

KNOW YOUR RIGHTS

In these challenging times, we recognize the profound impact that immigration raids, deportations, and anti-immigration narrative have on LGBTQ+ migrants. These actions not only threaten the stability and safety of our community but also exacerbate anxieties around accessing essential services such as health-care, medication, housing, and shelter. The fear of being detained or deported can lead to avoidance of seeking necessary support, further marginalizing those who are already vulnerable.

At The San Diego LGBT Community Center, we are committed to providing resources and support to help navigate these uncertainties. We stand with you and offer a safe space where you can find the information and assistance you need.

How to Recognize Law Enforcement Branches

San Diego County Sheriff
 Sheriff deputies generally wear a tan shirt and olive green pants. Their patch is on their right hand sleeve. They wear a badge above their left front pocket. Imperial County deputies' uniforms are similar.



San Diego Police Department
 SDP officers wear matching very dark blue (looks like black) pants and shirt. They have patches on both sleeves. They wear a badge above their left front pocket.



Immigration and Customs Enforcement (ICE)
 ICE officers look similar to SDP officers. They generally wear matching dark blue (looks like black) pants and shirt, though they may wear khaki pants and sometimes may even wear jeans. They often wear a vest that says "POLICE ICE." They often don't wear a uniform with a patch.



U.S. Border Patrol
 Patrol officers generally wear matching green pants and shirt. They wear a patch on their left arm that says "U.S. Border Patrol" and a "U.S. Customs and Border Protection" patch on their right arm.



LGBTQ+ Immigrants Know Your Rights

What to do if law enforcement stops you, wants to enter your home, or arrests you

Regardless of your citizenship status, you have constitutional rights!

UPDATED JANUARY 2025

The San Diego LGBT Community Center Your LGBT Center is here to support you

The Center's services are provided to all, regardless of immigration status.

FREE RESOURCES, Monday-Friday, 10am-8pm

- Mental Health—Behavioral Health Services
- Sexual Health & Wellness—Free HIV Testing and STI Screening
- Food Resources—Monthly Neighborhood Food Bank and Senior Food Bank
- Project Compassion — Free resources like socks, toiletries, clothes, food, water, Thurs 10am-2pm
- Youth Housing—LGBTQ Safe STAY emergency shelter, Host Home program, and permanent supportive housing
- Adult Housing—housing navigation and stability support, temporary stays with case management, move-in assistance, eviction prevention, linkages to health services
- Legal Services Referrals & Advocacy

Contact

619.692.2077 / hello@thecentersd.org
 3909 Centre Street, San Diego CA 92103



Find more info on our website
www.thecentersd.org/lgbtq-immigrants



WHAT TO DO IF THE POLICE, FBI, OR ICE STOP YOU

You have the right to **REMAIN SILENT**.

To exercise this right, you should tell the police, "I want to remain silent." Even if you answer some questions, you can still decide you don't want to answer any additional ones.

You have the right to **SPEAK TO A LAWYER**.

Tell the officer you'd like to speak to an attorney or your consulate. You are not required to answer any questions.

You have the right to **MAKE A PHONE CALL** if you are arrested. If you are not on probation or parole, you never have to consent to a search of yourself, your belongings, your car, or your house. You should say, "I do not consent to this search."

You should ask, "**Am I under arrest? Am I free to go?**" Unless you do, the stop is considered voluntary, and thus legal. If you don't get a response, keep asking the question until you do.

WHAT TO DO IF POLICE WANT TO ENTER YOUR HOME

You have rights and **they need a warrant**.



DO NOT OPEN THE DOOR.

- **Ask the officer to IDENTIFY themselves** and show proof they are serving as an agent of the agency they say they represent.
- **Ask to SEE A WARRANT.** Ask the officer to slide the warrant under the door. REVIEW THE WARRANT and make sure it authorizes officers to enter your home and search your property.
- If they do not have a warrant, officers are not authorized to enter. YOU SHOULD NOT GIVE THEM PERMISSION TO ENTER. Tell them, "**I do not give you permission to enter my home.**"

WHAT TO DO IF YOU ARE ARRESTED

Above all, stay calm.

- **Remain silent.** You have the right to remain silent. You do not have to answer questions. You should tell the officer that you want to speak to an attorney before answering any questions. Say, "I will remain silent until I speak to an attorney."
- **Identify which agency arrested you.** Write down the name of the officers and their agency (ICE, US Border Patrol, etc.) and their identification numbers and license plate numbers. You can find this information on their uniforms or their cars. **If you don't have a pen or paper, remember at least one name and number.**
- **Don't sign any documents before speaking with a lawyer.** You always have the right to speak with a lawyer. The officers may try to intimidate you or trick you into signing. Don't let yourself be tricked! You may be signing away your right to a hearing before an immigration judge!



You have the **RIGHT TO AN ATTORNEY** if you are arrested. Request one immediately. If you are detained by ICE or CBP, an attorney will not be provided, but you have the right to get one yourself.

If you are a U.S. citizen, you are not required to present any documents with your name, age, place of birth, nationality, or legal status. If you are undocumented and don't have valid immigration documents, remember, you can decide not to answer questions about your immigration status or whether you have immigration documents.

If you are a documented immigrant 18 years or older and have been issued valid immigration documents, you are legally required to carry these documents with you at all times. It is usually a good idea to show the documents to avoid arrest.

Don't sign anything you don't understand!

- If the officers don't have a warrant and still enter your home, don't try to stop them. Tell them clearly, "I do not give you permission to be in my home." **Write down the name and badge numbers of all the officers involved in order to file a complaint.**
- If the officers do have a warrant, **they can enter your home. However, they can only search for the person or objects associated with the warrant.** The warrant may limit them to a certain room or to search for a particular item. Read it carefully before you allow them to enter your home, and do not give permission for officers to search beyond the warrant's limits.
- If the warrant is for one person and they are home, it may be best for that person to come outside to avoid having the officers come inside. Always open the door slightly; never open the door wide open.
- **Contact your attorney or a family member.** You have the right to make a telephone call after you are arrested. You should memorize the phone number of your attorney, family member, friend, or union representative so you can call in an emergency.
- **Contact your consulate** if you are a foreign national arrested in the United States. You have the right to call your consulate or to have the deportation officer inform your consulate of your arrest. **Ask the deportation officer to see a list of embassies** and write down the phone number. The consul may assist you in finding a lawyer or offer to contact your family.
- **Ask for bond once you're in immigration custody.** Ask for bond even if the officers tell you that you are not eligible. You will have to show that you are not a flight risk or a danger to the community. Ask your family to start gathering documents to show that you have a connection to the U.S. (examples: evidence that family members are U.S. citizens or legal permanent residents; check stubs; rental agreements, etc.).