

# WHAT TO DO IF YOU ENCOUNTER IMMIGRATION OFFICERS



Whether you are a United States citizen or not, you have rights at home, work, or in your car when interacting with law enforcement officers in the state of Wisconsin.

The information in this guide is not intended to cover encounters with immigration authorities at border crossings, international airports, or other ports of entry into the United States.

**This is not intended as legal advice.**

## KNOW YOUR RIGHTS

### HOW TO REDUCE RISK

Stay calm and do not run or resist. As much as possible, try to think clearly despite being harassed or intimidated.

Prepare yourself and your family in case you are arrested. Memorize the phone numbers of your family and your lawyer. Remember your immigration number (“A Number”) and share it with your family to help them find you. Make emergency plans if you have children or take medication.

### IF ICE IS AT THE DOOR

Unless they are in possession of a warrant signed by a judge, immigration and police officials may not enter private areas like your home. An administrative warrant of removal from immigration authorities is not enough.

If they say they have a warrant, ask them to slip the warrant under the door. Do not open the door unless officers show you a judicial warrant naming a person inside and/or areas to be searched at the address.

In all other cases, keep the door closed and state clearly: “I do not consent to your entry.” If they enter, say “I do not consent to this search. Please leave.”

You can use your phone to record and take notes about the encounter, but do not resist or obstruct the officers.

### IF AN OFFICER ASKS YOU QUESTIONS

You have the right to remain silent. Anything you say can be used against you. Say, “I wish to remain silent.”

Do not sign anything! If you sign a document without first speaking with an attorney, you may be waiving an opportunity to remain in the U.S.

Do not speak about your immigration status or why you are in the U.S. with anyone other than your attorney.

The law requires immigrants who have been issued valid immigration documents to carry those documents with them at all times. If you have valid immigration documents, you should show them when asked.

If you are undocumented, you can refuse to answer questions about your immigration status or whether you have documents.

You have the right to speak to an attorney before you answer any questions from law enforcement. Say, “I wish to remain silent until I speak to an attorney.”

Never lie. Do not provide any false documents or information, as they may be used against you in a deportation proceeding.

### IF YOU ARE ARRESTED

If you are arrested by the police, you have the right to a government-appointed lawyer, and should ask for one immediately.

If you are detained by ICE, you have the right to hire a lawyer, but the government does not have to provide one for you.

If arrested by police, you have the right to a phone call, and police may not listen if it is made to a lawyer.

If you are detained by ICE, you have the right to call a lawyer or your family, and you have the right to be visited by a lawyer in detention. You have the right to have your attorney with you at any hearing before an immigration judge.

If you are not a U.S. citizen, you have the right to communicate with your home country’s consulate or to have an agent notify your consulate of your arrest.

If you are denied release after being arrested for an immigration violation, ask for a bond hearing before an immigration judge. In many cases, a judge can order that you be released or that your bond be lowered.