



# KNOW YOUR RIGHTS IN IMMIGRATION DETENTION

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.

If you are arrested and placed in immigration detention, you have rights that protect you.

## You have the right to remain silent.

You may be asked where you were born, how you entered the United States, or how long you have been here. You do not have to answer. If you respond, your responses may be used against you in immigration proceedings.

## You have the right to a phone call.

Give your immigration number (“A” number) to family or a trusted friend to help them locate you and find a legal representative for you.

## You have the right to refuse to sign documents.

Do not sign anything, such as a voluntary departure or stipulated removal, without talking to a legal representative. If you sign, you could give up your opportunity to try to stay in the United States.

## You have the right to legal representation.

The government will not provide you with or pay for a legal representative, but you have the right to hire one. If you don’t have a lawyer, ask for a list of free or low-cost legal services.

- You have the right to legal representation during conversations with immigration.
- You have the right to be visited by a legal representative in detention.
- You have the right to legal representation at any immigration hearings before a judge.

## You can contact your consulate.

Upon your request, immigration must either allow you to call your consulate or inform the consulate of your arrest. Your consulate may help you obtain a legal representative or free legal advice.

## If you are physically responsible for children’s care, tell immigration.

Immigration must give you the opportunity to find someone to care for your children. Ideally, you have a safety plan in place that your children and their chosen caregiver were aware of before you were detained. If your children are in school, it will be important for the school to have documents you have signed allowing the chosen caregiver to pick them up from school.

## You have the right to request to be released on bond.

Many people who are detained while their case is underway may be eligible for release on bond or with other reporting conditions. If you are denied bond by immigration, you have the right to ask for a bond hearing. An immigration judge can order release and/or lower bond. If you cannot afford the bond, you can contact a bond fund.

## There are rules about the standards of the conditions of the detention center.

Detention standards vary by type of facilities, but they cover areas like safety, security, access to medical care, food, water, and sanitation, activities (like visitation), the ability to file a complaint, and overall facility administration and management.

- You have the right to be given a copy of the standards for where you are held.
- You have the right to mental and physical health care regardless of gender, sexuality, or sexual identity.