

# KNOW YOUR RIGHTS !!

## WHEN DEALING W/ POLICE



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### If the police stop you...

- Stay calm. Don't run. Don't argue, resist or obstruct the police, even if you are innocent or police are violating your rights. Keep your hands where police can see them.
- Ask, **"AM I BEING DETAINED, OR AM I FREE TO GO?"** If you are free to go, walk away calmly.
- If they say they are detaining you, ask, **"CAN YOU EXPLAIN WHY YOU ARE DETAINING ME?"** To stop you the officer must have specific reasons to suspect your involvement in a specific crime (not just a guess or stereotype).
- You do not have to answer any questions. (In some states, you must give your name if asked to identify yourself.) If the officer tickets or arrests you, you may be held for a while if you don't show ID.
- Do not lie or provide false documents.
- Remember names and badge numbers of officers involved.
- If a cop tries to search your home, your car, or your person, say repeatedly, **"I DO NOT CONSENT TO THE SEARCH."** The police can pat you down if they have reason to believe you are armed and involved in a crime, and they can search you and your possessions if they arrest you, and in a few other situations. You should not physically resist, but you have the right to refuse consent for any further search. If you do consent, it can affect you later in court.
- Regardless of your immigration or citizenship status, you have constitutional rights.

### If the police arrest you...

- Do not resist arrest, **even if you believe the arrest is unfair.**

- Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. If you can't pay for a lawyer, you have the right to a free one. **Don't say anything, sign anything or make any decisions without a lawyer.**
- You have the right to make a local phone call. The police cannot listen if you call a lawyer.
- Prepare yourself and your family in case you are arrested. Memorize the phone numbers of your family and your lawyer. Make emergency plans if you have children or take medication.
- You will be handcuffed, searched, photographed, and fingerprinted.
- Do not talk to inmates in jail about your case.
- If you are on probation or parole tell your P.O. that you have been arrested but nothing else.

#### **If the police abuse you or violate your rights...**

- Remember: police misconduct cannot be challenged on the street. **Don't physically resist officers.**
- **Write down details of the incident immediately**, including officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses. If you are injured, take photographs of your injuries (but seek medical attention first) and get a medical report describing them.
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.
  - Office of Professional Accountability Complaint Form - <http://www.nashville.gov/Police-Department/Online-Services/OPA-Complaint-Form.aspx>
  - Tennessee Department of Correction Director of Internal Affairs  
320 6th Avenue North 6th Floor, Rachel Jackson Building  
Nashville, Tennessee 37243-0465  
(615) 741-7144
- Call the ACLU or other civil rights attorneys. Call your local ACLU: (615) 320-7142 or visit [www.aclu.org](http://www.aclu.org)

#### **REMEMBER!**

You have legal rights, but many cops will not respect your rights.

**BE CAREFUL - BE STREET SMART**