



KNOW YOUR RIGHTS IN YOUR CAR

All people in the United States, *including undocumented immigrants*, have Constitutional rights and protections. Neither immigration nor the police will assume you want to exercise your rights. You are in charge of asserting them by showing your Know Your Rights card or by telling the officer you are exercising your rights.

If you are pulled over while in a car, you have rights that protect you.

Stop the car as soon as safely possible.

After stopping, turn off the car, turn on the internal light, open the window part way, and place your hands on the wheel.

There must be a reason to stop you.

If a police officer stops you, they must have reasonable suspicion that someone in the car committed a local or state violation or crime. If an immigration officer stops you, they must have reasonable suspicion that someone in the car committed an immigration violation or federal crime. You can ask:

- Am I free to leave?
- Are you the police/immigration?
- Why did you stop me?

If you are driving, upon request, provide your driver's license, registration, and proof of insurance, if you have it.

If you do not have these documents, you can tell the officer you do not have them or that you are exercising your right to remain silent. In some states, if you are driving without a license, this is an arrestable offense, so failure to provide a driver's license could result in arrest. The officer may ask for other identification, and you may refuse to provide it.*

Passengers do not have to provide identification.

Generally, if an officer asks a passenger for identification, they do not have to provide it.*

Generally, you do not have to provide other identification.

If you are stopped by state or local police, you may choose to provide proof of lawful immigration status, if you have such proof. If you are stopped by an immigration officer, you must provide proof of lawful status if you have status and are not a U.S. citizen. If you do not have lawful status, you should **not** provide foreign identification.

If the officer says they have a warrant, ask for identification and review the warrant.

Search warrant: Officers can search your car if (1) you give consent, (2) they have a search warrant that specifies the exact car to be searched and the warrant is signed by a judge (**not an immigration officer**), or (3) they believe your car contains evidence of a crime.

Arrest warrant: If an ICE officer has an arrest warrant, they can arrest the person named on the warrant. An arrest warrant does **not** give ICE permission to search your car.

You have the right to remain silent.

You can exercise your right to remain silent by showing your Know Your Rights card or telling the officer you are exercising your right to remain silent. If you must speak, say you would like to speak to a lawyer before answering questions.

- Only provide your identification when the law requires you to do so.*
- Do not tell the officer your country of nationality.
- Do not answer questions.
- Do not sign paperwork.
- Do not carry false documents.
- Do not physically interfere with the search.

*Talk to a local advocate about whether and when you must produce identification. For example, in most states, you must show a driver's license if you have one and you are pulled over; you also must show your immigration identification to an immigration officer who requests it if you have lawful status and are not a U.S. citizen.