

KNOW YOUR RIGHTS

WHAT TO DO IF YOU ARE DETAINED AT A U.S. PORT OF ENTRY

(FOR LAWFUL PERMANENT RESIDENTS)

UPDATED FOR 2025 | HEIGHTENED ENFORCEMENT AT U.S. BORDERS

Who This Applies To

Lawful Permanent Residents (LPRs), also known as Green Card holders, are subject to inspection by U.S. Customs and Border Protection (CBP) upon re-entry into the United States. Increased enforcement measures mean returning residents may face questions about their travel history, immigration record, or any past interactions with law enforcement.

Returning Resident vs. Arriving Alien

CBP will assess whether you are a Returning Resident or an Arriving Alien.

You may be classified as an arriving alien if any of the following apply:

- You have abandoned or relinquished your LPR status
- You have been outside the United States for more than 180 consecutive days
- You engaged in illegal activity after leaving the U.S.
- You departed the U.S. while in removal or extradition proceedings
- You committed certain criminal offenses without an approved waiver
- You are attempting entry without inspection

This classification may delay or prevent your reentry.

What Happens in Secondary Inspection

If CBP cannot quickly confirm your admissibility, you may be referred to secondary inspection, a separate screening process. This does not necessarily mean you are in trouble. However, CBP may:

- Ask questions and run background checks
- Collect your fingerprints and photographs
- Search your phone, laptop, or other devices
- Review your social media activity
- Temporarily retain your devices
- Detain you if concerns arise about your admissibility

You may request a receipt for any device that is taken.

Contact us for
Immigration guidance:
info@versfeldimmigration.com
+1 816 891 8600
www.versfeldimmigration.com

Do Not Sign Form I-407 Without Legal Advice

Form I-407 is a voluntary declaration of abandonment of LPR status. If CBP presents this form:

- You have the right to consult with an attorney before signing
- Your LPR status cannot be revoked solely by time abroad without review by an immigration judge
- If you do not sign, CBP must issue a Notice to Appear for immigration court
- If CBP retains your green card, you may request a passport stamp as temporary proof of status

If You Are Detained, You Still Have Rights

- You may contact your consulate. They can help you reach a lawyer or your family
- You may ask to speak with a lawyer. CBP may refuse, but it is important to ask
- You may decline to sign documents you do not understand or agree with
- You may ask for all documents to be provided in a language you understand
- You may request an interpreter if needed
- You have the right to a hearing before an immigration judge. Do not waive this right

Questions About Politics, Religion, or Activism

You are not required to answer questions about your political opinions, religious beliefs, or peaceful protest activity. These are protected under the First Amendment.

Before You Travel, Speak With Us If You:

- Have a current or past criminal record, even for minor offenses
- Have pending immigration applications or open court matters
- Have previously had issues at the border
- Are a conditional permanent resident

Travel Preparation Tips

- Carry contact details for your immigration attorney and consulate separately from your passport
- Inform family of your travel plans and check in after arrival
- If detained, contact your attorney or have someone advocate on your behalf
- Consider carrying a signed Form G-28 from your immigration attorney