

Know Your Rights with CBP

Customs and Border Protection (CBP) is a federal law enforcement agency within the Department of Homeland Security (DHS). CBP agents enforce immigration laws at and near U.S. borders.

CBP at a border crossing (customs officers)

At the border, such as a land crossing or an international airport, CBP agents inspect people who are seeking to enter the U.S.



At a border crossing, customs officers:

- Can stop you and ask questions to determine whether you can be admitted into the U.S.
 - If you are a U.S. Citizen or Green Card holder, you are only required to answer questions to verify your identity and citizenship or permanent resident status. However, refusing to answer questions could result in further inspection and delays in entering the country.
 - If you are a visitor or visa holder, you could be denied entry if you refuse to answer questions.
- Can search your belongings, including electronic devices.
 - If you are a U.S. Citizen or Green Card holder, you are not required to provide passwords or unlock your devices. However, that could result in delays, and your devices may be taken by CBP.
 - If you are a visitor or visa holder, you could be denied entry if you refuse to provide passwords or unlock your devices.

CBP within the U.S. (Border Patrol)

Border Patrol is the division of CBP that operates within the country. They can work as far as 100 miles from any U.S. border or coastline. Almost all of New York State is considered part of this “100-mile border zone.”



Within the 100-mile border zone, Border Patrol:

- Can stop you in public and ask questions about your citizenship or immigration status.
- Cannot enter a home or private space without a judicial warrant or consent of the owner or occupant.
- Cannot conduct searches without a legal reason or consent.

Border Patrol stops could happen:

- at a transportation facility like a bus station, train station, or airport
- at a checkpoint (a stop along a road)
- if a Border Patrol vehicle pulls you over
- if you are stopped by local police and they call Border Patrol



If Border Patrol asks: “Are you a U.S. Citizen?”
You can answer:

“Yes”

- If you are a U.S. Citizen, you do not have to carry proof of citizenship if you are inside the country.
- Never lie to an agent!



“No”

- If you have valid immigration documents and you are over the age of 18, the law says you have to carry them with you.
- You will need to be able to show them or prove that you have valid status.
- Never provide false documents to immigration officials!



“I don’t want to answer the question”

- You always have the right to not answer the question, regardless of your immigration status.
- An agent may ask you more questions if you don’t answer.
 - You can keep repeating, “I don’t want to answer the question.”
 - You can ask, “Am I free to go?”

