



Immigrant Rights: Contact with Law Enforcement

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Immigrants Have Rights

Every resident of Nevada has basic rights that protect you when you have contact with law enforcement, regardless of your citizenship or immigration status. The material listed below will help you understand your rights and provide tips when interacting with law enforcement.

What if I have contact with a police officer or immigration agent?



- You have the right to remain silent and you are not required to answer any questions. You may tell the police officer or immigration agent that you choose to remain silent.
- If you are not a U.S. citizen and you are carrying your immigration papers, you must show your papers to an immigration agent if the agent asks to see them.
- You are not required to tell a police officer or immigration agent information about your immigration history, including your place of birth.
- You may refuse to consent to any search of yourself, your belongings, your car or your home.
- Remember, you may be pat down if the officer believes you are carrying a weapon.

What if police officers or immigration agents come to my home?



- You have the right to not let police officers or immigration agents into your home without **an arrest or search warrant** signed by a judge. NOTE: A warrant of deportation/removal does not allow officers to enter your home without consent.
- You may ask what agency the officers or agents represent and specifically if they are immigration agents or from ICE.
- You may ask the officers or agents why they are at your home.

Important Reminders

Carry valid identification at all times. This includes immigration documentation, valid immigration papers, and work permits.

Memorize your A number.

Never carry false or fraudulent documents, and never provide false or fraudulent documents to a police officer or immigration agent.

Only show a temporary visitor's driver's license (TVDL) if it is requested to establish that you are properly authorized to drive a car. Remember, a TVDL cannot be used for identification purposes.

If you suspect your rights were violated during an encounter with officers or agents, you should write down as much information about the encounter as possible in case you choose to file a complaint.

Beware of Dishonest Immigration Service Providers

Immigration services providers are not attorneys and cannot provide legal advice. More information about legal services and immigration services providers is available at http://ag.nv.gov/Complaints/Immigration-Notario_Scams/.

- You may ask for an interpreter if they do not speak your language.
- You may ask to see a warrant before letting officers inside your home. If the warrant is not issued by a court and signed by a judge, you do not have to let them inside your home.
- If the officers or agents force their way into your home, **you should not resist**. You may tell them: "You are not allowed to enter. I do not consent to a search. I wish to remain silent. I wish to speak with an attorney as soon as possible."

What if police officers or immigration agents approach me when I am in my car?



- Whether you are the driver or a passenger, you have the right to remain silent.
- You do not have to answer questions about your immigration status.
- If you are a passenger, you may ask if you are free to leave. If the officer says yes, calmly leave.
- You can refuse to consent to a search if an officer or agent asks to look inside your car. Remember, an officer can search your car without your consent if an officer generally believes that your car contains evidence of a crime.
- Border Patrol agents must have reasonable suspicion that the driver or passengers in the car committed an immigration violation or a federal crime in order to pull over motorists.
- 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.

What if I am arrested?



- Do **not** try to resist arrest.
- You have the right to request to speak with an attorney.
- You have the right to request an interpreter.
- Remember, you have the right to remain silent and do not have to say anything or answer any questions before speaking with an attorney.
- Specifically, you have the right to consult with an immigration attorney before making any decisions about your case or signing any documents. No one can force you to make a final decision or sign a document if you do not fully understand it.

This information is not intended as legal advice. Separate rules apply at checkpoints and when entering the U.S. (including at airports).