

KNOW YOUR RIGHTS: STOPPED BY THE POLICE IN CONNECTICUT



Being stopped by police is a stressful experience that can go bad quickly. Here we describe what the law requires and also offer strategies for handling the police encounter that may help reduce the risk of violence or death.

To be clear – the burden of de-escalation doesn't fall on the person being stopped, it falls on police employees.

You have the right to remain alive and to have your rights respected by police, who are government employees and are supposed to uphold the Constitution. This advice, however, reflects reality: we cannot assume police employees will make decisions that protect people's safety. Additionally, any effort to reduce risk is not a guarantee of safety. There are situations where people have done everything they can to put a police employee at ease, yet still ended up being injured or killed by police.

Scenarios

If you've been stopped by police in public

1. How to minimize risk of police violence

- Stay calm. Don't run, resist, or obstruct the officers. Do not lie or give false documents. Keep your hands where the police can see them.

2. Your rights

- You have the right to remain silent. If you wish to exercise that right, say so out loud. (In some states, you may be required to provide your name if asked to identify yourself.)
- You do not have to consent to a search of yourself or your belongings, but police may pat down your clothing if they suspect a weapon. Refusing consent may not stop the officer from carrying out the search against your will, but can help preserve your rights in any later legal proceeding.
- If you are arrested by police, you have the right to a government-appointed lawyer if you can't afford one.
- You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports as well as for people on certain nonimmigrant visas, including tourists and business travelers.)

3. What to do if you are arrested or detained

- Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. Don't say anything, sign anything, or make any decisions without a lawyer.
- If you have been arrested by police, you have the right to make a local phone call. The police cannot listen if you call a lawyer.

4. If you believe your rights were violated

- Write down everything you remember, including officers' badges and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses.
- If you're injured, seek medical attention immediately and take photographs of your injuries.
- File a written complaint with the agency's internal affairs division or civilian complaint board. Under a Connecticut statewide policy, you have the right to file an anonymous complaint, but some police departments have made that difficult or have created internal policies that treat anonymous complaints less seriously. If you experience issues filing a complaint, contact the ACLU of Connecticut.

5. What you can do if you think you're witnessing police abuse or brutality

- Stand at a safe distance and, if possible, use your phone to record video of what is happening. As long as you do not interfere with what the officers are doing and do not stand close enough to obstruct their movements, you have the right to observe and record events that are plainly visible in public spaces.
- Do not try to hide the fact that you are recording. Police officers do not have a reasonable expectation of privacy when performing their jobs, but the people they are interacting with may have privacy rights that would require you to notify them of the recording.

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- Police officers may not confiscate or demand to view your photographs or video without a warrant, and they may not delete your photographs or video under any circumstances. If an officer orders you to stop recording or orders you to hand over your phone, you should politely but firmly tell the officer that you do not consent to doing so, and remind the officer that taking photographs or video is your right under the First Amendment. Be aware that some officers may arrest you for refusing to comply even though their orders are illegal. The arrest would be unlawful, but you will need to weigh the personal risks of arrest against the value of continuing to record.
- Whether or not you are able to record everything, make sure to write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, how many officers were present and what their names were, any use of weapons (including weapons such as Tasers or batons), and any injuries suffered by the person stopped. If you are able to speak to the person stopped by police after the police leave, they may find your contact information helpful in case they decide to file a complaint or pursue a lawsuit against the officers.

6. Additional resources

- If you need more information, contact the ACLU of Connecticut.

If you've been pulled over by police

1. How to minimize risk of police violence

- Stop the car in a safe place as quickly as possible.
- Turn off the car, turn on the internal light, open the window part way, and place your hands on the wheel. If you're in the passenger seat, put your hands on the dashboard.
- Upon request, show police your driver's license, registration, and proof of insurance.
- Avoid making sudden movements, and keep your hands where the officer can see them.

2. Your rights

- Both drivers and passengers have the right to remain silent.
- If you're a passenger, you can ask if you're free to leave. If yes, silently leave.
- Under Connecticut law, police must provide every person they pull over, whether they issue that person a traffic ticket or not, with a racial profiling prohibition project card. If you have been pulled over by police, you have the right to complete and return that card to the agency listed, regardless of whether you have received a traffic ticket.

3. What to do if you are arrested or detained

- Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. Don't say anything, sign anything, or make any decisions without a lawyer.
- If you have been arrested by police, you have the right to make a local phone call. The police cannot listen if you call a lawyer.

4. If you believe your rights were violated

- Write down everything you remember, including officers' badges and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses.
- If you're injured, seek medical attention immediately and take photographs of your injuries.
- File a written complaint with the agency's internal affairs division or civilian complaint board. Under a Connecticut statewide policy, you have the right to file an anonymous complaint, but some police departments have made that difficult or have created internal policies that treat anonymous complaints less seriously. If you experience issues filing a complaint, contact the ACLU of Connecticut.

5. What you can do if you think you're witnessing police abuse or brutality

- Stand at a safe distance and, if possible, use your phone to record video of what is happening. As long as you do not interfere with what the officers are doing and do not stand close enough to obstruct their movements, you have the right to observe and record events that are plainly visible in public spaces.
- Do not try to hide the fact that you are recording. Police officers do not have a reasonable expectation of privacy when performing their jobs, but the people they are interacting with may have privacy rights that would require you to notify them of the recording. In many states (see here) you must affirmatively make people aware that you are recording them.

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- Police officers may not confiscate or demand to view your photographs or video without a warrant, and they may not delete your photographs or video under any circumstances. If an officer orders you to stop recording or orders you to hand over your phone, you should politely but firmly tell the officer that you do not consent to doing so, and remind the officer that taking photographs or video is your right under the First Amendment. Be aware that some officers may arrest you for refusing to comply even though their orders are illegal. The arrest would be unlawful, but you will need to weigh the personal risks of arrest against the value of continuing to record.
- Whether or not you are able to record everything, make sure to write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, how many officers were present and what their names were, any use of weapons (including weapons such as Tasers or batons), and any injuries suffered by the person stopped. If you are able to speak to the person stopped by police after the police leave, they may find your contact information helpful in case they decide to file a complaint or pursue a lawsuit against the officers.

6. Additional resources

- If you need more information, contact the ACLU of Connecticut.

If the police are at your door

1. Your rights and how to minimize risk

- You do not have to let them in unless they have certain kinds of warrants.
- Ask the officer to slip the warrant under the door or hold it up to the window so you can inspect it. A search warrant allows police to enter the address listed on the warrant, but officers can only search the areas and for the items listed.
- Even if officers have a warrant, you have the right to remain silent. If you choose to speak to the officers, step outside and close the door.

2. When your rights have been violated

- Write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses.
- File a written complaint with the agency's internal affairs division or civilian complaint board. Under a Connecticut statewide policy, you have the right to file an anonymous complaint, but some police departments have made that difficult or have created internal policies that treat anonymous complaints less seriously. If you experience issues filing a complaint, contact the ACLU of Connecticut.

3. How to be a responsible bystander

- If you are a guest inside the house and end up answering the door, you should make clear to the police that you are a guest and do not have the authority to let them inside without the homeowner's permission.

4. Additional resources

- If you need more information, contact the ACLU of Connecticut.

If you've been arrested by the police

1. How to minimize risk

- Do not resist arrest, even if you believe the arrest is unfair.

2. How to prepare for possible arrest

- Prepare yourself and your family in case you are arrested. Memorize the phone numbers of your family and your lawyer. Make emergency plans if you have children or take medication.

3. Your rights

- Say you wish to remain silent and ask for a lawyer immediately. Don't give any explanations or excuses. If you can't pay for a lawyer, you have the right to a free one. Don't say anything, sign anything or make any decisions without a lawyer.
- You have the right to make a local phone call. The police cannot listen if you call a lawyer.

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4. When your rights have been violated

- Write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses.
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

5. What you can do if you think you're witnessing police abuse or brutality

- Stand at a safe distance and, if possible, use your phone to record video of what is happening. As long as you do not interfere with what the officers are doing and do not stand close enough to obstruct their movements, you have the right to observe and record events that are plainly visible in public spaces.
- Do not try to hide the fact that you are recording. Police officers do not have a reasonable expectation of privacy when performing their jobs, but the people they are interacting with may have privacy rights that would require you to notify them of the recording.
- Police officers may not confiscate or demand to view your photographs or video without a warrant, and they may not delete your photographs or video under any circumstances. If an officer orders you to stop recording or orders you to hand over your phone, you should politely but firmly tell the officer that you do not consent to doing so, and remind the officer that taking photographs or video is your right under the First Amendment and Connecticut state law. Be aware that some officers may arrest you for refusing to comply even though their orders are illegal. The arrest would be unlawful, but you will need to weigh the personal risks of arrest against the value of continuing to record.
- Whether or not you are able to record everything, make sure to write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, how many officers were present and what their names were, any use of weapons (including weapons such as Tasers or batons), and any injuries suffered by the person stopped. If you are able to speak to the person stopped by police after the police leave, they may find your contact information helpful in case they decide to file a complaint or pursue a lawsuit against the officers.

6. Additional resources

- If you need more information, contact the ACLU of Connecticut.

The police violated your rights

- When you can, write down everything you remember, including the officers' badge and patrol car numbers and the agency they work for.
- Get contact information for witnesses.
- If you're injured, seek medical attention immediately and take photographs of your injuries.
- File a written complaint with the agency's internal affairs division or civilian complaint board. Under Connecticut state law, all police agencies must have publicly available forms for people to fill out complaints.

IF YOU NEED MORE INFORMATION, CONTACT THE ACLU OF CONNECTICUT.

WWW.ACLUCT.ORG