

Sources

wearecasa.org/know-your-rights/

aclu.org/know-your-rights/stopped-by-police#ive-been-stopped-by-the-police-in-public

zickermanlaw.com/blog/2024/october/can-the-police-lie-to-me-/

Additional Resources

For Red Cards:

<https://www.ilrc.org/red-cards-tarjetas-rojas>



To locate those arrested and processed by ICE:

locator.ice.gov



For pro-bono legal assistance:

justice.gov/eoir/list-pro-bono-legal-service-providers



For ICEBlock (iphone) and ICE Immigrations Alerts (google play), apps to post and view current ICE and police activity including checkpoints and general sightings.

iPhone



google play



Know Your Rights!

and how you can respond to the police and ICE (Immigration and Customs Enforcement)

All people in the US, documented or not, have the right to:

- ✧ Remain silent and refuse to answer questions.
- ✧ Refuse access to your home, person, or vehicle without a warrant signed by a judge.

You don't have to:

- ✧ Be nice.
- ✧ Snitch.
- ✧ Speculate.
- ✧ Assist law enforcement.
- ✧ Make it easy or pleasant for them.

If you are arrested, you have the right to:

- ✧ Remain silent.
- ✧ Not sign anything.
- ✧ Speak to a lawyer.
- ✧ Make a phone call.

The contents of this booklet do not constitute as legal advice. Consult an attorney for legal advice.



If ICE or police try to talk to you,

in the streets, at work, or at school and start asking questions, you don't have to talk to them or answer their questions. Without a warrant, they cannot detain you without evidence of you committing a crime or of being in the US unauthorized or undocumented.

If they stop you in the streets, ask the officer **"Am I being detained?"**

- ❖ If they say, "No." Walk away and don't answer any questions.
- ❖ If they say, "Yes." Tell the officer you want to **speak with an attorney and then remain silent.** In Mississippi, police don't have to immediately charge you with a crime when they make arrests.

In Mississippi, you can legally refuse to give ID to an officer unless they have reasonable suspicion that you were involved in a crime.

Any fake documents or ID you give to police can be used against you in court. You should only have to identify yourself if you are under reasonable suspicion of being involved in a crime.

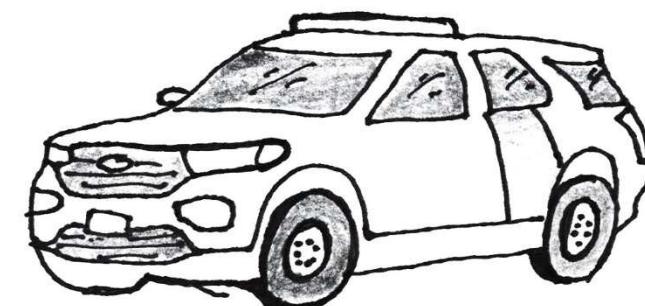
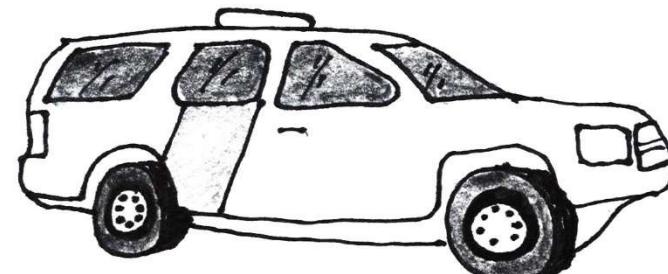
Any lies you tell police may be used against you in court. It's better to remain silent.

You shouldn't run, act aggressively, or physically resist an officer. They may interpret this as reasonable suspicion to detain you or use it against you later in court.



How to identify official ICE vehicles

Official ICE vehicles have a green stripe for border control and a blue stripe for internal Immigration and Customs Enforcement. Officers can also drive unmarked vehicles, so keep a special look out for sports cars and SUVs with blacked out windows, emergency lights, spot lights, communication antenna, and/or metal bumper reinforcements.



The Rights of Police and Investigators

The police can legally lie to you during,

- ❖ Criminal investigations.
- ❖ Interviews.
- ❖ Interrogations.
- ❖ Undercover operations.

They can legally lie to you about,

- ❖ What evidence they have against you.
- ❖ Statements other people have made against you.

They may use other tactics such as,

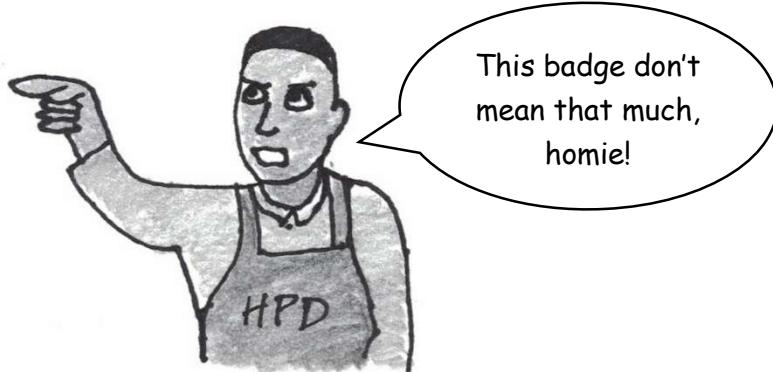
- ❖ Intimidation.
- ❖ Open-ended or vague threats.
- ❖ Insults or degradation.
- ❖ Incitement to provoke you into doing something illegal.
- ❖ Misleading urgency or scale of consequences.

They are NOT legally allowed to,

- ❖ Lie about the consequences of confessing or staying silent.
- ❖ Make false promises of leniency for a confession.
- ❖ Use physical force or threats of violence.

Remember,

- ❖ To remain silent.
- ❖ Assert your right to speak with a lawyer. There is no rush to answer any of their questions.
- ❖ Don't sign anything without speaking to a trusted lawyer.



If ICE or police come to your home:

❖ **DO NOT OPEN THE DOOR! or consent to a search!**

- Opening the door can be considered consent to be searched even without a real search warrant.
- Verbally agreeing to be searched or to let officers into your home will allow them to search your home.

You have the right to see the warrant through a window or slipped under the door. Without the search warrant, they cannot legally enter your home without your consent.

❖ **Check the warrant!** They will present other documents or orders as if they are search warrants, but these do not grant legal entry into your home without your consent.

- A search warrant is a piece of paper **signed by a judge**. Not an immigration judge, captain, or other government official.
- It needs to include the areas and address that need to be searched and/or the individuals or objects to be seized.
- **Check the name and address** of the warrant and make sure they're not using a different warrant to come for you!
- Check the date! In Mississippi, search warrants expire after 10 days.

If they have a legitimate warrant, signed by a judge,

❖ They have legal access to search your home

- ❖ They only have legal access to search the areas and seize the objects or individuals specified in the warrant.

- ❖ Continue to remain silent! If they find evidence that other individuals in the home are undocumented, they will arrest and seize them as well.



This one, when filled out with your information and signed by a judge, **does** grant officers legal entry into your home without consent!!

INVALID

U.S. DEPARTMENT OF HOMELAND SECURITY

Warrant for Arrest of Alien

File No. [REDACTED]

Date: 08/29/2023

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 [REDACTED] 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 arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

[REDACTED]
(Signature of Authorized Immigration Officer)

[REDACTED]
(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 [REDACTED] (Location)	
on [REDACTED] on 08/29/2023, and the contents of this	
notice were read to him or her in the ENGLISH / SPANISH language.	
Name and Signature of Officer [REDACTED]	Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

USAO-000339

4. Make sure your family knows how to find you

If they have all of your personal information, they can go to the ICE Locator website and find out where you are being detained. Type "locator.ice.gov" into your search bar in a web browser.

5. Save money to pay for an attorney and cover other expenses

You have a right to an attorney to help defend you in your immigration case, but unlike in a criminal case, the government will not provide you with one for free. Your family and friends may also need to cover expenses while you're in detention, since you will not be able to work.

6. Find an immigration attorney

Keep a list of organizations and private attorneys who might be able to help you with your immigration case.

- Immigration Advocates Network

<https://www.immigrationadvocates.org/nonprofit/legaldirectory>

- Immigration Legal Services Directory

- American Immigration Lawyers Association

www.ailalawyer.org/

7. Stay in touch:

Save CASA's information on your cell phone.

Including our raid hotline at 888-214-6016 and

our website at www.wearecasa.org

Child Care

If you have children or elderly relatives, make arrangements in advance for a family member or friend to care for them if you are detained. Have the telephone numbers of this relative or friend with you at all times and make sure other people know of these plans. You can use a limited power of attorney form for this.

Finances

Make sure you designate individuals you trust to make decisions for you if you are detained. They can help you withdraw money for deportation expenses or pay a mortgage. Financial institutions may require you to execute a power of attorney for this. Check with your bank or financial service provider.

3. Have copies of all of your important documents

Make sure your family has copies of all your important documents, including:

- o Immigration Documents including records of any immigration status you ever had, of any prior filings with immigration or other immigration related documents.
- o Birth certificates for you and your children
- o Marriage certificate
- o Passports for you and your children
- o Names and contact information for lawyers. Include anyone who has ever represented you in the past, and a list of lawyers who might be able to help defend you in immigration court.
- o Any other important papers (deed to your house, etc.)

PLACE THESE DOCUMENTS IN A SECURE, EASY TO FIND
LOCATION.

AO 93 (Revised)

This one, when filled out with your information and signed by a judge, **does** grant officers legal entry into your home without consent!!

VALID

UNITED STATES DISTRICT COURT

101 u

In the Matter of the Search of _____ District 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 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 you are stopped while driving your car,

- ❖ Appear to stay calm. Remain in the car, and place your hands on the steering wheel where the officer can see them at all times. The use of lethal force by police and ICE has been excused when the officer claims to feel threatened.
- ❖ In Mississippi, you can legally record anyone without needing their consent or even needing to inform them.
- ❖ Ask the name of the officer, badge number, and agency they work for.
- ❖ You don't have to answer any questions and should maintain the right to remain silent.
- ❖ If the officer asks for your driver's license, registration, and/or proof of insurance, give them to the officer if you have them. Presenting any fake or false documents can lead to conviction of a federal crime, inability to be released on bond, and permanent expulsion from the US for non-citizens.
- ❖ You may **refuse the search of your vehicle** unless,
 - You give them your consent to a search.
 - They have a warrant.
 - They have reasonable suspicion that there is evidence of a crime in your vehicle such as seeing something illegal in plain view or smelling marijuana or alcohol coming from the vehicle.
 - If you get arrested.
 - If the car is impounded.
- ❖ If the officer gives you a ticket, pay it or appear in court as necessary.
- ❖ Do not run, act aggressively, or physically resist an officer.

Develop a safety plan at work

1. Talk to your coworkers. If possible, get them all to agree to remain silent if ICE comes to your job.
2. Remember to remain calm and DO NOT RUN if ICE comes to your workplace. Remain silent and, if they arrest you, tell them you want to talk to your lawyer.
3. If there is a union at your job, contact your union spokesperson to develop a plan for if there is an immigration raid.

AT HOME

1. Know what documents you should carry with you
 - Carry a valid U.S. ID (like a driver's license) if possible
 - If you have a green card, carry it with you (or a copy of it)
 - Carry a card with the contact information of your immigration attorney and/or union representative.
 - Carry a card, indicating that you wish to remain silent. A sample card is attached on the back.
2. Make a plan to care for your family:

Personal Information Make sure your family or trusted friends know your:

 - Immigration "A" number (if you have one). This is a 9-digit number that is used to identify anyone who has had ever had contact with immigration. It may start with an "A". It will be on any immigration document you've ever received (like a court notice, a work permit or other document).
 - Exact Name
 - Exact Date of Birth
 - Country of Origin or citizenship (usually where you were born)

If you are arrested by the police and are charged with a crime,

1. FIND OUT WHO ARRESTED YOU

Ask for the name and agency of the person who arrested you. Get their badge number and license plate which should be on their uniform and car.

2. ASK TO SEE YOUR LAWYER

You always have the right to speak with a lawyer. Government officials may try to intimidate you or trick you into signing. Don't let yourself be tricked! In criminal cases, if you cannot afford an attorney, the government will provide one for you.

3. ASSERT YOUR RIGHT TO REMAIN SILENT

Do not give any information to the police or ICE without talking to your lawyer first.

4. DO NOT SIGN ANYTHING

Before consulting with your lawyer.

5. CONTACT LAWYER OR FAMILY MEMBER

You have the right to make a telephone call after you are arrested. Memorize the telephone number of your attorney, family member, friend or union spokesperson, and contact him/her immediately.

6. ASK YOUR LAWYER TO HELP YOU GET RELEASED FROM CUSTODY

Depending on how serious the charges are, you may be released by promising to show up for your next hearing, or you may be given bail. If you are given bail, you will have to pay some money to be released from custody.

7. IF YOU ARE NOT A U.S. CITIZEN, MAKE SURE YOUR ATTORNEY CONSULTS WITH AN IMMIGRATION ATTORNEY

Criminal cases can have serious immigration consequences. It is important that your attorney develops a plan for your case with an immigration attorney before you pay bail or do anything else on your case.

If the officer engages with passengers in the car,

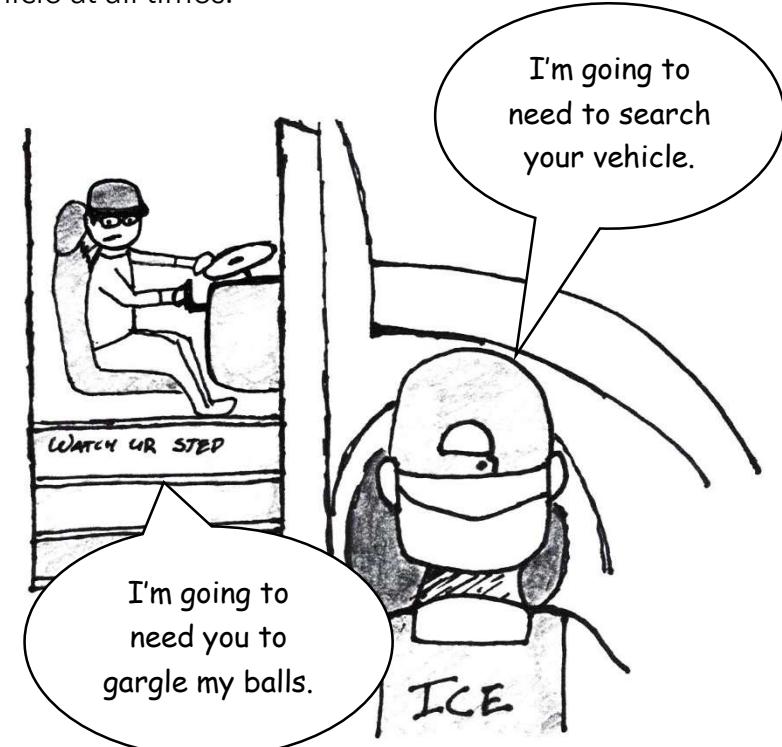
- ❖ In Mississippi, you can legally refuse to give ID to an officer unless they have reasonable suspicion that you were involved in a crime.
- ❖ You should **remain silent** and not answer questions.
- ❖ In Mississippi, you **can legally record anyone** without needing their consent or even needing to inform them.

If you get arrested,

- ❖ Remain silent except to express you want to speak with an attorney.

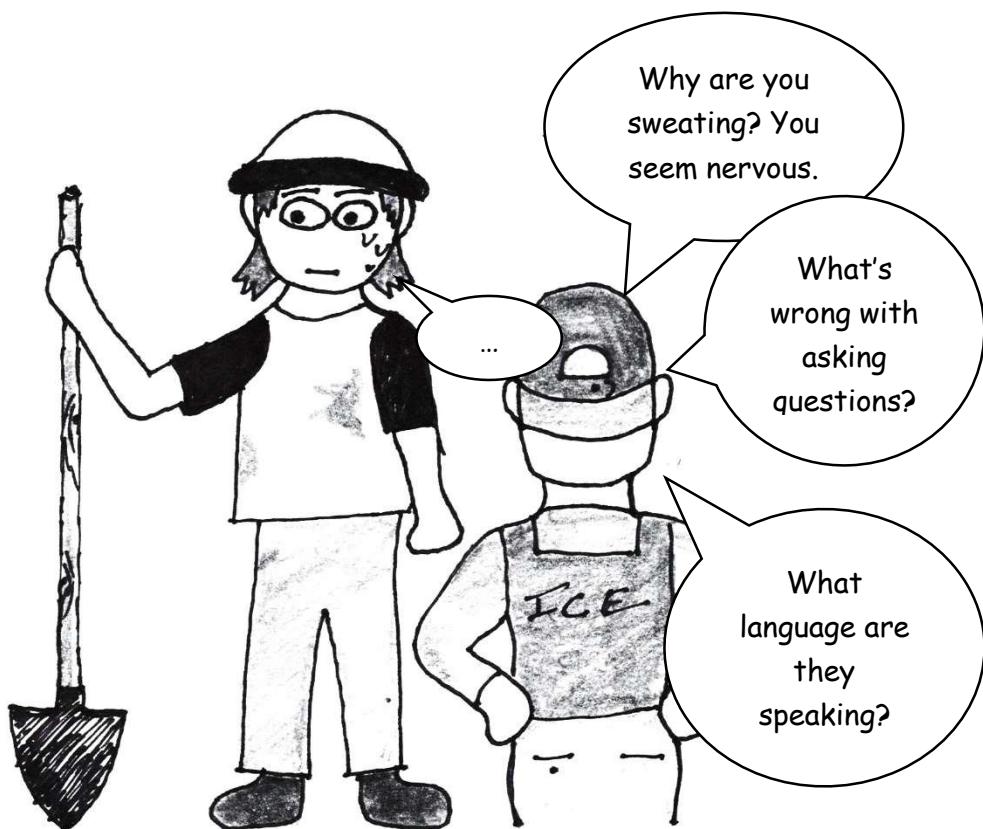
How to prepare for a traffic stop,

- ❖ Have a valid driver's license and always carry it with you.
- ❖ Have your registration, registration sticker, and insurance up to date.
- ❖ Keep your proof of insurance and registration in your vehicle at all times.



If ICE or police come to your workplace,

- ❖ You have the same rights you do as in a public space.
 - You should remain silent.
 - You can refuse a search.
 - You can request an attorney
- ❖ Do not run, act aggressively, or physically resist an officer. This could be considered reasonable suspicion or be used against you in court.
- ❖ Presenting any fake or false documents can lead to conviction of a federal crime, inability to be released on bond, and permanent expulsion from the US for non-citizens.
- ❖ Any lies you tell police may be used against you in court. It's better to remain silent.
- ❖ Don't forget to remain silent.



If you are arrested by ICE, you should,

1. FIND OUT WHO ARRESTED YOU

Ask for the name and agency of the person who arrested you. Get their badge number and license plate which should be on their uniform and car.

2. ASK TO SEE YOUR LAWYER

You always have the right to speak with a lawyer. Government officials may try to intimidate you or trick you into signing. Don't let yourself be tricked! If you don't have a lawyer yet, you still have the right to obtain one. In immigration cases, the government will NOT give you a free lawyer.

See this link for free, pro bono legal representation.
<https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>



3. ASSERT YOUR RIGHT TO REMAIN SILENT

Do not give any information to the police or ICE without talking to your lawyer first.

4. DO NOT SIGN ANYTHING

Before consulting with your lawyer. You may be signing away your right to a hearing before an immigration judge.

5. CONTACT LAWYER OR FAMILY MEMBER

You have the right to make a telephone call after you are arrested. Memorize the telephone number of your attorney, family member, friend or union spokesperson, and contact him/her immediately.

6. CONTACT YOUR CONSULATE

If you are a foreign national arrested in the U.S., you have the right to call your consulate or to have the deportation officer inform the consulate of your arrest. Memorize their phone number or ask family member to call.

7. ASK FOR BOND

Even if immigration says you are not eligible. Bond is paying a certain amount of money to be released from jail. In exchange, you then promise to return for your court date. You have to show that you are not a flight risk or a danger to the community. Also, get a copy of the "Notice to Appear," a document that contains the immigration charges against you.