

WHO YOU MIGHT RUN INTO

- Highway Patrol on federal highways.
- Sheriffs in your city or local area.
- Federal Immigration Agents could pop up anywhere.

WHAT A WARRANT MUST INCLUDE

- The name of the person(s) the officer or agent is searching for.
- A current address of said person(s).
- A signature from the judge from the court which issued the warrant.

YOUR RESPONSIBILITIES

- Be polite.
- Do not lie to the police officer or immigration agent.
- Do not carry a false I.D.
- Carry the name and phone number of an immigration attorney with someone you trust and can call if you are in need.
- Keep a copy of all of your immigration documents with someone you trust and can call if you are detained.

A NOTE ABOUT YOUR RIGHTS

- Even if you know your rights and exercise them properly, the police may not honor them. You should never resort to physical resistance of any kind, even if you know you are not in the wrong. Challenging police misconduct cannot be done on the street. It can only be done by a lawyer in the courtroom.

IF YOU ARE ARRESTED

- Be aware that just because you know your rights, and choose to exercise them, doesn't mean that the agents or police will follow the law and respect your rights.
- Do not resist arrest.
- Give the name or card of your attorney to the agent and ask to speak to your attorney. **Do not talk about your situation, personal information, or immigration status in attempt to explain anything.**
- If you do not have an attorney, ask for the list of free legal services in your area.
- Do not sign anything without talking to an attorney.
- You have the right to an interpreter in your own language. Do not sign anything in a language you do not fully understand.
- It is illegal for agents or police to pick someone for questioning because of their ethnicity or race.
- You have the right to be treated with dignity and respect. IF you are beaten, threatened, called racist names or mistreated, you have the right to express concern about your treatment.

More information:

To learn more about your rights, or if you believe your rights have been violated, please contact the ACLU of South Dakota at: **605-332-2508**

CONTACT US:
ACLU of South Dakota
P.O. BOX 1170
Sioux Falls, SD 57101
605-332-2508
aclusd.org

INTERACTING WITH LOCAL LAW ENFORCEMENT & FEDERAL IMMIGRATION AGENTS

**KNOW YOUR
RIGHTS**

ACLU
South Dakota

YOUR RIGHTS ON THE STREET

First, you must always ask police officers or immigration agents if you can go. If the officer or agent says, “yes” you have the right to remain silent and leave.

If you do not wish to speak to the officer or agent, you may hand them your attorney’s card or this Know Your Rights pamphlet. You have the right to not answer questions they may ask.

If an officer says you are not free to go, you should give them your name. You do not have to share any other information though, such as your immigration status.

If an immigration agent says you are not free to go, and requests your immigration paperwork, you **must** give it to them if you have it with you. If you do not have your immigration paperwork with you, simply say you do not have the information they are asking for and nothing else.

YOUR RIGHTS AT HOME

You do not have to open your door to the police or immigration agents unless they provide you with a search warrant from the court, signed by a judge with your address on it.

If you do not wish to allow immigration agents or police into your home, do not open the door. Ask the agents or officers, through closed doors, if they have a search warrant from a court, signed by a judge, which would allow them to enter your home. You have a right to read the warrant they provide.

If there is a warrant provided by the court, signed by a judge, from an immigration officer with your name on it, then you have the right to not allow the officers in your home and go outside to see the officers.

If you live in someone else’s home, you still do not have to open the door unless the immigration agents or police officers have a search warrant from a court with the proper address listed.

If you do not understand the police officers or immigration agents, you have the right to an interpreter.

YOUR RIGHTS IN THE CAR

If police officers or immigration agents signal you to stop your car, you must pull over. If police officers or immigration agents ask to search your car, you may refuse to give them permission.

Police officers may ask for your name, driver’s license, vehicle registration, and proof of insurance. You must show them these documents if you have them.

You do not have to answer any questions or show any other documents. You should not have to answer questions regarding your immigration status. If a police officer writes up a citation, they will ask you to sign it. This is not an official admission of guilt - you are just stating you have received it.

If an immigration agent asks you questions, you can provide your name and your immigration documents if you have them. You do not have to answer any questions aside from those.

If a police officer or immigration agent questions a passenger in your vehicle, that person should ask if they are required to answer. If the police officer or agent says they do, the passenger should give their name but no more. The officer or agent may ask you to exit the car. Comply politely. **Remember, you have the right to remain silent.**

A NOTE TO POLICE OFFICERS & IMMIGRATION AGENTS: I KNOW MY RIGHTS

I am giving you this pamphlet because I do not wish to speak to you or have any further contact with you. I choose to exercise my right to remain silent and to refuse to answer your questions. If you arrest me, I will continue to exercise my right to remain silent and to refuse to answer your questions. I would like to speak with a lawyer before answering your questions.

**MORE INFORMATION AT:
ACLUSD.ORG**

NEED HELP?

Contact us, at the ACLU of South Dakota

P.O. BOX 1170 • Sioux Falls, SD 57101

605-332-2508 • aclusd.org

PRESENT THIS KNOW YOUR RIGHTS BROCHURE TO **POLICE OFFICERS OR IMMIGRATION AGENTS** WHO QUESTION OR STOP YOU.