

WHAT TO DO IF YOU'VE BEEN ARRESTED

- If you are under arrest, **you may exercise your right to remain silent and ask for a lawyer**— no matter your citizenship or immigration status (though keep in mind the advice concerning questions about immigration status).
- **If you want to invoke these rights**, you should say “**I want to remain silent**” and “**I want to speak with a lawyer**” and refrain from answering any questions or signing any documents unless you have a lawyer present.
- **You can ask for a phone call**, but the government officials might refuse. Be aware that calls to people other than your attorney are monitored and often recorded.
- **These same principles generally apply if** you are taken into immigration custody. Yet, if you are detained for an immigration violation, the government does not have to pay for an attorney to represent you. The government must allow you to consult with an attorney if you can find one who will represent you; the government must also give you a list of low cost or free attorneys if you ask.
- **If you are taken into immigration custody**, you also have the right to contact your consulate or have an officer inform the consulate of your arrest.

The information is designed to provide education on your rights. It serves civic, advocacy, and educational purposes and is not intended as, nor should be taken as, legal advice.

**FOR MORE INFORMATION ABOUT
YOUR RIGHTS VISIT: [ACLUDC.ORG/KYR](https://acludc.org/kyr)**



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ACLU
District
of Columbia



KNOW YOUR RIGHTS

Encountering Law Enforcement and Military Troops in D.C.



IF YOU'RE STOPPED BY GOVERNMENT PERSONNEL, INCLUDING LOCAL OR FEDERAL LAW ENFORCEMENT OR NATIONAL GUARD TROOPS ON THE STREET

- **Always remain calm** and never physically resist or obstruct law enforcement. Keep your hands visible.
- **You may ask** if you are free to leave at any point in your interaction. Say, **"Am I free to go?"** If the answer is "yes," you are free to walk away. If the answer is no, you have been stopped and must remain where you are until you have been told that you are free to go.
- **You do not** have to answer a government official's questions except if you are stopped for most traffic, parking, or pedestrian offenses, when you must provide your name and address if asked. If you don't want to answer a question, say, **"I want to remain silent."**
- **Take mental notes** about what's happening—including on what occurred before you were stopped, what the official says and does while you are stopped, and whether anyone is documenting what occurred—so you can tell a lawyer if you think your rights were violated.
- **If an official asks** to search you or your belongings, you have the right to say no, but do not obstruct access. The official may have lawful authority to conduct the search

anyway. If the official begins conducting a search, say clearly: **"I do not consent to a search."**

- **You don't have to** unlock your phone or give officials your password without a warrant. For additional security, turn off biometric identification such as Face ID.

IF YOU'RE ASKED ABOUT YOUR IMMIGRATION STATUS

- **Do not lie** about your citizenship status, your name, or provide false documents.
- **Generally, you have the right to remain silent** and do not have to discuss your immigration or citizenship status (or anything else). If you invoke this right and/or do not have the proper papers, an immigration officer might detain you for longer to verify your citizenship status.
- **If you are not a U.S. citizen**, the law may require you to carry specific immigration documents for your specific immigration status and provide them when a government official requests your immigration papers.
- **Official identification** from a country besides the United States does not establish your right to be in the United States and may cause government officials to view you with greater suspicion.

- **Carry with you evidence** of having been in the U.S. for longer than two years, such as a signed lease as these may help reduce the risk of being put in a deportation process without the ability to argue your case.
- **For more information** about specific immigration statuses, and what documentation is required to be carried by a person with that status, you should consult an attorney.

IF YOU'RE STOPPED AT A CHECKPOINT

- **Typically, government officials** operating a checkpoint must have a stronger suspicion of criminal activity to search your car than they do to stop your car and ask you questions.
- **If an official asks you questions** at a checkpoint, you have a right to remain silent (keep in mind the specific advice about immigration questions).
- **If an official asks for your permission** to search your vehicle, you may clearly and calmly state to the official that you do not consent. This will limit the official's ability to conduct a search, though in some circumstances they may have legal authority to do so anyway.