

Know Your Rights

SAAJCO
**SOUTH ASIAN AMERICAN
JUSTICE COLLABORATIVE**

Feb. 11, 2026

Agenda

- Your Rights in Interactions with Law Enforcement
- Documents You Should Carry
- Your Rights at Ports of Entry (when Traveling)
- Rights of Green Card Holders
- Requesting Your Immigration Records
- What to Expect from Your Lawyers
- Resources

Disclaimer

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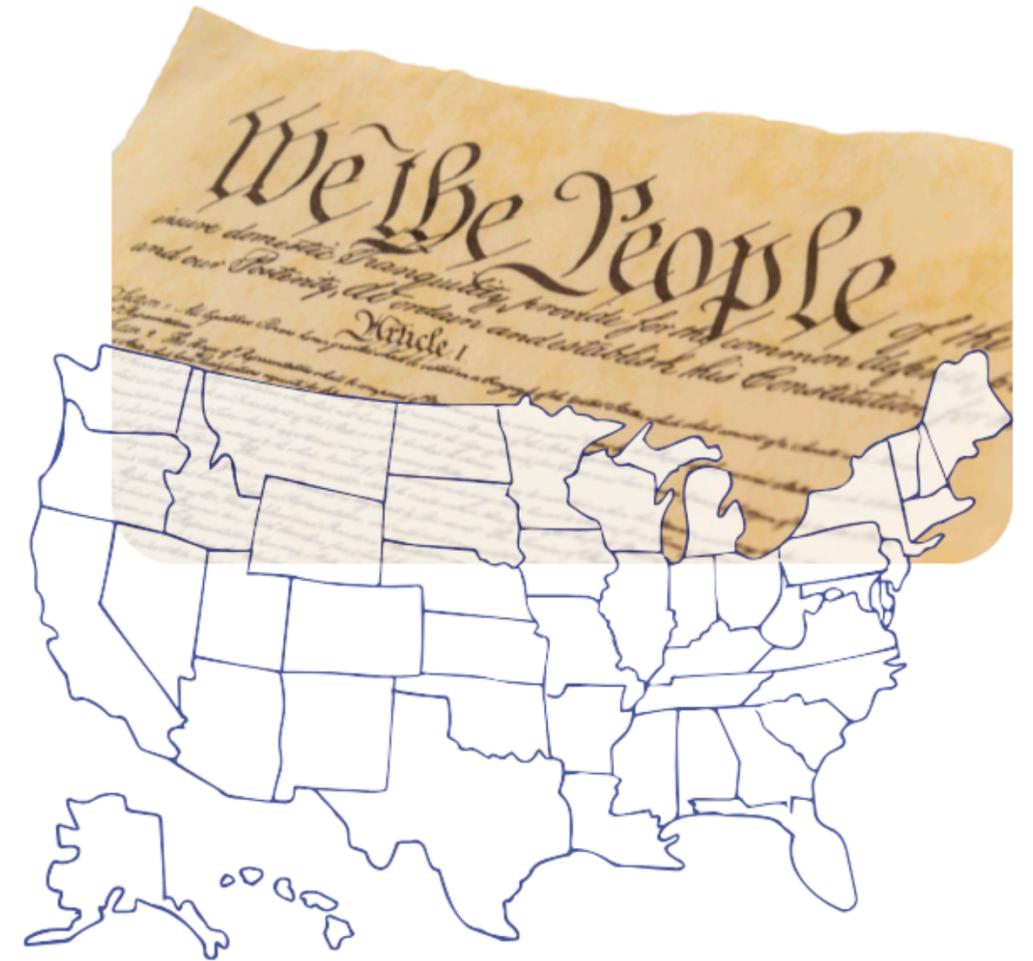
Introduction

The purpose of this **Know Your Rights** presentation is to provide you and your communities with information about your legal rights when interacting with **Immigration and Customs Enforcement (ICE) & Other Law Enforcement Officers.**

That way, you can be prepared and aware of your options.

What is the U.S. Constitution?

- The U.S. Constitution is the **highest law** in the country.
- It **explains how the government works.**
- It says **what rights all people have.**
- These rights **apply to everyone** in the United States, no matter your citizenship or immigration status.



Today, we will talk about what these rights look like when you deal with police, ICE, or other law enforcement.

Know Your Rights with Law Enforcement

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Who Enforces Immigration Laws?

- **Customs and Border Protection (CBP)** can enforce immigration law within 100 miles of U.S. borders
- **Immigration & Customs Enforcement (ICE)** is an agency within the Department of Homeland Security
 - Within ICE, two main agency divisions: Enforcement & Removal Operations (ERO) and Homeland Security Investigations (HSI)
- **287(g) Counties** -- local law enforcement can enforce immigration law in counties that have signed agreements with ICE
 - In Ohio ([as of 7/14/25](#)): **Seneca, Portage, Butler, Fayette, and Lake Counties** have active 287(g) agreements

Identifying Law Enforcement

This is what an ICE agent looks like:



typically wears plain clothes and face masks

vests can say "police" even though they are not police officers

***sometimes immigration officers will wear badges or vests that also say "ICE," "HSI," "CBP" or "Federal Agent"*

BORDERLESS

This is what Police and State Troopers looks like:



wears blue and black

will have a star-shaped badge and must identify themselves if asked

does not wear a mask

BORDERLESS

This is what troops from the National Guard look like:



will have a military uniform

can sometimes be carrying rifles or pistols

BORDERLESS

Source: Instagram, @borderless_mag

What are your Constitutional Rights with Law Enforcement?



Right to remain silent



Right to refuse entry



Right to refuse signing documents



Right to refuse consent for searches



A small red pushpin is pinned to the top left corner of the yellow box.

Useful Vocabulary

"I wish to exercise my right to remain silent."

"I do not consent to your entry or search."

"Please show me your warrant."

"Am I free to leave? Am I under arrest?"

"I wish to make a phone call."

"I will not sign any document I do not understand."

"I wish to speak with a lawyer."

A small red pushpin is pinned to the top left corner of the yellow box.

Let's Practice!

Judicial Warrant

AO 93 (Rev. 11/13) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

)
)
)
)
)

Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

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 _____ District of _____
(Identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(Identify the person or describe the property to be seized):*

█

YOU ARE COMMANDED to execute this warrant on or before _____ *(not to exceed 14 days)*

in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good 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)

Pursuant to 18 U.S.C. § 3103a(b), 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: _____

Judge's signature

City and state: _____

Printed name and title

← Court order

← Name & Address

Might be in an Appendix.
Ask to see that.

← Judge's signature

Adopted from National Immigration
Law Center, Warrants and Subpoenas
<https://www.nilc.org/wp-content/uploads/2020/09/2025-Subpoenas-Warrants.pdf>

Immigration Warrant

This is an immigration
warrant, not a search warrant

Check the name

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

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- 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.

(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)

Adopted from National
Immigration Law Center, Warrants
and Subpoenas
[https://www.nilc.org/wp-
content/uploads/2020/09/2025-
Subpoenas-Warrants.pdf](https://www.nilc.org/wp-content/uploads/2020/09/2025-Subpoenas-Warrants.pdf)

If ICE shows up at:

**Home
Car
Work
Public**

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Scenario 1: ICE Comes to Your Home



Scenario 1: If ICE Comes to Your Home

- **Do NOT open the door.**
 - You are not required to answer the door or say that you are home.
- **Ask to see a judicial warrant.**
 - If they don't have one, do not let them in. Say: *"I do not consent to entry. Please leave."*
- **Slip a Know Your Rights card under the door.** (See Resources at end of this slide deck.)



If ICE Forces Their Way In or Otherwise Enters Your Home



- Stay **Calm**
- **Say:** *"I do not consent to entry. Please leave."* After that **remain silent.**
- Keep your **hands visible**
- Occupants in the home **should not hide, run, or resist arrest**
-
- If you are **arrested**, remain silent, and **do not sign anything** until you speak to a lawyer Ask to see a judicial warrant.

**Scenario 2:
Police / ICE
Stop Your Car**



Distinctions Between ICE & Police Vehicle Stops

Stopping Car

Police can stop your car based on Reasonable Suspicion or Probable Cause:

- Traffic Violation you have committed
- Criminal Activity in locale
- Legal Sobriety Checkpoints

Identification Documents

- Police can ask Driver for ID in above scenarios
- Police cannot ask Passenger(s) during routine traffic stops. But can if they have reasonable suspicion about the passenger and criminal activity.



Stopping Car

ICE cannot pull a car for violations of state vehicle or penal codes. "Roving Patrols" are illegal.

Federal Checkpoints:

ICE can ask for identification documents of both Drivers & Passengers.



Routine traffic stop by police

Police do not need a warrant to stop your car. But they do need a warrant to search the car.

Driver's hands should be visible on steering wheel at **10 and 2 positions**. [Staying Safe]

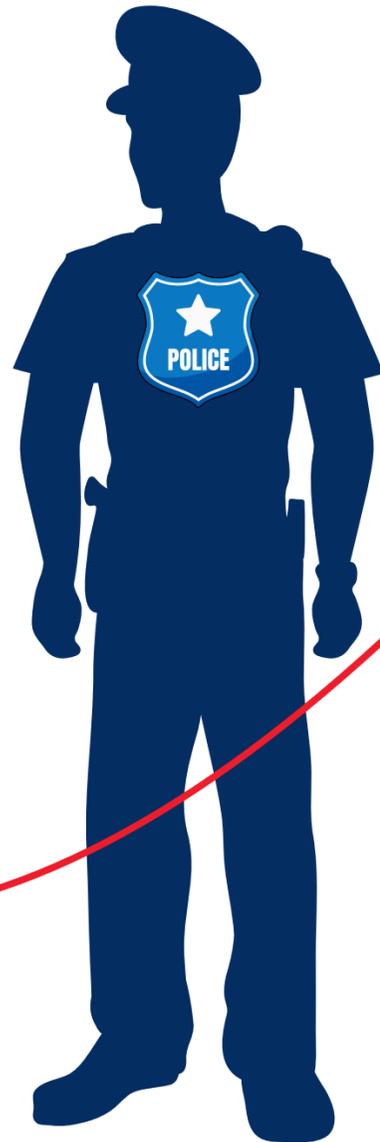
The driver has to **show ID**, but does **not have to show immigration papers**.

To stay safe, the driver may say "I am reaching for my ID" and shows their drivers' license.



Police ask Passenger for ID

DRIVER: Hands remain visible on steering wheel at 10 & 2 positions.



In most states Passengers do not need to show ID unless Police Officer has reasonable suspicion of criminal activity. However, in some states Police Officers can require the passenger to provide identifying information. You are not required to provide immigration status or paperwork. In all circumstances: Remain calm. Ask for clarification. Do not interfere with the officer's duties or the driver's responsibilities during the stop. Do not provide false ID or information."

Scenario:

POLICE OFFICER: *Asks passengers for ID.*

PASSENGER: "Am I being detained, or am I free to go?" (E.g. Seek clarification.)

POLICE OFFICER: "No."

PASSENGER: "I prefer not to show my ID."

FACILITATOR: Police can arrest you for noncompliance.

Though you may have grounds to contest this arrest with the help of an attorney.

Police Ask Driver to Step Out of Car

If you get out of the car, **keep your hands visible**. Safety is critical.

You may say: **“I am exercising my right to remain silent.”**



Immigration Checkpoint



ICE can stop and question a driver and the passengers at a designated federal checkpoint, e.g. at the border. When at a checkpoint, the driver & passengers must comply with ICE requests.

Do not show false documents.

Scenario 3: ICE Comes to Your Workplace



ICE Comes to Your Workplace:

Public Areas



ICE can enter public areas of a workplace without a warrant.

Employer should not warn undocumented workers to hide.

ICE can't enter private areas without employer permission or warrant. Employers can even identify areas as private.

Private Areas



Scenario 4: You Encounter ICE in a Public Space



Public Spaces

ICE does not need a warrant to approach you in public areas.

If ICE stops you on the street, you are NOT required to show identification or answer questions.

Ask: “Am I being detained?” or “Am I free to go?”
If being detained, you can exercise your Right to Remain Silent.

Provide name with no other information given.
Do not provide false documents.

“I exercise my right to remain silent.”

If you are free to go, then walk away calmly.



Public Spaces

Bystander Recording



Public vs. Private Spaces

Category	Public Spaces (ICE Can Enter Freely)	Private Spaces (ICE Needs a Judicial Warrant)
General Areas	Streets, sidewalks, public parks	Private homes, apartments, condos
Transportation	Bus stops, train stations, airports (public areas)	Private vehicles, taxis, rideshare cars
Government Buildings	Courthouses, DMV offices, post offices	Offices of elected officials, certain federal/state agency offices
Educational Institutions	Public school hallways, parking lots (if not fenced)	Classrooms, private schools, dormitories
Healthcare Facilities	Hospital lobbies, public clinics	Patient rooms, private medical offices
Businesses	Restaurants, stores (open to the public)	Employee-only areas, back offices, warehouses
Religious Spaces	Church lobbies, open worship areas	Clergy offices, private meeting rooms

Final Key Takeaways

- **Do not open the door** without a judicial warrant.
- **Do not answer questions about immigration status** or sign anything without a lawyer.
- **Do not consent to searches**—ICE relies on intimidation.
- **If detained, remain silent and ask for an attorney.**
- **Have a safety plan**—designate an emergency contact and keep important documents in a secure place.
- **Get names and badge information** of officers.

What can escalate an ICE encounter?

● Avoid:

Lying to officers. Do not give a false name, documents, or information.

Running away, since it can be seen as “probable cause” to detain or use force

Using violence or threats, such as, yelling, pushing, breaking windows, or resisting physically

Arguing aggressively or refusing to follow clear lawful instructions

Impersonating local police, for example, showing fake badges or IDs is highly illegal

Refusing lawful orders in a vehicle. If you’re the driver, and a law enforcement officer asks you to step out of your car, you must do so

What can escalate an ICE encounter?

● Instead, try to:

Stay calm and polite but firm in asserting your rights.

Say clearly: "I choose to remain silent. I want to speak to a lawyer."

Do not give permission to search your possessions or vehicle without a signed judicial warrant.

Do not resist, or it could lead to additional charges

Exercise your 4th amendment right by saying, "I do not consent to any searches." (Applies to person/property).

If you are detained by ICE

ONLY PROVIDE YOUR NAME AND DATE OF BIRTH

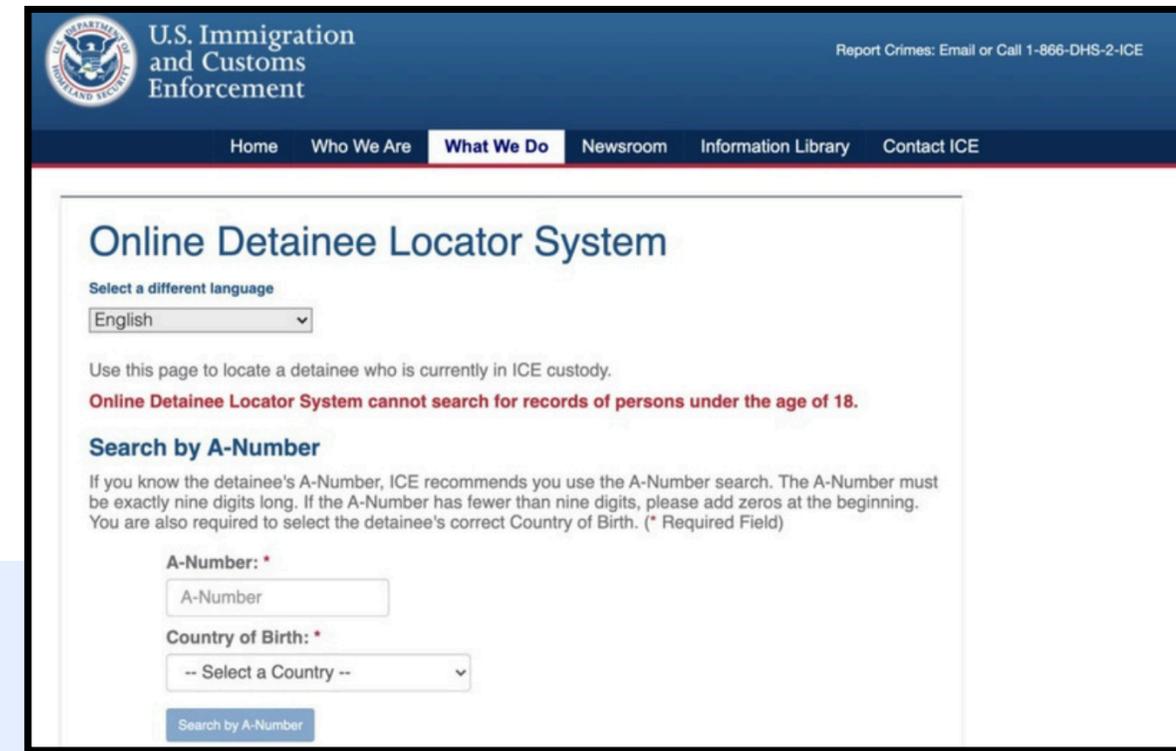
- You are NOT required to give this information but that may help your family members locate you

MEMORIZE YOUR 9 DIGIT A NUMBER- if you have one.

ASK TO TALK TO AN ATTORNEY

- All detention centers should let you make a call – there will be a charge
- **ONLY** inform your lawyer about your immigration status

- **ALWAYS ASK TO SEE A JUDGE & DON'T SIGN ANYTHING**



If a Family Member is Detained by ICE

1

Locate

- **LOCATOR.ICE.GOV**
- Consulate's emergency phone number,
- México Chicago Consulate: 888-755-5511, Mexico anywhere in the U.S.: 520 - 623-7874

2

Activate Emergency Family Plan: Childcare, Attorney

3

Secure Financial Resources:

- Bond: If eligible, 100% must be paid
- Attorney fees
- Living expenses / Daily support costs

Resources:

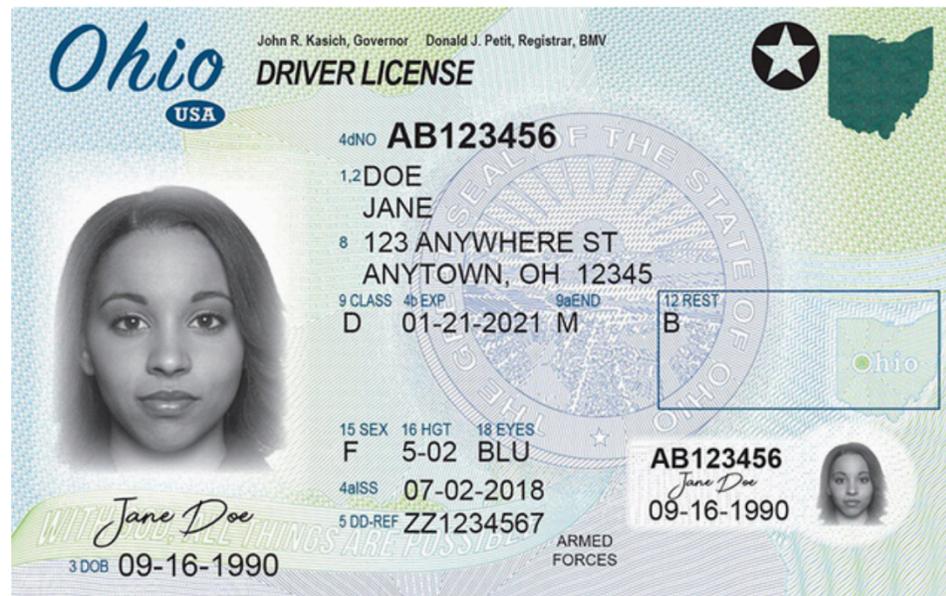


- Fill out help form at trpimmigrantjustice.org
- Contact the ICIRR Family Support Hotline at 1-855-435-7693.
 - Bond <https://www.mibfc.org/gethelp>

Documents

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Documents



If you have them, carry valid documents showing U.S. residence or lawful status. These documents include:

Green Card

Proof of asylum status

Proof of pending immigration applications

Proof of 2 years of residence (2022)

Yes, carry any state-issued ID.

Do NOT carry documents from foreign countries.

Do NOT carry false documents.

For U.S. Citizens:

- You are not required to carry/show proof of citizenship if you don't want to.
- You can say, "I am a U.S. Citizen. I do not have to provide any paperwork proving my citizenship."
- However, you may face detention while ICE verifies.
- If you are detained, you can request to speak to an attorney.

Traveling to and from the US

Your rights and what to
expect at ports of entry

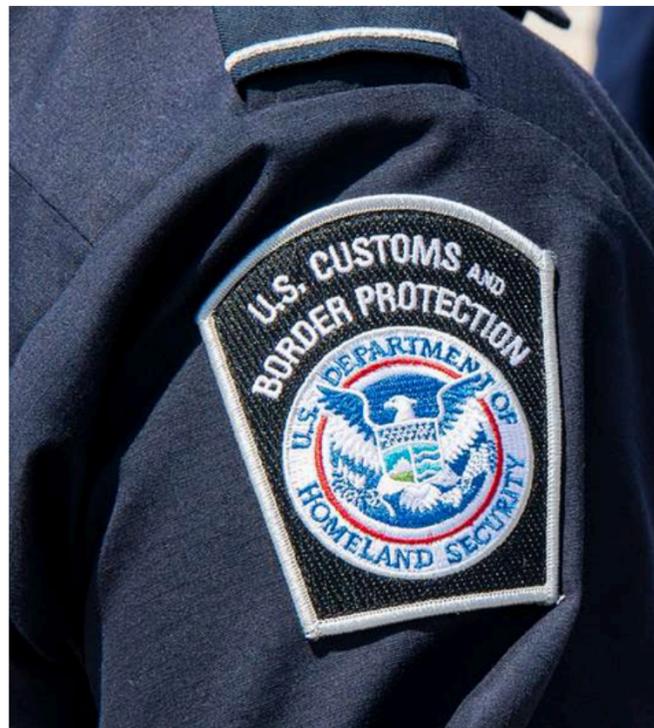


**ASIAN LAW
CAUCUS**

PORTS OF ENTRY

Limited rights at ports of entry

All persons at ports of entry, including US Citizens, are subject to inspection by **U.S. Customs and Border Protection (CBP)**.



CBP officers are law enforcement officials who have the authority to search, interrogate, and arrest under federal law at ports of entry. They do not need a warrant.

Primary Inspection

Secondary Inspection

PORTS OF ENTRY: YOUR RIGHT TO ENTER INTO THE US

Interrogation

US Citizen	You have an absolute right to return to the country.
Lawful Permanent Resident	If returning from “brief and innocent” travel abroad, officials must let you into the country.
Noncitizen Visa Holder	<p>If you refuse to answer officers question at ports of entry, you may be denied entry. <u>You are strongly encouraged to consult an attorney before internat'l travel.</u></p> <ul style="list-style-type: none">• If you need an interpreter, request one. It is the <u>US Customs Border Protection's policy</u> to provide an interpreter upon request.• CBP's position is that you are not entitled to an attorney during primary and secondary inspection. But DO have an attorney or legal service organization phone number on hand, and request to make a phone call to your attorney if you feel your rights are being violated or if you are detained for an excessive amount of time (2+ hours) . If available, you are encouraged to carry your G-28 (Notice of Attorney Appearance form).

PORTS OF ENTRY

Interrogation

Do **not** lie during questioning. Keep any responses direct and concise. Avoid volunteering additional information.

If you are denied entry:

- Try to remain calm, do not be argumentative
- Ask for the reason for CBP's decision.
- In some instances, CBP officer may under their discretion permit you to withdraw your application for admission. (To avoid an order of removal)
- Do not sign anything you do not understand.

I am not comfortable answering questions about my religious or political beliefs.

PORTS OF ENTRY: ELECTRONIC DEVICE SEARCHES

Customs and Border Patrol officers may stop, detain, and search any person or item at the border. CBP officers sometimes search devices.

- Citizens: Cannot be denied entry for any reason, including refusing to produce passwords, provide device access, etc.
- LPRs/green card holders: Cannot be refused entry unless their travel was not brief and innocent.
- For non-citizen visa holders: Refusal to cooperate may lead to denial of entry.



PORTS OF ENTRY: ELECTRONIC DEVICE SEARCHES

Digital Hygiene

Why does digital security matter? Does it matter?

Digital hygiene can look like . . .

- Not bringing electronic devices, or limiting what you bring.
- Bringing a burner phone instead.
- Do not activate face-id or fingerprint id.
- Turning off devices and wifi.



For more, see EFF's digital privacy guide for travelers:

<https://www.eff.org/wp/digital-privacy-us-border-2017#part-1>

Case Study

No laughing matter: tourist claims JD Vance meme got him deported

Last updated: 25 June 2025



Justinas Vainilavičius, Tech Culture Editor



Image by Cybernews

- Mads Mikkelsen (citizen of Norway) was traveling to the US to visit friends. He had a visitors visa.
- According to Mikkelsen:
 - At the New Jersey airport, federal agents asked him for the password to his phone.
 - Officers told him that, if he did not provide his pw, he could face a \$5,000 fine or five years in prison for not complying with US authorities.
 - Mikkelsen gave his password, and the agents searched his phone.
- Mikkelsen was refused entry.

Key Takeaways if you're traveling to and from the US

- Be mindful of what you pack. Everything you carry, including electronics, can be subject to a search.
- Pack all your documentation, including: passport, green card, visa paperwork, emergency contact info, and a signed USCIS G-28 form if you have an immigration attorney.
- Consider securing an attorney before traveling, especially if you are a permanent resident or visa holder.
- If you choose to answer questions from a federal agent, answer truthfully.

Rights of Green Card Holders

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Rights of Green Card Holders

- **Your Green Card is proof of your status.** Even if it is lost or expired, you are still a permanent resident.
- **You have the right to live and work** anywhere in the United States.
- **You may be eligible for certain public benefits.**
- **You have the right to travel** within the United States and to other countries. However, travel at this time may be subject to additional scrutiny on your return.
- **Permanent residence is a legal status.** Only an immigration judge can take it away.
- **Never sign anything giving up your status** without first speaking to a judge or a lawyer.

If You Have a Criminal Record

- **Some convictions can affect your status.** Being a permanent resident gives you the right to stay in the United States, but certain criminal convictions can put that at risk.
- **Talk to a lawyer if you've been arrested or convicted.** Especially if it happened after you became a permanent resident, a lawyer can help you to:
 - Apply for legal protection to stay in the country
 - Ask the court to clean up your record
- **Only a judge can take away your Green Card.** If someone tells you to leave the country, you have the right to ask to see a judge.
- **Be careful with marijuana.** Even if it is legal in your state, it is still a crime under federal law. Do not talk about marijuana use with immigration officers unless a lawyer tells you it is safe to do so.

Green Card Expired / Renewal

- **An expired Green Card doesn't mean you lose your lawful permanent resident status.**
The physical Green Card is not your immigration status.
- You can still be a permanent resident with an expired Green Card, as long as you are physically present in the United States.
- You can apply for renewal of your expired Green Card (Form I-90). However, people who have traveled outside for a significant period might face issues and should consult with an immigration attorney.
- Concerns of having an expired Green Card:
 - Difficulty proving lawful residence status
 - Issues with travel
 - Issues with proving employment eligibility
 - Delays in future immigration applications (e.g., citizenship, petitioning for family members)
 - Challenges in accessing some services like banks and government agencies

Freedom of Information Act (FOIA)

Requesting Your Immigration Records via FOIA Requests

- **Why should you request your immigration documents and, if relevant, criminal records?**
 - Having access to all of your immigration records may **better your chances of retaining counsel/hiring an attorney**
 - An attorney can **conduct an assessment of your case** with your immigration documents. This includes the following:
 - Your options for fighting deportation
 - Your eligibility to file for a Motion to Re-open (MTR)

Working with Attorneys

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What to Expect From Your Lawyers

- Case strategy - what their “treatment plan” is for your case
- Realistic timeline
- Sign Legal Services Agreements with you
- Give you:
 - Copy of detailed invoices
 - Copy of anything they filed on your behalf
 - Copy of notices received from the government or court on your behalf

Resources

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Resources

National Immigration Law Center

<https://www.nilc.org/wp-content/uploads/2020/09/2025-Subpoenas-Warrants.pdf>

National Immigrant Justice Center

<https://immigrantjustice.org/know-your-rights/ice-encounter>

Asian Law Caucus

<https://www.asianlawcaucus.org/news-resources/guides-reports/know-your-rights-guide-for-immigrant-communities-in-2025>

SAAJCO

<https://saajco.org/resource-hotline/>, 1-844-6SAAJCO

ILRC Family Preparedness Plan

<https://www.ilrc.org/resources/step-step-family-preparedness-plan>

CAIR

<https://www.cair.com/know-your-rights/>

ICE - Phone Call / Detention Standards

<https://www.ice.gov/doclib/detention-standards/2011/5-6.pdf>

Muslims for Just Futures

<https://www.muslimsforjustfutures.org/blog/immigrationkyr>

ASISTA

<https://asistahelp.org/wp-content/uploads/2019/02/Know-Your-Rights-ICWC-English.pdf>

<https://asistahelp.org/resource-library/general-resources/>

AALDEF

<https://www.aaldef.org/resources/immigrant-rights-toolkit/>

Asian Americans Advancing Justice

<https://www.advancingjustice-atlanta.org/know-your-rights>

If Arrested or Detained: Assert Your Rights!

- **Remain Silent.** "I have the right to remain silent."
- **Lawyer.** "I only want to speak to my attorney."
 - Keep an attorney's phone number.
 - Memorize the phone number of a trusted friend who can call an attorney for you.
- Request a **phone call.** (ICE should provide access within 72 hours of detention.)
- **Do not sign** anything without legal advice.
- Inform ICE of any **health conditions** you have or if **children would be alone.**
- Contact your **consulate** (not recommended for asylum seekers).
- Ask for a **bond** to be released from detention.
- If you have a **fear of returning to your home country**, tell the officer.



Online Detainee Locator System

<https://locator.ice.gov/odls/#/search>

About SAAJCO

Mission

In solidarity with our communities, SAAJCO fights for the civil and human rights of the South Asian diaspora in the United States.

History

Formed in July 2024, SAAJCO is the result of years of efforts by South Asian legal leaders to build a dedicated civil rights organization.

Programs Launched in 2025:

Spring 2025	Fall 2025
Resource Hotline & Consultations 1-844-6SAAJCO	Impact Litigation
Engaged Communities Series: Webinars & Podcasts on KYR, Unpacking Hate, and Civic Participation & Democracy	



Thank You!

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