

KNOW YOUR RIGHTS IF YOU ENCOUNTER ICE

If you are approached by ICE (Immigration and Customs Enforcement) agents, you have rights.

What can I do if ICE is at my door?



- You do not have to immediately open the door for ICE and you do not have to speak to ICE.
- From behind the closed door, you may ask them to show you their badge, ID or business card through the window or peephole or to pass it under the closed door.
- You can ask if they have a judicial warrant:
 - *If they say No:* you do not have to let them in. You can say, “I do not want to speak with you.”
 - *If they say Yes:* You can ask them to slide it under the door.
 - A judicial warrant is a warrant from a court, signed by a judge. To know if it is a judicial warrant, look to see who signed the warrant. Judge signatures may have: “Honorable/Hon.” “Judge” “Justice” or “Magistrate” in front of them.
- In an emergency, such as a threat to public safety or a threat to someone’s life, ICE can come in without asking your permission. If this happens, you still do not have to speak to ICE.
- If ICE is looking for someone else, you do not need to speak. If you choose to speak, you can ask ICE to leave their contact information. You do not need to tell ICE anything, but DO NOT lie or give false information to an ICE agent. This may put you at risk.

What can I do if ICE is inside my home?



- If ICE enters your home without your permission, you can tell them: “I do not consent to you being in my home. Please leave.” Saying this may not always stop them, but it may help a future legal case.
- If ICE starts to search rooms or items in your home, you can tell them, “I do not consent to your search.” You can continue to repeat this if they continue to search without consent.
- You can tell them if there are children or other vulnerable residents in your home and if you are the primary caretakers.

What can I do if ICE stops me on the street or in public?



- Before you say anything, you can ask, “Am I free to go?”
 - *If they say Yes:* Tell the agent, “I don’t wish to answer your questions,” and walk away.
 - *If they say No:* Tell the agent, “I wish to remain silent.”
 - If ICE agents try to search your pockets or belongings, you can say: “I do not consent to a search. If they search you anyway, you cannot physically stop them, but saying it and documenting that you said it may help a future legal case.”

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If you are approached by ICE (Immigration and Customs Enforcement) agents, you have rights.

What can I do if ICE is at my workplace?



- ICE can enter the public space of any workplace without needing any type of warrant.
- Public spaces may include an office lobby, supermarket, retail store, or dining area of a restaurant.
- ICE cannot legally enter the private space of a workplace unless they have the permission of your employer or a judicial warrant.
- Private spaces are employee-only areas that may include the break room or storage room of a workplace.
- Employers can ask ICE to show their identification and ask if ICE has a judicial warrant
- As in all public spaces, if approached by ICE at work, you do NOT have to answer their questions and can direct them to your employer.
- As always, if ICE agents try to search your pockets or belongings, you can say, "I do not consent to a search." If they search you anyway, you cannot physically stop them, but saying it and documenting that you said it may help a future legal case.
- Once the agent leaves and you feel safe, write down exactly what happened and what was said by you and the agent. You can share this with your lawyer.

What if I am being detained?



- You can tell ICE if you have medical issues or need to arrange for childcare.
- ICE agents may not speak your native language. You can request an interpreter for any conversation with ICE or for any appointment or hearing.
- You do not need to, and should not, sign any documents or answer any questions before you speak with a lawyer.
- Once detained, you will have the right to make phone calls to your family, friends, community leaders, or lawyer.
- In detention, you can receive visitors including your family, friends, community leaders, and lawyer, according to the specific facility rules.
- If you are being detained, people may film ICE, so long as they do not interfere with officers. If ICE agents are trying to talk to or arrest you, starting or continuing to film may put you at risk.
- You can share with your lawyer any audio, video, or written notes about your arrest from you or someone who saw your arrest.

Resources

To report an ICE encounter call the United We Dream Hotline:

1-844-363-1423

El Centro de Igualdad y Derechos:
505-246-1627 | elcentronm.org

Office of Immigrant & Refugee Affairs:
cabq.gov/OIRA

