

KNOW YOUR RIGHTS

Law Enforcement Encounters



How to reduce risk to yourself

Stay calm. Do not run or resist, even if you believe it's unfair. Keep your hands where the police can see them. Avoid making sudden movements. **Never** touch a police officer. Remember **anything** you say or do can be used against you. **Do not** get into an argument with an officer of the law. **Do not** threaten the police that you are going to file a complaint.

Have your driver's license, registration, and proof of insurance ready in case you're **pulled over** by police so you can keep your hands on the steering wheel. Prepare for possible arrest by memorizing the **phone numbers** of your family and lawyer.

KNOW YOUR RIGHTS IN CASE...

...you are stopped on the street

Ask if you are free to go. If the answer is yes, walk away calmly. If the answer is no, ask why you are being detained. Police must have **reasonable suspicion** (indication to a reasonable person that a crime has been, is being, or will be committed) to detain you.

You **do not** have to answer questions. **Say: "I do not want to talk"** if you wish to exercise your right to remain silent. It is **not** a crime in Wisconsin to refuse to identify yourself to a police officer unless refusal interferes with a police investigation.

If you are subject to a "frisk" or pat down search, **do not** resist. Calmly say: **"Officer, I do not consent to searches."** Police may pat you down if they suspect a weapon.

...you are subject to a search

You **cannot** be searched without a warrant if you do not give **consent** (permission for police to search you, your home, or your vehicle), or unless there is evidence of **probable cause** (sight or scent of drugs, weapons, etc.). It is **unlawful** for police to arrest you for refusing to consent to a search without a warrant. Calmly say: **"Officer, I do not consent to searches."** Consenting can affect your rights later in court.

If an officer has a warrant, **ask to read it**. Police cannot enter your home unless they have a warrant signed by a Judge that lists your name or address, or in some emergency situations. If you are arrested, police can search you and the room you were arrested in.

...you are placed under arrest

1

Remain silent

You have the right to remain silent and talk to a lawyer before you talk to the police. Only give your name and address. **Nothing else.** Do **not** give explanations, excuses, or stories. You can fight your case later in court with a lawyer's assistance.

2

Ask for a lawyer

Ask for a lawyer **immediately**. If you cannot afford one, a free defense attorney can be provided for you.

3

Make a phone call

Within a reasonable amount of time, you have the right to make a phone call. Police cannot listen to a call you make to a lawyer, but they **can**, and often will, listen to the calls you make to others.

File a complaint

If you believe your rights have been violated, contact a lawyer and file a complaint immediately. **Scan the QR code** to learn more:

Write down **everything** you can remember **ASAP** including: names, badge or car numbers, place, time, and any witnesses.

If you are **injured**, seek medical attention immediately and take photographs of your injuries.



[ACLU-WI.org/Know-Your-Rights](https://www.aclu-wi.org/Know-Your-Rights)

This information is NOT intended as legal advice – laws can change.