

You & *the Police*

RIGHTS, RESPONSIBILITIES & REALITIES

We all want to be safe!

*Brought to you by the City of Greensboro's
Greensboro Criminal Justice Advisory Commission (GCJAC)*

GCJAC

Greensboro
Criminal Justice
Advisory Commission

Monitor. Review. Analyze. Educate. Advise. Report.



GREENSBORO
NORTH CAROLINA

You & the Police

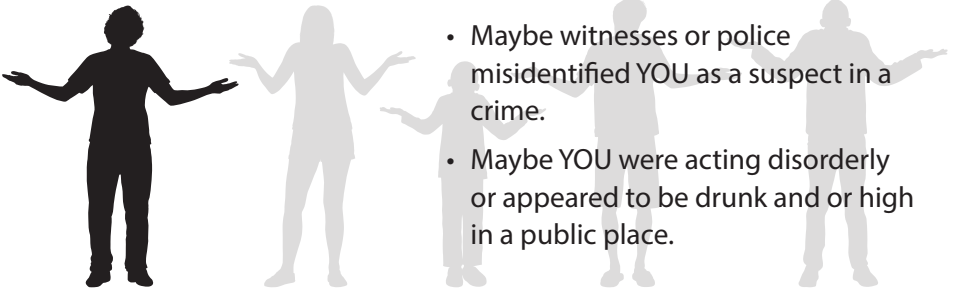


This brochure is designed to:

- Outline your rights when interacting and communicating with the police.
- Explain your responsibilities and obligations any time you (or a family member or friend) have contact or involvement with the police.
- Promote improved relations and understanding between all members of the community and the police.

**THIS IS NOT COMPLETE ADVICE;
BE SURE TO CONSULT A LAWYER!**

But Why Me?



- Maybe a crime has been reported and YOU are seen running away from the area.
- Maybe YOU have something that does not belong to you. The police may think you do.
- Maybe YOU are in an unusual place at an unusual time. Maybe YOU are in an alley behind a closed business at 4 am.
- Maybe witnesses or police misidentified YOU as a suspect in a crime.
- Maybe YOU were acting disorderly or appeared to be drunk and or high in a public place.

If the Police... **Come to Your Home**



Rights & Responsibilities

1. If the police knock on your door and ask to enter your home—except for situations mentioned in the next paragraph—you do not have to let them in unless they have a warrant signed by a magistrate or a judge. If the police insist on coming in anyway, clearly say you do not consent to a search, but **DO NOT** physically intervene.
2. In some emergency situations, such as when a person inside is screaming for help or when police are chasing someone, you should allow police to enter your home so they can help someone in trouble or continue a pursuit.

Reality

1. If the police insist on coming into your home with or without a search warrant, immediately let them in. Then, ask to see the warrant. **DO NOT** attempt to physically intervene, block or argue with police or you may be arrested. If police do not have a warrant, try to get the names and badge numbers of the officers before they leave and the reason why they entered your home.
2. When you see the warrant, verify that it lists your address and note the specific areas of your home listed in the warrant that are subject to search.
3. If police have an arrest warrant, make sure the name listed is you or someone in your household or a tenant.

If the Police...

Stop You While Walking

Rights & Responsibilities

1. Police can approach you and initiate a conversation. An officer may ask you for ID or ask to search you or your belongings. You can ask if you are free to leave. You do not have to consent to a search unless the officer has established probable cause to search you.
2. In such a stop, an officer can “pat-down” your clothing to check for a concealed weapon if they suspect you have one. **DO NOT** physically resist, but clearly tell the police you do not consent to any further search of your person or your possessions.
3. You are not legally required to answer an officer’s questions. You cannot legally be arrested just for refusing to answer questions or not identifying yourself. But, if you are detained (not free to leave), failure to identify yourself can lead to additional charges instead of maybe getting only a citation.
4. What you say to the police is always important; what you say can be used against you and cause police to arrest you.
5. If the police say they have a search warrant or arrest warrant for you, immediately comply with all directions.
6. You have a right to record audio/video of police activity as long as you do it safely and **DO NOT** physically intervene with their work.



Reality

1. Be polite and respectful. Although bad-mouthing or criticizing an officer may be legally protected speech, it is not recommended and may escalate the situation.
2. Stay calm. Think about the message your body language and tone is sending the officer.
3. You may ask if you are free to leave, but DO NOT argue with the officer. Cooperate now, then complain and report the situation later if you choose to do so.
4. Keep your hands where police can see them and do not make any sudden movements.
5. DO NOT touch an officer.
6. DO NOT run; you might get hurt.
7. DO NOT resist even if you believe you have done nothing wrong; you may be injured and/or arrested.
8. DO NOT physically intervene when an officer is doing his or her job or you may be arrested.
9. You have a constitutional right not to speak, however, refusing to do so may prolong the interaction. If you do decide to talk, remember any statement you make may be used against you. However, if you are detained, your phone and other belongings may be taken from you.
10. If you believe you have been a victim of police misconduct, DO NOT argue with the officer and DO NOT threaten to file a complaint.
11. If you choose to file a complaint at a later time, document the incident like this:
 - Write down the date, time and location of the occurrence.
 - Write down the names of the officers, their badge numbers and/or patrol vehicle number.
 - Prepare a written statement of everything you can remember as soon as possible. Memories fade quickly.
 - Try to find witnesses to the incident and write down their legal names, email addresses, phone numbers and mailing addresses.
 - If you were injured, take photographs of the injuries as soon as possible and get medical attention. Tell the doctor what happened and request copies of your medical records.

If the Police...

Stop You While Driving a Vehicle or Riding a Bike

Rights & Responsibilities

1. The police can ask you to pull over when they observe you committing any traffic offense, such as a moving violation (i.e. failure to signal) and equipment violations (i.e. tail light out).
2. Turn on your hazard lights, slow down and pull over out of traffic as soon as safely possible, then put your vehicle into park. Keep your hands visible and follow the police's commands. You may ask if it's okay to shut off your vehicle.
3. Tell the officer where your driver's license, vehicle registration, and insurance card are located in the vehicle and then ask permission to retrieve them.
4. During a traffic stop, the police can often search the passenger compartment of your car if they believe you are committing or have committed a criminal act.
5. If you are given a ticket, sign it. This is not an admission of guilt.
6. If you are suspected of drunk driving and refuse to take the field sobriety test, prepare to be arrested. If you are arrested and refuse to take a blood, urine or breathe test, your driver's license will be suspended at a later date.

Reality

1. If the police are trying to stop you, turn on your hazard lights, slow down, and try to pull over right away into a safe, well-lit area where there are people nearby.
2. Stay in the car until an officer tells you what to do and always keep your hands visible, such as on the steering wheel.
3. If it's dark outside, turn on your vehicle's inside light.
4. You may not have a legal duty to tell police if you have a firearm in your vehicle or on your person, however in the interest of safety it is best that you do so.
5. Even if you don't want an officer searching your car, DO NOT intervene. You may tell the officer that you do not consent to the search.
6. If you were given a ticket, do not argue about it. You can fight the case in traffic court at a later date if you choose.



If the Police...

Arrest You or Take You to a Police Station



Rights & Responsibilities

1. If you are arrested, you have the right to remain silent. Immediately ask for a lawyer and DO NOT talk without one present.
2. You may tell the police your name, date of birth, legal address, height and weight, and name of parent or guardian if applicable. That basic identification information could reduce the time you are held; you may not be the person the police thought you were.

Reality

1. DO NOT give false identification information, explanations, excuses or stories. This type of information may be used against you and result in additional charges.
2. DO NOT make any decisions in your case until you have talked with a lawyer.
3. Expect to be taken before a judge within 12-24 hours after your arrest.

Tip: Keep all your paperwork together in one location for easy access. This includes valid driver's license, vehicle registration, current insurance card, and auto safety/emissions items, as well as a concealed carry permit if applicable.

Important Telephone Numbers

Greensboro Police Department (GPD)	336-373-2222
Guilford County Sheriff's Department	336-641-3694
Guilford County Jail	336-641-2700
Guilford County District Attorney's Office	336-412-7600
Guilford County Public Defender's Office	336-412-7777

How to File a Complaint Against a Member of the GPD

You may file a complaint with GPD's Professional Standards Division in the following ways



336-373-2468

8 am - 4:30 pm
Monday - Friday



**Online
Complaint Form**

greensboro-nc.gov/ComplaintForm



**Professional
Standards Division**

100 E Police Plaza
Greensboro, NC 27401
8 am - 4:30 pm
Monday - Friday



**Mail
Complaint Form**

*Print and fill out the online complaint form
at greensboro-nc.gov/ComplaintForm and mail to:*

**Greensboro Police Department
Professional Standards Division
100 E Police Plaza
Greensboro, NC 27401**

G CJAC : Greensboro
Criminal Justice
Advisory Commission

Monitor. Review. Analyze. Educate. Advise. Report.

Contact the Greensboro Criminal
Justice Advisory Commission:

- Online at greensboro-nc.gov/GCJAC
- Email us at GCJAC@greensboro-nc.gov
- Call us at 336-373-2295