



## KNOW YOUR RIGHTS AT THE AIRPORT

### WHAT ARE MY INTERROGATION RIGHTS?

#### *Scope of Interrogation*

- Customs and Border Patrol (CBP) can ask questions to determine if you are eligible to enter the country, e.g. your identity, immigration status, purpose of travel, items purchased abroad.
- They *cannot* ask about your personal/religious beliefs, political/religious affiliations, etc.
- You should carry your immigration status documents at all times to assist with your entry.
- CBP takes the position that no one is entitled to a lawyer during primary/secondary processing
- However, we recommend you keep with you the number of a lawyer or legal aid hotline, and ask to speak to them if CBP asks you questions outside the proper scope/detains you for a lengthy time (e.g. over 6 hours)

#### *Citizens*

- You only need to answer questions to confirm your citizenship, and nothing further.

#### *Legal Permanent Residents/Green Card Holders*

- You should answer questions to establish that you are a valid green card holder, including that you have not violated the terms of your green card (e.g. remained outside the country for more than 180 days, etc.)

#### *Visa Holders*

- You should answer questions because CBP has the authority to revoke your visa if you refuse, because they can construe your refusal as not being forthright about the validity of your visa.

### WHAT ARE MY SEARCH RIGHTS?

- Officers can stop, detain, and search any person (regardless of immigration status) or item (e.g. baggage or electronic devices) without suspicion.
- Officers can confiscate electronic devices for a limited time (less than 5 days), and make copies of information in them.
- Officers *cannot* do invasive or strip searches of your person or forensic searches of your electronic devices without reasonable suspicion of criminal activity
- Officers *cannot* select you for further screening based on race, gender, religion, or ethnic profiling. This is hard to enforce but you can object, and file a complaint.
- You may refuse to provide the password for any electronic devices, but failing to do so could delay your entry and be used as one factor in finding reasonable suspicion of criminal activity
- We recommend that you not travel with devices that have sensitive information, e.g. that contain personal communications (e.g. texts, emails), or other information that could be construed to undermine your eligibility to enter the country.

### ASSERT YOUR RIGHTS & BE POLITE!

- Ask why you are being asked about your personal life/beliefs, or other improper questions.
- Ask to speak to a supervisor, and get the name, agency, badge number & contact number.
- If you feel you were discriminated against, make a DHS complaint about the relevant agencies.
- Contact us if you feel your rights were violated at 888-349-9695.