

IF YOU ARE BEING DETAINED

If you are detained because of your immigration status, you have the right to remain silent and speak to an attorney. You do not have to sign anything before speaking to an attorney. But you have to find and pay for your own attorney. You should ask for a telephone call to speak to a family member.

If you are detained because of suspicion that you have committed a crime, you have the right to remain silent and speak to an attorney. Anything you say can be used against you in a court of law. You do not have to sign anything before speaking to an attorney. If criminal charges are filed against you, and you cannot afford an attorney, the U.S. government will give you an attorney at no cost.

IF YOU ARE MISTREATED

If you are mistreated by a law enforcement officer, make sure to get the name and badge number of the officer, and make a written complaint at a later time. You can also ask to speak to a supervisor at any time.

Some behaviors will increase your chances of being arrested or detained. For example, trying to evade a checkpoint, or fleeing from a checkpoint, is a crime. Assaulting a federal law enforcement officer is a crime. Lying to a federal officer is a crime. You may also be arrested if you interfere with an officer who is carrying out his or her duties.

Arguing with a law enforcement officer could make your search or inspection longer, so try to remain patient and courteous.

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KNOW YOUR RIGHTS AT THE BORDER



Many border residents are not fully informed of their rights in the border region—or mistakenly think they have no rights at all. Others may not be aware of how the lack of accountability and oversight over CBP impacts other border community residents.

The “border” of the U.S. is any geographic boundary between the U.S. and other countries. The U.S. border is made up of areas where people can move by foot, vehicle, or boat from one country to another at facilities called “ports of entry.”

A port of entry is a government facility at an international border where persons, vehicles, and goods may enter or leave the country. Ports of entry may be on land, air, or sea. Land ports of entry include inspection sites on international roads, freeways, and bridges.

WHAT TO EXPECT AT THE BORDER AND WHY

At any international border, federal laws authorize U.S. government agents to question, and search the property of, every person who is seeking admission into the U.S., including U.S. citizens. This short questioning and routine search process is not and does not have to be based on any particular suspicion of wrongdoing.

KEEP THIS CARD HANDY! IF YOU HAVE A POLICE ENCOUNTER, YOU CAN PROTECT YOURSELF.

If your property contains contraband or evidence of a crime, the law enforcement officers at the border can take that property away.

Law enforcement officers at the border can search your vehicle or your baggage without any reasonable suspicion or your permission provided the search is routine.

IF YOU ARE BEING SEARCHED

You do not have the right to have an attorney present during the short period of questioning and routine search by law enforcement officers. If there is prolonged questioning, you may have the right to have an attorney present, but you have to ask for your attorney.

You always have the right to remain silent. But if you stay silent and do not answer questions, for example about your immigration or citizenship status, the law enforcement officers will likely refuse to allow you into the U.S.

IF YOU ARE BEING QUESTIONED

Government agents may ask you questions about your citizenship and immigration status in order to determine whether you are a U.S. citizen, a green card holder, or have other lawful immigration status and are entitled to be admitted into the U.S. All persons seeking admission to the U.S. at an international border must have documents showing their immigration status.

Agents may ask you questions about your trip, or what you are carrying into the country, to make sure that you are not bringing any contraband or dangerous materials into the country, and to make sure that you are not committing any crime punishable by U.S. or Texas law.

ABOUT SEARCHES OF PROPERTY AND PERSON

Government agents may search your property, and sometimes your person, to make sure that you are not bringing any contraband or dangerous materials into the country, and to make sure that you are not committing any crime punishable by U.S. or Texas law.

ABOUT FILMING

You have the constitutional right to record all law enforcement officers in the course of their performance of public duties in public spaces at all times, so long as you do not interfere with the officers in any way.

If you record openly, you may be subject to further questioning, detention, or seizure of your recording device.

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