

# **The 411 on the Five-O**

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### **The NAACP Real World Guide to Interacting with Law Enforcement**

Far too often, the “war on crime” fought by police on the streets is waged against innocent individuals unaware of, or intimidated into surrendering, their constitutional rights. While we must support effective law enforcement, we must also exercise our constitutional rights to ensure law enforcement works as it should – to protect all Americans regardless of race or ethnicity. This guide offers helpful suggestions on how to interact with law enforcement to reduce the probability of conflict.

#### **In Your Car**

1. Upon request, present your driver’s license, registration and proof of insurance.
2. If you are suspected of drunk driving and refuse to take a sobriety test, the police may arrest you or seize your driver’s license.
3. You have the right not to consent to a search of your vehicle.
4. If the police state they have probable cause, they may begin to search your car without your consent. Do not interfere, but clearly request the basis of the search and state your lack of consent.
5. If you are given a ticket, sign it. You can always fight the case in court later.

#### **On the Street**

1. You are not required to answer any incriminating questions, but failing to truthfully answer simple ones will make the police suspicious and might be deemed a misdemeanor.
2. If requested, show your identification.
3. You are not required to consent to a search of yourself or your property.
4. If police have reasonable suspicion that you have a weapon or illegal substance, they may do a “pat-down” to check. Don’t resist.

#### **In Your Home**

1. Absent a warrant or emergency circumstances, the police do not have the right to enter your home. If the police knock at your door, you have the right to deny them entrance.
2. If the police say they have a warrant, ask to see it before letting them enter your home.
3. If you are arrested in your home, the police can search you and the area around you, which usually means the room.

#### **If You Are Arrested**

1. Immediately state your refusal to speak to the police and make a request for an attorney. Do not make any statements other than giving your name and address. You have the right to remain silent. You have the right to a court appointed attorney if you cannot afford one.
2. If you are under 18 years-old, tell the police and ask for your parents to be contacted immediately.

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3. After you are arrested, you must be given the opportunity to make a local phone call. Know beforehand who you will call in a situation like this and contact them. The police may not listen in on this phone call.
4. You must be taken before a judge or magistrate within a day after being arrested or within the shortest time otherwise possible.
5. If you are required to post bail after being arrested, you may request to have your bail lowered.
6. Do not make any decisions until you have spoken with your attorney. Do not allow the police to trick you into saying anything. Remember, the police can lie to get you to confess to a crime.

### **Do's and Don'ts If You Are Approached by the Police**

1. Do ask for a lawyer immediately upon being arrested or being placed into custody.
2. Do stay calm and keep your emotions from getting the best of you. Be courteous even if the police officer is not. You will only give the officer more ammunition against you if you begin yelling, arguing or refusing reasonable directives.
3. Do carry identification at all times and be prepared to produce it.
4. Do keep your hands where the police officer can see them.
5. Do take photographs if you are injured and seek medical attention as soon as possible.
6. Do remember the officer's name and badge number as well as any witness information. Write down everything you remember about the encounter as soon as possible and document all property damage.
7. Don't run.
8. Don't touch the police officer.
9. Don't make any statements about the incident without first having spoken to an attorney. Remember, anything you say will probably be held against you.

For more information contact your local NAACP Unit, which will be listed in your local telephone directory or contact the NAACP National Headquarters:

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