

FACT SHEET: KNOW YOUR RIGHTS WITH ICE

If you are approached by federal immigration enforcement agents, such as ICE, be aware that you have rights.



What rights may I have in my home?

- You have the right to remain silent. If you speak to ICE, be aware that anything you say can be used against you.
- You can say, "I don't want to talk to you right now."
- If they are looking for someone else, you can ask them to leave contact information. You do not have to tell them where to find the person.
- If ICE agents do not have a warrant signed by a judge, they cannot enter your home without permission from an adult. There are exceptions for some emergency situations.
- If ICE agents say they have a warrant, you can ask them to slide it under the door.
- If ICE enters your home without your permission, you can say, "I do not consent to you being in my home. Please leave."
- If they start to search rooms or items in your home, you can say, "I do not consent to your search."
- You may state that you do not consent to entry or a search, but this does not mean that you are allowed to physically resist a search.



What rights may I have on the street or in public?

- Before you say your name or anything else, you may ask, "Am I free to go?"
 - If they say YES: you can say, "I don't want to answer your questions" and then walk away.
 - If they say NO: you can say, "I want to use my right not to answer questions." You can then say, "I want to speak to a lawyer."
- You have the right to remain silent. If you speak to ICE, be aware that anything you say can be used against you.
- If ICE agents try to search your pockets or belongings, you can say, "I do not consent to a search." But this does not mean that you are allowed to physically resist a search.



What are my rights if I am being arrested by ICE?

- You have the right to remain silent. If you speak to ICE, be aware that anything you say can be used against you.
- You have the right to speak to your lawyer.
- You do NOT have to sign anything.
- If ICE is arresting you, you can tell them if you have medical issues or need to arrange for childcare.



If you or a loved one is at risk of deportation, you can make a plan.

Some ways to plan for possible immigration enforcement include:

- Contact a free legal services provider for advice and information.
- Choose an emergency contact and memorize their phone number. This should be someone you trust, including someone like your lawyer.
- If you are an immigrant caregiver who is worried about being separated from your children, you can choose a standby guardian. A **standby guardian** is a “backup” caregiver in case the primary caregiver is unable to take care of their children because they are arrested or detained by immigration authorities or deported.

For free and confidential immigration legal help, including help to designate a standby guardian, immigrant New Yorkers can call ActionNYC at 1-800-354-0365 between 9AM-6PM, Monday – Friday, or call 311 and say “ActionNYC.” BEWARE of immigration service providers who take advantage of their customers. Get help only from a trusted, licensed attorney or accredited representative.

The City of New York does not conduct federal immigration enforcement. The NYPD does not ask about the immigration status of crime victims, witnesses, or other people who ask for help. The City of New York has confidentiality protections in place for all New Yorkers, regardless of immigration status, who are accessing important City services.

THIS FACT SHEET GIVES ONLY GENERAL INFORMATION.
IT IS NOT LEGAL ADVICE. CONSULT AN ATTORNEY FOR LEGAL ADVICE.

