



KNOW YOUR RIGHTS IF APPROACHED BY IMMIGRATION ENFORCEMENT AGENTS!

If you are concerned about facing immigration enforcement officers, prepare now!

Do not wait until an encounter to think about how you will respond. Plan with the help of an immigration attorney and plan together with your family. Your plan for responding to immigration enforcement should address questions such as: whether to make statements, whether to provide documents, and whether to provide access to your residence. The information below provides a starting point for your planning.

If you can't afford an immigration attorney, please refer to the following:

Berkeley Free & Low Cost Legal Services:

East Bay Community Law Center
2921 Adeline St., Berkeley, CA
HOURS: Mon - Fri 9am to 5pm
TEL: 510.548.4040
EMAIL: info@ebclc.org

San Francisco, California Immigration Legal Aid & Pro Bono Services:

<https://www.justia.com/lawyers/immigration-naturalization/california/san-francisco/legal-aid-and-pro-bono-services>

Instructions for documented international students and scholars holding in-status visas only

You are required by law to carry "registration" documents at all times. If an immigration agent requests your immigration papers you should present them if you have them with you. You have the right to contact your consulate. If you are not sure if your visa is out of status, consult with an immigration attorney.

Your constitutional rights if you are questioned about your immigration status by immigration enforcement

- **You have the right to remain silent** and do not have to discuss your immigration or citizenship status. You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how or when you entered the country. (Separate rules apply at international borders and airports.)
- **Stay calm and be polite.** Do not lie about your citizenship status or provide fake documents.
- **You do not have to sign anything.** If you sign, you may be giving up your opportunity to stay in the U.S.

Your constitutional rights if immigration comes to your home (including an apartment or dorm room)

- **You do not have to open your door unless an officer has certain kinds of warrants.** Ask the officer to slip 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 within 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 (U.S. Immigration and Customs Enforcement (ICE) warrant) is not signed by a judge and does not authorize officers to enter a home without consent.
- **You have the right to remain silent**, even if an officer has a warrant that authorizes their entry.
- **You do not have to sign anything.** If you sign, you may be giving up your opportunity to stay in the U.S.
- As set forth in the university's Principles in Support of Undocumented Members of the University Community, campus police will not contact, detain, question, or arrest an individual on the basis of suspected immigration status and will not undertake joint efforts with federal officers to investigate, detain, or arrest individuals on that basis.

Your constitutional rights if you are taken into immigration 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 immigration officers for a list of free or low-cost legal services.
- **You have the right to contact your consulate** or have an officer inform the consulate of your arrest.
- **You have the right to remain silent** and discuss your immigration status only with your lawyer. This is an individual decision you should prepare for ahead of time with a lawyer.
- **You do not have to sign anything** without talking to a lawyer.

If you choose to remain silent when approached by an immigration officer

If you are stopped by an immigration enforcement officer and choose to remain silent, hand a copy of the following statement to the officer. The statement explains that you are exercising your right to refuse to answer any questions until you have talked with a lawyer.

TO IMMIGRATION OR OTHER OFFICER:

"I am exercising my 5th Amendment right under the U.S. Constitution to remain silent. I do not wish to speak with you, answer your questions, or sign or give you any documents without a lawyer present. I do not give you permission to enter my home or search my person or belongings based on my 4th Amendment rights under the U.S. Constitution, unless you have a warrant to enter, signed by a judge or magistrate with my name and correct address on it that you slide under the door."

To report incidents and abuses, please contact:

United We Dream national hotline
(844) 363-1423