

## WHAT ARE YOUR RIGHTS DURING AN INTERACTION WITH LAW ENFORCEMENT?

Law enforcement agents may come to your home, mosque, workplace, or anywhere else.

### **If you are approached by a law enforcement agent, stay calm and remember the following:**

- You have the right to remain silent! You do not have to answer any questions. Both citizens and non-citizens have the right to stay silent.
- It is safest to answer as few questions as possible. Even if you have nothing to hide, answering questions may lead to more questioning.
- If an agent asks to speak with you, politely say, “May I have your name and business card? My lawyer will follow up with you.” Say this even if you do not have a lawyer. If you need to contact a lawyer, refer to the Legal Resources section in this pamphlet.

### **Potential risks to be aware of:**

- Anything you say to law enforcement agents can be used against you or others.
- You can face criminal charges for lying to a law enforcement agent. Even forgetting or misstating a fact can be seen as lying.
- If you are a non-citizen, do not answer any questions about where you were born or your current immigration status.

## WHAT CAN YOU DO IF YOU’RE APPROACHED IN A PUBLIC PLACE?

Law enforcement agents often target particular individuals or communities for counterterrorism investigations and surveillance. They may focus on a particular mosque or other popular gathering place, such as a restaurant, or visit individuals at their workplace.

If a law enforcement agent approaches you in a public place and asks to speak with you, you do not have to talk to them.

- The only question that you must answer is your name.
- If the agent begins to ask you questions, say politely and firmly, “May I please have your business card? My attorney will follow up with you.” Say this even if they keep asking questions.
- Many people are afraid they will be arrested if they do not answer a law enforcement agent’s questions. An agent cannot lawfully arrest you only because you refused to answer.
- There is no law in New York requiring you to carry an ID, and you do not have to show ID or tell them your address. However, you may want to show valid ID if you have it on you.
- Non-citizens must carry proof of their immigration status. You can be asked to show your immigration papers.
- Do not carry or show false immigration documents or a fake ID. This could lead to criminal charges or deportation.

## WHAT CAN YOU DO IF YOU’RE APPROACHED AT YOUR HOME?

FBI and other law enforcement agents may come to your home to question you or to carry out a search of your property.

If they approach you at home, remember that you do not have to talk to them or let them into your house or apartment.

- If you do not want to speak to the agents, do not open the door. Ask through the door if they have a warrant. Tell them to slip it under the door.
- If you feel that you have to open the door, step outside and close the door behind you. Do not invite or let them into your home. Say no if they ask to search or look around the home.
- If they begin to ask you questions, find out the purpose of their visit. Say politely and firmly, “May I please have your business card? My attorney will follow up with you.” Do not answer any other questions.

### **What if they have a warrant?**

Ask to see the warrant. Look at the document to see whether it is a *search* warrant or an *arrest* warrant. Even if they have a warrant, you should remain silent and not answer any questions.

- *Search warrant.* Check to see that the warrant has the correct name, address, and date. Point out any errors to the agent. Ask to watch the search and make a note of any items taken.
- *Arrest warrant.* Do not argue or resist arrest. Stay silent and call your lawyer.

## WHAT IF YOU ARE STOPPED IN YOUR CAR?

If you are stopped in your car, stay in the car and keep your hands on the steering wheel where the law enforcement agent can see them.

- If asked, show the agents your license, registration, and proof of insurance.
- Answer questions about your name, address, and other basic information.
- Do not answer any questions beyond those topics. If they begin to question you, say firmly and politely, “I am not going to answer your questions. My attorney will contact you.”
- If they ask to search your car, say “no”. If they search your car anyway, say loudly and clearly, “I do not agree to this search.” Be aware of any potential witnesses, such as other passengers in the car or bystanders. They can verify that you clearly refused the search.

## WHAT IF YOU ARE ASKED TO COME IN FOR AN “INTERVIEW”?

Law enforcement agents may ask you for an in-person interview. If this happens to you, you are not under arrest and you do not have to speak with them.

- Ask for a business card and say, “My attorney will contact you about the interview.”
- Call a lawyer to discuss what you should do.

## LEGAL RESOURCES

If you need legal assistance or advice, you can contact a lawyer or one of the following organizations that provide free legal services:

CUNY CLEAR  
cunyclear@mail.law.cuny.edu  
(718) 340-4558

Council on American-Islamic Relations  
(CAIR)  
(212) 870-2002

Muslim Bar Assn of New York (MuBANY)  
www.muslimbarny.org

Assn of Muslim American Lawyers  
(AMAL)  
www.theamal.org

## KNOW YOUR RIGHTS:

### WHAT TO DO IN INTERACTIONS WITH LAW ENFORCEMENT

**Arab, Muslim, and South Asian communities after 9/11 have felt the impact of racial profiling and surveillance by law enforcement. This pamphlet provides information on your rights during an interaction with the FBI, immigration, and other law enforcement agencies.**

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