

KNOW YOUR RIGHTS

Police Interactions

POLICE INTERACTIONS

Police are, in principle, tasked with keeping us safe and treating us fairly. This resource provides tips for exercising your rights while interacting with police.

NOTE: State laws vary, and this resource is specific to Maryland.

KEY PHRASES

“Am I being detained, or am I free to go?”

- **If you are not being detained**, you are free to go. Calmly tell them you’re exercising your right to leave and slowly walk away.
- **If you are being detained**, say “I don’t want to talk without a lawyer.”

“I don’t want to talk without a lawyer.”

- You have the right to remain silent. You have the right to a lawyer if you are arrested. Ask for one immediately.

“I don’t consent to searches.”

“I don’t consent to this search.”

“I can’t let you in without a warrant.”

- You have the right to refuse to consent to a search of yourself, your car, or your home, with certain exceptions.

Check out ACLU of Maryland’s **KNOW YOUR RIGHTS – Police Interactions**

information here:

bit.ly/kyr-police-interactions



Your Rights

- **Regardless of your immigration or citizenship status, you have constitutional rights.**
- **You have the right to record police actions if you do not interfere with their activities and are not breaking any other law.**
- **You have the right to photograph and record police officers performing their job in public.**

IF YOU ARE STOPPED BY POLICE (NOT IN CAR OR HOME)

Your Rights

- **If you are stopped by police, say: “Am I being detained, or am I free to go?”** If the officer says you are free to go, walk away. If you are not free to leave, you are being detained.
- **If you wish to remain silent, say: “I don’t want to talk to you without a lawyer.”** If you are younger than 18 years and you are detained, you are entitled to parent/guardian notification and an attorney. Say the Key Phrases, ask for an attorney, and ask for your parent/guardian.
- You can say “no” if police ask to search your body or belongings. But, if you are being detained, police may “pat down” the outside of your clothes if they suspect a weapon. **If they take the search further (such as, inside your pockets), say “I do not consent to this search.”** If you do consent, your consent can affect you later in court.
- Maryland laws generally do not require you to produce ID to police on request outside of car stops and receiving citation. Montgomery County has a rule that allows police to detain you and requires you to truthfully identify yourself on request, even if you aren’t driving or getting a citation.
- **If you wish to remain silent but are asked for ID, you should first ask, “Am I being detained, or am I free to go?”** If you are not free to go, you may give a state identification card and remain silent. Giving a false name or documents may create a reason to arrest you.

NEED LEGAL ASSISTANCE?

Contact ACLU-MD's Civil Rights Legal Advocacy team.

- Use our online intake form: bit.ly/aclumd-needhelpform
- Call Civil Rights Complaint Line at on Tuesdays and Thursdays from 1–3 p.m.: **(443) 524-2558**
- Learn more: aclu-md.org/needhelp

IF YOU FEEL YOUR RIGHTS HAVE BEEN VIOLATED

- **REMEMBER: Police usually respond badly to challenges on the street.** Physically resisting officers may result in them harming you or additional charges against you.
- Write down everything you remember when you can, including officers' badge and car numbers, the police department, and any other details. Try to remember whether there were cameras nearby. Get treatment for and photograph your injuries.
- You may consider filing a complaint with the Police Accountability Board where your incident happened, though be aware that **the complaint will be shared with police.** If you have a criminal charge from the incident, speak to your defense lawyer before filing any complaint.
- To ask us for legal help, contact the ACLU Legal Advocacy Team (see the "Need Legal Assistance?" section above for contact information).
- For an in-person training about police interactions and your rights, visit www.aclu-md.org/KYR.

IF YOU ARE STOPPED IN A CAR

Your Rights

- Quickly stop the car in a well-lit place safe from traffic and turn off the car. On request, provide your driver's license, registration, and proof of insurance.
- Do not get out of your car unless police ask. By law, you must get out of the car if the police ask you to exit the vehicle.
- **If police ask to search your car, say "I do not consent to searches."** Police may have or find a reason to search your car anyway. Still, say you do not consent out loud. **REMEMBER: Giving consent may affect you later in court.**
- **Both drivers and passengers always have the right to remain silent.** If you are a passenger, you can ask if you are free to leave and calmly go if police say "yes."
- If you are given a ticket, sign it if police instruct. Signing a ticket does not admit guilt, and you can contest the ticket in court later.
- Your body and car cannot be searched solely because police allegedly smell marijuana. However, the unauthorized sale of marijuana and substance impaired driving are still criminal offenses. If you are suspected of driving impaired by any substance and refuse to take a blood, urine, or breath test, your driver's license may be suspended, and your refusal can be used against you in court.

IF THE POLICE COME TO YOUR HOME OR BUSINESS

Your Rights

- If the police come to your home or business, you do not have to let them in unless they have a warrant. **Say "I can't let you in without a warrant."** If you want to speak with them, but do not consent to a home search, step outside, and shut the door. If the police say they have a warrant, ask them to first slip the warrant under the door or hold it up to the window so you can confirm the address. A search warrant allows police to enter the address listed, but officers can only search the areas and for the items listed. **You always have the right to remain silent.**
- **UNDERSTAND:** Police may enter without a warrant or without showing you the warrant in some uncommon special circumstances.







IF YOU ARE ARRESTED

Your Rights

- Resisting arrest may result in the police harming you, even if the arrest is unfair. **Say, "I don't want to talk to you without a lawyer" and avoid explaining further.**
- 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 to your call if you are speaking to a lawyer.

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