



KNOW YOUR RIGHTS IN YOUR HOME

All people in the United States, **including undocumented immigrants**, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are home and ICE (immigration officer) knocks on your door, you have rights that protect you.

You do not have to open the door.

If ICE comes to your door, generally there are only two ways in which they can lawfully enter your home:

1. With your permission or the permission of someone in your home; or
2. With a warrant issued by a judge.

You should not invite the officer into your home.

If ICE tells you they are there to arrest someone or search the home, do not open the door or invite them into your home. Opening the door may give them permission to enter. It is important to also tell this to others in your home, including children. If your child opens the door, that may give ICE permission to enter the home.

If the ICE officer says they have a warrant, ask for their identification and review the warrant. It must be issued by a judge and not just the agency.

ICE cannot enter your home without a valid search warrant. Talk with the officers through the door and ask them to show you their identification and the warrant. Review the warrant to determine if it is valid.

The warrant must be a judicial warrant.

There are judicial warrants and administrative warrants. ICE cannot enter your home with an administrative warrant. They must have either a search warrant or an arrest warrant signed by a judge or magistrate.

The warrant must have the correct address.

If the address on the warrant is incorrect, ICE cannot search your home, unless you grant them permission.

The warrant must have a judge's signature.

To be valid, search warrants must be signed by a judge. If an immigration officer signs the warrant, it is not a valid search warrant. Without a warrant signed by a judge, ICE cannot search your home, unless you grant them permission.

You have the right to remain silent.

If ICE has a valid warrant and enters your home, you can choose to remain silent. If you must speak, tell the agent that you would like to speak to a lawyer before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver's license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.