



# KNOW THE FACTS *and* KNOW YOUR RIGHTS

For Arab, Middle Eastern, Muslim and South Asian Communities

## RIGHTS AT AIRPORTS AND BORDER: SEARCHES

**Generally**, CBP officers may stop, detain, and search any person or item at the border. It is unclear whether this power extends to laptops or cell phones, but in practice CBP officers sometimes search electronic devices. Officers, however, may not select you for a personal search or secondary inspection based solely on your religion, race, national origin, gender, ethnicity, or political beliefs.

*Note: A strip search at the border is not a routine search.*

**U.S. citizens** cannot be denied entry to the U.S. for any reason, including for refusing to produce passwords, provide device access, or submit electronic devices for a search. Lawful permanent residents who have previously been admitted to the United States and have maintained their status also can't be denied entry

solely for refusing to provide access to a device. However, refusal to provide a password might lead to delay, lengthy questioning, and/or officers seizing your device for further inspection. For non-citizen visa holders, refusing to cooperate might also lead to officers denying your entry into the country.

### THINGS YOU CAN DO TO PROTECT YOUR DIGITAL DATA

- A.** Encrypt and back up your device's data to a cloud-based service and completely erase the device before transiting across the border. Once you arrive at your destination, you can download the backup and restore your data.
- B.** Encrypt your digital devices and use a strong passcode.
- C.** Shut down your devices before arriving at the border checkpoint (do not just put the devices to sleep).