

DEFENDER ASSOCIATION PHILADELPHIA

# IMMIGRATION RIGHTS & RESOURCES

[Phillydefenders.org/immigrant-rights](https://phillydefenders.org/immigrant-rights)

Contact Us  
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**Right to remain silent:** You do *not* have to answer police or ICE questions about your immigration status, where you were born, or other personal details. You can calmly ask, “Am I free to leave?” If they say yes, you may walk away. If you decide to stay silent, say out loud, “I am exercising my right to remain silent,” because anything you say can be used against you.

**Right to a lawyer (and interpreter) in criminal proceedings:** If you are *arrested* by police for a criminal matter, [tell officers immediately that you want a lawyer](#). You have the right to an attorney, and if you can’t pay one, a judge should appoint a public defender for you. Give the police your lawyer’s name or card if you have one; if not, ask for a list of free legal services. You also have the right to a court interpreter in your language so you can understand everything. **Do not sign any papers** or agree to anything without your lawyer present.

**Getting a public defender:** If you are charged criminally and cannot afford a lawyer, you have the right to a public defender. However, the Defender Association can only represent you if a judge appoints a public defender to your case. If you get a court-appointed lawyer, show their name or card to the police or the court. If you *do not* get one, the police should still allow a free phone call – ask them for a list of legal aid and immigrant-assistance organizations.

**Right to a lawyer in immigration removal proceedings:** If you are arrested by ICE for an immigration violation, you have the right to an attorney but you do *not* have the right to a free or appointed attorney. You must secure your own attorney and pay for any legal fees. Ask ICE for a list of low-cost immigration attorneys if you do not have immigration representation.

**If ICE comes to your home:** [You do not have to let immigration officers enter your home](#) unless they show a **valid judicial arrest warrant** signed by a judge. **Do NOT open the door** to ask for the warrant; instead, speak to the officer through the door and ask them to slide the warrant under the door or through the mail slot so you can read it. If you have an attorney, call your attorney to review the warrant with you. Even at home, you retain your right to remain silent. If ICE officers force their way in, stay calm, do not resist, and say: “I do not consent to your coming in. I am going to remain silent. I want to speak with a lawyer.”

**If ICE arrests or detains you:** You have the right to remain silent and the right to call an attorney. You also have the right to contact your country’s consulate (ask the officer to call them) and to receive visits from your lawyer, your consulate, or your family while detained. **Do not sign** any immigration paperwork (like a removal order or waiver) without talking to a lawyer first.

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Always say clearly that you want to remain silent and to speak with a lawyer before doing or signing anything.

**If your family members want to visit you in immigration detention:** Please note that every immigration detention facility has different visitation rules. Your family members should visit the facility's website to look up the hours of visitation, and then call to confirm procedures in place before visiting. Your family members can look up where you are detained by visiting <https://locator.ice.gov/odls/#/search>. Once they know where you are, they can find the visitation policies for that ICE facility at this website: <https://www.ice.gov/detention-facilities>.

**Rights in jail or court:** [Even as a detainee or prisoner, you keep basic protections](#). You cannot be tortured or given cruel or unusual punishment. You have the right to practice your religion, to humane conditions, and to due process under the law (for example, a fair trial in court). The state must treat you with basic human dignity.

**How a criminal case affects immigration status:** In Philadelphia, [police do not ask about your immigration status](#) when they arrest or book you. In most cases, Philadelphia police and jails do not hold people just because ICE asks them to. But it is still important to be careful. A criminal record—including a mere arrest or pending charges, even if you have never been convicted—can change your eligibility for immigration relief and increase your risk for ICE detention. It's critical to talk with your criminal attorney about your immigration status right away so they can help protect you from immigration consequences.

**Local help and resources for immigration representation:** If you need an immigration attorney and/or general resources for your immigration case, call or visit one of these organizations for referrals and other support:

- [Juntos](#) (Philadelphia immigrant rights group);
- [Community Legal Services](#) (free civil legal aid);
- [HIAS Pennsylvania](#) (legal and social services);
- [Nationalities Service Center](#) (free and/or low-cost civil legal aid);
- [Welcoming Center for New Pennsylvanians](#) (support services for non-citizens in Pennsylvania); and
- the [Pennsylvania Immigration and Citizenship Coalition](#) (coalition of groups providing legal and extralegal services for non-citizens in Pennsylvania).