

# ENCOUNTERS WITH THE FBI

## BACKGROUND

Agents, officers, and detectives working for the FBI's Joint Terrorism Task Forces (JTTF) have been ordered to focus on the nationwide movement to defend Black life. The FBI is known to try to question people at home, at the workplace, in organizing spaces, near or at places of worship, in jails, by phone, and in other ways, all to collect information on individuals and movements. This practice can sow fear and distrust among activists, disrupting important organizing work. Remember that you hold power in those encounters. Use that power to protect yourself and your movement.

**This information sheet shares strategies to help you protect yourself and your movement if you are approached for questioning by the FBI or other law enforcement. The Movement for Black Lives (M4BL) and CLEAR aim to provide people with the tools to carry on with the vital work of defending Black life.**

## GOLDEN RULES

**YOU CAN ASSERT YOUR RIGHTS AT ANY TIME DURING AN ENCOUNTER, EVEN IF YOU ALREADY STARTED ANSWERING QUESTIONS OR CONSENTED TO A SEARCH. THESE RIGHTS APPLY WHETHER IT IS THE FBI, ICE, STATE OR LOCAL POLICE, OR ANY OTHER LAW ENFORCEMENT AGENCY IN THE UNITED STATES.**

### 1. DO NOT ANSWER ANY QUESTIONS WITHOUT A LAWYER

**Exercise your right to refuse to answer any questions no matter what the FBI says or does.** You have this right regardless of your immigration status. It is safer not to speak to law enforcement until you have an attorney with you because anything you say can be used against you or others, in a criminal case or for immigration purposes. The information can also be used to disrupt important organizing work. To try to get you to talk, FBI agents use a range of tactics, including lying, threats, or incentives. Remember that you always have the right to decline.

- Say: **"I WILL NOT ANSWER ANY QUESTIONS WITHOUT MY LAWYER."**
- If the agent insists, if they say you are not entitled to a lawyer, that you have to answer questions, or even if they threaten arrest: **simply repeat the statement above.**
- You can also say politely and firmly: **"May I please have your business card? My attorney will follow up with you."**
- Never lie. That only empowers law enforcement over you. It is a crime to lie to federal law enforcement and even misremembering or omitting something could be presented to a court as lying.



**If the FBI approaches you AT HOME,** you do not need to verify your name or show ID.

**If you are stopped ON THE STREET,** ask **"AM I FREE TO LEAVE?"** If the officer says **yes**, you are free to walk away. If the officer says **anything but yes**, stay put. You are still under no obligation to answer questions without an attorney present or to agree to a search. An officer might ask for ID. In many states, police officers may claim the power to take you to the precinct for identification if you refuse to provide ID. To avoid that, you can present an ID with the least amount of information possible, such as a school or city ID. If you are not a U.S. citizen and you have valid proof of status (a Green Card, a copy of your visa), you can present that. Do not carry foreign ID without valid proof of status and never use false ID.



**If you are stopped IN YOUR CAR,** place your hands in a visible place, on the steering wheel, on the dashboard, or on the headrest of the seat in front of you. Law enforcement can ask for your name, address, license, registration and proof of insurance, but nothing else. Even questions like *"Where are you coming from?"* are out-of-bounds. Confirm you are free to leave before driving away.



**If you are questioned AT A POLICE PRECINCT OR FBI OFFICE AFTER ARREST,** the same rights apply: do not answer any questions without a lawyer.



**M4BL** [m4bl.org](http://m4bl.org)  
[@Mvmnt4BlkLives](https://twitter.com/Mvmnt4BlkLives)

**CLEAR** [cunyclear.org](http://cunyclear.org)  
[@CUNY\\_CLEAR](https://twitter.com/CUNY_CLEAR)





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## 2. DO NOT OPEN THE DOOR

Do not open the door if the FBI or other law enforcement comes knocking because it can expose others in your home and make it more difficult to refuse a search or end the interaction.

- Ask through the door: **“CAN I PLEASE SEE YOUR ID AND BUSINESS CARD?”** and ask the agent to slip the business card under the door so that CLEAR (or another lawyer you trust) can follow up with them after.
- If you feel that you have to open the door, step outside and close the door behind you. Do not invite or let them in.
- If the agent mentions a warrant, ask them to slip it under the door. Check that the address on the warrant is yours and that it is signed by a judge before opening your door. Ask for a copy of the warrant.
- Never resist physically. That only empowers law enforcement over you.

## 3. DO NOT CONSENT TO A SEARCH

If an agent or officer asks you for permission to look inside or search your bag, your home, your glove compartment, your trunk, or your car, you should refuse. They may try to gain your consent to search with questions such as “*May I come in?*” or “*Can I have a look?*” You can and should say no.

- If they produce a search warrant, make sure that it identifies your person, address, or belongings and that it is signed by a judge.
- If they search anyway, without your consent or a warrant, take note of any potential witnesses and say **“I DO NOT AGREE TO THIS SEARCH.”** If you are out with a protest buddy, have a plan for them to record any such encounter from a safe distance.
- Never resist physically. That only empowers law enforcement over you.

## CONTACT US

If law enforcement tries to question you about your activism, follow up with M4BL or CLEAR for legal support as soon as you can. Help spread awareness by hosting a Know-Your-Rights workshop with CLEAR.

## FINAL TIPS

### DO I HAVE THE RIGHT TO FILM?

If you are considering recording agents or officers, look up the specific laws in your state. In most states, you have the right to videotape or audiotape agents or officers who show up at your home without needing to inform them or obtain their consent. You also have the right to record law enforcement officers performing official duties while in public, so long as you do not interfere with their operations. Avoid all sudden movements during encounters.

### WHAT IF I AM ASKED TO COME IN FOR AN “INTERVIEW”?

FBI agents often tell people to come in for an “interview.” They sometimes even set a particular date and address to give the impression that it is mandatory. You still do not have to go or speak with them. Ask for a business card or their contact information and say: **“My attorney will contact you about the interview.”** Contact M4BL or CLEAR to discuss your options.