

the area close by. If you are in a building that means any nearby area where a person may be hiding.

#### REALITY

1. If the police say that they have a search warrant, ask to see it.
2. Check to see that your specific address is listed and note the specific areas of your home listed.
3. If the police insist on coming in without a warrant, try to get their names and badge numbers, and why they want to come in. Otherwise, stay out of the way.
4. If the police have an arrest warrant, make sure the name on the paper is someone in the household, either you, a listed occupant, family member or tenant.

#### IF YOU ARE ARRESTED OR TAKEN TO A POLICE STATION

#### RIGHTS & RESPONSIBILITIES

1. If you are arrested you have the right to remain silent and to talk to a lawyer before you answer questions from the police. Tell the police nothing except your name and address.
2. Do not talk without a lawyer; immediately ask to see one.

#### REALITY

1. Do not give false identification, explanations, excuses or stories. Such information may be used against you and result in additional charges against you.
2. Do not make any decisions in your case until you have talked to a lawyer.
3. You can expect to be taken before a Judge within 48 - 72 hours after your arrest.

### THIS IS NOT COMPLETE ADVICE. BE SURE TO CONSULT A LAWYER!

#### IMPORTANT TELEPHONE NUMBERS

- Allegheny County Public Defender Office: 412-350-2401
- Allegheny County Bar Association, Lawyer Referral Service (private defense lawyers): 412-261-0518

#### Police, Prosecutors, and Jail

- Pittsburgh Bureau of Police, Chief's Office: 412-323-7800
- Allegheny County District Attorney's Office: 412-350-4400
- Allegheny County Jail: 412-350-2000

#### Complaints About Police Misconduct

File written complaints and cooperate with:

- Citizen Police Review Board 412-765-8023
- Office of Municipal Investigations 412-255-2804

#### Further assistance can be obtained by contacting a private attorney and/or:

- ACLU 412-681-7736
- NAACP 412-471-1024
- Alliance For Police Accountability (APA) 412-628-5849

#### Current & Historical Contributors Pittsburgh PA:

ACLU-PA \* Alliance For Police Accountability (APA)  
Black Political Empowerment Project (B-PEP)  
Citizen Police Review Board (CPRB)  
Guardians of Greater Pittsburgh  
Homer S. Brown Law Association  
NAACP, Pittsburgh Unit \* Parents Against Violence  
Pittsburgh Bureau of Police  
Univ. of Pittsburgh School of Law

***This pamphlet may be translated, copied & redistributed freely.***

Revised March 2015

# YOU & THE POLICE

#### Rights, Responsibilities & Reality

***This brochure is being made available free of charge to all members of the community. It has three purposes:***

1. *To outline for people their legal rights when interacting and communicating with the police;*
2. *To inform people of their responsibilities and obligations any time they (or a family member or friend) have contact or involvement with police officers; and*
3. *To promote improved relations and understanding between members of the community and the police.*

## IN ANY POLICE ENCOUNTER

### RIGHTS & RESPONSIBILITIES

1. The police can stop and question you if they have reasonable suspicion that you have done something illegal. In such a stop, they can "pat-down" your clothing to check for a concealed weapon if they suspect you have one. Do not physically resist, but make it clear that you do not consent to any further search.
2. You are not legally required to answer a police officer's questions. You cannot legally be arrested just for refusing to answer questions or to identify yourself to a police officer. But if you are arrested or cited, failure to identify yourself can lead to additional charges or to you being detained when you might otherwise get only a citation.
3. What you say to the police is always important. What you say can be used against you, and it can cause the police to arrest you.
4. You do not have to consent to any search of yourself, your possessions, your car or your home. If you do not consent to a search, be sure to tell the police. If you do consent to a search, it can affect your rights later in court.
5. If the police say they have a search warrant, ask to see it and check to make sure that it lists the right person or address.
6. Do not interfere with, or obstruct, the police; you can be arrested for it.
7. You have a right to record (audio and video) police activity so long as you can do so safely and do not physically interfere with their work.

### REALITY

1. Be polite and respectful. Although "bad mouthing" or criticizing a police officer may be legally protected speech, it is not recommended and might cause you problems.
2. Stay calm, control what you say, as well as your body language and emotions.
3. Don't get into an argument with the police.
4. Keep your hands where the police can see them. Don't make any sudden movements.

5. Don't ever touch a police officer.
6. Don't run.
7. Even though refusing to answer questions is not a crime, it can make the police suspicious about you. If you do decide to talk, remember, anything you say can be used against you.
8. Don't resist even if you believe you are innocent.
9. Don't interfere when an officer is doing his or her job.
10. If you believe that you have been the victim of police misconduct:
  - a. Don't complain or tell the police that they are wrong or that you will file a complaint against them.
  - b. Remember the officers' names, badge numbers and/or patrol car numbers. If the names or badge numbers are not visible, you may politely ask the officer for the information.
  - c. Write down everything you can remember as soon as you can. Memories fade quickly.
  - d. Try to find witnesses. Try to get their names, email addresses and phone numbers.
  - e. If you are injured, take photographs of the injuries as soon as possible, get medical attention, and tell the doctor what happened.

## IF YOU ARE STOPPED IN A CAR

### RIGHTS & RESPONSIBILITIES

1. The police can ask you to pull over when they observe you committing any traffic offense; this includes moving violations [e.g. failure to signal] and equipment violations [e.g. taillight out].
2. Stop the vehicle safely out of traffic, immediately place it in Park, apply parking brake, turn off the vehicle. Keep your hands visible.
3. Show your driver's license, vehicle registration, and insurance upon request.
4. During a traffic stop, the police can search the passenger compartment of your car if they have probable cause to believe that there may be a weapon.
5. If you are arrested during a traffic stop, the police can search the inside of the car if they have probable cause to believe that evidence for which the person is being

arrested will be found in the passenger compartment.

6. If you are given a ticket, you should sign it. Your signature proves only that you received the ticket. It is not an admission of guilt.
7. If you are suspected of drunken driving and refuse to take a blood, urine or a breath test, your driver's license will be suspended and you will be arrested.

### REALITY

1. If the police are trying to stop you, pull over right away. If possible, try to pull over in a well-lit area or where there are people.
2. Stay in the car until an officer tells you what to do.
3. If it is dark outside, turn on the car's inside light.
4. Keep your hands on the steering wheel where the officer can see them until you are told what to do.
5. Be sure to have all your paperwork current, in order and readily available. This includes: valid driver's license; valid vehicle registration and the little sticker on the license plate; current insurance card; current & valid auto safety and emissions inspection stickers. Having this information can save you lots of money in fines and costs and may prevent the towing of your car.
6. If the officer searches your car even though you object, don't interfere.
7. If you are given a ticket, don't argue about it. You can always fight the case in traffic court later.

## IF THE POLICE COME TO YOUR HOME

### RIGHTS & RESPONSIBILITIES

1. If the police knock and ask to enter your home, except for the situations in the next paragraph, you do not have to admit them unless they have a warrant signed by a judge. If they insist on coming in anyway say clearly that you do not consent to a search, but do not physically interfere.
2. Some emergency situations like when a person is screaming for help inside or when the police are chasing someone permit officers to enter briefly to try to locate the person in trouble or the fleeing criminal.
3. If you are arrested, the police can search you and