

KNOW

YOUR

RIGHTS

ACLU Nevada

IMMIGRATION INFO FOR COMMUNITY MEMBERS

Nevada is rich with diversity. Our vibrant state calls to visitors from across the world, and many cultures call it home. With nearly 1 in 5 Nevadans having been born in another country, abusive immigration practices constitute a threat to Nevada families, our economy, and our very way of life.

The information in this guide is not a substitute for individualized legal advice, but we hope this information helps you and your loved ones prepare for any eventuality. For more than 25 years, the ACLU has been at the forefront of almost every major legal struggle on behalf of immigrants' rights, and despite the challenging climate, we will keep fighting until the guarantees of the Constitution and the principles it embodies apply to all, including noncitizens, all the time.

BASIC RIGHTS AND RULES

You have the right to remain silent and do not have to discuss your immigration or citizenship status with police, immigration agents, or other officials. You do not have to tell them where you are from, where you were born, or your nationality. You don't have to answer other questions. Say "I assert my right to remain silent." Anything you tell an officer can later be used against you in immigration court.

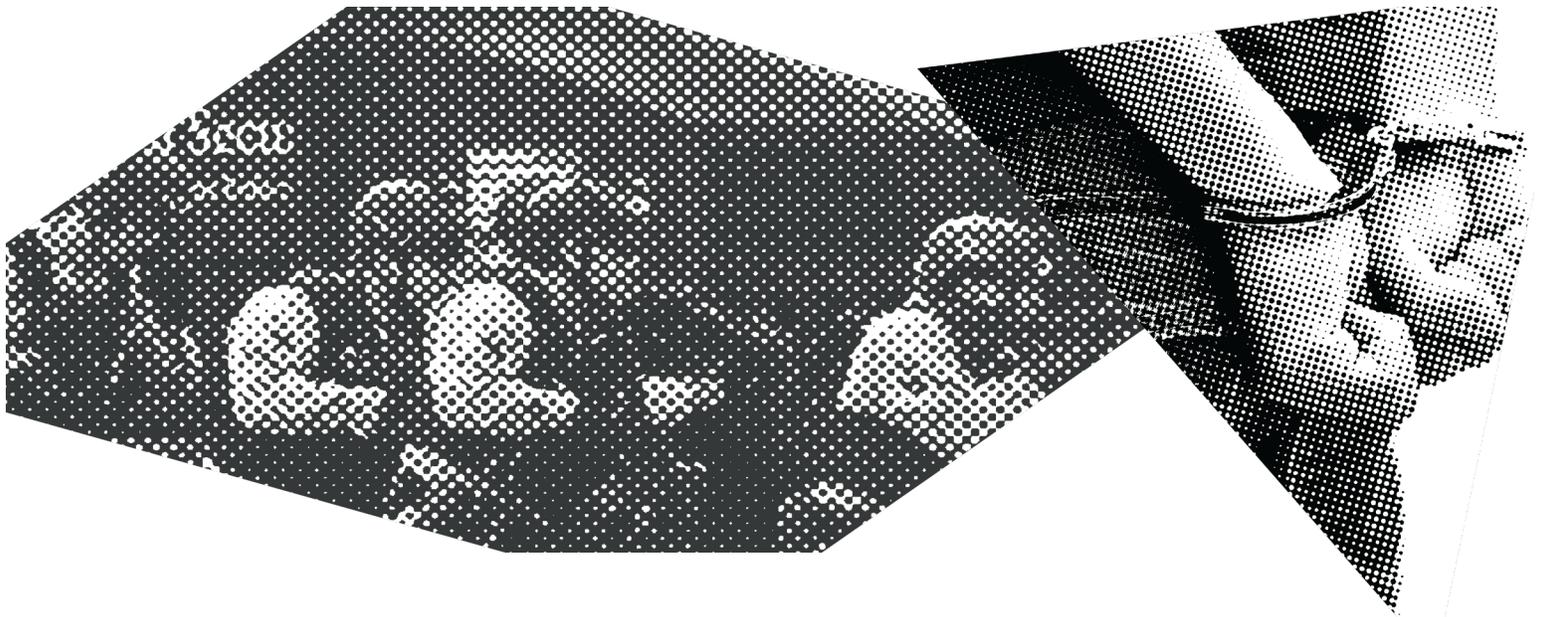
If an immigration agent or police officer asks if they can search you, you have the right to refuse. Say, "I do not consent to a search." They do not have the right to search you or your belongings without your consent or probable cause.

If you are not a U.S. citizen and an immigration agent requests your immigration papers, you must show them if you have them with you. If you're 18 or older, carry your papers with you at all times. If you don't have them, tell the officer that you want to remain silent, or that you want to consult a lawyer before answering any questions. Don't lie about your status or provide false documents.

Nevada has stop and identify laws, so if police have a reasonable suspicion that a crime is being committed,

WHAT TO DO AT-A-GLANCE

- Remain calm.
- Don't run, argue, or obstruct the officer or agent.
- If you are in a car, pull over in a safe place as quickly as possible.
- Passenger: ask if you are free to leave. If the officer says yes, calmly leave.
- Driver: upon request, show police your driver's license, registration, and proof of insurance.
- If you are not a U.S. citizen and an immigration agent requests your papers, you must show them if you have them with you. If you do not have immigration papers, say you want to remain silent.
- Say you wish to remain silent and ask for a lawyer immediately.
- Do not consent to search of your person or property. Say "I do not consent."
- Do not sign anything without a lawyer.



they can stop you and you must provide them your name. Police may pat down your clothing if they suspect you are carrying a weapon.

TRAVELING NEAR U.S. BORDERS

Customs officers can ask about your immigration status when entering or leaving the country. Lawful permanent residents only have to answer questions to establish their identity and permanent residency status. Non-citizen visa holders may be denied entry into the U.S. if they refuse to answer questions.

The state of Nevada is too far from the border for Customs and Border Patrol agents to conduct roving patrols or stops for immigration enforcement. Know Your Rights if you are travelling near U.S. borders, and take note if you see Border Patrol activity in our state.

In a Car

Drivers and passengers have the right to remain silent.

If an officer or immigration agent asks to look inside your car, you can refuse to consent to the search.

In addition to police, Border Patrol conduct “roving patrols” around the interior of the U.S., pulling over motorists. Border Patrol must have reasonable suspicion that the driver or passengers in the car committed an immigration violation or a federal crime.

Any arrest or prolonged stop by Border Patrol requires probable cause. You may ask the agents about the basis for probable cause, and they should tell you. In

this situation, both the driver and any passengers have the right to remain silent and not answer questions about their immigration status.

On Buses and Trains

Border Patrol agents may board buses and trains in the 100-mile border region either at the station or while the bus is on its journey. More than one officer usually boards the bus, and they will ask passengers questions about their immigration status, ask passengers to show them immigration documents, or both.

These questions should be brief and related to verifying one’s lawful presence in the U.S. You are not required to answer and can simply say you do not wish

DO CARRY

- Know Your Rights Cards
- State and local forms of identification
- State driver’s license, state identification card, City Identification card, Library card, etc.
- Copies, not originals, of immigration documents showing lawful status
- Contact information for your legal service provider, emergency child care contact, etc.

DON’T CARRY

- Consular identification card
- Other documents identifying you as a citizen of another country

to do so. As always, you have the right to remain silent.

IF ICE IS AT YOUR DOOR

Do not open the door. Ask if they are immigration agents and what they are there for.

Ask for a badge or identification through the window or peephole. ICE agents are known for using deceptive practices.

You do not have to let police or immigration agents into your home unless they have a judicial warrant. A judicial warrant must be signed by a judge and say “U.S. District Court” or a Nevada state court at the top. A warrant of removal/deportation (Form I-205) is not a judicial warrant, and it does not allow officers to enter a home without consent.

If they have a warrant signed by a judge, ask them to slide it under the door or hold it up to a window so you can inspect it. If agents have a judicial search warrant, they are legally allowed to enter the home and search

the premises.

You have the right to remain silent, even if the agent has a warrant.

If they don't produce a warrant, keep the door closed. Say: “I do not consent to your entry.”

If agents force their way in, do not resist. Say: “I do not consent to your entry or to your search of these premises.”

Assert your right to speak to your attorney, and don't sign anything until you do. Don't lie or produce any false documents.

REDUCING RISK TO YOURSELF

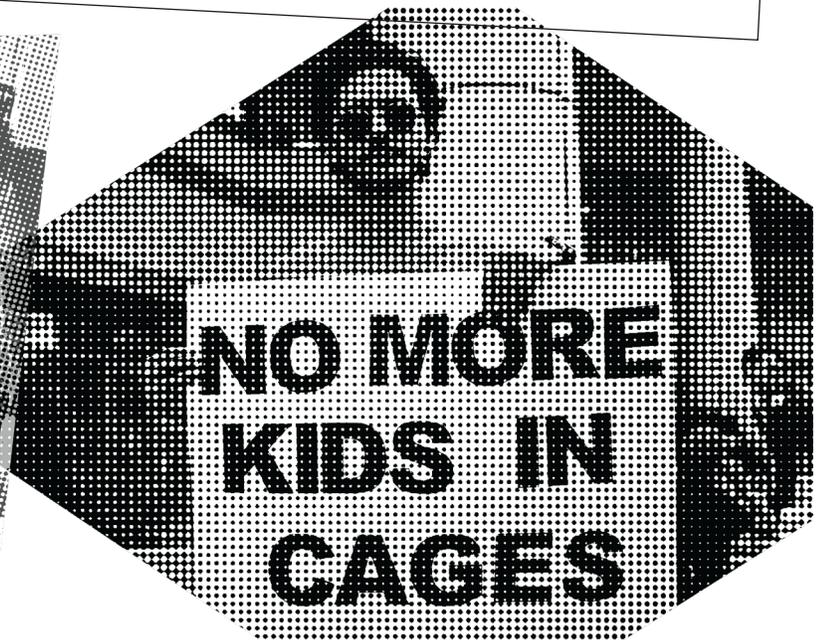
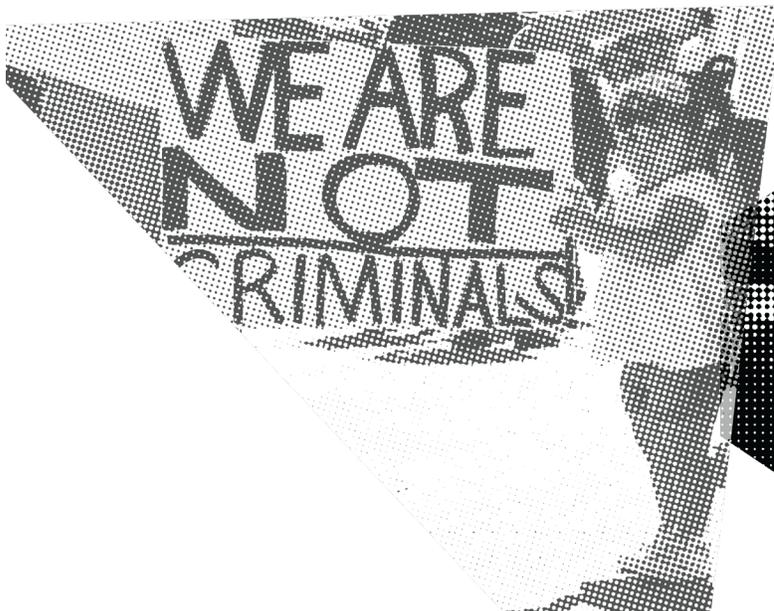
Create an organized **Family Preparedness Plan** for the worst-case scenarios. Have a child care plan. Include emergency numbers, a list of important contact information, and a file with important documents. Make sure your loved ones know who the main legal point of contact is if anything should happen and that

IF YOU BELIEVE YOUR RIGHTS WERE VIOLATED

Write down everything you remember, including officers' badges and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses.

If you're injured, seek medical attention immediately and take photographs of your injuries.

File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.



they can access all important and legal documents and records.

Stay calm, and act as carefully as you would in any armed police encounter: Keep your hands visible, etc. Don't run, argue, resist, or obstruct the agent or officer, even if you believe your rights are being violated.

Do not compromise yourself in the heat of the moment. Remain silent. Do not consent to any search of your person or property. Do not sign any papers. Consult an attorney before doing anything.

If you are arrested by police, you have the right to a government-appointed defense lawyer. Talk to your defense lawyer about any immigration-related concerns, and work to connect with an immigration attorney as well.

If you are detained by ICE, you have the right to consult with a lawyer, but the government is not required to provide one for you. You can ask for a list of free or low-cost alternatives. You have the right to contact your consulate or have an officer inform the consulate of your detention.

WHAT TO DO IF YOU ARE ARRESTED OR DETAINED

Remain calm and ask if you are free to leave. If they say yes, immediately leave calmly. If they say no, you are being detained.

Say you wish to remain silent and ask for a lawyer immediately.

Do not consent to search of your person or property. Say: "I do not consent."

Do not sign anything without a lawyer.

If you are a non-citizen:

– Ask your lawyer about the effect of a criminal conviction or plea on your immigration status.

– Don't discuss your immigration status with anyone but your lawyer.

– While you are in jail, an immigration agent may visit you. Do not answer questions or sign anything before talking to a lawyer. If you do not understand or cannot read the papers, tell the officer you need an interpreter.

You can find more Know Your Rights guides, request a training, and report a raid or abusive ICE practices at aclunv.org/porlagent.