

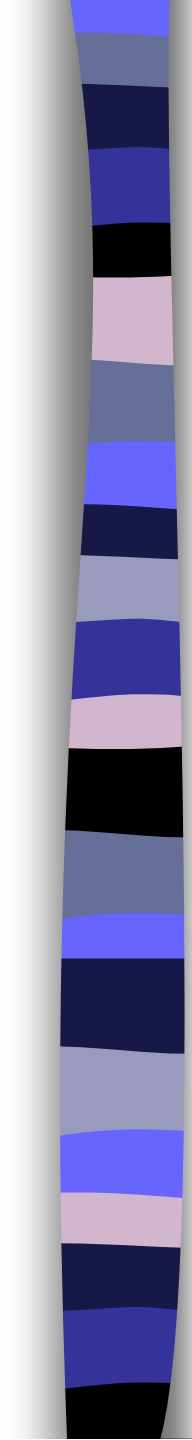
What To Do When Stopped By The Police

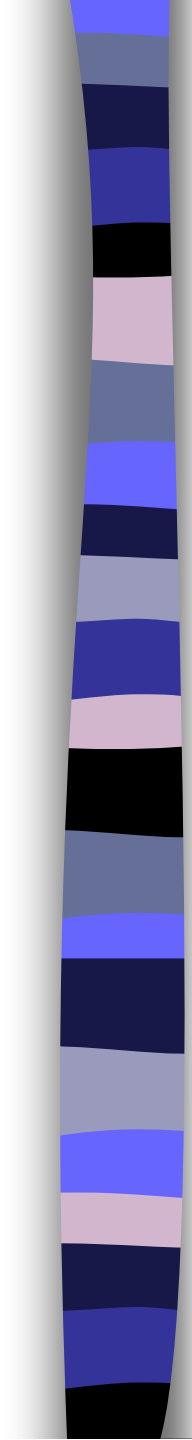


ENCOUNTERS WITH THE POLICE

- What is your name?
- Where do you live?
- Do you have any identification?



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- These are simple questions that under certain circumstances police officers have the right and sometimes the obligation to ask.
 - They can be answered easily by almost everyone.

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- In most cases there is a valid reason why the officer is asking you such questions even though it may seem to you at the time that there isn't a reason.



Why ask?

1. The officer may be investigating a complaint phoned into the police by someone in your neighborhood.
2. The officer may have been informed by the police radio that a crime has just been committed in the area.



Why ask?

3. You may be the person the officer suspects **may be** involved.
4. You may have knowledge that will help the officer in the investigation, or the officer may think that you are in need of assistance.



Why ask?

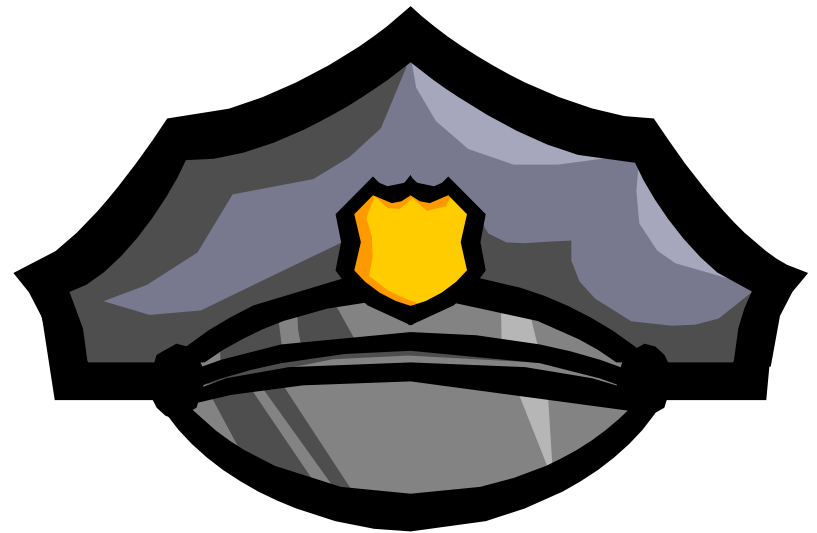
- The officer has a responsibility and an obligation to obtain pertinent information to resolve any calls or incidents that the officer may be assigned to investigate.

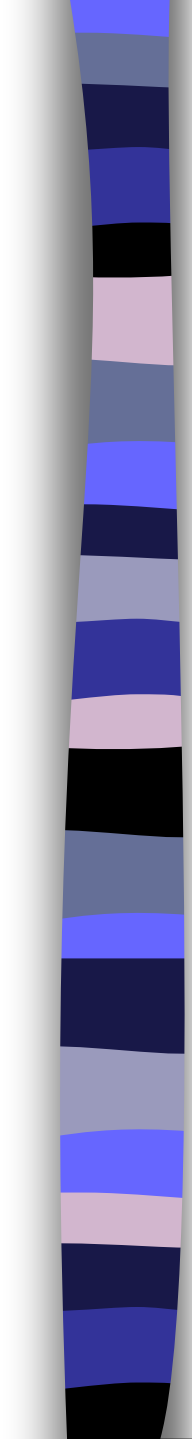


Why ask?

- Part of the investigative process is to ask questions that are relevant to the information that the officer has received regarding the assignment. If you, or others around you, overreact to the officer's questions, you may create an even more serious situation.

If You Are Stopped By The Police While Driving



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- While you are driving a car, if a police officer has reasonable suspicion or probable cause to believe that a violation of the Vehicle Code has been committed or a crime has occurred, you may be pulled over.



You will be asked to...

- Show your driver's license
- The registration card for the vehicle
- Proof that the vehicle is insured



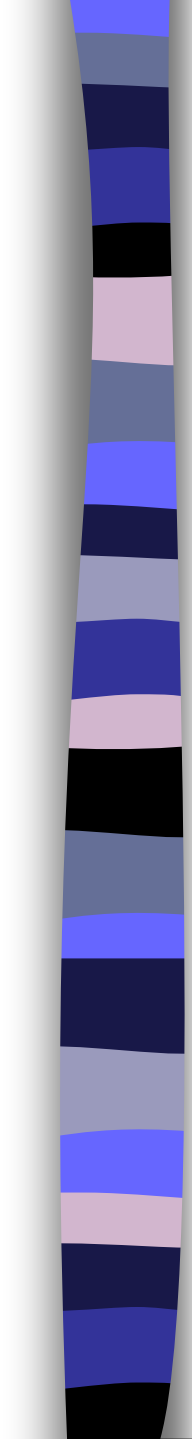
Why show these?

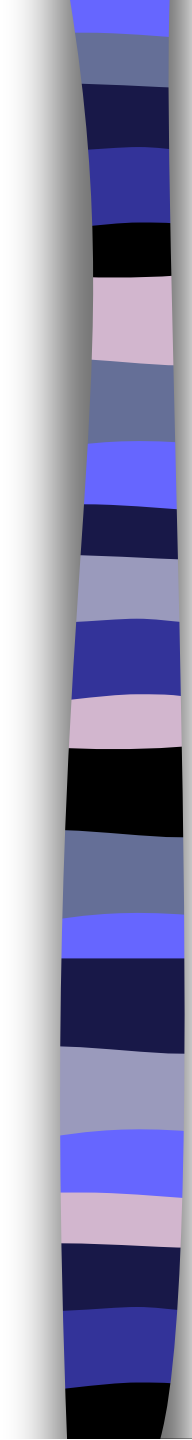
- The Vehicle Code requires that these three documents be exhibited by a driver who is stopped by the police.
- You **must** comply with these requests.



What to do?

- The best thing for you to do in this situation is to **pull over, stay calm and remain in your car, unless told to do otherwise by the police.**

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- The officer may legally check your vehicle for equipment code violations under the Vehicle Code.
 - If you are stopped at night, turn on your dome light to show the officer that there is nothing wrong and to lessen the possibility that the officer will believe that there is a reason to fear for his or her safety.

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- It is best not to make any sudden movement or do anything that would give the officer a reason to search your vehicle.
 - Having your light on and keeping your hands on the steering wheel will usually put the officer's mind at ease.



Remember...

- The officer cannot read your mind. He/she does not know if you are a law-abiding citizen or a criminal.
- Unfortunately for his or her safety, the officer must assume the worst case scenario at first. Only when you are asked by the officer for your identification should you go about getting it.



What next?

- You may start to explain or question what you were doing that caused you to get stopped, but that is as far as you should take it.
- There is a chance that the officer will write you a citation or a warning notice for a traffic violation. This may take some time, so you should be patient, as it is not the intention of the officer to delay you in continuing on your way.



What next?

- When the officer asks you to sign the citation or warning notice, **it is not an admission of guilt.** You are simply acknowledging that you received a copy.
- If you refuse to sign, the officer will still issue the citation but will mark it “Refused.” Be careful about the manner in which you may protest. This is not the time or the place to argue your case.



What next?

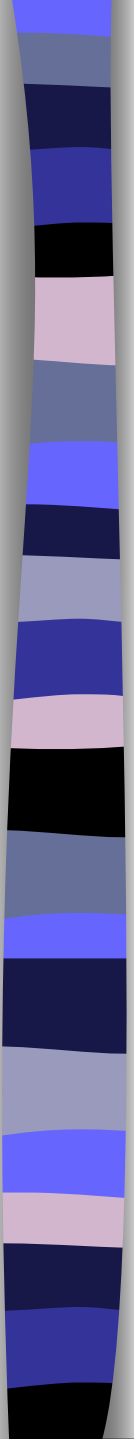
- If you feel that you are receiving a citation for something that you did not do or for something that is not fair, you should take your protest to court and explain your case to the Judge.

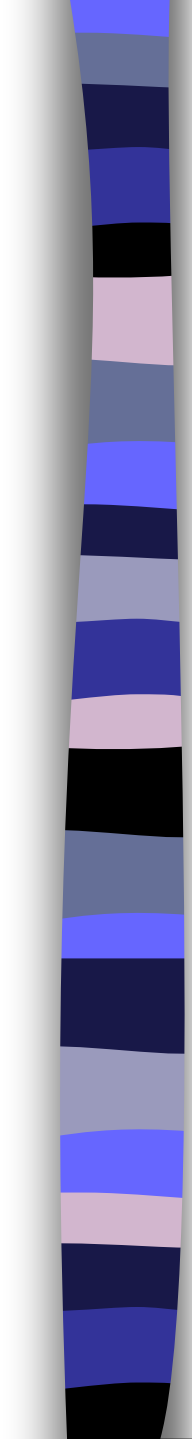


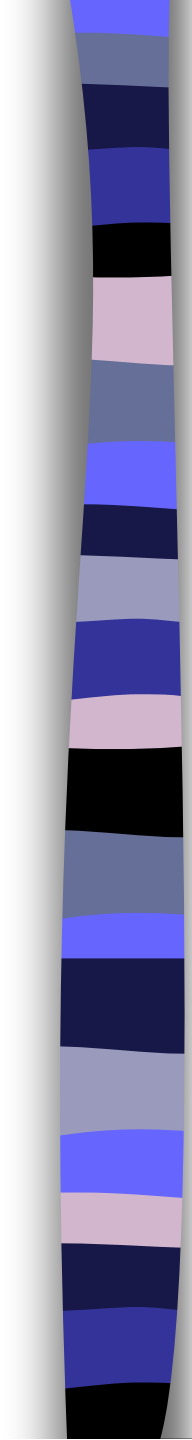
What next?

- Just because you are issued a citation that does not mean that you are guilty, or will be found guilty, or will be required to pay a fine. You have a right to go to court and to have a Judge hear your explanation. If you do not agree with the decision of the Judge, you may file an appeal.

If You Are Stopped By The Police On The Street



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- Many of the problems that may arise when the police encounter a member of the community may be avoided at the time that they first stop and talk with you. Remember, the police officer believes that they have a reason to stop and ask you some questions.

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- When the officer approaches you, stop and remain calm. There are many factors that a police officer will take into consideration when the officer is observing you and thinks that you may be committing a crime or doing something suspicious.
 - **Every situation is different.**



Police Factors

- Do you appear to be running away and a crime has just been reported in the area?
- Are you hanging around with people that may be under investigation by the police?
- Are you at or near where a crime has just been reported?



Police Factors

- Are you acting suspiciously or in a location that raises the officer's suspicion?
- The officer believes that you may have stolen property in your possession.
- The officer legally stops you on the street or while driving in your car and you refuse to answer simple questions, give false or evasive answers or make contradicting statements.



Police Factors

- Someone has pointed you out as a possible suspect involved in a crime.
- Are you hanging around places and people who are selling or using drugs?
- Are you using obscene language, acting disorderly, or drunk and/or high in a public place?



Remember...

The officer has the right and the obligation to find out what is going on.



Miranda Warnings

If the officer believes, after talking to you, that you have committed a crime and places you under arrest, before asking you any further questions, the officer will inform you of your Miranda Warnings.



Miranda Warnings

- You have a right to remain silent.
- Anything that you say can and will be used against you in court.
- You have a right to talk to a lawyer for advice before questioning. If you cannot afford a lawyer, one will be appointed for you before any questioning.



Miranda Warnings

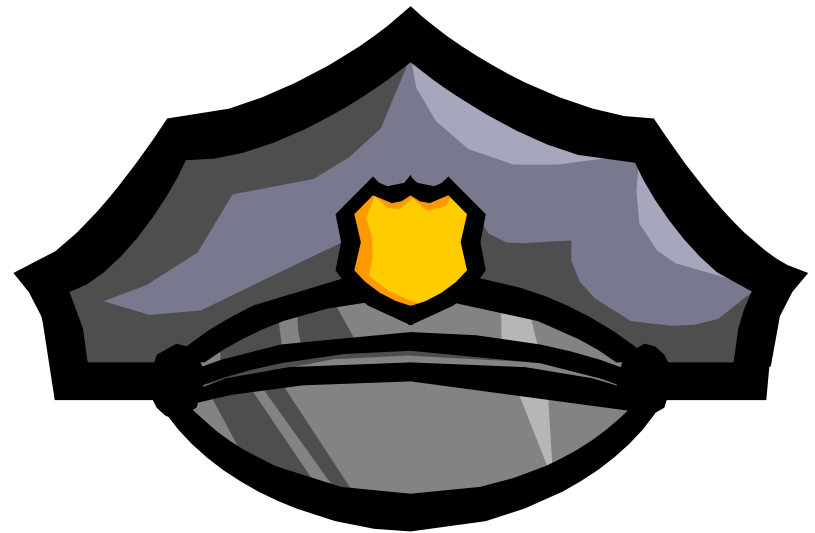
- If you would like to make a statement, you may stop at any time you wish.
- The officer will ask if you understand your rights, and if you are willing to answer questions or make a statement. If you do not wish to talk after you have been informed of your rights, you do not have to talk with the police.



Miranda Warnings

- If an officer does not advise you of your Miranda Warnings, it does not invalidate the arrest or the charges, but prevents the officer from using any statements in court that you may have made in response to the officer's questions.

If The Police Come To Your Home





What to do?

If the police come to your home and ask to come into your house, you do not have to let them in unless they:

- Have a warrant that has been issued by a Judge
- Have an emergency circumstance
- Are in pursuit of a suspect.



If there is a warrant...

- You may ask to see it.
- If it is an arrest warrant, look at the name on the warrant to be sure that the police have the right person.
- If it is a search warrant, make sure it is for your specific address. Check to see what is listed on the warrant to be searched for in your home or other location. The warrant gives the police the legal authority to temporarily seize the listed property on the warrant.



Warrant Exceptions

- When police have arrested a person in a house.
 - ➔ They may search his or her person, the immediate area where the arrest was made and conduct a sweep of the house to make sure that there is no one in the house that may present a danger to them.



Warrant Exceptions

- The police may also search without a warrant after consent is given.
 - ➔ If you object to their request to search, be sure to make it clear that you do not agree to any kind of search. They may also search when there is an emergency situation (ie., someone screaming for help from inside of your home) or when they are chasing you or someone else into your home, which is known as *hot pursuit*.



Warrant Exceptions

If the police do not have a warrant, you may, but you do not have to let them in, **UNLESS** they demand to come in. Perhaps you may settle this matter at the door.

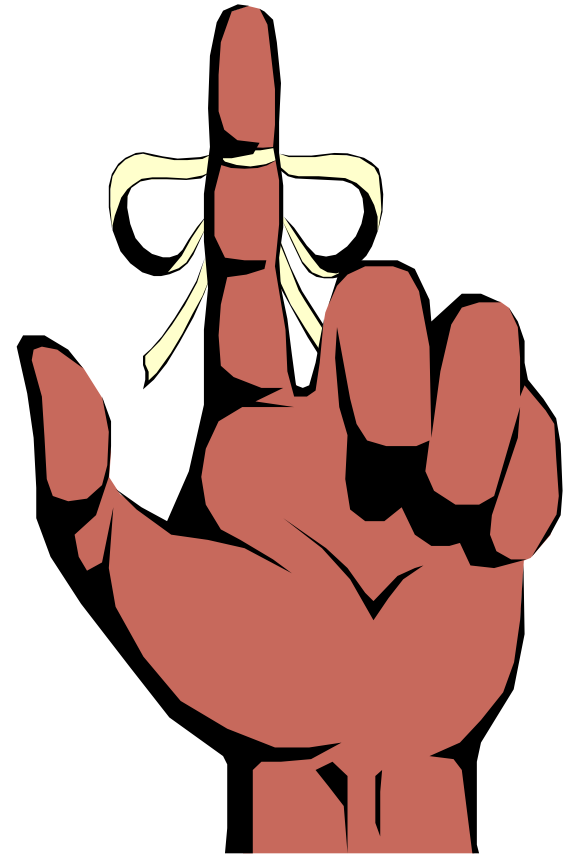


Warrant Exceptions

If the police insist on coming in over your objections then:

- Ask to see identification or a police badge.
- Let them in only after they demand to come in.
- If you object, then make sure that you tell them that you **DO NOT** consent to any search.
- Remember the badge numbers and the names of the officers. Write it all down. The officers usually have business cards. Ask for one.

THINGS TO REMEMBER





THINGS TO REMEMBER

1. If the police have stopped you, they believe that they have a reason to do so.
2. It is best to be cool and calm and identify yourself.
3. If an unmarked car signals you to pull over at night and you are not sure that the person is a police officer, put on your four-way flashers and dome light and slowly drive to the nearest well lit public area. Unmarked police cars used for traffic stops are equipped with **RED** and **BLUE** emergency lights.



THINGS TO REMEMBER

4. **DON'T THREATEN OR TOUCH THE OFFICERS.** Keep your hands and your feet to yourself. Doing otherwise will probably lead to you getting arrested. Don't make the situation worse than it already is.
5. Under Pennsylvania law, you may not use force to resist a legal or illegal arrest. Remember that you have the right to contest the validity of your arrest at a later time in court.



THINGS TO REMEMBER

6. If you are given a citation, you have a right to a hearing before a District Justice. If you do not agree with the decision of the District Justice, you have the right to appeal to the Court of Common Pleas.
7. If you are arrested for a misdemeanor or a felony, you have a right to a preliminary hearing in which the police must present evidence to show why you were arrested.



THINGS TO REMEMBER

8. If you feel that you were legitimately treated unfairly by a MUNICIPAL POLICE OFFICER(S), you have the right to file a personnel complaint with the Chief of Police or Superintendent of Police for that municipality.



LEGITIMATE COMPLAINTS

- Every Police Department in Montgomery County has a personnel complaint policy and process in place. If you are not satisfied with the response from the Chief of Police or Superintendent of Police, you may file a complaint with the elected officials who oversee the Police Department, such as the Mayor, Police Commissioner or Township Manager.



LEGITIMATE COMPLAINTS

- If you are not satisfied with that response, you have the right to file a complaint with the Montgomery County District Attorney's Office, and if you choose, you may pursue a civil action.



PHONE NUMBERS

- Montgomery County Public Defender's Office
610.278.3295
- Federal Bureau Of Investigation
215.641.8910
- PA Human Relations Commission
215.560.2496
- United States Attorney's Office
215.861.8200
- Local Police Department
(Consult Blue Pages of the phone book)

Presented By

**The
Police Chiefs
Association of
Montgomery
County**





IN PARTNERSHIP WITH

- The Montgomery County District Attorney's Office
- The PA Human Relations Commission
- The Montgomery Co. Advisory Council of the PA Human Relations Commission
- Our Communities