These lessons contain some basic information about U.S. law. This information is <u>not legal advice</u> and is not a replacement for legal advice from a trained attorney. All information is current as of the date it was produced (September 2014).

Beginner Level 1

Last Modified: November 2017



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# When can the police search my car?

If a police officer asks to look inside your car, you have the right to say no. You do not have to consent to a search of your car. If the police believe your car contains evidence of a crime, however, they can search it even if you say no.

# **❖** When can the police impound (take) my car?

There are some situations in which the police are allowed to impound the car. This means that they take the car, and the owner usually has to pay a fine to get it back. For example, the police can impound the car if the car is or contains evidence of a crime. The police can also take the car when it presents a public safety risk. For example, if the car is pulled over on the side of the highway and the driver can no longer drive it. This may be because the driver was arrested for driving under the influence (drunk driving) or driving without a license.

# Can the police take and search my cell phone?

The Supreme Court decided in June 2014, in a case called *Riley v. California*, that the police generally must obtain a warrant before searching the contents of a cell phone seized from someone who has been arrested.

# **\*** What are my rights as the passenger?

If you are a passenger in a stopped car, you can ask if you are free to leave. You might also have to provide your name and address in some situations. You do not have to answer any other questions.

# Can I be arrested for driving violations?

Yes. Driving without a license is a crime in most states, including Massachusetts and Rhode
Island. A driver can also be arrested for other criminal driving violations, including
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<b>❖</b> What happens if I ar	m	

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