

IMMIGRANT LEGAL CENTER

KNOW YOUR RIGHTS

A Guide for DACA Recipients

AS WE ANTICIPATE A SUPREME COURT DECISION REGARDING DEFERRED ACTION FOR CHILDHOOD ARRIVALS ("DACA"), THIS SERVES AS AN IMPORTANT REMINDER THAT EVERY PERSON IN THE UNITED STATES IS ENTITLED TO CERTAIN RIGHTS AND PROTECTIONS AFFORDED BY THE U.S. CONSTITUTION.

It matters not whether you are documented or undocumented. It is important to know what those rights are, to use them, and to contact an attorney or DOJ accredited representative to discover whether there are any immigration forms of relief available for you.

For more know your rights information, please visit ILC's Rights and Planning Guide, available at:

immigrantlc.org/rightsandplanning

THIS DOCUMENT IS ONLY FOR GENERAL INFORMATIONAL PURPOSES AND DOES NOT CONSTITUTE LEGAL ADVICE. PLEASE CONSULT WITH AN IMMIGRATION ATTORNEY REGARDING YOUR CASE.



For up-to-date information on DACA and screening for referral eligibility for an immigration legal consultation, please contact the Nebraska Immigration Legal Assistance Hotline ("NILAH") at (855) 307-6730.



THE RIGHT TO REMAIN SILENT

You have the RIGHT to REMAIN SILENT! This right exists in your home, on the street, in a car, and if you are under arrest or in jail. If you talk, anything you say can be used against you.

In the State of Nebraska, you are required to give your name to a Nebraska law enforcement officer if the officer has reason to believe you have committed or will commit a crime. You can inform the ICE or other official that you want to speak to your attorney, and then remain silent. Do not give any false information.

YOUR RIGHTS AT HOME

YOU have the RIGHT to ask to see a WARRANT SIGNED BY A JUDGE. If you or someone in your home lets an officer in your home, you are giving up certain rights. Remember, a Warrant of Arrest, is not a Warrant to search your home. If an officer enters, do not physically interfere, or you could be detained. Do not forget your RIGHT to REMAIN SILENT and your RIGHT to an ATTORNEY. Again, do not give false information or provide false documents.

YOUR RIGHTS ON THE STREET

If approached on the street, ask if you are free to go. If you are, walk away slowly. If you are not, remember your RIGHT to REMAIN SILENT and your RIGHT to an ATTORNEY. You may be required to give your name and address if you are believed to have committed or it is believed you will commit a crime. Do not answer any other questions. Officers may pat you down to make sure you have no weapons/drugs in your possession. Do not resist inspection. The agents cannot arrest you without a warrant or proof that you have committed a crime or have no legal status.

YOUR RIGHTS IN A VEHICLE

If you are a passenger, your rights are the same as they are on the street. If you are the driver, the police can ask you to provide your driver's license, registration, and insurance. If you do not have these things, you could be arrested.

YOUR RIGHTS AT WORK

At your place of work, remember your RIGHT to REMAIN SILENT and your RIGHT to an ATTORNEY. Do not carry or provide false information or documents.

YOUR RIGHTS AT THE AIRPORT

It is illegal for officials to stop, search, apprehend, or remove you based solely on race, national origin, religion, sex or ethnicity, but you can be stopped based on citizenship or past travel and searched. Questions regarding your immigration status may also be asked.

YOUR RIGHTS IF YOU ARE ARRESTED

Remember your RIGHT to REMAIN SILENT and your RIGHT to an ATTORNEY. Ask to talk to your attorney and ask for a court hearing. Also, you have the right to make one (1) telephone call after your arrest. You will likely be fingerprinted. Do NOT say where you were born, carry or provide false information or documents, or sign anything.

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