

ENDURING LEGACY

KNOW YOUR RIGHTS

INTERACTIONS WITH ICE AND FEDERAL LAW ENFORCEMENT

A QUICK REFERENCE GUIDE FROM BWLA

PREPARED BY THE BWLA CIVIL RIGHTS ACTION COMMITTEE



YOUR CONSTITUTIONAL RIGHTS

You have rights regardless of immigration status, race, or background.¹

FOURTH AMENDMENT PROTECTIONS



- Right to be free from unreasonable searches and seizures²
- Right to be free from excessive force³
- Right to refuse consent to search your home, car, or belongings⁴

FIFTH AMENDMENT PROTECTIONS

- Right to remain silent - You do not have to answer questions about your immigration status, country of origin, or how you entered the U.S.⁵
- Right to refuse to sign documents you don't understand⁶

FIRST AMENDMENT PROTECTIONS

- Right to peaceful protest and assembly⁷
- Right to record police in public spaces (check local laws)⁸



IF ICE APPROACHES YOU IN PUBLIC

WHAT TO DO

- ✓ Stay calm and keep your hands visible⁹
- ✓ Ask: "Am I free to leave?" If yes, walk away calmly¹⁰
- ✓ Say: "I am exercising my right to remain silent"¹¹
- ✓ Ask for an attorney immediately¹²
- ✓ Remember or write down officer badge numbers and agency¹³

WHAT NOT TO DO

- ✗ Don't run - This can escalate the situation¹⁴
- ✗ Don't lie - Silence is better than false information¹⁵
- ✗ Don't sign anything without an attorney¹⁶
- ✗ Don't consent to searches¹⁷

2

IF ICE APPROACHES YOU AT YOUR HOME

YOUR RIGHTS

- ICE needs a judicial warrant signed by a judge to enter your home¹⁸
- Administrative warrants are NOT enough to force entry¹⁹
- You can refuse entry and ask to see the warrant through a window²⁰
- You have the right to remain silent and ask for an attorney²

WHAT TO SAY

"I do not consent to your entry. I do not consent to a search. I am exercising my right to remain silent."²²

3

IF DETAINED OR ARRESTED

IMMEDIATE STEPS:

1. Say clearly: "I want an attorney"²³
2. Do not answer questions until your attorney arrives²⁴
3. Do not sign documents without legal representation²⁵
4. Ask to make a phone call - This is your right²⁶

IMPORTANT !

1. You have the right to an attorney even in immigration proceedings²⁷
2. Contact your consulate if you are not a U.S. citizen²⁸

EMERGENCY CONTACTS

KEEP THESE NUMBERS ACCESSIBLE

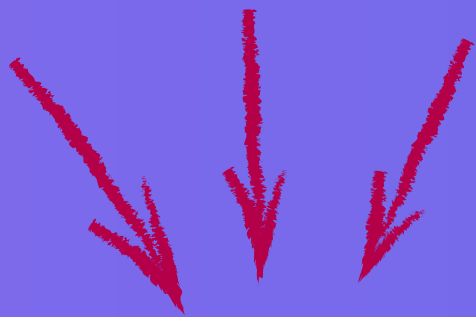
- **National Immigration Legal Services**
Directory: immigrantjustice.org | 1-844-360-3591
- **ACLU Immigrants' Rights Project:**
aclu.org/issues/immigrants-rights | 212-549-2500
- **Local Immigration Attorney Referrals:**
chicagobar.org | 312-554-2000

ADDITIONAL RESOURCES

- ACLU Know Your Rights: [aclu.org/know-your-rights](https://www.aclu.org/know-your-rights)²⁹
- National Immigration Forum: [immigrationforum.org](https://www.immigrationforum.org)³⁰
- United We Dream: [unitedwedream.org](https://www.unitedwedream.org)³¹
- Illinois Immigration Info: [illinoisimmigrationinfo.org](https://www.illinoisimmigrationinfo.org)³²

DISCLAIMER

This information is for educational purposes only and does not constitute legal advice. Laws vary by jurisdiction. For specific legal situations, consult a qualified attorney.³³



REMEMBER

Asserting your rights is not obstruction of justice. You can be respectful while protecting your constitutional rights.

CITATIONS

¹ *Plyler v. Doe*, 457 U.S. 202 (1982)

² U.S. Const. amend. IV

³ *Tennessee v. Garner*, 471 U.S. 1 (1985)

⁴ *Schneckloth v. Bustamonte*, 412 U.S. 218 (1973)

⁵ U.S. Const. amend. V; *Miranda v. Arizona*, 384 U.S. 436 (1966)

⁶ 8 CFR § 287.3

⁷ U.S. Const. amend. I

⁸ *Glik v. Cunniffe*, 655 F.3d 78 (1st Cir. 2011)

⁹ ACLU Know Your Rights Guide (2024)

¹⁰ *Florida v. Royer*, 460 U.S. 491 (1983)

¹¹ *Miranda v. Arizona*, 384 U.S. 436 (1966)

¹² *Gideon v. Wainwright*, 372 U.S. 335 (1963)

¹³ ACLU Immigrants' Rights Project Guidelines

¹⁴ *Illinois v. Wardlow*, 528 U.S. 119 (2000)

¹⁵ 18 U.S.C. § 1001

¹⁶ 8 CFR § 287.3

¹⁷ *Schneckloth v. Bustamonte*, 412 U.S. 218 (1973)

¹⁸ *Payton v. New York*, 445 U.S. 573 (1980)

¹⁹ National Immigration Project Guidelines (2024)

²⁰ 8 CFR § 287.8

²¹ U.S. Const. amend. V

²² ACLU Model Language for ICE Encounters

²³ *Edwards v. Arizona*, 451 U.S. 477 (1981)

²⁴ *Miranda v. Arizona*, 384 U.S. 436 (1966)

²⁵ 8 CFR § 287.3

²⁶ 8 CFR § 236.1

²⁷ 8 U.S.C. § 1362

²⁸ Vienna Convention on Consular Relations, Art. 36

²⁹ American Civil Liberties Union (2024)

³⁰ National Immigration Forum (2024)

³¹ United We Dream (2024)

³² Illinois Coalition for Immigrant Rights (2024)

³³ Model Rules of Professional Conduct 1.1