



Know Your Rights as Immigrants: Documented or Undocumented

Immigrants, whether documented, undocumented, United States (U.S.) citizens or non-citizens, play a vital role in shaping communities across the country. Yet, many experience significant challenges, including harassment, discrimination, and uncertainty about their rights. It is crucial to understand that everyone in the U.S.—regardless of immigration status—is entitled to basic protections under the law.

The Arc of California and El Arc de California have put together some general guidelines to help immigrants know their rights, where to report harassment or discrimination, and how to seek assistance if experiencing barriers. This information was gathered from various credible sources listed at the end of this document.

**This is not official legal advice.*

YOUR FUNDAMENTAL RIGHTS AS AN IMMIGRANT

1. **Right to Remain Silent**

If approached by immigration officers or law enforcement, you have the right to remain silent. You are not required to disclose your immigration status or answer questions without a lawyer present.

2. **Protection Against Unlawful Searches**

Authorities must have a warrant signed by a judge to search your home or property. Always ask to see the warrant before letting anyone in.

3. **Access to Legal Counsel**

You have the right to consult with an attorney if you are detained or questioned. Although the government is not required to provide a free attorney in immigration proceedings, you can seek assistance from nonprofit organizations that specialize in immigration law.

1. **The National Immigration Project provides a list of attorneys in your state by city:**

<https://nipnl.org/find-attorney-california>

4. **Freedom from Discrimination and Harassment**

The law protects all individuals from being treated unfairly based on race, national origin, gender, religion, or other characteristics, regardless of immigration status.

WHAT TO DO IF ICE AGENTS OR BORDER PATROL SHOW UP AT YOUR DOOR

A visit from Immigration and Customs Enforcement (ICE) agents can be frightening, but knowing your rights and how to respond can help protect you and your family:

- **Stay Calm and Do Not Open the Door**
 - ICE agents are not allowed to enter your home without your permission unless they have a valid judicial warrant.
 - Speak to them through the door and ask them to slide any documents they have under the door.
- **Check the Warrant**
 - A valid warrant must be signed by a judge and clearly state your name and address.
 - Administrative warrants issued by ICE (Form I-200 or I-205) do not allow agents to enter your home without your consent.
- **Do Not Answer Questions**
 - You are not required to answer questions about your immigration status, where you are from, or who lives in your home.
 - You can say, “I do not wish to answer any questions,” or remain silent.
- **Documentation**
 - You are not required to show documentation upon request
 - It is generally considered worse to have fake documents than to be undocumented, as presenting false documentation can lead to additional criminal charges on top of potential deportation, whereas being undocumented only exposes your immigration status without the added crime of fraud.
- **Do Not Sign Anything**
 - Do not sign any documents ICE agents present to you without consulting an attorney. These documents may waive your rights or agree to voluntary deportation.
- **Record the Interaction**
 - If it is safe to do so, document the interaction by taking notes or recording on your phone. This can be helpful if you need legal assistance later.
- **Contact an Attorney or Advocacy Organization**
 - Reach out to an immigration attorney or local advocacy group immediately for assistance.
 - The National Immigration Project provides a list of attorneys in your state by city:
<https://nipnlg.org/find-attorney-california>

WHAT TO DO IF YOU ENCOUNTER ICE AGENTS OF BORDER PATROL AT WORK

Interactions with ICE agents at your workplace can also be intimidating. Follow these steps to protect yourself:

- **Remain Calm and Stay Silent**
 - You have the right to remain silent. Do not answer questions about your immigration status, country of origin, or how you entered the U.S.
 - You can say, “I choose to remain silent,” or show a “know your rights” card if you have one.
 - **Documentation**
 - You are not required to show documentation upon request
 - It is generally considered worse to have fake documents than to be undocumented, as presenting false documentation can lead to additional criminal charges on top of potential deportation, whereas being undocumented only exposes your immigration status without the added crime of fraud.
 - **Ask to See a Warrant**
 - ICE agents must have a judicial warrant to enter **non-public areas** of your workplace or detain individuals.
 - Make sure your workplace has “non-public” areas of the workplace clearly marked as “Private,” or “Employees Only.”
 - Ask to see the warrant and check if it is signed by a judge. Administrative warrants issued by ICE do not grant entry to private areas.
 - **Do Not Sign Anything**
 - Do not sign any documents ICE agents present to you without consulting an attorney.
 - **Contact an Attorney or Trusted Organization**
 - If detained, request to speak with an attorney immediately.
 - The National Immigration Project provides a list of attorneys in your state by city:
<https://nipnlg.org/find-attorney-california>
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STEPS TO TAKE IF YOU FACE HARASSMENT OR DISCRIMINATION

Experiencing harassment or discrimination can be distressing, but there are steps you can take to address these issues effectively:

- **Document the Incident**

Write down the details of what happened, including dates, times, locations, and any witnesses.

- **Report to the Proper Authorities in Your State. Here are California Resources:**
 - Contact your **local police department** to report the incident.
 - Visit CAvsHate.org of the Civil Rights Department to report an incident by phone or email.
 - **Civil Rights Department (CRD)** enforces state laws that prohibit discrimination in the workplace You can file a complaint online using the California Civil Rights System (CCRS) - You can also call the CRD at (800) 884-1684 (voice) or (800) 700-2320 (TTY).
 - If the incident occurs at your school, contact the **California Department of Education**: Use the [Uniform Complaint Procedure form](#) or contact the Education Equity UCP Office at (916) 319-8239 or eeucpo@cde.ca.gov
 - Contact a local immigration attorney in California: <https://nipnl.org/find-attorney-california>

 - **Report to the Proper National Authorities if You Are Unable to Get Support in Your State:**
 - **Workplace Discrimination:** File a complaint with the **Equal Employment Opportunity Commission (EEOC)** at www.eeoc.gov. You can file a complaint by mail or in person at the nearest EEOC office, or call the EEOC at (800) 669-4000 to find the nearest office.
 - **Housing Discrimination:** Contact the **U.S. Department of Housing and Urban Development (HUD)** at www.hud.gov.
 - **School Harassment:** File a complaint with the **U.S. Department of Education Office for Civil Rights** at www.ed.gov.

 - **Seek Support from Advocacy Organizations**

Numerous organizations provide free or low-cost legal assistance and resources, including:

 - **National Immigration Law Center (NILC):** www.nilc.org
 - **American Civil Liberties Union (ACLU):** www.aclu.org
 - **Immigrant Legal Resource Center (ILRC):** www.ilrc.org
 - **United We Dream:** www.unitedwedream.org
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OVERCOMING BARRIERS FOR THE UNDOCUMENTED

Many undocumented individuals hesitate to report discrimination or harassment due to fear of deportation or retaliation. Know that:

1. **Local Laws May Protect You**

Many states and cities have policies limiting cooperation with immigration enforcement and protecting undocumented individuals.
 2. **Confidentiality Policies**

Agencies like the [EEOC](#) and [HUD](#) will not report your immigration status.
 3. **Community Resources**

Local immigrant advocacy groups, churches, and community centers provide support services.
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FACTS ABOUT CALIFORNIA IMMIGRANTS

According to a [2023 PEW Fact Sheet](#):

- California is home to the 10.6 million immigrants – the largest population of immigrants in the United States.
 - In 2023, the most current year of data, 27% of California’s population was foreign born, the highest share of any state and more than double the share in the rest of the country (12%).
 - Almost half (45%) of California children have at least one immigrant parent.
 - More than half (55%) of California’s immigrants were documented naturalized US citizens in 2023.
 - In 2022, 83% of immigrants in the U.S. were either citizens or had some other legal residency status.
 - Immigrants in California come from dozens of countries; the leading countries of origin are Mexico (3.8 million), the Philippines (821,136), China (795,450), India (574,498), and Vietnam (525,455).
 - 60% of California’s believe immigrants play a crucial role in the workforce
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IMMIGRANT ADVOCACY ORGANIZATIONS & RESOURCES

- **California Immigrant Policy Center (CIPC) – caimmigrant.org**
 - A non-partisan, non-profit organization that advocates for policies that improve the lives of immigrants and refugees
 - CIPC's goal is to inform public debate and policy decisions
 - CIPC has offices in Los Angeles, Sacramento, and Oakland
- **Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA) – immigrationadvocates.org**
 - Founded in 1986, CHIRLA's mission is to advance the human and civil rights of immigrants and refugees
- **American Civil Liberties Union (ACLU) – aclu.org**
 - The ACLU has been involved in many major legal struggles on behalf of immigrants' rights
 - The ACLU focuses on challenging laws that discriminate against immigrants, deny them access to the courts, and impose mandatory detention
- **California Department of Social Services: cdss.ca.gov**
 - CDSS is a resource to assist refugee service providers and the refugee population in their resettlement efforts.
- **Other organizations that help immigrants include:**
 - Amnesty International USA – amnesty.org
 - We Are a Light (formerly American Refugee Committee) - wearealight.org
 - Catholic Charities USA - catholiccharitiesusa.org
 - Catholic Legal Immigration Network (CLINIC) - cliniclegal.org
 - Church World Services (CWS) - cwsglobal.org
 - Doctors Without Borders (MSF) – doctorswithoutborders.org

- Immigrant Legal Resource Center: <https://www.ilrc.org/red-cards-tarjetas-rojas>

Red Cards are available to print in several languages. You can distribute them to people who might be targeted by ICE.



KNOW YOU ARE NOT ALONE

Experiencing harassment, discrimination, or interactions with ICE or Border Patrol agents can feel scary and isolating, but you have rights and support systems available. By understanding your rights and connecting with organizations that support immigrants, you can take action to protect yourself and your family.

Your voice matters. Let this guide empower you to stand strong, seek justice, and build a future where everyone is treated with dignity and respect, regardless of their immigration status.

For further assistance or to connect with advocacy groups, reach out to [El Arc de California](#), a trusted partner for immigrant rights and community support.

Sources:

<https://remezcla.com/remezcla/what-to-do-if-ice-comes-to-your-door-or-work/>

https://www.google.com/search?q=what+to+do+when+ice+shows+up+at+work&rlz=1C5CHFA_enUS1061US1061&og=What+to+do+when+ICE+shows+up+at+wor&gs_lcrp=EgZjaHJvbWUqBwgBECEYoAEyBggAEEUYOTIHCAEQIRigATIHCAlQIRigATIHCAMQIRigAdIBCTE1NTc2ajBqOagCCLACAQ&sourceid=chrome&ie=UTF-8

<https://cdn.craft.cloud/5cd1c590-65ba-4ad2-a52c-b55e67f8f04b/assets/wp-content/uploads/2017/07/5-KYR-What-to-Do-if-Immigration-ICE-Shows-Up-at-Your-Workplace-ENGLISH.pdf>

<https://www.aclu.org/know-your-rights/immigrants-rights>