

KNOW YOUR RIGHTS

As a Muslim American

With Law Enforcement



WHAT SHOULD I DO IF I'M CONTACTED BY A LAW ENFORCEMENT OFFICIAL?

All Americans have a civic duty to report criminal activity in their communities to authorities.

At the same time, Muslim Americans are frequently the subject of baseless law enforcement investigations for doing nothing more than practicing their faith. If visited by law enforcement, remember:

- You have the right to have a lawyer present when speaking with law enforcement officials or if you have been detained. This right is yours even if you are not an American citizen.
- **You also have the right to remain silent.** You can assert this right at any time, even if you have already begun speaking to them. Lying to law enforcement agents can be a federal crime, punishable by fines and/or imprisonment.

"OFFICER, DO YOU HAVE A WARRANT?"

Law enforcement officers must have a warrant to enter your home, except in emergency situations. Politely ask to see a warrant before allowing an agent to enter. If a warrant is present, tell the agents that you do not consent to any additional search beyond the warrant's scope. Ask for a business card with the officers' contact information, as well as a receipt for any items removed.

WHAT SHOULD I DO IF I AM STOPPED BY A POLICE OFFICER?

In New York, you are not required to carry ID, and you don't have to show ID to a police officer. If you are issued a summons or arrested, however, and you refuse to produce ID or tell officers who you are, the police may detain you until you can be positively identified.

On the street: Officers may not stop you without reason. You must identify yourself, but you do not have to answer further questions. Officers may pat you down over your clothing if they suspect that you are armed. Ask if you are under arrest, or free to leave. If you are free to leave, walk away. If you are mistreated in any way, contact CAIR-NY immediately after you leave the scene.

In your car: Keep your hands where they are visible and do not make sudden movements. You must produce your license, registration, and proof of insurance, if asked. You do not have to consent to a search. In the event police do search your car, state clearly and calmly that you do not consent.

At a police station: You have the right to a lawyer and one phone call. If you cannot afford a lawyer, the government must provide one. Assume all rooms within the police station are being recorded (except when with your attorney).

If mistreated: Do not resist. Note abusers identification numbers and identifying characteristics. Find witnesses and record their contact information. Contact CAIR-NY ASAP. If you are under 18: You have the right to ask for a parent as well as a lawyer during police questioning.

Disclaimer: This document is educational and is not intended as legal advice. If you have a question about your legal rights, please contact an attorney immediately.

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