



# KNOW — YOUR — RIGHTS

## YOUR RIGHTS AT HOME

**You do not have to open the door for ICE or police officers unless they have a search warrant or an arrest warrant signed by a judge with your address on it.**

You do not need to let ICE or a police officer inside your house or apartment unless they have a search or arrest warrant signed by a judge. If they knock, do not open the door, but ask them to show their ID to be sure they are who they say they are, and to slip the warrant under the door.

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# ACLU

## Pennsylvania

ICE typically uses “administrative warrants,” not “judicial warrants.” If ICE has an administrative warrant, you are not required to let them in. You can say, “I do not give you permission to come inside. Please leave.”

But if ICE has a judicial warrant with your address, you must let them in. But a judicial warrant is valid only if it has all of the following elements:

- Issued by a state or federal court (court’s name and seal should be at top);
- Signed by a state or federal judge or magistrate; signatures by an immigration judge, Department of Homeland Security (DHS) agent, or Immigration and Customs Enforcement (ICE) official not enough;
- Lists exact address of house/apartment where you are; and
- Is not expired. Federal judicial search warrants are usually valid no more than 14 days after the issue date. Pennsylvania judicial search warrants are generally valid no more than two days from date issued. Arrest warrants typically do not expire until an arrest is made or circumstances change.

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# ACLU

## Pennsylvania

### JUDICIAL WARRANTS v. IMMIGRATION WARRANTS

**United States District Court**  
 In the  
 Eastern District of California  
 In the Matter of the Search of  
 (Identify the person or to searched  
 or identify the person to whom not address)  
 Case No. [REDACTED]  
 Date, California 94715

**SEARCH AND SEIZURE WARRANT**  
 To: Any authorized law enforcement officer 211-38-0161 EFB  
 An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the COUNTY of SACRAMENTO, District of CALIFORNIA.  
 SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE.

The person or property to be searched, described above, is believed to conceal (insert) the person or describe the person to be searched.  
 SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.  
 YOU ARE COMMANDED to execute this warrant on or before 5-9-2011  
 In the daytime 6:00 a.m. to 10 p.m.  At any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person whose vehicle, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and properly return this warrant and inventory to United States Magistrate Judge [REDACTED].

I find that immediate notification may have an adverse result (and to 18 USC § 2352 (except for delay of trial), and authorize the officer executing this warrant to enter into the premises, or other property, which be searched or seized (and to the appropriate law) Other [REDACTED].

Date and time issued 5-25-2011 10:45 AM  
 City and state SACRAMENTO, CALIFORNIA  
 [Signature] U.S. MAGISTRATE JUDGE

**DEPARTMENT OF HOMELAND SECURITY**  
 U.S. Immigration and Customs Enforcement  
**WARRANT OF REMOVAL/DEPORTATION**  
 File No: \_\_\_\_\_  
 Date: \_\_\_\_\_

To any immigration officer of the United States Department of Homeland Security:

(Full name of alien) \_\_\_\_\_  
 (Place of entry) \_\_\_\_\_ (Date of entry) \_\_\_\_\_

who entered the United States at \_\_\_\_\_  
 subject to removal/deportation from the United States (based upon a final order by:  
 an immigration judge in exclusion, deportation, or removal proceedings  
 a designated official  
 the Board of Immigration Appeals  
 a United States District or Magistrate Court Judge  
 and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States, upon my direction, command you to take into custody and remove from the United States the above-named alien (subject to law, at the expense of \_\_\_\_\_.

(Signature of immigration officer)  
 (Title of immigration officer)

**Annotations:**  
 - "Is this the right address?" points to the address field in the judicial warrant.  
 - "Is it still current?" points to the date field in the judicial warrant.  
 - "Note: only the person, property, & areas specified may be searched" points to the search description in the judicial warrant.  
 - "Is it actually signed by a judge?" points to the signature of the U.S. Magistrate Judge.  
 - "IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT" is a summary box.  
 - "THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT" points to the DHS header and the subject to removal/deportation line in the immigration warrant.  
 - A large "SAMPLE" watermark is overlaid on the immigration warrant.

If you are in someone else's house, you still do not have to open the door unless ICE or the police have a judicial search or arrest warrant with the correct address or name on it.

If ICE enters your home without a valid judicial warrant, say, "I do not consent to you searching my home," but do not interfere.

If you do not understand the police officer or ICE, you have the right to an interpreter.