



Know Your Rights 101

LEGAL DISCLAIMER: This document is for general informational purposes only. Its contents are not legal advice.

[Para español, haga clic aquí.](#)

How can you prepare?

- Compile emergency contact information consisting of family members, lawyers, etc.
- Create a folder of critical documents and let a trusted individual be aware of where it is located.
- Consider consulting with an immigration attorney or have a list of legal services providers ready in case you are detained.
- IF you have children:
 - Plan with your family in the event you or a family member is detained by ICE.You can have a **Caregiver's Authorization Affidavit** ready.

Basic Rights

- You have a right to **remain silent**
- Remain calm and do not resist
- You do not need to provide your immigration status or place of birth
- You have the right to refuse consent to a search
- If arrested/detained, ask for a lawyer and tell them you will remain silent
 - Do not sign anything without a lawyer's present
 - You do not have to answer any questions regarding your status or criminal background.
- You have the right to a hearing before an immigration judge
- In a situation with an ICE officer, ask "Am I free to go?"
- If you feel safe, document the event using your phone (via video or audio recording)

Rights if stopped on the street:

- Police may not detain individuals unless they suspect criminal activity
- Police may not stop and frisk unless suspected possession of weapon

- You can ask ICE if you are free to leave, if they say yes, you can walk away calmly (ACLU NJ)
 - If they say no, stay where you are and do not attempt to leave. You have the right to remain silent and ask for a lawyer.
- Individuals do not have to speak to ICE or police officers
 - If asked, immigrants with lawful status must show proof of legal status to ICE offices, but not to police officers.

Rights if stopped in car:

- You are required to pull over for ICE, and you can ask why you are being pulled over.
 - The vehicles ICE agents use are often unmarked, and they do not wear uniforms.
- Ask what agency they are with, to show their badge, and why you are being stopped.
- You should show your driver's license and registration when asked if you are the driver. Passengers are not required to provide information or show ID. Everyone in the car should assert their right to remain silent.
- Even if the ICE Agent has a warrant you have the right to remain silent ([ACLU NJ](#))
- Do not physically reach for your belongings without permission ([ACLU NJ](#))
- You do not have to provide information about your immigration status.
- The Fourth Amendment protects you from unreasonable searches and seizures by the government. ICE must have a warrant signed by a judge to arrest you during a traffic stop.

Rights if in your home:

- Do not open your door- You can ask them through a window for their identification. Write down the badge number and agencies.
- Officers must have a warrant to search your home – you have a right to refuse a search
- In the case of an arrest, make sure someone has the necessary documents and has emergency numbers at hand.
- IF THEY ENTER YOUR HOME:
 - Tell them if there are any children in the home
 - If entering without your permission, tell them that you do not consent to them being in your home and searching.

Taking Action

- If the officer is violating your rights (or you witness this occurring), then record badge and patrol car number and take pictures if needed.
- Individuals can also file a police complaint in the Internal Affairs Division

Resources

- Guide by Immigrant Defense Project to Defend against ICE Raids

- [ICE Raids Toolkit: Defend Against ICE Raids and Community Arrests - Immigrant Defense Project](#)

Reporting

- ACLU Mobile Justice App– allows individuals to record photos and videos that go directly to the ACLU
- Call 1-844-363-1423 if you witness an ICE Raid
- To file a complaint about ICE, contact the Office of Professional Responsibility at Joint.Intake@dhs.gov or 1-877-246-8253.

Legal Resources

- All NJ Pro bono Legal Services Resources
 - <https://www.justice.gov/eoir/file/ProBonoNJ/dl>
- Catholic Charities of Trenton
 - Access to Department of Justice case managers, assistance with translating documents and filling out forms, offers classes and other immigration information.
 - El Centro, 327 South Broad Street, Trenton NJ, 08608 – 609-394-2056
- American Friends Service Committee (AFSC)
 - A provider of direct legal immigration services. They provide pro bono legal services and focus on various human rights issues such as migration, prisons & policing, and global peace. They have the Immigrants' Rights Program (IRP) in Newark, NJ that takes part in legislative advocacy and speaks with elected officials.
 - 570 Broad St, Suite 1001, Newark, NJ 07102 - (DETAINED) 973-474-9861, (NON-DETAINED) 973-643-1924
- El Centro Hispanoamericano
 - Affordable legal services, community programs, and advocacy.
 - 525 East Front Street Plainfield, NJ 07060 (908) 753 8730
- Latin American Legal Defense and Education Fund
 - Provides legal assistance and low cost assistance with filling out forms and more.
 - Email consultas.legales@laldef.org or call (609) 688-0881 for free consultation

- NJ chapter of the National Lawyers Guild
 - Hotline at 908-818-0002.

Immigrant Advocacy Organizations

- List of immigrants rights advocacy organizations in each area of NJ
 - [Immigrants' Rights Advocates Near You - New Jersey Alliance for Immigrant Justice \(njimmigrantjustice.org\)](http://njimmigrantjustice.org)
- Directory of Nonprofit Immigration Legal Services
 - [New Jersey Organizations - National Immigration Legal Services Directory - Nonprofit Resource Center \(immigrationadvocates.org\)](http://immigrationadvocates.org)