Police Encounters

How to Interact With the Police

- Be polite and don't make any sudden movements. Often, a police officer's defense response can be easily triggered.
- Keep your hands out of your pockets and make sure they can be seen by the officers.
- Speak only when you are spoken to.
- Be very careful when answering questions that could incriminate you or others. When in doubt, don't answer.
- Calmly ask the police officer, "Am I being detained or am I free to go?" This question shows that the interaction is NOT voluntary, and can help you a lot later on if you need to file a complaint or if you are brought into the police station.
- Talking back, physically resisting searches, and not being calm will only increase the chance that you will be arrested. Stay calm, speak clearly, and do not physically or verbally fight with the police officer.

Miranda Rights

When you are arrested, the arresting officer **must** read you this statement (though the words may vary a little).
You can find more info at:
www.mirandarights.org

"You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have a right to an attorney. If you cannot afford an attorney, one will be appointed for you."

Your Rights

- If you choose to talk to the police officer, you have the right to stop the interview at any time.
- You have the right to remain silent.
- Police do not have the right to search your car or house without a warrant unless they have **reasonable cause**. If the police do not have a warrant, and you don't want them to search your house or car, say, "**I do not consent to searches**." Do not fight the police if they search your home or car. Only calmly repeat that you do not consent to searches.
- If arrested, police should read you your **Miranda rights**.
- Rights in a police station:
  - You have the right to a phone call after you have been arrested.
  - You have the right to an attorney.
  - If you are arrested and you are not a US citizen, do not discuss your immigration status with anyone but your lawyer. You have the right to an interpreter if you need one.

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If you feel your rights have been violated...



- Remember: the situation *cannot be challenged on the street.*
- Write down everything you remember ASAP.
- File a written complaint with the police station or call your local ACLU (American Civil Liberties Union) chapter.*

If you are stopped while walking...

- Keep your hands where the police officer can see them.
- Speak calmly. Ask, "**Am I being detained or am I free to go?**" If you are free to go, walk away calmly.
- You do not have to consent to a search of yourself or your belongings. Say, "**I do not consent to searches,**" but do NOT resist if the police officer searches you or your things anyway.
- Mouthing off, physically resisting searches, and not being calm will only increase the chance that you will be arrested. Stay calm, speak clearly, and do not physically or verbally fight with the police officer.

If you are stopped in your car...

- Stop the car in a safe place as soon as possible.
- Keep your hands where the police officer can see them, like on the wheel.
- You do not have to consent to a search of your car if the police do not have a warrant. If the police officer searches your car without a warrant, say, "**I do not consent to searches.**" Do not fight or argue with the police officer if they decide to search your car.
- Provide your license and registration.
- Stay in the car. If you're asked to get out of the car, calmly step out and shut the door.
- If you are accused of drunk driving and you fail the preliminary test (like walking in a straight line, reciting the ABCs backwards, etc.) but you *have not* been drinking, request a breathalyzer test.

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More Resources

Resources for Youth:
Flex Your Rights' 10 Rules for Dealing With Police:
http://www.youtube.com/watch?v=s4nQ_mFJV4I
ACLU's Know Your Rights:
aclu.org/drug-law-reform-immigrants-rights-racial-justice/know-your-rights-what-do-if-you

Resources for Parents:
What to Do if Your Child Gets in Trouble with the Law:
https://ppal.net/publication/what-to-do-if-your-child-gets-in-trouble-with-the-law/
What to Expect When You Bring Your Child to Court:
https://ppal.net/publication/what-to-expect-when-you-bring-your-child-to-court/
Real Risks to CRAs:
https://ppal.net/publication/real-risks-to-cras/

Resources for Law Enforcement Officials:
PPAL's Police Pocket Guide:
https://ppal.net/publication/police-pocket-guide/

*ACLU of Massachusetts

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Web: http://www.aclum.org
Legal Assistance: https://www.aclum.org/seeking-legal-help-aclu/

PPAL
Parent/Professional Advocacy League, Inc.
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