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YOU WERE STOPPED BY THE POLICE : NOW WHAT? KNOW YOUR RIGHTS

RESOURCE GUIDE
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Being stopped by the police is more than just an interaction for most people. It is a stressful experience that has high potential for things to escalate quickly. Below you will find three different scenarios where your legal rights, as well strategies for handling police encounters will be identified.

The police stopped me in public.

- **Your rights:**
 - You have the right to remain silent. You do not have to answer any questions about where you are going, where you are traveling from, who you've been with, what you are doing, or where you live. (It is a minority state rule that you may be required to produce ID, so check with your specific state.)
 - You do not have to answer questions about where you were born, whether you are a citizen of any specific county, or how you entered the U.S. (This is not the case at specific places such as international borders and airports where separate rules apply. Separate rules apply also if you have a nonimmigrant visa or a tourist visa.)
 - You do not have to consent to a search of yourself or your belongings, but you might be required to allow the police to conduct a frisk for weapons if they have a reasonable suspicion that you are carrying weapons.
 - Refusing consent will most likely not stop an officer carrying out a search against your will, but making an objection to the search will help preserve your rights if there is a legal proceeding following the search.
- **How to reduce risk to yourself:**
 - Stay calm.
 - Don't run, resist, or obstruct the police.

- Do not lie or give false documents.
- Keep your hands up above the waist and in plain sight of the officer.
- **Important to know:**
 - If you are walking down the street and a police officer stops you and asks, “Where are you going?” or, “What are you doing?” you do not have to answer them. By answering them and entering into a conversation, you are opening the door to being intimidated or tricked into a consented search.

I have been pulled over by the police.

- **Your rights:**
 - Everyone in the car has the right to remain silent.
 - If you are a passenger, you may ask the police if you are free to leave. If they say yes, then you may silently leave.
- **How to reduce risk to yourself:**
 - Stop the car in a safe place as soon as you can.
 - Turn off the car, turn on the internal light, open the window part way, and place your hands on the steering wheel.
 - If you are a passenger, place your hands on the dashboard or on the headrest if you are in the backseat.
 - When asked, provide the officer with your driver’s license, registration, and proof of insurance.
 - Avoid sudden movements and notify officer of any intended move you are about to make.
- **Important to know:**
 - If you are pulled over while driving, the police have more leeway in how they can go about searching your car or personal belongings. If they want to search your car or belongings, they probably will. The best thing you can do is vocally object to the search as this may help preserve legal rights in a court proceeding if one should follow.

The police are at my front door.

- **Your rights:**
 - Do not invite the officer(s) into your house. Talk with police through the door and ask for identification. You do not have to let them in unless they can show you a warrant that has been signed by a neutral magistrate that specifically lists your address as the place to be searched (or that has your name on it if it is an arrest warrant).

- If the officer has a warrant:
 - Ask to see the warrant. The police can either slide it under the door or hold it up to the window for you to read.
 - A search warrant allows the officer(s) to enter the address listed on the warrant.
 - A search warrant allows the officer(s) to search specific areas within the address listed on the warrant. These specific areas will be listed on the warrant.
 - Even with a warrant, you have the right to remain silent.
- **How to reduce risk:**
 - Do not speak to the officers during the search.
 - Stand silently and observe what the officers do, where they go, and what they take.
 - Write down everything you observe as soon as you can.
- **Important to know:**
 - If you are a guest inside a house where police show up at without a warrant, you should make clear to the police that you are a guest and do not have the authority to let them inside.
 - If you are a guest inside a house where police show up with a warrant, you do not need to have the authority of the homeowner to let them in.

Remember that the burden of de-escalation does *not* fall on you, it falls on the police. You cannot assume that officer will always act in a way that protects your safety or your interests.

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Please contact your local or state bar association to find an attorney who can assist you.

ABOUT US

The World Is Watching is a global coalition demanding concrete actions to end police brutality and systemic racism in the US.

We are leaders, foreign and domestic professionals, organizations, grassroots activists, and allies. We are creating a unified international front calling for policy, system, and environmental changes. Our inspiration stems from the critical role that international pressure had in advancing the Civil Rights Movement of the 1960s. We are now in the largest civil rights movement in history and we are strategically mobilizing the global community in the fight for justice.