

## IF IMMIGRATION OR POLICE COME TO YOUR HOME

Immigration officers may NOT enter your home without permission unless they have a warrant. A warrant is a legal document signed by a judge giving the officer permission specifically to enter your home or make an arrest. If an officer knocks on your door:

1. Do not open the door. Ask the officer through the closed door to identify himself.
2. The officer might say that he is with "Department of Homeland Security," or "U.S. Immigration and Customs Enforcement," or "ICE" No matter what, keep the door closed.
3. Through the closed door, ask the officer if he has a warrant. If he says "Yes," still do not open the door. Ask him to show you the warrant by slipping it under the door.
4. When examining the warrant, look for your name, address and a signature. This can help you decide whether the warrant is valid.
5. If the warrant the officer shows you looks valid, you should go outside to talk to the officer. You have the right not to let the officer enter your home. This is especially important if you live with other people who might be undocumented.
6. Do not sign any papers. Tell the officer you want to talk to a lawyer before you say anything. Make sure not to carry any false documents with you.

**Above all, do not show false documents and do not lie!**

## IF YOU ARE QUESTIONED BY POLICE

You have the right to ask the officer if you are being arrested or detained.

1. If the officer says, "NO, you are not being arrested or detained," ask the officer if you may leave. When the officer says that you may leave, slowly and calmly walk away.
2. If the officer says, "YES, you are being arrested or detained" ...

*REMEMBER YOU HAVE THE RIGHT TO REMAIN SILENT!*



## IF YOU ARE UNDOCUMENTED

- Do not answer any questions or you can say only "I need to speak to my lawyer."
- In some states, it is a misdemeanor not to reveal your name.
- If you have valid immigration documents, show them. Always keep them with you.
- Do not say anything about where you were born or how you entered the United States.
- Do not carry paperwork from another country.
- Remember that revealing information has its risks. Immigration can use that information against you in a deportation proceeding.

## IF YOU ARE ARRESTED, YOU SHOULD...

1. FIND OUT WHO ARRESTED YOU.  
List the names of the agents and organizations to which they belong (the police department, FBI, Immigration "ICE," etc.) You can find this information on their uniforms, cars, or documents.

2. SPEAK TO YOUR ATTORNEY BEFORE SIGNING ANY DOCUMENTS.  
Government agents may try to intimidate or deceive you into signing. Do not be fooled! You could be signing away your rights to a hearing before an immigration judge. Remember, you always have the right to talk to a lawyer.

3. GET IN CONTACT WITH YOUR LAWYER OR WITH FAMILY  
You have the right to make a phone call after your arrest. Memorize the phone number of your lawyer, family member or friend and contact them right away.

4. CONTACT YOUR CONSULATE  
Immigrants arrested in the US have the right to call the consulate or ask the deportation officer to notify the consulate of their arrest. Your country's consul can help you find a lawyer or offer to contact your family.

5. SOLICIT BOND  
Once you are in immigration custody, apply for a bond (even if the officer says you are ineligible). You must show that you are not a flight risk or a danger to the community. Also, request a copy of the "Notice to Appear" document containing the immigration charges against you.

**IMPORTANT! Do not sign any paper without first talking to your immigration lawyer!**

## IF YOU ARE ACCUSED OF A CRIME

### ASK YOUR LAWYER FOR HELP SO THAT THE POLICE WILL RELEASE YOU

1. If you are arrested by a police officer, they must file charges against you within 48 hours (excluding weekends and holidays), otherwise you must be released. The police should release you if: (1) they do not file charges against you; (2) the charges against you are dropped; (3) you are given a bond and pay the bond, (4) if you win your case; or (5) when serving your sentence.
2. The police can contact ICE to determine your immigration status. For example, if you have a pending deportation order, the police can inform ICE that you are in custody. ICE can then request a detainer that extends its arrest for 48 more hours to pick you up.
3. If ICE does not seek you within this time, the police are obliged to release you if the police do not bring charges and if ICE does not request a warrant of arrest.
4. Consult an immigration attorney to make sure the crime will not affect your immigration status.

## SEARCH FOR AN IMMIGRATION LAWYER

- Find a lawyer who focuses on immigration so that you have qualified representation if you are arrested. Memorize the name and number of your immigration attorney.

"Not all lawyers are familiar with immigration laws. Find a lawyer with experience in your type of immigration case.

-Consult the American Immigration Lawyers Association (AILA) for an Immigration Lawyer recommendation at [www.aialawyer.com](http://www.aialawyer.com)

**-Remember that notaries are not lawyers and may not have any legal knowledge or training.**

## PREPARE A SAFETY PLAN

### 1. PREPARE A LETTER POWER TO CARE FOR YOUR FAMILY



With a power of attorney, you can designate people of trust (this person can help you with money for deportation or attorney expenses)

to make decisions in place, protect your children, spouse and property in case you are detained.

### 2. KNOW WHAT DOCUMENTS TO BRING TO YOU:

- Carry a card with the contact information of your immigration/criminal defense lawyer.
- Keep phone numbers of trusted people at all times and make sure others are aware of your plan.

### 3. SHARE YOUR FOLLOW-UP PLAN WITH YOUR PERSON OF TRUST

- Make sure your family members know to contact your attorney in case you are arrested.
- Leave a copy of all immigration documents and important personal documents, such as: birth and marriage records, power of attorney, passports and contact information of your attorneys.

### 4. DEVELOP AN ACTION PLAN WITH YOUR CO-WORKERS

- Talk to your co-workers to agree to plan that everyone regardless of their immigration status will remain silent and will ask to speak with a lawyer in the event of a job raid.
- Tell your co-workers not to flee and stay calm, remember that you have the right to remain silent.

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*\*The information in this brochure does not constitute legal advice or form part of a legally binding contract. For more information, please contact us.*



# KNOW YOUR RIGHTS



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