

WHAT TO DO IF YOU'RE STOPPED BY THE POLICE...

- ✓ Be polite and respectful.
Never bad-mouth a police officer.
- ✓ Stay calm and in control of your words, body language and emotions.
- ✓ Don't get into an argument with the police.
- ✓ Remember anything you say or do can be used against you.
- ✓ **Keep your hands where the police can see them.**
- ✓ **Don't run. Don't touch any police officer.**
- ✓ Don't resist even if you believe you are innocent.
- ✓ Don't complain on the scene or tell the police they're wrong or that you're going to file a complaint.
- ✓ Do not make any statements regarding the incident.
- ✓ Ask for a lawyer immediately upon your arrest.
- ✓ Remember officers' badge and patrol car numbers.
- ✓ Write down everything that you remember ASAP.
- ✓ Try to find witnesses, their names and phone numbers.
- ✓ If you are injured, take photographs of the injuries as soon as possible, but make sure you seek medical attention first.
- ✓ If you feel your rights have been violated, file or call in a complaint with the Civilian Complaint Review Board at 1-800-341-2272.

KEEP THIS PAMPHLET HANDY! *If You Have A Police Encounter, You Can Protect Yourself.*

1. What you say to the police is always important. What you say can be used against you, and it can give the police an excuse to arrest you, especially if you bad-mouth a police officer.

2. You don't have to answer a police officer's questions, but you must show your drivers license and registration when stopped in a car. In other situations, you can't legally be arrested for refusing to identify yourself to a police officer.

3. You don't have to consent to any search of yourself, your car or your house. If you DO consent to a search, it can affect your rights later in court. If the police say they have a search warrant, ASK TO SEE IT.

4. Do not interfere with, or obstruct the police - you can be arrested for it.



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Assemblyman Keith L.T. Wright

WHAT SHOULD YOU DO IF STOPPED BY THE POLICE?



**TIPS THAT MAY
SAVE YOU FROM
A NIGHT IN JAIL
AND COULD EVEN
SAVE YOUR LIFE.**

From
Assemblyman
Keith L.T. Wright



WHAT SHOULD I DO IF I'M STOPPED BY THE POLICE?

Dear Constituents:

Thank you for taking the first step in protecting your civil rights—knowing what they are!

Although our society continues to suffer from the erosion of civilian trust in law enforcement, it is important to remember that many of the men and women who choose to become police officers do so with valor and high regard for the communities in which they police. They deserve our gratitude and respect. As an individual who has been a victim of racial profiling, I can definitely understand how years of practices like stop and frisk and highly publicized tragedies involving “bad cops” have contributed to distrust and feelings of frustration within the community. However, I cannot stress enough how important it is that we remain calm and sensible when interacting with law enforcement.

In order to protect yourself if you should be stopped by an officer, it is critical that you know the information contained in this pamphlet. This is intended to be used as a guide but remember—sound judgment should always prevail. Please share with your friends, family members and neighbors. Stay smart, stay informed and stay safe!

IN YOUR HOME

1. If the police knock and ask to enter your home, you don't have to admit them unless they have a warrant signed by a judge.
2. However, in some emergency situations (like when a person is screaming for help inside, or when the police are chasing someone) officers are allowed to enter and search your home without a warrant.
3. If you are arrested in your home or in your office, the police may search you and the “grabbable area” immediately surrounding you or where criminal activities are in plain view.

We all recognize the need for effective law enforcement, but we should also understand our own rights and responsibilities — especially in our relationships with the police. Everyone, including minors, has the right to courteous and respectful police treatment.

If your rights are violated, don't try to deal with the situation at the scene. You can discuss the matter with an attorney afterwards, or file a complaint with the Civilian Complaint Review Board.

IF YOU ARE STOPPED FOR QUESTIONING

1. Police may stop and detain you only if they have a reasonable suspicion that you have committed, are committing or you are about to commit a crime.
2. Ask if you are under arrest. If you are, you have a right to know why.
3. Don't badmouth the police officer or run away, even if you believe what is happening is unreasonable. That could lead to your arrest.
4. Police can't lawfully require that you identify yourself or produce identification if they don't reasonably suspect you are involved in a crime. But use your judgment – refusal could lead to your arrest even if unjustified.
5. If police have reasonable suspicion to believe you have a weapon, they may perform a frisk and pat down your clothing. Don't physically resist, but make it clear that you don't consent to any further search.

IF YOU'RE STOPPED IN YOUR CAR

1. Upon request, show them your driver's license, registration, and proof of insurance. In certain cases, your car can be searched without a warrant as long as the police have probable cause. To protect yourself later, you should make it clear that you do not consent to a search. It is not lawful for police to arrest you simply for refusing to consent to a search.

2. If you're given a ticket, you should sign it; otherwise you can be arrested. You can always fight the case in court later.

3. If you're suspected of drunk driving (DWI) you will be asked to take breath-alcohol and coordination tests. If you fail the tests, or if you refuse to take them you will be arrested, your driver's license may be suspended and your car may be taken away.

IF YOU'RE ARRESTED OR TAKEN TO A POLICE STATION

1. You have the right to remain silent and to talk to a lawyer before you talk to the police. Tell the police nothing except your name and address. Don't give any explanations, excuses or stories. You can make your defense later, in court, based on what you and your lawyer decide is best.

2. If you have a lawyer, ask to see your lawyer immediately. If you can't afford a lawyer, you have a right to a free one once your case goes to court. You can ask the police how a lawyer can be contacted.

DON'T SAY ANYTHING WITHOUT A LAWYER.

1. Within a reasonable time after your arrest, or booking, you should ask the police to contact a family member, or friend. If you are permitted to make a phone call, anything you say at the precinct may be recorded or listened to. Be very careful, and never talk about the facts of your case over the telephone.

2. Sometimes you can be released without bail or have bail lowered. You must be taken before the judge within 24 hours after arrest.

3. Do not make any decisions in your case until you have talked with a lawyer.

The information in this pamphlet was produced by the American Civil Liberties Union and Used with Permission

Assemblyman Keith Wright • Harlem State Office Bldg., 163 W. 125th St., Suite 911, New York, NY 10027 • 212-866-5809