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Capstone Research Seminar

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## Capstone Analysis

### **Introduction**

Immigration enforcement in the United States is experienced not only through policy or law, but through everyday encounters shaped by fear, uncertainty, and surveillance. For many Latine and immigrant communities, Immigration and Customs Enforcement (ICE) is not simply a government institution but a persistent presence that structures daily decision-making, mobility, and communication. This paper analyzes Know Your Rights red cards as material rhetorical texts produced within these conditions. The cards themselves are small, wallet-sized informational materials distributed by immigrant advocacy organizations such as the Immigrant Legal Resource Center (ILRC). While such cards are often framed as neutral legal resources, this analysis argues that they function as a form of counter-media that rhetorically manages fear by assuming enforcement as an ongoing condition rather than an isolated incident.

This paper is guided by the following research questions: How do Know Your Rights red cards rhetorically respond to the fear produced by ICE and anti-immigrant state rhetoric? How do these materials use fear as a communicative strategy to create preparedness, a shared understanding, and collective response within immigrant communities? How do the material affordances (and constraints) and the embodied uses of the cards contribute to their effectiveness while also creating limitations?

Using rhetorical criticism, this analysis closely examines the language, design, tone, and material affordances of widely circulated Know Your Rights red cards. I argue that these cards operate through a rhetoric of refusal, preparedness, and collective care that rejects mainstream media logics of deservingness, visibility, and persuasion. Rather than attempting to reassure or gain sympathy, the cards function as a form of counter-media where they prepare users to anticipate and navigate state power while simultaneously cultivating shared awareness and preparedness within the communities where they circulate.

### **Rhetorical Criticism Approach**

This analysis uses rhetorical criticism to examine Know Your Rights red cards as material counter-media texts. Rhetorical criticism allows for close attention to how texts construct meaning, position audiences, establish authority, and respond to power through language, form, and circulation. The research object consists of widely distributed Know Your Rights red cards produced by immigrant advocacy organizations and circulated through community networks, legal clinics, schools, and mutual aid groups.

The analysis focuses on recurring rhetorical patterns across the cards rather than treating them as isolated artifacts. These patterns include imperative command language, repetition, first-person scripting, simple design, and information that is not included. The goal is to interpret how these rhetorical strategies help its users navigate and respond to situations shaped by surveillance and fear.

### **Fear as an Assumed Condition**

A notable feature of Know Your Rights red cards is their refusal to address fear directly. The cards do not necessarily attempt to emotionally support the reader. There are no statements such as “do not panic,” “stay calm,” or “you are not alone.” Instead, the cards presume fear as a

rational and ongoing condition produced by immigration enforcement itself. This presumption is shaped by the contexts in which the cards circulate, often during rumors of raids, periods of heightened enforcement, or after high-profile deportations, when fear is not speculative but situational and embodied.

**You have constitutional rights:**

- DO NOT OPEN THE DOOR if an immigration agent is knocking on 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 home, ask the agent if you are free to leave and if they say yes, leave calmly.
- GIVE THIS CARD TO THE AGENT. If you are inside of your home, show the card through the window or slide it under the door.

This assumption is evident in the cards' reliance on direct commands: "Do not open the door," "Do not answer any questions," "Do not sign anything," and "You have the right to speak with a lawyer." These instructions are not framed as suggestions or advice but as firm guidance designed for moments of high stress. The lack of contextual explanation only further suggests that the cards are meant to be used in moments when time may be limited and there is difficulty thinking clearly.

- 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.*

By treating fear as a starting point rather than a problem to be solved, the cards break away from dominant media and legal narratives that frame fear as a misunderstanding or overreaction. This assumption reflects the broader communication environment in which the cards circulate. Research on immigration enforcement shows that fear does not arise only from direct encounters with ICE but also through rumors of raids, media coverage, and the constant possibility of surveillance (Lizama 2023). Within this context, uncertainty itself becomes a structuring condition of everyday life. Know Your Rights cards respond to this communicative environment by treating fear as already present and by providing instructions designed to function within it rather than attempting to dismantle it.

This rhetorical strategy reframes fear not as weakness but as a condition that shapes communicative form. Their short, repeated, and direct instructions are meant to work in the moment, rather than try to explicitly calm people down. In doing so, the cards validate the lived experience of those who encounter ICE without naming fear explicitly.

### **Command Language and the Rhetoric of Refusal**

The most prominent rhetorical strategy across Know Your Rights red cards is the use of command language. Nearly every card relies on short, declarative instructions that guide behavior during encounters with law enforcement. This command language performs two rhetorical functions: it trains refusal, and it redistributes rhetorical agency.

The cards repeatedly instruct users to refuse cooperation: refusing to open the door, refusing consent to searches, refusing to answer questions, and refusing to sign documents. This emphasis on refusal reflects a longer history of immigrant rights education that has framed silence and non-cooperation as collective strategies for surviving enforcement, rather than

individual acts of defiance. The cards often include scripted phrases in the first person, such as “I choose to remain silent” or “I do not consent to a search.”

These scripts are significant because they function as performative speech acts. They are not merely informational statements but words designed to be spoken aloud in moments of extreme power imbalance. By providing exact language, the cards temporarily shift rhetorical authority from the state to the individual, allowing users to invoke legal protections without improvisation. In encounters where law enforcement typically controls the terms of interaction, providing exact language reduces the uncertainty of how to respond. The scripts allow individuals to rely on prepared speech rather than impulsive explanations or panic, making it possible to assert rights even under conditions of stress, intimidation, or vulnerability.

For example, a short instructional video circulating on TikTok illustrates how this scripting could function in a situation where one encounters ICE at their door. In a skit posted by user @sgto\_sarabia, two actors portraying ICE agents knock on a home’s screen door and ask to speak with a specific individual. When the resident inside asks if they have a warrant, the agents claim to possess an administrative warrant but cannot produce one signed by a judge. The resident refuses to open the door and instead asks someone filming the interaction to hand him a Know Your Rights card. He then reads the statements printed on the card aloud, asserting his right to remain silent and declining to let the agents enter without a judicial warrant. Although staged as a short educational scenario, the video demonstrates how the card’s scripted language is intended to function during real encounters. Rather than requiring individuals to improvise under pressure, the card provides a pre-made script that can be spoken verbatim, transforming legal rights into practical communicative action.

### **Rejecting Deservingness Without Argument**

One of the most significant features of Know Your Rights red cards is what they do not include. The cards make no reference to family, employment, innocence, or moral worth. They do not attempt to distinguish between “good” and “bad” immigrants or appeal to sympathy through narratives of contribution or vulnerability.

This absence functions as a rhetorical refusal of deservingness discourse. In many media and community conversations surrounding immigration enforcement, individuals are pressured to frame themselves as deserving of protection by emphasizing legality, labor, family ties, or innocence. Research on rumored ICE raids shows how fear often intensifies these internalized narratives of deservingness, dividing communities and reinforcing exclusionary norms (Marquez et al. 2022).

Know Your Rights cards push back against these pressures by addressing all users equally, treating everyone as entitled to rights regardless of moral status or background. By avoiding narrative framing that emphasizes innocence, contribution, or other “worthiness” markers, the cards resist the social and rhetorical pressure to justify protection through respectability. This refusal is intentional, shaped by the conditions of fear and surveillance in which the cards circulate. By removing moral qualifiers, the cards reduce the cognitive and emotional load on users during high-stress encounters, allowing them to focus on concrete actions rather than defending their value. At the same time, this strategy supports a form of collective awareness: it signals to communities that rights are universal and that knowledge about how to assert them should be shared. In this way, the cards not only challenge the state’s authority to determine who “deserves” protection but also help cultivate a communal sense of preparedness and mutual care.

### **Materiality, Portability, and Under-the-Radar Circulation**

The material form of the Know Your Rights red cards is central to their rhetorical power. The cards are intentionally small, portable, and concealable. Their size allows them to be carried in a wallet or pocket, accessed quickly, and concealed easily. This material minimalism aligns with their rhetorical function under surveillance.

Unlike digital resources, which may be inaccessible, trackable, or unsafe in moments of enforcement, the physical card exists outside of networks that require connection or visibility. While the cards are often shared digitally, through social media platforms, mutual aid networks, and advocacy organizations, these online versions are intended to be printed, handed out, and carried in real life. This material form reflects both their design and their circulation: rather than spreading primarily through mass media or institutional channels, the cards move through community events, legal clinics, churches, schools, and other trusted networks. Their movement through these interpersonal spaces reinforces their credibility while allowing them to remain accessible even when digital communication feels risky or monitored.

Many versions of the cards are also produced in multiple languages, allowing organizations to adapt them for specific immigrant communities. While the cards function as immediate legal scripts during encounters with immigration enforcement, their rhetorical significance extends beyond the moment of use. As they circulate through workplaces, community organizations, schools, and family networks, the cards help build a shared understanding of risk and preparedness among those who may encounter immigration enforcement. This linguistic flexibility further signals that the cards are intended for direct use by those most vulnerable to enforcement rather than for a general public audience.

By functioning as an under-the-radar counter-media, the cards resist dominant expectations that political communication must be visible, viral, or persuasive to be effective.

Instead, their success depends on remaining ordinary, quiet, and embedded in daily life. Rather than seeking to reform the system directly, the cards are designed to protect those most exposed to its harms by offering clear guidance for navigating encounters with ICE as they occur. This approach assumes enforcement as an ongoing reality rather than a problem that can be resolved through visibility, persuasion, or public sympathy. As a result, the cards prioritize survival, safety, and clarity over public-facing advocacy or narrative intervention.

At the same time, this focus on protection has secondary effects. By circulating through trusted community networks and being shared in moments of collective fear, the cards help create shared understandings about risk, rights, and response. While they do not explicitly mobilize users toward long-term political change, they foster a sense of collective preparedness and mutual responsibility that can later support other forms of organizing or advocacy. In this way, Know Your Rights cards operate alongside, rather than in opposition to, more visible activist strategies.

Beyond their immediate legal function, the affordances of Know Your Rights red cards lie in their potential to produce new forms of collective awareness. The cards do not simply provide instructions for individual encounters with immigration enforcement. They also cultivate an intersubjective recognition of vulnerability and preparedness within immigrant communities. Because the cards circulate hand-to-hand, through workplaces, schools, community organizations, and family networks, they implicitly address a public composed of those who may need them. In doing so, the cards function as a catalyst for collective recognition: they signal that the threat of immigration enforcement is shared and that knowledge about how to respond must also be shared. Their intentionality therefore extends beyond legal advice. The cards help create

a community of people who understand when and why to use these strategies, turning private fear into shared preparedness and mutual care.

### **Constraints and Limitations**

While Know Your Rights red cards are rhetorically powerful, they also have their limitations. Their reliance on the idea that ICE or the state will respect legal rights may not always be the case in real life. Because these cards circulate widely while raids and arrests keep happening, there's a tension between being prepared and accepting the system as it is. The cards assume that knowing your rights will make enforcement officers hold back, even though in reality, intimidation and disregard for due process often continue.

Additionally, another limitation emerges in the type of user the cards implicitly assume. The instructions rely on an individual who can read the card quickly, understand the legal language, and verbally perform the scripted refusals during an encounter with law enforcement. In practice, this presumes an adult speaker who can assert their rights clearly in a stressful situation. Children, individuals with limited literacy, or those who are unable to speak confidently to officers may not be able to use the card in the way it is intended. Because immigration enforcement often occurs in family homes or shared spaces, those present during an encounter may not always match the communicative role the card imagines. This reveals how the cards depend on a particular kind of rhetorical performance, one in which the user can read, interpret, and publicly assert the scripted statements when confronted by state authority. The lack of context, while strategic, may also leave users uncertain about what happens after refusal or how to navigate extended encounters. These limitations are not failures of design but tradeoffs shaped by fear and surveillance. The cards trade detailed explanation for quick guidance, narrative for direct commands, and persuasion for practical survival.

## **Conclusion**

This analysis has argued that Know Your Rights red cards function as material counter-media that rhetorically handles fear by treating immigration enforcement as something ongoing rather than occasional. Using direct commands, refusal scripts, simple design, and careful omissions, the cards turn fear into practical preparedness and shared care. They reject deservingness narratives and mainstream media logics of visibility, instead prioritizing what actually works for people under surveillance and within their communities.

Looking at these cards as rhetorical tools rather than neutral legal forms helps us see how communication under state violence can take subtle, everyday shapes. Know Your Rights cards show that small, ordinary practices can serve as survival strategies, turning fear into concrete action without needing approval, sympathy, or public attention. In this way, they reveal the power of quiet, material forms of rhetoric that operate below the radar of official media. These cards don't just respond to fear, they reorganize it, turning uncertainty into preparation and personal vulnerability into shared knowledge and collective understanding.

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I have acted with honesty and integrity in producing this work and am unaware of anyone who  
has not. /s/ Elizabeth Diaz