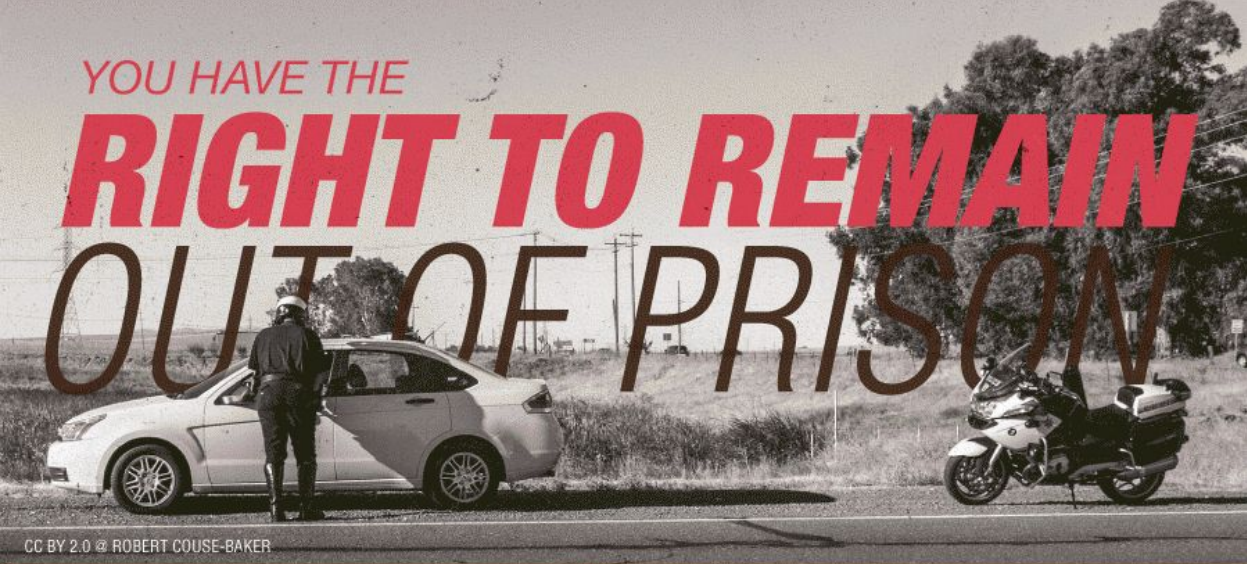


Used in this story

<http://www.theblaze.com/stories/2014/01/02/here-are-all-the-rights-you-have-when-interacting-with-a-police-officer/>

From Online-Paralegal-Programs.com



YOU HAVE THE
RIGHT TO REMAIN
OUT OF PRISON

CC BY 2.0 @ ROBERT COUSE-BAKER

KNOW YOUR RIGHTS

3 LEVELS OF POLICE/CITIZEN ENCOUNTERS

- CONSENSUAL**
- INVESTIGATIVE DETENTION**
- ARREST**

IV

AMENDMENT

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

EVEN IF YOU ARE NOT A U.S. CITIZEN

CONSENSUAL

Casual conversation



What brings you out here today?

Am I free to leave?

Yes

Am I required to show ID?

No

Legal search

Consensual or plain sight



INVESTIGATIVE DETENTION

Temporary detainment for further info



REASONABLE ARTICULABLE SUSPICION

Do you know why I stopped you?

Am I free to leave?

You'll be detained for approx. 15-20 minute max

No

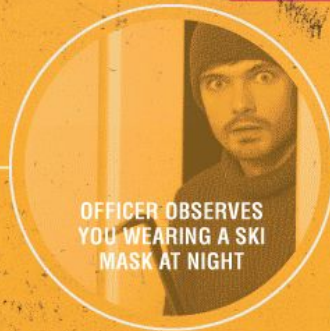
Am I required to show ID?

No Yes



Legal search

Frisk, plain sight, or consensual



WARNING SIGNS COPS LOOK FOR

- PAPER TAG
- DARE / POLICE DECALS
- COLLEGE ATTIRE
- GANGSTER ATTIRE

ARREST

Taken into police custody



PROBABLE CAUSE OR WARRANT

You have the right to remain silent.

Am I under arrest?

Yes

Am I required to show ID?

Yes

Legal search

Frisk, plain sight, consensual, or warrant



Potential reasons for suspicion

SUSPICIOUS PARAPHERNALIA

- CROWBAR
- SLIM JIM
- WEAPONS
- SPRAY PAINT
- ROLLING PAPERS
- BAGGIES / SCALES
- WEAPONS
- PIPES

MIRANDA RIGHTS



ARE READ ONLY ONCE YOU ARE IN POLICE CUSTODY

Common POLICE TRICKS

TRICK QUESTION

"Have you had anything to drink tonight?"

"Not answering is suspicious, why are you resisting?"

"If you have nothing to hide, you don't mind if I look around."

"If you refuse a search, I'll have to call a K-9 unit."

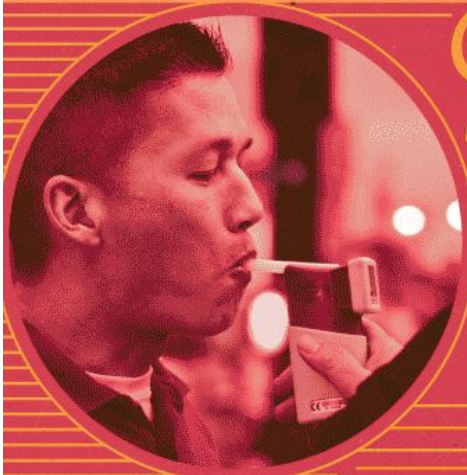
"Respectfully officer, I don't have to answer that."

BEST ANSWER

"I'm not resisting, respectfully, I don't have to answer anything."

"I'm sorry officer, but I don't consent to searches."

"Officer, are you detaining me, or am I free to go?"



Breathalyzer

DO YOU HAVE TO TAKE IT?

NO, YOU HAVE THE RIGHT TO REFUSE.

But be warned, refusal is an automatic, irreversible suspension of driver's license.

BREATHALYZERS ARE TUNED TO THE "AVERAGE" PERSON

FALSE POSITIVE FACTORS

SMALLER PEOPLE

SMALL LUNG CAPACITY

DIABETES

ACID REFLUX (GERD)

LOW-CARB DIET

INHALERS

FUMES EX. PAINT, ETHANOL GAS

BEST PRACTICES FOR EXERCISING YOUR RIGHTS SAFELY

TIPS TO REDUCE EXPOSURE TO SUSPICION

Always:

- BE POLITE
- BE RESPECTFUL
- KEEP HANDS VISIBLE
- ASK TO LEAVE OFTEN
Not asking = voluntarily staying
- ASK FOR CAUSE
Officers must articulate observed suspicions
- ASK IF REQUESTS ARE ORDERS
- RECORD ENCOUNTER IMMEDIATELY
Audio and video recording laws differ state by state
(But you can always write down the encounter after it occurs)
- REPORT ANY VIOLATIONS OF YOUR RIGHTS



TIP

Only crack door/window unless ordered to open fully.

REMEMBER

A POLICE REQUEST IS NOT AN ORDER

Clarify if it's an order, or a request



KEEP ITEMS THAT MIGHT DRAW ATTENTION OUT OF PLAIN SIGHT

PRESCRIPTION BOTTLES / MEDICINE
HOOKAHS / ROLLING PAPERS
MEASURING SCALE / ZIPLOCK BAGS
FIREARMS / WEAPONS

Never:

- ANSWER QUESTIONS
- LIE OR GIVE FALSE DOCUMENTS
- GIVE PERMISSION TO A SEARCH WITHOUT FULLY READING A WARRANT
- ARGUE, RESIST, FLEE, OR OBSTRUCT
- Even if your rights are being violated

POLICE

POLICE MAY LEGALLY LIE, BLUFF, AND INTIMIDATE YOU



MOST AVOIDABLE ARRESTS

OCCUR FROM TRICKERY AND INTIMIDATION WHICH RESULT IN THE INDIVIDUAL:

- CONSENTING TO A SEARCH
- ADMITTING GUILT

are not

REFUSING A SEARCH

OR REFUSING TO ANSWER INCRIMINATING QUESTIONS

ADMISSIONS OF GUILT *or* REASONS TO DETAIN YOU

Filming A Police Encounter

YOU MAY LEGALLY VIDEO AND AUDIO RECORD

A POLICE OFFICER PERFORMING OFFICIAL DUTIES WHILE IN PUBLIC

Legally

OFFICER MAY NOT

- CONFISCATE YOUR EQUIPMENT
- DEMAND TO VIEW FOOTAGE
- DELETE WITHOUT A WARRANT

INDIVIDUAL MAY NOT

- INTERFERE WITH THE OFFICERS' DUTY
[ex. If officer says "Stand back!" do so]
- PHYSICALLY RESIST
If officer reaches for your device, do not resist, just report it.

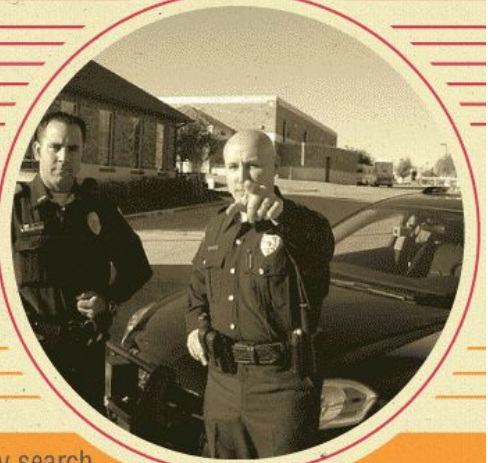
Roadblocks

DUI STOP

Legal

Protection from
"imminent public danger"

SAME RULES AS ANY OTHER TRAFFIC STOP



BORDER STOP

Legal

Agents may legally search
anything without warrant

SAME RULES AS ANY OTHER TRAFFIC STOP

CC BY 2.0 @ BY STEPHEN C. WEBSTER

DRUG STOP

The US Supreme Court ruled random checkpoints
for the purpose of finding drugs are unconstitutional

DRUG
CHECKPOINT
IN 1 MILE

It's a Trap!

POLICE ARE LOOKING FOR REASONS TO PULL PEOPLE OVER:

**IS A POLICE TRAP,
DO NOT EXIT**

- ILLEGAL U-TURNS
- LITTERING
- SUSPICIOUSLY EXITING