

# KNOW YOUR RIGHTS IN PUBLIC LANDS



This presentation does not represent legal advice. For educational use only.



# Introductions

The mission of the Council of Mexican Federations in North America (COFEM) is to empower immigrant communities to be full participants in the social, political, economic, and cultural life of the United States and their home country.



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# What is Know your Rights?



It is a community defense strategy used to empower immigrants and marginalized groups against rising apprehensions, increased surveillance, and constitutional violations during interactions with law enforcement and ICE.

# Private vs Public Spaces

## Private

- Your home, personal car, and areas at work designated for employees only.
- ICE agents **cannot** enter your home without a judicial warrant signed by a federal judge.

## Public

- Sidewalks, lobbies, waiting areas in restaurants or businesses, parking lots, beaches, and other recreational spaces.
- Anyone, including federal agents (ICE, CBP, etc.), can enter a public area without a permit. Always check your state's current ordinances regarding public spaces.

# 4th and 5<sup>th</sup> Amendment

- 4th Amendment originally enforced the notion that “each man’s home is his castle”, secure from unreasonable searches and seizures of property by the government. It protects against arbitrary arrests, and is the basis of the law regarding search warrants, stop-and-frisk, safety inspections, wiretaps, and other forms of surveillance, as well as being central to many other criminal law topics and to privacy law.

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

- 5<sup>th</sup> Amendment creates a number of rights relevant to both criminal and civil legal proceedings. In criminal cases, the Fifth Amendment guarantees the right to a grand jury, forbids “double jeopardy,” and protects against self-incrimination. It also requires that “due process of law” be part of any proceeding that denies a citizen “life, liberty or property” and requires the government to compensate citizens when it takes private property for public use.

“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”

# Your Constitutional Rights (4<sup>th</sup> & 5<sup>th</sup> Amendment)



Regardless of whether you are in **public** or **private** spaces, everyone in the U.S. has constitutional rights.

- ICE does not have the authority to detain, question, arrest, or interrogate you without proper cause, even in public spaces, **unless** they have an arrest warrant or a signed judicial warrant.
- You have the right to remain silent and do not have to answer any questions from ICE.
- You have the right to refuse to sign ANY documentation and NOT to produce documents.

# 100 Mile Border Zone



Source: <https://www.aclumaine.org/know-your-rights/100-mile-border-zone/>

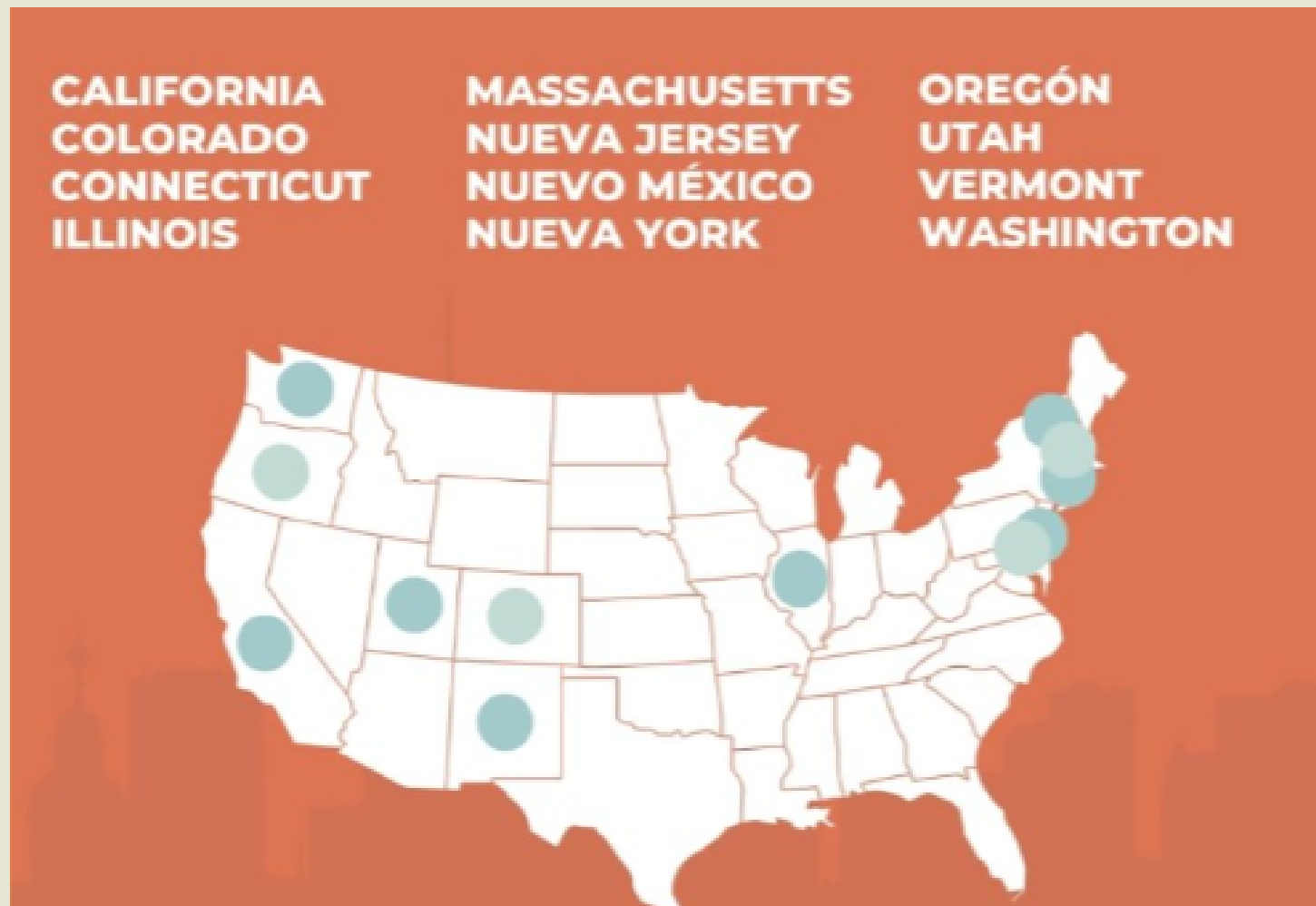
# Your Constitutional Rights (4<sup>th</sup> & 5<sup>th</sup> Amendment) cont..

The protections of the 4th and 5th Amendment are limited within 100 miles of U.S. borders:

- Federal agents, including ICE and CBP, can stop and search individuals without a judicial warrant near the border.
- CBP does not need a warrant to board vehicles or other vessels and search for undocumented individuals.



# Sanctuary States



An example of pro sanctuary state legislation is California State Bill 54 AKA “The California Values Act – SB 54” which prohibits state and local police officers from asking about a person’s immigration status in the routine course of their duties

- State and local officials may not detain undocumented immigrants for transfer to federal custody
- ICE and Homeland Security may still carry out their duties within the state.

# Carry a “Know Your Rights” Card with you, exercise them when needed.



You have constitutional rights:

- **DO NOT OPEN THE DOOR** if an immigration agent is knocking. If you are inside of your house, show the card through the window or slide it under the door.
- **DO NOT ANSWER ANY QUESTIONS** from an immigration agent if they try to talk to you. You have the right to remain silent.
- **DO NOT SIGN ANYTHING** without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your house, **SHOW THIS CARD TO THE AGENT**. Ask the agent if you are free to leave and if they say you can, leave calmly.



[www.RedCardOrders.com](http://www.RedCardOrders.com)

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

*These cards are available to citizens and noncitizens alike.*

**Always carry a “Know Your Rights” card (or a red card) with you, and show it to an immigration officer if you are stopped**



# Family Preparedness Framework

**We encourage families to complete a plan!**

Create a plan to help protect their families

Fill out the necessary forms depending on your state's laws and regulations to help create a plan.

Create clear communication between schools, parent committees, children and caregivers

Ensure easy access to important documents and family plan

# Family Preparedness in CA

- California's **Assembly Bill 495**, the Family Preparedness Plan Act of 2025, was signed into law on October 12, 2025, to protect children and strengthen family stability during emergencies. It allows parents to designate a joint guardian in case of separation and mandates that schools and childcare facilities implement updated safety policies by April 1, 2026, or July 1, 2026
- Signed into law on September 20, 2025, California **Assembly Bill 49 (AB 49)**, known as the "Safe Haven Schools & Child Care Act," prohibits school officials and staff from allowing federal immigration enforcement officers to enter nonpublic areas of schools or child care centers without a valid judicial warrant, subpoena, or court
- California's **Senate Bill 98 (SB 98)**, known as the SAFE Act (Safe and Authorized Fair Enforcement) and signed into law in September 2025, requires K-12 schools, community colleges, and state universities to notify the campus community when immigration enforcement is confirmed on campus. It ensures safety and transparency, effective until 2031

## National Park Entry Fee Changes (Starting Jan. 1, 2026)

Beginning January 1, 2026, the U.S. Department of the Interior implemented a new policy adding a **\$100** surcharge for non-U.S. residents visiting 11 major national parks, including Yosemite, Yellowstone, and the Grand Canyon.

### Key Points

- Non-U.S. residents ages 16 and older may be required to pay an additional \$100 fee on top of regular park entrance fees
- A new \$250 annual pass for non-residents is also available
- The policy applies to parks including Yosemite, Yellowstone, Grand Canyon, Zion, Glacier, and Rocky Mountain National Park
- Park staff may request identification to verify residency status
- Advocacy groups have raised concerns about longer entrance wait times, confusion for visitors, and possible negative interactions during ID checks
- Beginning in 2026, fee-free park days no longer apply to non-U.S. residents

Source: <https://www.nps.gov/aboutus/nonresident-fees.htm>

source: <https://www.doi.gov/pressreleases/departments-interior-announces-modernized-more-affordable-national-park-access>

# Quick guide to Legal Services



Welcome to the National Immigration Legal Services Directory.

Scan the QR code to find immigration legal service providers by state, county, or detention center. This directory only includes nonprofit organizations that provide free or low-cost immigration legal services.

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>



Obtaining lawful permanent residency, citizenship or the most protective immigration legal status available is critical to the successful integration of Colorado's refugees. Immigration legal services help refugees by providing durable immigration relief, long-term work authorization, family reunification pathways, reduced barriers to housing, and the ability to participate fully in civic life. This in turn results in economic contributions to our local and state economies while diversifying and enriching not only our refugee communities but all of Colorado.

<https://ona.colorado.gov/refugee-services/immigration-legal-services>



<https://www.cliniclegal.org/resources/state-and-local/50-states-rapid-response-numbers>

## Rapid Response

This is a resource that lists at least one rapid response organization contact per state and the District of Columbia. It is not meant to include all the numbers that exist but to at least provide a place to start. Several states do not have a known number (Montana, North Dakota, South Dakota, South Carolina, and West Virginia). Please reach out to [stateandlocaladvocacy@cliniclegal.org](mailto:stateandlocaladvocacy@cliniclegal.org) if you have information regarding a working number in those states.

CLINIC: 50 states Rapid Response Numbers



<https://www.aclu.org/news>



<https://www.ilrc.org/redcards>



<https://locator.ice.gov/odls/#/search>



<https://www.nilc.org/resources/>

**QUESTIONS?**

**CONTACT US**



**(213) 417-8390**



**[www.cofem.org](http://www.cofem.org)**