

KNOW YOUR RIGHTS

WHAT YOU CAN DO IF YOU INTERACT WITH LAW ENFORCEMENT?



Right to remain silent



Right to speak to a lawyer



Do not open your door without warrant



Create a safety plan

Prepare Yourself

- Know how to identify different law enforcement officials and know their powers
- Know the risks (seek legal advice)
- Know your rights
- Have a safety plan.

What is in a Safety Plan

- Lawyer (Name and Phone No.) e.g. Legal Aid Ontario: 1-800-668-8258
- Safety person (such as a support person, bondsperson, family member, community worker)
- Documents (identification and important documents - you could store them online)
- Remember important phone numbers and have someone know your legal name & date of birth
- Ensure all belongings are password-protected, if possible (Only share your phone and laptop password with your safety person)

WHAT CAN YOU DO IF YOU INTERACT WITH LAW ENFORCEMENT?

If police or immigration show up at your door

- Do not open the door
- If they ask to enter, you can ask if they have two warrants (arrest warrant + special entry warrant called a Feeney warrant or forcible entry warrant)
- If they do not have both, you may refuse to let them in (be aware that this may be used to argue that you are a flight risk by immigration authorities to detain you)
- Be calm, think about what you can do



Who are they?

- Ask what form of law enforcement they work as- Police ? Canada Border Services Agency (CBSA)? Bylaw officers?
- Only police may arrest you for criminal charges, they are also more likely to get the forcible entry warrants
- Often CBSA will be with police and/or bylaw officers
- CBSA and police (and some provincial officers) have power to arrest you
- Bylaw officers generally cannot arrest you but they may call CBSA and/or Police



Know your rights

- Freedom from arbitrary arrest and detention: "Am I free to go? Why not?"
- Right to remain silent: "I do not want to answer"
- Rights to a lawyer and interpreter: "I want to call and speak to a lawyer. I need an interpreter"
- Don't sign anything before speaking with a lawyer
- If you contact a criminal lawyer, make sure if there are immigration issues to have them talk to an immigration lawyer or call an immigration lawyer yourself



Get organized and fight for your rights

- Seek help from the community organizations, for example:
- No one is illegal (Toronto)
- Migrant Rights Network
- Butterfly (Asian and Migrant Sex Workers Support Network)

