



Know Your Rights: If ICE Visits Your Home

All people living in the United States, including undocumented immigrants, have certain U.S. Constitutional rights. If you are undocumented and immigration (ICE) agents knock on your door, know that you have the following rights:

- ✓ **You do not have to open the door.** You do not have to open the door or let the officers into your home unless they have a valid search warrant signed by a judge.
 - An ICE deportation warrant is not the same as a search warrant. If this is the only document they have, they cannot legally come inside unless you verbally agree to let them in.
 - If the officers say they have a search warrant signed by a judge, ask them to slide it under the door or hold it up to a window so you can see it.
 - If the warrant does not have your correct name and address on it **and** is not signed by a judge you do not have to open the door or let them inside.
 - If at any point you decide to speak with the officers, you do not need to open the door to do so. You can speak to them through the door or step outside and close the door.
- ✓ **You have the right to remain silent.** You do not need to speak to the immigration officers or answer any questions.
 - If you are asked where you were born or how you entered the United States, you may refuse to answer or remain silent.
 - If you choose to remain silent, say “I choose to remain silent.”
 - You may show a **know-your-rights card** ([English](#)) ([Spanish](#)) to the officer that explains that you will remain silent and wish to speak to a lawyer.
- You may refuse to show identity documents that say what country you are from.
- Do not show any false documents and do not lie.
- ✓ **You have the right to speak to a lawyer.** If you are detained or taken into custody, you have the right to seek an attorney and to receive a phone call from your attorney. Ask for a copy of the [Detainee Handbook](#) to understand the Detention Center’s rules.
 - Even if you do not have a lawyer, you may tell the immigration officers that you want to speak to one.
 - If you have a lawyer, you have the right to talk to them. If you have a signed [Form G-28](#), which shows you have a lawyer, give it to an officer.
 - If you do not have a lawyer, ask an immigration officer for a list of pro bono lawyers.
 - You also have the right to contact your consulate. The consulate may be able to assist you in locating a lawyer.
 - You can refuse to sign any/all paperwork until you have had the opportunity to speak to a lawyer.
 - If you choose to sign something without speaking to a lawyer, be sure you understand exactly what the document says and means before you sign it.
 - You have the right to speak to request to make a phone call to family members or friends for free if you do not have enough money in your account after 10 days.

This flyer is intended for general information purposes only and does not constitute legal advice. You should not act or rely on any information in this flyer without seeking the advice of a competent, licensed immigration attorney. For more information on how this might apply to your case, please contact your immigration attorney or find an immigration attorney at <https://www.ailalawyer.org/>.



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#AILAStandsWithImmigrants

CONOZCA SUS DERECHOS SI ICE VISITA SU HOGAR

Todas las personas que viven en los Estados Unidos, incluidos los inmigrantes indocumentados/as, tienen ciertos derechos constitucionales de los Estados Unidos. Si los agentes del Servicio de Inmigración y Control de Aduanas (ICE) o agentes del orden llaman a su puerta, sepa que tiene los siguientes derechos:

NO LE ABRA LA PUERTA A ICE SIN UNA ORDEN FIRMADA POR UN JUEZ

- No tiene que abrir la puerta ni dejar que los oficiales entren a su casa a menos que tengan una orden de registro válida firmada por un juez.
- Una orden administrativa de ICE no es lo mismo que una orden de registro.
- Una orden judicial:
 - Enumere la dirección específica que se va a buscar
 - Enumere el período de tiempo durante el cual se debe realizar la búsqueda
 - Describa el lugar y/o la persona que se va a registrar y las cosas que se van a incautar
 - Ser emitida por un tribunal
 - Estar firmada por un Juez o Magistrado.

Una orden administrativa de ICE estará en:

- Formulario I-200 de DHS/ICE "Orden de arresto de extranjero"; o
- Formulario I-205 de DHS/ICE "Orden de Remoción/Deportación".
- Este documento no les permite entrar en su casa sin su consentimiento.
- Si los oficiales dicen que tienen una orden de registro firmada por un juez, pídeles que la deslicen por debajo de la puerta o que la acerquen a una ventana para que pueda verla.
- Si la orden no tiene el nombre y la dirección correctos de alguien que vive en su casa y no está firmada por un juez, no tiene que abrir la puerta ni dejarlos entrar.
- Si decide hablar con los oficiales, no es necesario que abra la puerta para hacerlo. Puede hablarles a través de la puerta o salir y cerrar la puerta.

USTED TIENE EL DERECHO DE PERMANECER EN SILENCIO

- No necesita hablar con los oficiales de inmigración ni responder ninguna pregunta.
- Si le preguntan dónde nació o cómo ingresó a los Estados Unidos, puede negarse a responder o permanecer en silencio.
- Si decides permanecer en silencio, dilo en voz alta.
- Usted puede mostrarle al oficial una tarjeta que diga "Conozca-Sus Derechos" que explique que permanecerá en silencio y que desea hablar con un abogado/a.

- Puede negarse a mostrar documentos de identidad que digan de qué país es.
- No muestre ningún documento falso y no mienta.

USTED TIENE EL DERECHO DE HABLAR CON UN ABOGADO/A

Usted tiene derecho a hablar con un abogado/a antes de firmar cualquier cosa.

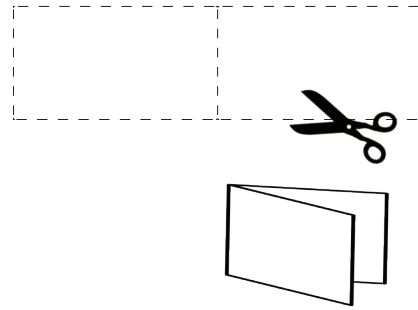
- Puede negarse a firmar cualquier documento hasta que haya tenido la oportunidad de hablar con un abogado/a.
- Incluso si no tiene un abogado/a, puede decirle a los oficiales de inmigración que quiere hablar con uno.
- Si tiene un abogado/a, tiene derecho a hablar con ellos. Si tiene un Formulario G-28 firmado, que muestra que tiene un abogado/a, entrégueselo a un oficial.
- Si no tiene un abogado/a, pídale a un oficial de inmigración una lista de abogado/as pro bono.
- También tiene derecho a ponerse en contacto con su consulado. Es posible que el consulado pueda ayudarle a localizar un abogado/a.
- Si decide firmar algo sin hablar con un abogado/a, asegúrese de entender exactamente lo que dice y significa el documento antes de firmarlo.

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El contenido de este documento no constituye asesoramiento legal.

To print at home, use heavy weight paper, or card stock. Cut out the cards along the dotted lines. If you're unable to print on both sides, you can simply fold on the center line to make a 2-sided card.

If you use a professional printer, we suggest you print 2-sided cards with white text on red card stock with rounded corners.



Usted tiene derechos constitucionales:

- **NO ABRA LA PUERTA** si un agente de inmigración está tocando la puerta.
- **NO CONTESTE NINGUNA PREGUNTA** de un agente de inmigración si el trata de hablar con usted. Usted tiene el derecho de mantenerse callado.
- **NO FIRME NADA** sin antes hablar con un abogado. Usted tiene el derecho de hablar con un abogado.
- Si usted está afuera de su casa, pregunte al agente si es libre para irse y si dice que sí, váyase con tranquilidad.
- **ENTREGUE ESTA TARJETA AL AGENTE.** Si usted está dentro de su casa, muestre la tarjeta por la ventana o pásela debajo de la puerta.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

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EJEMPLO DE ORDEN JUDICIAL:

AO 93 (Rev. 12/09) Search and Seizure Warrant

This is a judicial search warrant. It DOES authorize agents to enter your home.

UNITED STATES DISTRICT COURT - Issued by a COURT.

for the
Eastern District of California

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address)) Case No.

540 Oak Avenue)
Davis, California 95616)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer **2:11-SW-0161 EFB**

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN Districts of CALIFORNIA
(Identify the person or describe the property to be searched and give its location):
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

(Name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).
☐ Until, the facts justifying the later specific date of _____.

Date and time issued: 4-25-2011
at 10:00 AM

Signed by a JUDGE.

City and state: SACRAMENTO CALIFORNIA EDMUND F. BRENNAN U.S. MAGISTRATE JUDGE
Printed name and title

Source 1 National Immigration Law Center <https://twitter.com/NILC/status/1149755946081538049?s=20>

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**EJEMPLO DE ORDEN DE ARRESTO/DEPORTACIÓN DE ICE QUE
NO ES VÁLIDA PARA INGRESAR A SU HOGAR:**

U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien		
File No. _____ Date: _____		
To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations	This warrant is directed at federal immigration officers, not local law enforcement. Federal regulations only provide authority to ICE agents to execute an immigration warrant.	
I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon: Since a charging document is also prepared and issued by ICE agents, its existence does not show that any neutral party has found probable cause that the person is subject to deportation. ☐ the execution of a charging document to initiate removal proceedings against the subject; ☐ the pendency of ongoing removal proceedings against the subject; ☐ the failure to establish admissibility subsequent to deferred inspection; ☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law. YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.		None of these checkboxes indicate that there is probable cause of a crime for which a person could be arrested by local law enforcement officers. No judge or neutral magistrate is involved in the issuance of an ICE warrant. This warrant does not meet the basic constitutional standard for being a warrant, which is review by a judge.
_____ (Signature of Authorized Immigration Officer) _____ (Printed Name and Title of Authorized Immigration Officer)		
Certificate of Service I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location) on _____ on _____, and the contents of this (Name of Alien)(Date of Service) notice were read to him or her in the _____ language. (Language) Name and Signature of Officer Name or Number of Interpreter (if applicable)		
Form I-200 (Rev. 09/16)		