



INFORMAL GUIDANCE TO EMPLOYEES ON ICE RAIDS: KNOW YOUR RIGHTS

This document is a resource that employees can share with employers to prepare for the possibility that they are approached by an ICE agent or official during a worksite enforcement action. It is *not* intended to be legal advice and both employers and employees are advised to consult with legal counsel on their personal rights and obligations.

What to do if you are approached / questioned by an ICE agent or official:

- **Reduce Risk to Yourself**

- Stay calm and do not run.
- **Do not** resist or obstruct the ICE agents or officers.
- **Do not** lie or give false documents to ICE agents or officers or else this could be used against you.
- **Do not** carry any documents that were obtained fraudulently or that are not yours.
- **Do not** carry your “matricula consular” or any other document that identifies you as a citizen of another country.
- **Do** carry a valid lawful permanent resident card (“green card”), or other proof of other lawful status, if you have it. A California “AB 60” driver’s license is appropriate to carry and is not proof that you are a noncitizen.
- **Do** have a plan for you and your family in case you are arrested. Memorize the phone numbers of your family and your lawyer. Make emergency plans if you have children or take medication.

- **Know Your Rights**

- If you are approached or questioned by an ICE agent or officer, you have the right to remain silent. If you wish to exercise that right, say so out loud. (In some states, you may be required to provide your name if asked to identify yourself.)
- You do not have to consent to a search of yourself or your belongings, but police may pat down your clothing if they suspect a weapon.
- If you are detained by ICE, you have the right to consult with a lawyer, but the government is not required to provide one for you.
- You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how you entered the country.



- Note that different rules apply at international borders and airports, and for individuals on certain nonimmigrant visas, including tourists and business travelers.

- **What to Do If You Are Arrested or Detained**

- Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. Don't say anything, sign anything, or make any decisions without a lawyer.
- If you have been arrested by police, you have the right to make a local phone call. The police cannot listen if you call a lawyer.
- Remember your immigration number ("A" number) and give it to your family. It will help family members locate you.
- Keep a copy of your immigration documents with someone you trust.
- If you are a non-citizen who has been detained by ICE, you have the right to contact your consulate or have an officer inform the consulate of your detention and request legal assistance.
- Retain and speak with a lawyer about the effect of a criminal conviction or plea on your immigration status.
- Don't discuss your immigration status with anyone but your lawyer.
- While you are in jail, an immigration agent may visit you. Do not answer questions or sign anything before talking to a lawyer.
- Read all papers fully. If you do not understand or cannot read the papers, tell the officer you need an interpreter.

- **If You Believe Your Rights Were Violated**

- While you have constitutional rights, there is always a risk that those rights may be violated. Exercise your rights thoughtfully and calmly. If a violation occurs, document and record everything as soon as possible
- Write down everything you remember, including officers' badges and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses.
- If you're injured, seek medical attention immediately and take photographs of your injuries.
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.