

IMMIGRATION ENFORCEMENT: Know Your Rights in California



Recent reports of Border Patrol raids in Southern California cities have caused immigrant communities to fear leaving their homes, even for needed medical services. This paper provides advice about what to do if Border Patrol agents or other immigration officers try to approach you in a health clinic or at another place where you are trying to get services.

Community clinics have areas that are private, as well as areas that are open to the general public. The individual clinic's policy will decide what is public or private. Immigration officers *cannot* enter *private* areas unless they have consent (permission) from a person authorized to act on behalf of the clinic, or a "*warrant.*" A warrant is a piece of paper signed by a judge

giving the officer permission to enter and search a specific place.

Here is what to do if Border Patrol or immigration agents show up at a clinic or another place where you are trying to get assistance:

- ✓ If you are in a private area (for example, an examination room) when immigration agents arrive, stay there. If an immigration agent arrives at a clinic without a warrant, the staff can refuse to give the agent permission to enter into the private areas.
- ✓ If an immigration officer approaches you in a public area, such as a parking lot, **do not run**. You may be arrested if it looks like you are trying to escape.
- ✓ **Do not answer any questions from immigration officers.** Do not tell the immigration officer where you were born, your nationality, or what your immigration status is. Do not sign any papers. Do not show the agent your papers, any immigration documents, or any kind of identification documents that state what country you are from. If the agent asks you for your papers, tell the agent, "I wish to talk to a lawyer."
- ✓ An immigration officer **cannot force you** to answer any questions. Even if you are arrested and taken into custody, you have a right to be silent and to ask for a lawyer. If the officer tries to ask you questions, tell him or her that you want to talk to a lawyer. If he or she keeps trying to ask questions, keep repeating that you want to talk to a lawyer.
- ✓ Ask the officer, "Am I free to leave?" If the officer says yes, walk away (don't run). If the officer says no, continue to answer each question by stating that you want to talk to a lawyer.
- ✓ Make sure not to carry any false documents with you at any time.
- ✓ In some states you might have to tell your name to a **police officer** (but not to an immigration officer) who stops you. This is not the law in California, and even where laws do require this, you have the right to refuse to show any identity documents or to answer any other questions.