

If you are arrested or taken to a police station, DO...

- ◆ **DO tell the police your name and basic identifying information.** But nothing else.
- ◆ **DO say “I want to remain silent” and “I want to talk to a lawyer.”** They should stop questioning you after that.
- ◆ **DO make sure you get your 3 phone calls** within 3 hours of getting arrested or immediately after being booked. You can call a lawyer, bail bondsman, relative, or any other person. If you have children under 18, you get 2 additional calls to arrange childcare. Memorize phone numbers ahead of time.
- ◆ **DO assume the police are recording your calls** (except the call with your lawyer).

If you are arrested or taken to a police station, DON'T...

- ◆ **DON'T give them any information except for your name and basic identifying information.**
- ◆ **DON'T give explanations, excuses, or stories.** Say “I want to remain silent” and “I want to talk to a lawyer.”
- ◆ **DON'T talk about your case on the phone.** The police might be recording your phone calls (except those to your lawyer).
- ◆ **DON'T make any decisions in your case without talking to a lawyer.**
- ◆ **DON'T discuss your citizenship or immigration status** with anyone other than your lawyer.

THE DO'S AND DON'TS OF POLICE STOPS

Encounters with the law can be stressful or scary. People have various experiences with law enforcement, some of which are not always fair or legal. This guide provides you practical information that could help you avoid more trouble or potentially harmful situations.

In this card you will find some language underlined. These are “magic words” that you can repeat over and over to show you know the law. Memorize them. Know your rights, so you can use them.

This guide is meant to offer some basic advice when interacting with police officers. This list applies to the state of California only. Be sure to consult a lawyer.



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YOUR RIGHTS & THE POLICE



KNOW YOUR RIGHTS!

When you know what the law says, you can better protect yourself, your family, and your community.

The ACLU of Northern California has created Know Your Rights guides on a range of issues:

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If you are stopped for questioning, DO...

- ◆ **DO ask “Am I free to go?”** If they say ‘yes,’ leave calmly. If they say ‘no,’ DO ask to know why by saying, “Can you tell me why you are stopping me?”
- ◆ **DO exercise your right to remain silent. Say “I want to remain silent.”** You cannot be arrested or detained for refusing to answer questions. But it can look suspicious to the police if you answer questions and then suddenly stop. Make it your practice to always remain silent.
- ◆ **DO make sure the officer knows you do not agree to be searched** (they might search you anyway, but make your opposition known). Say “I do not consent to a search.”
- ◆ **DO, if you are being given a ticket, give your name and birth date, and sign the ticket.** If you don’t, you may be arrested.

If you are stopped for questioning, DON’T...

- ◆ **DON’T disrespect a police officer.** Although you have a constitutional right to do so, it could lead to your arrest.
- ◆ **DON’T run away or physically resist a “pat-down” or search.** Say “I do not consent to a search.”
- ◆ **DON’T lie.** Tell the police you don’t want to talk to them. Say “I want to remain silent.”
- ◆ **DON’T forget that police are legally allowed to lie, intimidate, and bluff.**
- ◆ **DON’T discuss your citizenship or immigration status with anyone other than your lawyer.**

If you are stopped in your car, DO...

- ◆ **DO show your license, registration, and proof of insurance** when asked, if you were driving.
- ◆ **DO keep your hands on the wheel** and let the officer know what you are doing (“I’m going to reach for my registration now.”).
- ◆ **DO say “I do not consent to a search.”**
- ◆ **DO sign your ticket if you are given one.** Otherwise, you may be arrested.
- ◆ **DO take the DUI test,** unless you are willing to risk your license being suspended.
- ◆ **DO keep your car interior clear of unnecessary objects.** It may give the police reason to search the car.
- ◆ **DO ask if you can park your car in a safe place or have a licensed driver take it away,** if you are arrested, to avoid towing or impoundment fees.

NOTE: An AB 60 license should be accepted by state and local law enforcement in California, the same as other state-issued IDs.

If you are stopped in your car, DON’T...

- ◆ **DON’T physically resist a search.** Say “I do not consent to a search.”
- ◆ **DON’T refuse to sign a ticket.** You can be arrested for it.
- ◆ **DON’T search for your license or registration until asked.** It may look as if you are trying to hide something.
- ◆ **DON’T disrespect the officer.** Although you have a constitutional right to do so, it could lead to your arrest.
- ◆ **DON’T attempt to bribe the police.**
- ◆ **DON’T play music loudly when the police walk up to your car.**
- ◆ **DON’T have any objects hanging from your rearview mirror.** It may give police a reason to pull you over.