



# KNOW YOUR RIGHTS AT THE BORDER/AIRPORTS

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

At ports of entry, airports, and the border, you may encounter Customs and Border Protection (CBP), Homeland Security Investigations (HSI), Immigration and Customs Enforcement (ICE), or Transportation Security Administration (TSA). You have rights when interacting with them.

## Immigration can question whether you have lawful immigration status and whether you are admissible to the United States.

You have the right to remain silent, but refusing to answer routine questions could delay you or cause you to be taken into secondary inspection.

**If you are a U.S. citizen:** You must only establish your identity and citizenship.

**If you are a Lawful Permanent Resident:** You must only establish your identity and residency. Thereafter, you cannot be denied entry, but you may be detained and placed in removal proceedings. Immigration may try to convince you to give up your residency by asking you to sign an I-407. Do not sign any documents without a legal representative. Only you or an immigration judge may revoke your residency.

**If you are a non-citizen visa holder or visitor:** You may be denied entry into the U.S. if you refuse to answer officers' questions.

**If you are not a citizen, resident, or visa holder:** You may be denied entry into the U.S. if you refuse to answer officers' questions.

## You have the right to seek asylum.

If officers tell you that you cannot enter and you are afraid of being persecuted if you return to your home country, you should tell the officer you are afraid and ask for asylum.

## Immigration can search your belongings for contraband.

Officers do not need a warrant or probable cause like in other contexts. However, you cannot be selected for a search based on your religion, race, national origin, gender, ethnicity, or political beliefs. Be sure to remember anything an officer says regarding why they are searching you and/or your belongings.

**Strip Searches:** Officers can only perform a strip search in a private space if they have reasonable suspicion of an immigration crime or violation.

**Electronic Devices:** Officers may ask for passwords for your electronic devices.

- If you are a citizen, you do not have to supply your password(s) or unlock your device.
- If an officer confiscates your electronic device, get a receipt and write down the officer's name, agency, and badge number.

## Immigration may take you into secondary inspection.

Secondary inspection involves going to another room where you will be asked more questions. You should be treated with dignity and respect. Officers take the position that you are not entitled to a lawyer, but we encourage you to ask to call your lawyer. If it becomes clear that you are under arrest or being investigated for a crime, you should ask to speak to a lawyer and then exercise your right to remain silent.

## Immigration may take your fingerprints.

Visitors and lawful permanent residents are generally fingerprinted upon entry from abroad.