



KNOW YOUR RIGHTS (FOR INDIVIDUALS)



MELTZER HELLRUNG
IMMIGRATION SOLUTIONS

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Figure out which documents to carry



- If you have a valid Employment Authorization Document (EAD) or green card, carry it with you at all times.
 - ⇒ If you instead have an I-797 approval notice (such as for H or L status), keep a copy in your wallet and on your phone.
- Look up your **CBP I-94** and keep a copy in your wallet and on your phone.
- Carry a copy of your passport's biographical page in your wallet and on your phone.

Make a family preparedness plan



- Make sure your children all have passports.
 - ⇒ If your child was born in the United States, visit the **Department of State site** to obtain a U.S. passport. Also, register your child's birth with your country's embassy or consulate.
 - ⇒ If your child was born in a different country, check with the embassy or consulate to obtain a passport.
- If you are undocumented, or if you are on a program that the Trump administration has threatened to end (such as DACA, TPS, Uniting for Ukraine, and humanitarian parole):
 - ⇒ Make a child care and **family preparedness plan**.
 - ⇒ Make sure all information and emergency contacts are up to date at your children's school(s) including who can and cannot pick up your children.
 - ⇒ Create a sheet of emergency numbers and contact information and a file of important documents so that you, your family, or your emergency contact person can easily access them.

If you are detained at a Port of Entry



All international travelers arriving at an airport or land (border) port of entry are subject to inspection by U.S. Customs and Border Protection (CBP). If questions arise and CBP is unable to admit you quickly, you may be taken to a separate area for "secondary inspection." A referral to secondary inspection by itself is not an adverse action, but you can expect to be detained anywhere from a few minutes to several hours or longer if an issue arises. During secondary inspection, CBP will ask you questions and may collect biographic and biometric data, run record checks, and determine whether you should be admitted to the United States.

If you are a green card holder, you only have to answer questions establishing your identity and permanent residency (in addition to customs-related questions). Refusal to answer other questions will likely cause delay, but officials may not deny you entry into the U.S. for failure to answer other questions.

If you are not a green card holder, refusing to answer questions asked by airport or border officials could cause delay, and might also lead to officers denying your entry into the country.

IF YOU ARE DETAINED BY CBP IN SECONDARY INSPECTION, YOU HAVE THE FOLLOWING RIGHTS:

- You have the right to contact your consulate for assistance. The consulate can help you contact a lawyer or your family.
- If you have a lawyer, you should ask CBP for permission to contact your lawyer. Note, however, that CBP may tell you that you do not have the right to speak to an attorney.
- You have the right to review all written statements that are prepared for you, in a language that you can understand.
- If you do not agree with the contents of any papers that are presented to you, you may refuse to sign them.
- You do not have a right of privacy that protects your mobile phone, computer, tablet, or other electronic devices. CBP may search your device and access your email and screen your social media activity during the inspection process. Your phone, laptop, or other digital device may be held and returned to you later.
 - ⇒ If officials search or confiscate your electronic devices, write down the name, agency, badge number, and contact number for the agency and ask for a receipt.

For more details, please see our collateral.

If Immigration and Customs Enforcement (ICE) comes to your workplace



If ICE officers come to your workplace, they must have a valid search warrant or the consent of your employer to enter non-public areas. Be aware of the following:

- Do not panic and do not run away.** If you are frightened and feel like you need to leave, you can calmly walk toward the exit.
 - ⇒ If you are stopped, you may ask if you are free to leave. If the officer says no, do not try to exit the building.

- **You have the right to remain silent.** You do not need to speak to the immigration authorities or answer any questions. If you choose to remain silent, say so out loud.
- **You have the right to speak to a lawyer.** If you are detained or taken into custody, you have the right to immediately contact a lawyer.
 - ⇒ Even if you do not have a lawyer, you may tell the immigration officers that you want to speak to one.
 - ⇒ If you have a lawyer, you have the right to talk to them. If you have a signed Form G-28, which shows you have a lawyer, give it to an officer.
 - ⇒ If you do not have a lawyer, ask an immigration officer for a list of pro bono lawyers.
 - ⇒ You also have the right to contact your consulate. The consulate may be able to assist you in locating a lawyer.
 - ⇒ You can refuse to sign any/all paperwork until you have had the opportunity to speak to a lawyer.
 - ⇒ If you choose to sign something without speaking to a lawyer, be sure you understand exactly what the document says and means before you sign it.

The contents of this document do not constitute legal advice.



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Meltzer Hellrung challenges conventions to deliver better outcomes.

Founded with the belief that immigration can be a strategic advantage, we understand the complexities of immigration and respond with innovative solutions to meet business and talent needs. Our unique solution - skilled immigration professionals delivering responsive service to clients through Voyager , our proprietary immigration management platform, delivers the best immigration experience to companies, employees and their families.

