

# You(th) Have Rights when dealing with police

## What should I do if I'm stopped by police?

The police can approach any person in a public place, ask for identification, and ask questions as long as the person is free to leave. If police have “reasonable suspicion” of criminal activity, they can stop a person, ask for identification, and ask questions.

- If unsure, politely ask if you are under arrest or if you are free to leave.
- If the officer says that you are free to leave, then you should walk away.
- Never run from a police officer under any circumstances, since it will make you look guilty, even if you are not.
- If you are not allowed to leave, then you should remain silent if the officer asks you any questions.
- Remain calm and polite.

**Reasonable Suspicion:**  
More than a hunch. Based on facts or circumstances.



## What are my rights if I get arrested?

- **See the warrant.** You have the right to see any search or arrest warrant to confirm it is for you and is valid.
- **Stay silent.** It is a good idea to tell your name, date of birth, and address. Otherwise, you do not have to say anything or answer any questions. Politely tell the police officer that you do not want to talk.
- **Have an attorney.** You must ask for an attorney. The police don't have to offer you an attorney. Ask for the police to call your parent/guardian. Don't answer any questions until your attorney is present. If you can't afford an attorney, a judge may appoint one for you. You do not have the right for an attorney for traffic, truancy, or petty misdemeanor cases.

**Get Help: 612.825.0000**

**[www.tubman.org](http://www.tubman.org)**

**Give Help: 612.825.3333**

ABOUT TUBMAN: Safety. Hope. Healing. Each year, Tubman helps nearly 25,000 people of all ages, genders, and cultural backgrounds who are facing relationship violence, sexual assault, exploitation, homelessness, addiction, mental health challenges or other forms of trauma. We provide safe shelter, legal services, mental and chemical health counseling, youth programs and community education.

# What about searches?



## What do I do if police want to search me?

If the police have a reasonable suspicion that you have been involved in a crime and that you may be dangerous, they can pat down the outside of your clothing to check for weapons. The pat down is just to look for weapons for the officer's own safety, and the weapon has to be where you could grab it and use it against the officer. If you think a pat down is illegal, you should calmly and clearly tell the officer that you do not consent. Later, tell your attorney about the pat search.

## Can police search my property or my home?

Police can search your items, home, or car:

- After you are arrested, police can search you and the area within your immediate control, or the area where you might reach a weapon.
- With consent. You don't have to give consent and can refuse the search, but someone else with authority can give consent.
- When illegal items are in plain view.
- In an emergency situation, like following a suspect running into a building or hearing screams.
- Borders, airplanes, and schools have special rules and can be searched without probable cause.
- When your vehicle can't be legally driven and there is no one else present who can take the car, police can tow the vehicle and perform an inventory search.

### Probable cause:

A reasonable belief, based on facts, that a crime has been committed or will be committed



## You should know:

- Police are allowed to lie during investigations.
- Parents do not have to be present when youth are questioned by police.
- Police do not have to tell you why you are being arrested.

## How to assert your rights:

It is important to be respectful to officers while still maintaining your rights (such as your right to remain silent, right to an attorney, and right against being searched). Remember, while you should assert your rights, you should not resist if the police officer is trying to arrest you because you could be charged with an additional offense.

Think carefully about your words, movements, body language, and emotions. Encountering police can be stressful but staying calm helps everyone stay safe.

For more information, go to [www.tubman.org](http://www.tubman.org).