

What does it mean for me?

IF YOU ENCOUNTER ICE IN PUBLIC

ICE Is Not the Police

- **ICE** (Immigration & Customs Enforcement) is *different* from the local police.
- Ask "am I free to go?" → if yes, then walk away.
- If no →
 - You have the right to remain silent, and you do not need to discuss your immigration status.
 - **If you speak**, anything can be used against you in immigration proceedings.

IF ICE PULLS YOU OVER as a Driver or Passenger

Pull over safely and remain calm.
Ask the officer to identify themselves if appropriate.

If you are a passenger, you can ask if you are free to leave. If the officer says yes, calmly leave.

- You can **refuse** to consent to a search of the vehicle **unless** police generally believe that the driver or passenger has committed an immigration violation.

IF ICE COMES TO YOUR HOME

Protect Yourself From Fake Warrants

- **ICE may present administrative warrants – which are not signed by a judge**
- You can refuse entry and stay silent
- **DO NOT** open the door until a judicial warrant is presented. You only have to interact with them if they show a judicial warrant with:
 - your name,
 - your address,
 - and a **judge's signature**
- **Keep calm. Don't run, argue, or resist** – just say: "I do not consent to a search or entry without a judicial warrant"

Explaining AB 379

New California Law: Know Your Rights Under Penal Code § 647

The Law says:

"Loitering with **intent to purchase sex**" is now a misdemeanor with a \$1,000 fine

What does intent to purchase a sex act mean?

Intent to purchase commercial sex is evidenced by inducing, enticing, or soliciting prostitution, or procuring another to commit prostitution. For example:

- **circling an area in a car** and repeatedly attempting to contact or stop pedestrians or other motorists, **making unauthorized stops along known prostitution tracks**, or engaging in other conduct indicative of soliciting to procure another to engage in commercial sex.
- **If you're under 18**, you can not be arrested for prostitution
- Police cannot use condoms as evidence, HIV testing can not be forced
- You have the **right to report assault, violence, or trafficking** without being charged for prostitution
- Anyone soliciting a minor (under 16 or 3+ years younger than themselves) can face human-trafficking-level penalties (3 years in jail)
- **Diversion program = no criminal record** if completed (for 1st or 2nd offenses)
- You can ask for diversion instead of jail

What is AB 379? & How does it affect me?

**B000
AB 379**



What to do if confronted by law enforcement?

Fourth Amendment

- The 4th Amendment protects you from **unreasonable searches and seizures**
- Police need **probable cause** or a **judicial warrant** to search your body, bag, phone, or car
- **Do not consent to a search**
- **Reasonable suspicion** allows a **brief stop** and frisk (outer clothing for weapons)

Example Dialogue

You can say:

"I do not consent to a search of me, my belongings, or my property."

- Staying silent is **not consent**
- You can **withdraw consent** anytime during a search
- If there is a warrant, ask to see it

FYI: If You Abandon or Lose Your Phone

- A recent case (*US v. Hunt*) says your phone holds private data that is protected by the **4th Amendment**.
- Police can **take** a lost or abandoned phone, but they **cannot search the contents of the phone** without a **warrant or express intent** to abandon the data.
- Even if police hold your phone for months (or even years) they still need a **valid warrant** to open it.

Fifth Amendment

- You have the right to **stay silent** – use it!
- You only have to give your **name** if detained or arrested
- If you are free to leave, **walk away** calmly
- **Police can lie** to get information – do not fall for it

Example Dialogue

Say out loud:

"I am using my right to remain silent."

Ask:

"Am I being detained?"

Do not answer questions like:

"Where are you going?"

"Who are you with?"

"What are you doing?"

Example Dialogue

When asked to search:

Them: "Can I look in your bag?"

YOU: "No, I do not consent to any search."

When being questioned:

Them: "Where are you coming from?"

YOU: "I am using my right to remain silent."

If police have a warrant:

Them: "We have a warrant to search."

YOU: "Please let me see the judge's signature."

Questionnaire

True or False?

1. A warrant must have three things:
 - a. Your **name**
 - b. Your **address**
 - c. **Judge's signature** **True!**
2. You have the right to stay silent when you are encountered. You do not have to answer questions like:
 - a. "Are you working?"
 - b. "Is this your money?" **True!**
 - c. "Where are you from?"
3. Police cannot lie to get information. **False!**
4. You do not have to consent to search if asked.
 - a. Bag, car, room, or belongings
 - b. Say, "I do not consent to search." **True!**
5. Police must have a judicial warrant to search your phone, even if they have it. **True!**
6. If an officer keeps talking to you, you must stay and answer. **False!**
 - a. If not being detained, ask, "Am I free to leave?"

Immigration

1. ICE has the same authority as the Police. **False!**
2. Administrative warrants allow entry. **False!**
3. You can stay silent with ICE. You do NOT need to answer:
 - a. Where you were born
 - b. Where you live
 - c. Your immigration status **True!**
4. You can refuse searches from ICE.
 - a. Say, "I do not consent to search" **True!**