

UC Students Know Your Rights

This Know Your Rights (KYR) material is for UC students, particularly those students leading the efforts behind the Opportunity for All campaign and other immigrant student organizers. It addresses two concerns: first, how to respond to any potential ICE enforcement on campus, at home, while driving, or in your neighborhood; second, how the risk of immigration enforcement might alter plans for advocacy on campus and in public spaces.

Regardless of your immigration status, if you have contact with law or immigration enforcement officers you can exercise the following rights under the Constitution:

- Right to Remain Silent
- Right to Not Consent to a Search
- Right to Speak to an Attorney

Consider printing out this [Red Card](#), developed by the UC Immigrant Legal Services, to have a handy tool to assert these rights when interacting with immigration enforcement officers. It fits in your wallet!

ICE Enforcement:

On Campus:

The [California Constitution](#) guarantees your right to privacy, regardless of your immigration status. The California Supreme Court has emphasized the importance of the right to privacy for university [students](#) when the government seeks to surveil them on campus.

[Federal law](#) and [UC Policy](#) prohibit [campus personnel](#) from sharing student information, including immigration status information, with ICE officers absent a judicial warrant, subpoena, or court order requiring them to share it. A warrant or court order issued by an immigration judge is not enough.

[State law](#) and [UC Policy](#) forbid UCPD or other campus administration from cooperating with ICE unless they are looking for a specific person convicted of a serious or violent felony.

Still, the UCs are open campuses, and nothing stops ICE officers from coming to public areas of the campus to walk around and ask to speak with students. However, under [federal regulations and the Fourth Amendment](#), ICE officers cannot detain or interrogate any person against their will unless the officers have a reason to believe that the individual is violating the immigration laws. Under [state law](#) and [UC Policy](#) they need a warrant issued by a federal or state judge to come to non-public areas, such as dorms and any classrooms restricted by keycard access. A warrant or court order issued by an immigration judge is not enough.

At Home:

Law enforcement and ICE cannot enter a home without a [warrant](#) issued by a federal or state judge. A [warrant](#) or court order issued by an [immigration judge](#) is [not enough](#).

While Driving:

While police officers only need reasonable suspicion of a traffic violation (or other crime) to stop a vehicle, [state law](#) prohibits them from stopping a car for immigration enforcement purposes. If you are stopped you are only required to show your driver's license, vehicle registration, and proof of insurance. Drivers are not required to show proof of immigration status to police officers.

Customs and Border Patrol agents (CBP) in areas near the border can stop vehicles for immigration enforcement, but only if they have some [reason to believe](#) that people in the vehicle are violating the immigration laws.

In addition, CBP can run “[fixed checkpoints](#)” where they stop every car to ask people limited questions regarding immigration status. One such checkpoint is on Interstate 5 south of San Clemente. It is usually closed but not always.

Best Practices if You Must Interact with ICE or Other Immigration Enforcement:

- Identification
 - To drive carry your driver’s license.
 - If you are undocumented, do not carry your consular ID or other document that identifies your country of origin.
 - If you are a lawful permanent resident or other lawfully-present immigrant, do carry a copy of your green card, copy of your visa, or other copy of your immigration registration document.
- If you’re stopped, ask if you’re free to leave.
 - If the answer is yes, walk away. Do not run.
 - If the answer is no, do not answer questions, do not volunteer any information, especially regarding your immigration status or country of origin. Ask to speak to an attorney.
- If you’re stopped, do not consent to a search.
 - If you’re being patted down, state that you are not consenting to the officer searching you or your belongings.
- If at home or in another private place, do not open the door unless you are presented with a valid judicial warrant.
- Do not sign anything until you have had the chance to speak to an attorney.
- Do not use force or resist arrest. If possible, keep a record of the names of officials and other details.

Free Speech:

[The First Amendment](#) guarantees the right to free speech, the right to peacefully assemble, and the right to be free from retaliation for exercising these rights, [regardless](#) of [immigration status](#).

Speech is broadly defined. It includes many expressive acts such as holding a sign while marching or taping your mouth shut.

Still, campus officials may implement content-neutral regulations that restrict speech. These regulations typically are based on the time, place, or manner in which the speech occurs (TPM rules).

To implement TPM rules and maintain public order, campus officials may require protesters to get a permit for certain types of expressive activity, such as rallies.

On Campus:

While First Amendment protections are robust in the [university setting](#), the special characteristics of the school environment allow campus officials to implement reasonable campus rules that prevent the interruption of classes or interference with the opportunity of other students to obtain an education.

UC officials have implemented specific campus-based free speech policies across the [UC system](#). At [UCLA](#) for example, the current time, place, and manner policy includes a set time for student actions, a [map](#) of where some student protest actions are permissible, and manner restrictions regarding masking and amplified sound.

Best Practices When Deciding to Participate in Student Action:

- What to prepare for a protest:
 - Los Angeles has been named a Sanctuary City, which prohibits local law enforcement from working with ICE in most circumstances, but if you will be demonstrating in a different location find out whether local law enforcement authorities there [collaborates](#) with ICE.
 - If you are undocumented, do not carry any ID issued by a foreign government (because these reveal that you were not born in the U.S.); consider just carrying your student ID.
 - If you are an LPR or other lawfully-present non-citizen, carry a copy of your green card, visa, or another document proving your status.
 - Memorize or write down the number of your lawyer or legal/jail support hotline and emergency contact, so that you can use it even if your phone is confiscated.

- Tell a friend who is not attending the rally to be ready for your call in case of arrest.
- If you're arrested:
 - Exercise your right to remain silent (especially if ICE is present at any point in the process), except to request an attorney.
 - If you are undocumented, even if you choose not to remain silent, do not provide your country of birth, citizenship, or any other immigration status-related information to any police or jail official.
 - Do not sign anything without first consulting with an attorney.
- Post-citation/ arrest:
 - Tell your criminal defense attorney your immigration status.
 - Do not plead guilty to any offense without having your criminal defense attorney consult with an immigration attorney or otherwise give you concrete information on immigration consequences. Your criminal defense attorney has a legal obligation to do so.

Disclaimer:

CILP generally does not provide direct representation to students on issues related to their immigration status. For representation and answers to questions about individual immigration cases, please visit [UC Immigrant Legal Services](#). They provide free immigration representation to UC students and their family members!

The law and/or policy may change. The information in this flyer was gathered as of December 2024.