



# Know Your Rights

► How to Use Your Constitutional Rights against Immigration Enforcement

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You are not alone! You have the power!



# Useful things to always carry on your person

- ▶ United States Identification (with photo)
  - Maryland state ID
  - Driver's License
  - Student ID
  - CASA ID (<https://wearecasa.org/membership/local-membership/>)
  - Copy of United States Passport (Keep the original at home)
- ▶ Proof that you have been in the United States for at least 2 years
  - School Report Cards
  - Doctor's appointments
  - Expired ID
- ▶ Your Cellphones!
  - To record the actions of ICE officers
  - To use the Know Your Rights app
- ▶ The Red Cards
- ▶ \*DO NOT carry foreign documents\*

## You have the right to. . .

- NOT OPEN THE DOOR (except in the case of a warrant)
- REMAIN SILENT- say “I have the right to remain silent”
- NOT SIGN ANYTHING
- RECORD AND REPORT THE ACTIONS OF OFFICERS
- ASK FOR THE IDENTITY OF OFFICERS
- SPEAK WITH AN ATTORNEY

# THE RED CARDS

You have constitutional rights:

- DO NOT OPEN THE DOOR if an immigration agent is knocking on the door.
- DO NOT ANSWER ANY QUESTIONS from an immigration agent if they try to talk to you. You have the right to remain silent.
- DO NOT SIGN ANYTHING without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your home, ask the agent if you are free to leave and if they say yes, leave calmly.
- GIVE THIS CARD TO THE AGENT. If you are inside of your home, show the card through the window or slide it under the door.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

*These cards are available to citizens and noncitizens alike.*

## KYR for immigrants

New App, in 16 languages! (Available now only on iPhone,  
equivalent for Androids available soon )



# How ICE can present themselves



# Common “tricks” used by ICE

## Tricks (in person)

### General Investigation Trick

“we are conducting an investigation, and we want to ask you some questions”

### Criminal Investigation Trick

“We are investigating a crime, can we ask you some questions?”

### Identity Theft Trick

“Your son was the victim of identity theft, and we need to speak with him”

### Use of Photos Trick

“Have you seen this suspect?”

“Can we come in?”

“Can you come outside?”

## Tricks (by phone)

### Lost Identification Trick

“We found a lost ID”

### You as a suspect Trick

“We are investigating a crime, and you are a suspect.”

“Can we come to you?”

“Can you come to us?”





## If ICE agents approach your home

- DO NOT open the door
- If ICE opens your door by force or if you open the door by accident, state that you do not consent to their entry.
- Ask if the agents are from DHS or ICE
- Ask if the officials have a judicial order (warrant)
  - If they have it, ask an agent to slide the order under the door or through the window so that you can search it up.

# ICE Order vs. Judicial Order

DEPARTMENT OF HOMELAND SECURITY  
 U.S. Immigration and Customs Enforcement  
**WARRANT OF REMOVAL/DEPORTATION**

File No: \_\_\_\_\_  
 Date: \_\_\_\_\_

To any immigration officer of the United States Department of Homeland Security:  
 \_\_\_\_\_  
 (Full name of alien)

who entered the United States at \_\_\_\_\_ on \_\_\_\_\_  
 (Place of entry) (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 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:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security 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:

SAMPLE

\_\_\_\_\_  
 (Signature of immigration officer)

\_\_\_\_\_  
 (Title of immigration officer)

\_\_\_\_\_  
 (Date and office location)

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 notification 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 30)  until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: \_\_\_\_\_

\_\_\_\_\_  
 Judge's signature

City and state: \_\_\_\_\_

\_\_\_\_\_  
 Printed name and title

## If ICE agents approach in any location

- ▶ State that you do not want to talk
- ▶ Hand the agents a red card or slide one under the door
- ▶ Stay calm
- ▶ Do not sign anything without talking to an attorney
  
- ▶ **You should NEVER:**
  - ▶ physically fight with agents
  - ▶ Present false documents
  - ▶ Present foreign identification
  - ▶ Lie to an ICE agent



If an ICE agent stops you in a public place...

- ▶ Determine if you are being detained or not
- ▶ You can ask the ICE agent “Am I being arrested or detained?”
  - ▶ If the officer says “no,” you can calmly walk away
  - ▶ If the agent says “yes,” you can claim the following rights





**Remember:** DO NOT drive a car without a valid driver's license, always have your car registration, insurance and proof of inspection

## If you are stopped in your car...

- ▶ If you have a driver's license and car registration, give them to the officer
- ▶ Obtain the name of the agency the officer works for
- ▶ A passenger does not have to provide their ID
- ▶ You do not have to answer questions like:
  - ▶ Are you in the United States legally?
  - ▶ Where were you born?
- ▶ You have the right to refuse a search (unless they have a warrant)
- ▶ You have the right to stay in your car, unless they order you to get out



**Citizen stopped  
ICE raid**

**NOW**

**POLICE**

# If ICE comes to your place of work

## Your rights when you are stopped by an ICE agent

- The right to refuse to be searched (unless they have a warrant)
- The right to remain silent
- The right to refuse to sign anything without talking to an attorney

## NEVER:

- Run away
- Present false documents or lie to ICE agents
- Answer any question regarding your immigration status.

**NOTE:** ICE can only enter non-public areas of your workplace with a warrant or with permission from your employer



# In Case of Detention

## ▶ Preparation

- Memorize at least two phone numbers of people you trust
- Ideally, a lawyer or a friend or a family member with legal status

## ▶ If a loved one is detained

- ICE detainee locator: <https://locator.ice.gov/odls/#/search>
- Amica Center (Attorneys): <https://amicacenter.org/get-help/>



# Emergency Plan for Families

## ► Standby Guardianship

- A temporary solution where a parent or legal guardian designates an adult as a temporary guardian to their child in case of detention or deportation.
- This will only go into effect if a designated triggering event takes place.
- The parents retain all parental rights.
- <https://standbyguardian.org/wp-content/uploads/2020/03/SBG-Designation-form-in-Spanish-2-11-19.pdf>

## ► Community Legal Services of PG County can help your family with preparation of forms

- [info@clspgc.org](mailto:info@clspgc.org), 240.391.6370

# Emergency Plans for Families, continued

## ► Family Safety Plan

- Document with important information for the care of your children
  - Emergency Contacts
  - School Information
  - Medical Information
- This has no legal effect but can be useful to a designated standby guardian (if you decide to designate a standby guardian)
- You should fill out a form for each child and keep various copies in designated locations

<https://www.peoples-law.org/sites/default/files/2020-08/10%20-%20Family%20Safety%20Plan%20Form%20%28SPAN-ENGL%29.pdf>



# Other Information to Know

The Change	The Advice
ICE can arrest you during ICE check-ins	If you have an ICE check-in, ask an attorney or a friend with U.S. Citizenship to accompany you
Laken Riley Act: Instructs ICE to detain any undocumented person who is accused of certain crimes	Always be careful and follow the rules- do not give anyone any excuse to accuse you of theft or other crimes

# You may be eligible for legal status

- ▶ Potential options
  - Special Immigrant Juvenile Status (SIJS) for minors
  - Asylum
  - Family petition
  - U or T Visa
- ▶ Schedule a consultation to learn more about your options
- ▶ Options for representation in the brochures

# Final Thoughts

- ▶ Follow these practices
- ▶ Ensure that you have a form of U.S. identification and proof that you have been here for at least two years somewhere in your wallet or purse
- ▶ Talk with your family and children about your emergency plan
- ▶ Schedule a consult with an attorney or legal organization
- ▶ Share the Red Cards
- ▶ Remember that you are not alone

¡Yes, we can!



Questions?