

Here is what to do if you're approached by the police, immigration agents, or the FBI.

The Muslim Ban is part of the Trump administration's targeting of Muslim, Arab, Iranian, Middle Eastern, and South Asian communities. Make sure you and other community members know your rights.



PHOTO CREATIVE COMMONS / JWSLUBBOOK

This information is not intended as legal advice. Some state laws may vary.

If you believe your rights have been violated or for more information, contact your local ACLU at

www.ACLU.org/affiliates

ACLU
125 Broad St
New York, NY 10004

Last updated on 10/11/2017

BEYOND THE MUSLIM BAN: KNOW YOUR RIGHTS

ACLU

YOUR RIGHTS AND RESPONSIBILITIES DURING POLICE, IMMIGRATION, AND FBI ENCOUNTERS:

- You have a right to remain silent. If you wish to use this right, say out loud “I choose to remain silent.”
- You have the right to refuse to consent to a search of yourself or your belongings.
- Ask if you’re free to leave. If they say yes, calmly and silently walk away.
- If you are taken into custody, ask to speak to an attorney immediately and assert your right to remain silent.
- Keep your hands where the police can see them.
- Do not run, resist, or obstruct the police even if you are innocent or the police are violating your rights.
- Do not lie or give false documents, including about your immigration status.
- Regardless of your immigration or citizenship status, you have constitutional rights.

If you are approached by immigration (ICE or CBP) on the street, in your car, or in other public spaces (entering or reentering the U.S. are discussed below):

- **U.S. citizens:** You do not have to show proof of your citizenship or answer questions about where you were born or how you entered the country. You may also state that you want to remain silent.
- **Non-U.S. citizens:** If an agent requests your immigration papers and you have them, show them to the agent. If you do not have them, state that you want to remain silent. (Note: Separate rules apply at international borders and airports, and if you are on certain nonimmigrant visas, including tourists and business travelers. Please contact the ACLU for more information.)

If FBI asks to question or interview you:

- You have a right to refuse to be interviewed.
- You do not have to answer any questions, even if they have a warrant.
- Before answering questions or being interviewed, you have the right to speak with an attorney and have an attorney present.
- Even if you didn’t do anything wrong, it is better to have an attorney present.

If the police, FBI, or immigration agents come to your house:

- Ask them to show you a warrant. You do not have to let anyone into your home unless they have a warrant signed by a judge.
- Immigration agents (ICE) may have a document that says “warrant” or “warrant for arrest of an alien” but is not signed by a judge. If the document is signed by an ICE officer or supervisor, but not a judge, you do not have to let them into your home or speak with them.
- If they show you a warrant signed by a judge:
 - You still do not have to speak to them and may want to talk to an attorney before you decide whether to speak with them. If you choose to speak with them, step outside of your home and close the door (unless they have a search warrant to enter the home).
 - An arrest warrant signed by a judge will allow them to come inside if they think the person they are arresting is inside the home.
 - A search warrant signed by a judge will allow them into specific areas or allow them to look for specific items listed on the warrant.

If you are returning to the U.S. at an airport or at an international border:

- Customs officers can stop you at the border or ports of entry and search your belongings, even without any suspicion of wrongdoing. However, they cannot target you simply because of your religion, race, ethnicity, national origin, gender, or political beliefs.



PHOTO SHUTTERSTOCK / G6PHOTO

- Questions about your immigration status:
 - If you are a U.S. citizen and present a passport, you do not have to answer their questions, though refusing to answer their routine questions about the nature and purpose of your travel could result in a delay or longer inspection.
 - If you are not a U.S. citizen and you refuse to answer questions, they may refuse to allow you to enter the country. If you choose to answer questions, be truthful.
- Questions about your religious beliefs and practices or political opinions: You do not have to answer these questions. You can request to see a supervisor if such questioning continues.
- Requests to search electronic devices such as laptops and cell phones: Whether officers have the authority to search the contents of these devices without any suspicion or a warrant is currently a contested issue.
 - You may refuse to provide passwords or unlock devices, but doing so may lead to a delay, lengthy questioning, and/or your device being held for further inspection.
- **U.S. citizens:** You cannot be denied entry if you do not provide this information.
- **Non-U.S. citizens:** It’s possible that not providing this information could result in denying you entrance into the country.