



KNOW YOUR RIGHTS ADVISORY
ATTENTION: SYRIANS IN THE UNITED STATES
SEPTEMBER 2013

Syrians in the United States have been visited by agents from the Federal Bureau of Investigation (FBI), the Central Intelligence Agency, and, in some cases, the United States Department of Defense. The New York Times recently reported that the government plans to further scrutinize Syrians in light of potential United States military intervention in Syria.

Advancing Justice – Asian Law Caucus (ALC) provides free legal advice to Syrians and other Northern California community members who have been approached by law enforcement for questioning. In addition, Advancing Justice – ALC offers free legal advice and services for community members with questions about Temporary Protected Status under United States immigration laws. Syrians in the United States should be equipped with basic information about their rights, and should feel free to contact us for assistance.

The Muslim Legal Fund of America (MLFA) is a charitable legal fund that supports legal cases and programs nationwide that defend civil liberty in America.

Do I have to answer questions from FBI or other law enforcement agents?

No. You have the constitutional right to remain silent, even if you have been arrested or otherwise are not free to leave. You should speak with a lawyer before agreeing to answer any questions.

What should I do if the FBI comes to my home or workplace?

If a law enforcement officer has visited or called

you, you may politely ask for his or her business card or contact information, and inform them that you would like to speak with your attorney before continuing the conversation.

Do I have to allow the FBI into my home?

No. If an FBI agent knocks on your door, you should ask to see a search warrant. If the agent does not have a search warrant signed by a judge, you should inform the agent that you do not consent to a search and that you do not consent to agents entering your home. Do not attempt to physically prevent law enforcement from entering your home, but make clear that you do not consent to their search or entry by saying, “Officer, I do not consent to this search.”

I have nothing to hide – why should I seek a lawyer’s advice?

Doesn’t that make me more suspicious?

Speaking with a lawyer does not make you more suspicious. Under the U.S. constitution, you are not required to prove your innocence; rather, the government must prove your guilt. Anything you say might later be used against you, your family, your friends, or your neighbors in ways you may not have expected. An agent may take notes about your conversation, which you cannot see or correct, and distribute them to other government agencies. Moreover, if you mistakenly provide a federal agent with false information, you may be charged with a crime punishable by up to one year in prison.

The agent says that I am not under investigation and that I have not done anything wrong. Does that mean it’s safe to talk to the agent

without an attorney?

No. It is still a risk to speak with the FBI. In the vast majority of cases, people approached by the FBI are not already under investigation and have in fact done nothing wrong. But by speaking with the FBI without legal protection, they inadvertently put themselves or others into trouble.

Isn't it easier to have a short conversation with an FBI agent, than to speak with a lawyer?

Aside from the risks of speaking to an FBI agent without an attorney's advice, it is a mistake to assume that the FBI will only speak with you once. FBI agents are known to return for follow-up interviews time and time again once they have found someone who is willing to speak to them without an attorney.

I have already met with an FBI agent or answered some questions. Can I stop now?

Yes. You may stop answering questions at any time, even if you have already had meetings or other conversations with law enforcement.

Why is this happening to me?

In the vast majority of cases, people who have been approached by the FBI have done nothing wrong – especially Arabs, Middle Easterners, Muslims, and South Asians. The FBI conducts thousands of these interviews each year to collect intelligence, and very few are related to actual criminal or counter-terrorism investigations.

FBI agents promised to help me or my relatives obtain visas if I answer their questions.

Should I do it?

FBI agents often promise to help people they want to speak with to convince them to answer questions and provide information about themselves, their neighbors, their friends, or others in their community. The FBI is not required to keep these promises, and often does not have the power to do so.

What is Temporary Protected Status and who is eligible?

The Secretary of Homeland Security has determined that, due to the crisis in Syria, it is unsafe for Syrian nationals to return to Syria. Syrian nationals who are already in the United States may take advantage of this program, called Temporary Protected Status (TPS), to remain temporarily in the United States without fear of deportation by filing an application with U.S. Citizenship and Immigration Services (USCIS). Syrians who have not yet registered may do so for the first time until December 16, 2013. For more details, see U.S. Citizenship and Immigration Services' website and contact Advancing Justice – ALC below.

Where can I find more information about my rights when approached by law enforcement?

This guide is meant to answer some basic questions and to raise awareness in the Syrian community in light of recent developments. But, for more detailed information, you can download the American Civil Liberties Union's Know Your Rights Pamphlet in either English or Arabic.

Who can I call for help with FBI or law enforcement questioning?

Yaman Salahi at Asian Law Caucus:

(415) 848-7711

Yaman speaks Arabic

Focusing on the Northern California Area

Council on American Islamic Relations:

(408) 986-9874

Focusing on the Northern California Area

American Civil Liberties Union:

(415) 621-2493 ext. 339

Focusing on the Northern California Area

Muslim Legal Fund of America:

1-866-MLFA-USA (653-2872) ext. 118

Who can I call for help with immigration benefits under Temporary Protected Status?

Anoop Prasad at Asian Law Caucus:

(415) 848-7722

Focusing on the Northern California Area