



SBCC

WHAT TO DO WHEN YOU ENCOUNTER LAW ENFORCEMENT IN THE BORDER REGION

AT ALL TIMES, YOU HAVE THE RIGHT TO REMAIN SILENT: If you are asked questions, other than to show documents or identify yourself in the states below, you have the right to remain silent. Say, "I am exercising my right to remain silent." Never lie, present false documents, or volunteer information.

- In California, you are not required to say anything to an officer.
- In Arizona, you are required, if asked by an officer, to say your name.
- In New Mexico, you are required, if asked by an officer, to say your name.
- In Texas, you are required, if asked by an officer, to say your name, address and birthdate.

WHO HAS TO SHOW THEIR IMMIGRATION DOCUMENTS INSIDE THE UNITED STATES:

- U.S. citizens are not required to carry proof of citizenship inside the country.
- If you have valid immigration documents and are over 18 years old, the law requires you to carry those documents and show them if asked by immigration officers, but not other law enforcement officers.
- If you are not required to show your immigration papers or have already shown them and are still being held, you can ask, "Am I being detained?" If so, ask why. If not, then ask, "Am I free to go?" If so, then leave. You can repeat these questions until you are free to go.

IF YOU ARE ON A BUS, BOAT, CAR, TRAIN, TROLLEY, OR PLANE: Within 100 miles of the land and sea boundaries of the United States, immigration officers have the authority to conduct a search. They can board public transportation and set up checkpoints. Stay calm, answer only the questions you are required to and show only proof of your legal status if required to (see above).

If you are stopped by a police officer for a traffic violation and asked for your license, registration, or insurance, you must show those. If you are asked to consent to a search by an immigration or police officer, you have the right to say, "I do not consent." If they search you without consent, do not interfere with the search, and remember the officer's name to challenge the search later.

IF AN OFFICER COMES TO YOUR HOME: Within 25 miles of the land and sea boundaries of the United States, immigration officers have the authority to enter onto your private property, but cannot enter your home without a judicial warrant. Do not open the door. First, ask if they have a judicial warrant from a court signed by a judge. If they say yes, ask them to show it to you by sliding it under the door or through a window. The judicial warrant must meet these requirements to be valid:

- The warrant must say "Court" on top, not "Department of Homeland Security".
- It must be signed by a judge, not an immigration official.
- It must state your address, not your neighbors, and it must state the scope of the search.
- If the warrant meets all of these requirements, officers can only search for the people or items stated on the warrant, unless they obtain more information that gives them cause to extend the search.

IF AN OFFICER COMES TO YOUR WORK, SCHOOL, OR OTHER PLACE: In the border region, immigration officers are seen throughout the community and can enter public spaces, but they can only conduct a search if they have a judicial warrant from a court that is signed by a judge, or they have the permission of the person in charge of the premises. You should not let them in to conduct a search if they do not have a judicial warrant. If they do, they can only search for the people at the address on the warrant.

IF AN OFFICER UNLAWFULLY ENTERS WITHOUT A WARRANT OR PERMISSION: Stay calm, do not run, and do not interfere with their search. Note the officer's name and description to challenge their actions later. If it is safe to do so, record their actions. Exercise your right to remain silent.

IF YOU ARE ARRESTED: You have the right to make a phone call, to talk to your attorney, and to speak with someone from your consulate. You have the right to remain silent until you speak to your attorney or the consulate. Do not sign anything you do not understand. If you are put in immigration custody, you will be given an "A" number. Be sure to tell your family, attorney, and consulate as soon as possible what that number is so they can help you. It may take a few days to be processed into an ICE detention facility.

HOW TO FIND AND HELP SOMEONE ARRESTED:

- Locate someone who is detained by immigration officials at locator.ice.gov. You will need to know the 'A' number of the person detained. It may take 48 hours for someone to show up on the site.
- If an immigration court case is open, you can get information about the status of the case using the 'A' number by calling: [800-898-7180](tel:800-898-7180) or go to acis.eoir.justice.gov.
- Find legal services near you at immigrationadvocates.org/legaldirectory/.
- If it would not put the person in danger, contact the consulate for the country they are from: <https://travel.state.gov/content/travel/en/consularnotification/ConsularNotificationandAccess.html>
- For Mexican nationals, call Centro de Información y Asistencia a Mexicanos: [520-623-7874](tel:520-623-7874) or visit <https://www.gob.mx/ciam>.

IF YOU HAVE BEEN HERE LESS THAN TWO YEARS: Undocumented individuals who have been in the U.S. less than two years can be deported without access to a judge unless they state they are afraid to return to their country and pass a credible fear interview. In the border region, deportation can happen quickly, within a day. If you have been here longer than two years, it is important for you to carry evidence of that in case you are detained so that you can fight your case.

IF YOU WITNESS A LAW ENFORCEMENT ACTION: You have the right to record it, and you should record if it is safe to do so. Officers cannot search you, your phone or your belongings without a judicial warrant or probable cause. Do not give them permission for a search, but do not resist if they search anyway, that will make things worse. You can challenge the unlawful search later. Share your recording with your networks, community, advocates or the media to get the word out about what is happening.

MAKE AN EMERGENCY PLAN NOW: Do not wait to make a plan, regardless of your immigration status, to prepare for any emergency, including a natural disaster.

- Put all your important documents together, like birth certificates, passports, and other identity documents, and make sure your family and emergency contacts know where they are.
- Identify someone who can care for your children, elderly or loved ones with special needs if you are not available. Give them a list of any care instructions for your loved ones.
- Set up your phone and other devices with password protection (not face, fingerprint or pattern ID) to protect your private data and make it easier for someone you trust to access it for you if needed.
- Give your family and emergency contacts this link, locator.ice.gov, to find you if you are detained by immigration officials and be sure to give them your 'A' number if you have one already.
- Find out about your legal options now from a trusted source and carry with you their contact information. These are trusted sources: immigrationadvocates.org/legaldirectory/.
- Talk to your family about your plan so they know that children will be cared for and there are resources, like the ones listed above. Talking about a plan helps everyone stay calm.