

ACLU

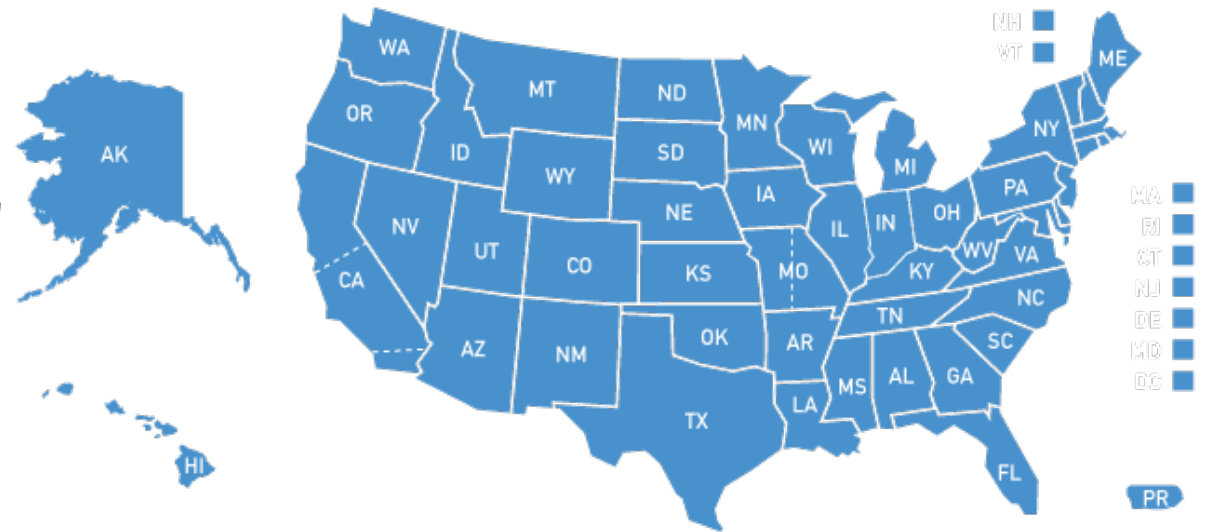
Nebraska

Virtual DACA Town Hall:
Know Your Rights

THE ACLU TODAY

- More than 1.5 million members nationwide
- 53 Affiliates
 - At least one office in every state, Washington, D.C., and Puerto Rico
- Nearly 300 staff attorneys and thousands of volunteer attorneys

WE THE PEOPLE



ACLU Nebraska

HOW THE ACLU WORKS



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Nebraska Crime Commission's Traffic Stops Report

- <https://ncc.nebraska.gov/traffic-stops-nebraska>
- Findings: 428,429 traffic stops
- Disparities:

Race/Ethnicity	% of Nebraska Population	# of Traffic Stops	% of Total Traffic Stops		Race/Ethnicity of Stopped Individual	Arrest Rate	Search Rate
Asian/Pacific Islander	2.7%	7,349	1.7%		Asian/Pacific Islander	2.9%	2.5%
Black	5.1%	35,606	8.3%		Black	18.2%	8.8%
Latinx	11%	42,489	9.9%		Latinx	6.9%	5.5%
Native American	1.5%	4,085	1%		Native American	11.1%	7.7%
Other	2.2%	7,198	1.7%		Other	6.8%	7.1%
white	88.6%	331,522	77.4%		white	2.8%	2.8%

Under left table: **Text= Race/ethnicity group is overrepresented in traffic stops when compared to the corresponding Nebraska population percentage.**

Under right table: **Text= Race/ethnicity group is overrepresented in arrest and search rates when compared to the white population.**

The Basics

- Every person in the United States is entitled to certain rights and protections afforded by the U.S. Constitution.
- Your right to remain silent.
 - NE exception
 - Print out your own Red Card:
<https://www.aclunebraska.org/en/publications/print-your-own-policefbiice-rights-red-cards>
 - In English, Arabic and Spanish

RED CARD

You have constitutional rights:

- **DO NOT OPEN THE DOOR** if an immigration agent is knocking on the door.
- **DO NOT SIGN ANYTHING** without first speaking to a lawyer. You have the right to speak with a lawyer.
- **NEBRASKA LAW** requires you to state your name to an immigration agent if asked. Otherwise, you have the right to remain silent.
- If you are outside of your home, ask the agent if you are free to leave and if they say yes, leave calmly.
- **GIVE THIS CARD TO THE AGENT**. If you are inside of your home, show the card through the window or slide it under the door.

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I do not wish to speak with you, answer your questions, or sign or hand you any documents, based on my Fifth Amendment rights under the United States Constitution.

I do not give you permission to enter my home, based on my Fourth Amendment rights under the United States Constitution, unless you have a warrant to enter, signed by a judge or magistrate, with my name on it that you slide under the door.

I do not give you permission to search any of my belongings, based on my Fourth Amendment rights.

I choose to exercise my constitutional rights.

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Your rights at home

- Police can enter your home with:
 - Judicial warrant. You have the right to see the warrant.
 - Permission of a resident of your home.
- If they enter:
 - Remain silent, but exercise your right out loud.
 - Don't answer any of their questions or sign anything.
 - Don't show them false documents.
 - Never physically interfere with the agents of police.

Your rights if stopped on the street/while protesting.

- If they approach you with questions, ask if you can leave. If they say yes, walk away slowly. If they say no, don't walk away. Remain silent and ask to speak to an attorney.
 - Use your **Red Card**.
- The police officer may pat you down to make sure you have no weapons/drugs in your possession. Do not resist inspection.
 - The officers cannot arrest you without a warrant or proof that you have committed a crime or have no legal status, so:
 - Don't give documentation from home country that shows your nationality
 - Don't give police false documentation; and
 - Never lie to the police officer.
- The right to protest is guaranteed by the First Amendment regardless of immigration status.
- You don't need a permit to march in the streets or on sidewalks, as long as marchers don't obstruct cars or pedestrian traffic.

Your rights if stopped in your car

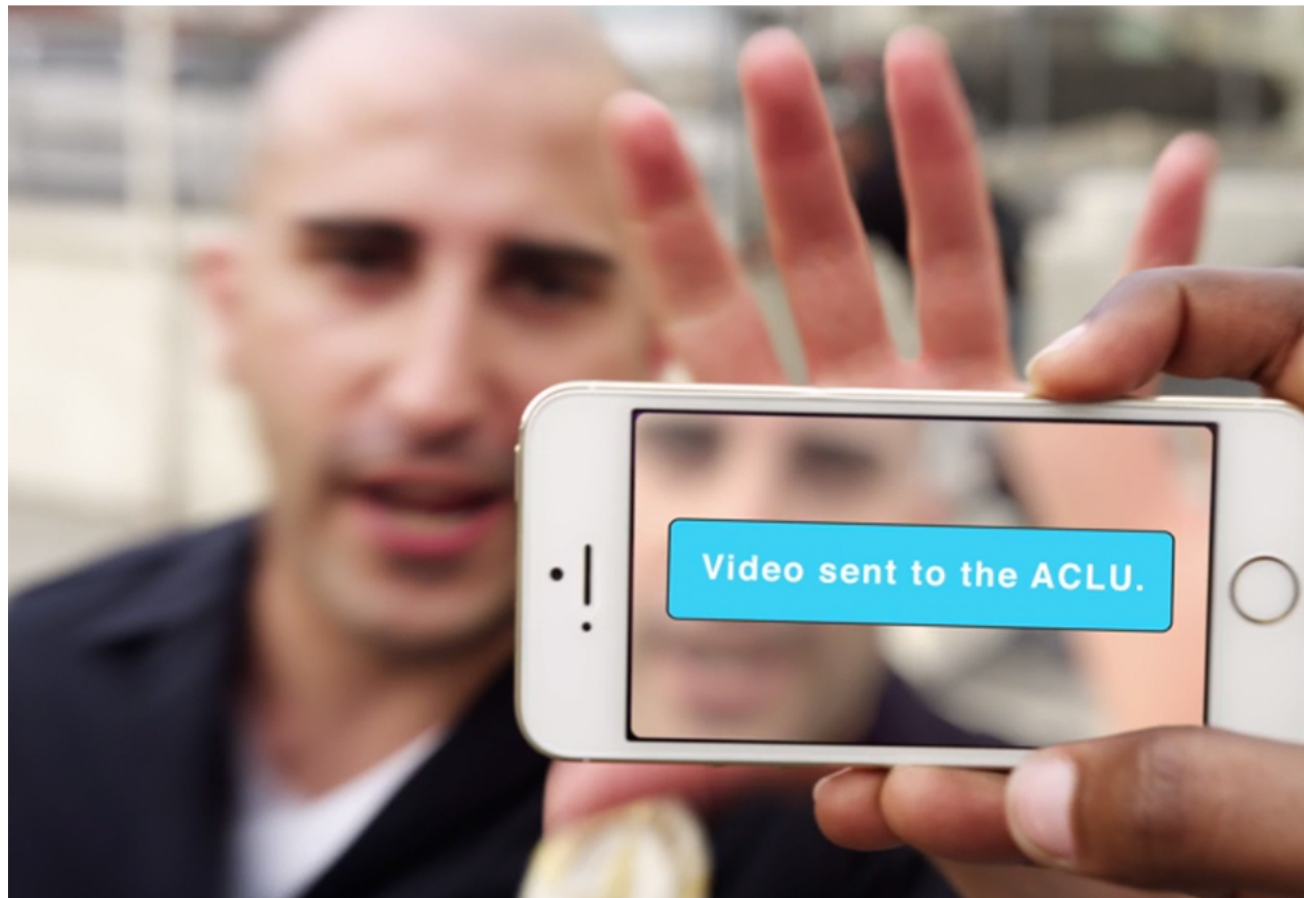
- If you are a passenger, you have the same rights as if you were stopped on the street.
- If you are the driver, the police can ask you to provide license, registration, and car insurance.
- If an officer asks to look inside your car, you can refuse to consent to the search.
- Both drivers and passengers have the right to remain silent.

Your rights if stopped at the airport

- It is illegal for officials to stop, search, apprehend, or remove you based solely on race, national origin, religion, sex or ethnicity, but can be stopped based on citizenship or past travel.
- Searches
 - Routine for with religious head covering.
 - Strip searches.
- Do not anything.
- Record details like: name of airport, airline, flight number, names and badge numbers of officers, questions asked, reasoning given for treatment, what searches were conducted, length of time and conditions of detention, and names and contact information of witnesses
- Right to Counsel depends on whether you are a citizen v. noncitizen

Your right to record the police

- You have the right to photograph anything in plain view, including federal buildings and the police.
- Police officers may not confiscate or demand to view your photographs or video without a warrant, nor may they delete data under the circumstances.
- Download Mobile Justice-NE available for Android and iPhone to record video.



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