

*DALLAS COUNTY
PUBLIC DEFENDER'S OFFICE*

GUIDE TO INTERACTING WITH LAW ENFORCEMENT

To avoid conflict with police:

1. **Stay calm. When you're not calm, you're not thinking straight. If an officer perceives signs of nervousness or agitation, it could lead to aggressive action.**
2. **ALWAYS** be respectful and follow the officer's instructions immediately.
3. **Don't run.**
4. **Don't touch the officer.**
5. **Don't resist. Even minor resistance is a misdemeanor and can be a felony if the officer is injured.**
6. Upon request, provide your correct full name and date of birth.

When stopped by police in your car:

1. As soon as you notice the police emergency lights, pull your vehicle over to a safe location **IMMEDIATELY**.
2. Remain in your vehicle while the officer approaches you. **Exiting your vehicle does not help the officer and may be perceived as a threat. The officer will ask you to exit if needed. As a courtesy, turn on your interior light at night to assist the officer in seeing inside your vehicle.**
3. **Don't play loud music while driving. Excessively loud music calls attention to yourself and may provide a pretext for pulling you over.**
4. **Don't have objects hanging from the rearview mirror. It may provide a pretext for pulling you over.**
5. When pulled over, stay in your vehicle until instructed to get out of it.

6. Keep your hands visible at all times unless instructed to do otherwise.
7. Unnecessary movement causes concern for officer safety and raises suspicion of an attempt to hide illegal contraband.
8. Do not reach for the glove box or under your seat. **This action may cause the officer concern that you may be reaching for a weapon. Keep in mind that the officer does not know you, or what your intentions might be.**
9. You *MUST* show your driver's license, proof of insurance card and vehicle registration.
10. You can refuse field sobriety tests (finger to nose, walk a line, etc.) and the Breathalyzer. **Refusal to take the Breathalyzer will result in a suspension of your driver's license. In certain situations, you may be asked to submit to a blood draw or blood test. If you refuse, the police can secure a warrant. (example: automobile accidents)**
11. You can refuse to consent to a search of your vehicle. Police, however, may conduct a search of your vehicle if they have placed you under arrest or if they have probable cause to believe that a crime has been committed. **Example: probable cause for a search exists if the officer smells weed coming from the inside of a vehicle during a traffic stop.**
12. Sign the traffic ticket, if you get one. **You can fight the case later in court. Your signature acknowledges you received a copy of the ticket and you were informed that you must either appear in court on a particular day or pay a fine.**
13. If given a ticket, contact the court by the date written on the ticket. **Failure to appear may lead to your arrest and/or a suspended license.**
14. Never demand an officer's badge number. **That tips off the officer that you plan to file a report against him and could escalate the situation. If you can, look at his or her badge and memorize the number. File a report later.**

15. ***DON'T LIE.* Don't talk if you don't have anything to say. You do not have to give additional information besides your name and basic identifying information.**
16. **If you are taken into custody, ask the police officer if you can park your car in a safe place or have a licensed driver take it away to avoid towing or impoundment fees.**
17. **Do not attempt to bribe the police officer.**
18. **Don't discuss your citizenship or immigration status with the officer.**

If you are stopped by police on the street:

1. **Don't run.**
2. **Don't resist.**
3. **Don't touch the officer.**
4. **Provide correct basic information about your identity, address, age, where you are coming from and/or going to.**
5. **Show identification when requested.**
6. **Police may conduct a "pat down" search at any time if the officer fears for his or her safety. *When an officer pats you down for a weapon, you may be prosecuted for any contraband found, including drugs.***
7. **Do not illegally carry weapons (real or otherwise).**
8. **Do not joke about having a weapon with you.**

Miranda Rights:

1. **You have the right to remain silent.**
2. **Anything you say, can and will be held against you.**
3. **You have the right to an attorney,**

4. If you cannot afford an attorney, one will be obtained for you **BEFORE** police questioning.

Police MUST give Miranda Rights only if:

You are under arrest, in custody and the police are questioning you.

Never volunteer any information!!!!

If you volunteer information, police are *NOT* required to give Miranda rights. That information could be used against you. Immediately upon arrest, ask for an attorney and stop talking other than to give basic identifying information when asked.

You may deny police access to your house UNLESS:

1. They have a search warrant. **Make sure you ask to see the actual warrant and read it carefully.**
2. Emergency circumstances exist that require entry, example: the safety of an occupant or the immediate destruction of evidence.

(If you are arrested in your home, police can search you and the area surrounding you. Anything illegal in plain view may be seized as evidence.)

Final Suggestions:

1. **Do not argue with police officers. If you feel you have been treated inappropriately, jot down the squad number or the license plate number. Never demand an officer's badge number. That tells the officer that you plan to file a report against him and could escalate the situation. If you can, look at his or her badge and memorize the number. File a report later with the police department.**
2. **COMPLY FIRST** if ordered to do something. Do what the officer asks you to do, then ask any questions you might have. **You may get an explanation from the officer or officer's supervisor later, or you may not.**
3. **Never, ever run from the police or struggle to avoid being handcuffed.**

4. **Don't make any statements or answer any questions other than your name and birth date.**
5. **If the charges carry possible jail or prison time, you are entitled to a court-appointed attorney if you cannot afford to hire one.**
6. **At the earliest possible time, write out what happened. List what witnesses were present and the name or badge number of the police officer(s) involved. Take pictures of injuries or property damage. Put the name of the person taking the pictures along with the date/time the pictures were taken on the back of each picture. Only give the information to your lawyer or your lawyer's representative.**
7. **If arrested and incarcerated, don't talk to cell mates or jail staff about the incident.**
8. **Don't talk about your case on the phone. The police might be recording your phone calls.**
9. **Don't discuss your citizenship or immigration status with anyone other than your lawyer.**
10. **Don't make any statements about the incident in court unless called to testify. Let your attorney be your voice. Some hearings are videotaped and your statements about the incident can be used at trial.**





DALLAS COUNTY PUBLIC DEFENDER'S OFFICE

Lynn Pride Richardson | Chief Public Defender



WELCOME TO THE OFFICIAL WEBSITE OF THE DALLAS COUNTY PUBLIC DEFENDER'S OFFICE

In the landmark case, *Gideon v. Wainwright*, 371 U.S. 335 (1963), the U. S. Supreme Court required that states provide attorneys to indigent defendants accused of a crime. The Dallas County Public Defender's Office has been providing effective legal representation to those who cannot afford a private attorney since 1983. **It is the largest public defender office of its kind in the entire state of Texas.**

Our mission is to ensure that all our clients receive quality legal representation in the most effective and efficient manner. The office is comprised of felony, misdemeanor, juvenile, CPS, family, mental health, DNA, appellate and capital murder defense attorneys, who are assigned to thirty-six courts in four different buildings. Our attorneys also staff and represent defendants who participate in each of the specialty and diversion courts in Dallas County.

As guardians of the presumption of innocence, it is our duty to protect and defend our clients and uphold the Constitutions of the United States and the great state of Texas. In the unsullied words of Governor Roy Barnes, *"The law should be a shield for the weak and powerless, not a club for the powerful."*

We are committed to making sure that justice prevails. I invite you to explore our website and if you have any additional questions, please feel free to contact our office.



**Lynn Pride
Richardson**
Chief Public Defender

**"Injustice anywhere
is a
threat to justice
everywhere."**

~Reverend Martin
Luther King Jr.

