NYIC

NEW YORK STATE | Department of State
Office for New Americans

🚨 YOU HAVE RIGHTS, NO MATTER YOUR STATUS

- ☑ Right to remain silent
- ☑ Right to refuse a search
- ☑ Right to speak to a lawyer before signing anything
- ☑ Right to ask if you are free to go
- ☑ Right to record public interactions
- ☑ Right to refuse to answer: "Are you a U.S. citizen?"
- ☑ Right to declare your fear of returning to your country of origin

DOCUMENTS: WHAT TO CARRY AND WHAT TO AVOID CARRYING

✓

- Copies of immigration documents (e.g., green card, work permit, visa) but do not volunteer them!
- U.S. issued driver's license or US-issued ID that does not include your country of birth or immigration status, if available (e.g. NYC ID, student ID)
- Know Your Rights card
- Proof that you have been in the country for more than two years (having proof that you have been in the country for longer than two years may prevent your fast deportation without a court hearing.)

✗

- False documents or fake ID
- Any document that says you are a U.S. citizen if you are not
- Identity documents from your country of origin

💡***Keep the originals of your important documents (A#, passport) in a safe place. Don't carry them on your person.***

📱***Avoid giving law enforcement your phone. Make sure that your phone is password protected and doesn't use face recognition or a fingerprint to unlock.***

This resource was last updated on April 13, 2025. It provides general information to help you understand your rights, but it is not legal advice. Every situation is different; please consult with an attorney or trusted legal services provider if you need help with your specific case.

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👮 TYPES OF SECURITY FORCES

CUSTOMS AND BORDER PROTECTION (CBP)

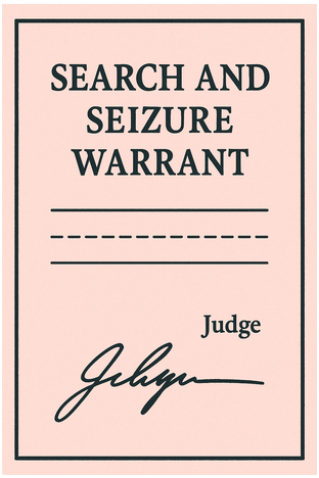
Green uniforms.
Manage entry at U.S. airports, sea ports, and within 100 miles of land borders.

ICE

Blue/Black uniforms.
Often, ICE, HSI or DHS is written on the back.
Finds and removes people who are in the U.S. without legal status. ICE agents are now often seen wearing civil clothes.

POLICE

Police are not responsible for dealing with immigration, they are responsible for public safety and solving crimes. Depending on location, police may or may not work together with ICE and CBP.



👩‍⚖️ JUDICIAL WARRANT

A judicial warrant is a court order that can allow ICE to enter and search places they are usually not allowed to enter without permission, e.g., a private home, private space at work, or a church, a courthouse. A judicial warrant must be signed by a judge! Sometimes, ICE will present a document called a warrant of arrest of an alien, which is an ICE document and NOT signed by a judge. You are not required to let them into your home with just that document. If ICE does not have a judicial warrant, they cannot enter private spaces as well as courthouses in New York State. They can, however, be waiting outside.

TYPES OF SPACES

🏙️ PUBLIC

- **Streets**
- **Parks**
- **Sidewalks**

✅ ICE can be there without permission.
✅ ICE can approach people and ask them questions.
But you still have rights! You don't have to answer or show ID (unless you're driving).

🏡 PRIVATE

- **Your home**
- **A closed apartment**
- **A private office**

❌ ICE cannot come in without a judicial warrant signed by a judge or permission from a resident.
❌ You can refuse to open the door unless they show that kind of warrant.

⛪ MIXED

- **Apartment hallways**
- **School buildings, churches**
- **Workplaces**

✅ ICE may be present in parts of these spaces open to the public.
❌ ICE must have a warrant signed by a judge, or permission from the manager/owner, to enter non-public areas of these spaces.

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👮 INTERACTIONS WITH ICE

Remember: ICE are legally allowed to lie or mislead you.
They may say things like:
“We’re just doing a routine check.”
“We are investigating a crime and need to talk to you.”
“You’re required to open the door.”

- ✅ Remember your right to remain silent.
- ✅ You can always ask them to provide proper documentation.
- ✅ You have a right to record law enforcement officers.
- ✅ If you are detained and fear returning to your home country, clearly stating this fear may prevent your deportation without a court hearing, even if you have been in the US less than 2 years.

🏡 AT HOME

- ✅ Do not open the door. Ask for a judicial warrant (signed by a judge) to be slid under the door or shown without opening the door.
- ✅ Do not give permission to enter or search.
- ✅ If ICE comes in without a judicial warrant, say: “I do not consent to your entry.”

💼 AT WORK:

- ✅ ICE may enter public spaces (e.g., a building lobby).
- ✅ ICE requires a court order or permission from the employer to enter private spaces (e.g., kitchen, office).

🌆 IN PUBLIC:

- ✅ Stay calm. Do not run.
- ✅ You don’t have to answer questions or show ID.
- ✅ Ask: “Am I free to go?” Repeat this question until you get an answer. If the answer is yes, walk away calmly.
- ✅ You can say: “I don’t want to answer your questions” or “I do not consent to a search.”
- ✅ Remember your right to remain silent.

🚗 TRAFFIC STOPS

- ✅ You must show a license, registration, and insurance if driving.
- ✅ Passengers do not have to provide ID or answer questions.
- ✅ Police can search for weapons but need consent or legal reason to search further.
- ✅ You can refuse searches and say, “I do not consent.”

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⚖️ CRIMINAL LEGAL SYSTEM

✅ Criminal charges can affect your immigration status.
✅ Never plead guilty without legal advice.
✅ If you are charged with a crime, talk to BOTH a criminal defense attorney and an immigration attorney.
❌ Even small crimes like shoplifting, jumping a turnstile or traffic violations can lead to detention.
❌ Even though marijuana is legal in some states, it's still illegal under federal law, so you can still get in trouble, even detention, for possessing it.

💪STAY PREPARED

✅ Memorize phone numbers & your A#
✅ Keep important documents safe
✅ Have an emergency/family plan
✅ Avoid fraud: only speak to licensed attorneys or DOJ-accredited reps. Notaries are not necessarily lawyers in the United States!

ℹ️ RESOURCES AND HELP

- NYS Office for New Americans Hotline: 1-800-566-7636
- To report immigration fraud: 1-800-566-7636
- Report hate crimes: 1-888-392-3644
- Text INFONY to 52886 for resources
- More info: nyic.org/KYR
- To find someone in ICE custody:
  - Visit the ICE Detainee Locator: locator.ice.gov
  - Enter the person's A-number (9 digits) and country of birth, or their full name, country of birth, and date of birth
  - If the person does not appear in the system, contact the local ICE Field Office or detention facility: ice.gov/contact/field-offices

¡El poder de prepararse! Resource created by the Center For Urban Pedagogy (CUP)

Double-sided card with your rights. You can show it to a law enforcement agent to assert your rights even if you do not speak English.

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