

ACLU
Pennsylvania

**KNOW
— YOUR —
RIGHTS**

YOUR RIGHTS IN A CAR

If police officers or ICE signal you to stop the car, you must pull over. Stay in the car. Do not get out unless the police officer or ICE tell you to do so. Keep your hands in plain sight and don't make any sudden moves.

You do not have to answer police officer's or ICE's questions about your immigration status, nationality, or how you entered the United States. If police officers or ICE ask you any of those questions, exercise your right to remain silent. This includes if a police officer calls ICE on the phone and tells you to speak with them. If this happens, you should only say, "I am going to remain silent."

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When you are stopped in a car by a police officer

If you are the driver, police officers may ask for your name, driver's license, vehicle registration, and proof of insurance. You must show these documents if you have them. If you do not have these documents, do not give false documents.

If you are the passenger, ask, "Can I go?" If the police officer says yes, you should sit silently or leave (if you are in a place you feel safe). The police may ask for your ID but unless they have reasonable suspicion that you committed a crime, police may not force passengers to provide ID.

If a police officer says that the passenger is not free to go, the passenger should say, "I am going to remain silent" and ask for a lawyer immediately. The passenger has the right not to answer any of the police officers' questions.

If a police officer asks to search your car, you have a right to say no. You cannot be arrested for refusing to consent to a search. However, if they see evidence of a crime in plain view, (like drugs or drug paraphernalia on a seat), the officer can search without your consent.

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When you are stopped in a car by ICE

To legally pull a car over, ICE is supposed to have reasonable suspicion that someone in the car does not have lawful immigration status.

Remember that ICE does not always wear uniforms that clearly identify themselves. Sometimes they wear vests that say “police.” Ask who they are if you are not sure.

If ICE requests ID and you do not have lawful immigration status, you have a right to decline to provide your ID or answer ICE’s questions. If you choose not to give your ID and ICE believes they have a legal basis to do so, they may continue to detain you to try to determine your identity through a mobile fingerprint machine or other means. Remember, if you want to exercise your right to remain silent, say so.

If you have lawful immigration status and are asked to show proof of your status, show proof of your status (like your green card or work permit if you are here under other programs like TPS, DACA, or parole). But you do not have to answer ICE’s questions.