

Police Encounters – What to Do

Plain-Language Guidance for Everyday Situations

Knowing your rights and how to assert them calmly and clearly is essential during any interaction with law enforcement. The following guidance is based on your rights under the U.S. Constitution, primarily the Fifth and Sixth Amendments.

During a Stop (Traffic or Pedestrian)

Right/Action	Simple Explanation
Stay Calm and Respectful	Always remain calm. Do not argue, resist, or obstruct the officer. Your goal is to de-escalate the situation.
Right to Remain Silent	The Fifth Amendment gives you the right to remain silent. You are only required to provide your name and, in a traffic stop, your license and registration. You can politely say, “I am going to remain silent and would like to speak to an attorney.”
Ask if You Are Free to Leave	If you are not under arrest, you are generally free to leave. You may ask, “Am I free to go?” If the officer says yes, leave calmly. If the officer says no, you are being detained.
Do Not Lie	If you choose to speak, tell the truth. Lying to a police officer can lead to a separate criminal charge.

Searches: Asserting Your Fourth Amendment Right

The **Fourth Amendment** protects you from unreasonable searches and seizures. Police generally need a warrant or a legal exception to search you, your car, or your home.

- **You Can Refuse:** If an officer asks to search you or your property, you have the right to refuse. You should state clearly and politely: **“I do not consent to a search.”**

- **Do Not Physically Resist:** If the officer proceeds with a search despite your refusal, **do not physically resist**. Your refusal is noted for later use in court.
- **Consent is Key:** If you consent to a search, any evidence found can be used against you, even if the officer did not have a legal reason to search in the first place.

During an Arrest

If you are arrested, your rights under the **Fifth** and **Sixth Amendments** become immediately important.

- **Right to Remain Silent:** Immediately assert your right to remain silent. Do not answer any questions about the incident until you have spoken with a lawyer.
 - **Right to Counsel:** You have the right to an attorney. You must clearly state: **“I want a lawyer.”** Once you say this, police must stop questioning you until your lawyer is present.
 - **Do Not Sign Anything:** Do not sign any documents, waivers, or statements without first consulting with your attorney.
-

Important Notice:

The information provided in this guide is for educational purposes only. We do not provide legal advice, legal interpretation, or attorney services, and we cannot represent anyone in court. Our goal is to help you learn, understand, and feel confident when navigating legal topics.
