, Amityville, NY 11701.

THANK YOU

