

## KNOW YOUR RIGHTS:

### WHAT TO DO IF YOU'RE STOPPED BY POLICE, THE FBI OR IMMIGRATION



#### YOUR RIGHTS

- You have the right to remain silent. If you wish to exercise that right, say so out loud.
- You have the right to refuse to consent to a search of yourself, your car or your home.
- Regardless of your citizenship status, you have constitutional rights.
- You have the right to a lawyer if you are arrested. Ask for one immediately.
- You have the right to record police actions as long as you do not interfere with their activities and are not breaking any other law.

#### REDUCING YOUR RISK IF STOPPED

- You are not responsible for deescalating police.
- Do* stay calm.
- Do* keep your hands where police can see them.
- Do not* interfere with or obstruct the police.
- Do not* lie or give false documents.
- Do* prepare yourself and your family.
- Do* remember the details.
- Do* file a written complaint or call your local ACLU if you feel your rights have been violated.

This information is not intended as legal advice.

### IF YOU FEEL YOUR RIGHTS HAVE BEEN VIOLATED

You have the right to **contact your consulate** or have an officer inform the consulate of your arrest.

**Tell the ICE agent you wish to remain silent.** Do not discuss your immigration status with anyone but your lawyer.

**You have the right to make a local phone call.** The police cannot listen if you call a 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 and stay in the U.S.

**Remember your immigration "A" number and give it to your family.** It will help family members locate you.

**Keep a copy of your immigration documents with someone you trust.**

**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 are injured, take photographs of your injuries (but seek medical attention first).

**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.

Call the ACLU-MN or visit [www.aclu-mn.org](http://www.aclu-mn.org).

### IF YOU ARE ARRESTED

**Do not resist arrest,** even if you believe the arrest is unfair.

Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. If you can't pay for a lawyer, you have the right to a free 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.

**Prepare yourself and your family in case you are arrested.** Memorize the phone numbers of your family and your lawyer. Make emergency plans if you have children or take medication.

**Special considerations for non-citizens:**

- Ask your lawyer about the effect of a criminal conviction or plea on your immigration status.
- Don't discuss your immigration status with anyone but your lawyer.
- While you are in jail an immigration agent may visit you. Do not answer questions or sign anything before talking to a lawyer.
- Read all papers fully. If you do not understand or cannot read the papers, tell the officer you need an interpreter.

### IF YOU ARE TAKEN INTO IMMIGRATION (OR "ICE") CUSTODY

**You have the right to a lawyer, but the government does not have to provide one for you.** If you do not have a lawyer, ask for a list of free or low-cost legal services.

### IF THE POLICE OR IMMIGRATION AGENTS COME TO YOUR HOME

If the police or immigration agents come to your home, you do not have to let them in unless they have a warrant signed by a judge.

**Ask the officer to ship the warrant under the door or hold it up to the window so you can inspect it.** A *search warrant* allows police to enter the address listed on the warrant, but officers can only search the areas and for the items listed. 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 have the right to remain silent. If you choose to speak to the officers, step outside and close the door.

### IF YOU ARE CONTACTED BY THE FBI

If an FBI agent comes to your home or workplace, you do not have to answer any questions. Tell the agent you want to speak to a lawyer first.

If you are asked to meet with FBI agents for an interview, you have the right to say you do not want to be interviewed. If you agree to an interview, have a lawyer present. You do not have to answer any questions you feel uncomfortable answering, and can say you will only answer questions on a specific topic.

This information is not intended as legal advice. This brochure is available in Spanish and English. Esta tarjeta también se puede obtener en inglés y español. Produced by the ACLU 8/19.

Minnesota  
**ACLU**

Upon request, **show police your driver's license, registration and proof of insurance.**

**If an officer or immigration agent asks to look inside your car, you can refuse to consent to the search.** But if police believe your car contains evidence of a crime, your car can be searched without your consent.

**Both drivers and passengers have the right to remain silent.** If you are a passenger, you can ask if you are free to leave. If the officer says yes, sit silently or calmly leave. Even if the officer says no, you have the right to remain silent.

### IF YOU ARE QUESTIONED ABOUT YOUR IMMIGRATION STATUS

**You have the right to remain silent and do not have to discuss your immigration or citizenship status** with police, immigration agents or any other officials. You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports, and for individuals on certain non-immigrant visas, including tourists and business travelers.)

**If you are not a U.S. citizen and an immigration agent requests your immigration papers, you must show them if you have them with you.** If you are over 18, carry your immigration documents with you at all times. If you do not have immigration papers, say you want to remain silent.

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