

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. They can and often will listen to a call made to anyone else.

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. In most cases, you can file a complaint anonymously if you wish.



CONTACT US

outreach@aclu-mo.org

FILE A COMPLAINT

 aclu-mo.org/legal-help

STAY INFORMED

 [@aclumo](https://www.instagram.com/aclumo)  [@aclumo.bsky.social](https://bsky.app/profile/aclumo.bsky.social)

 [@aclumo](https://www.facebook.com/aclumo)  [@aclu_mo](https://www.tiktok.com/@aclu_mo)

 aclu-mo.org

P.A.U.S.E.

Project Against Unjust
Suspensions and Expulsions

KNOW YOUR RIGHTS: FOR A NEW DRIVER



ACLU Missouri

ACLU Missouri

BACKGROUND

Per a traffic-stop annual report specific to Missouri, the trends continue whereas Black drivers are more likely to be pulled over than white drivers. It is crucial for Black Americans to know and understand their rights as a driver especially when pulled over during a traffic stop as the main goal is for them to return home safely.

- Looking at Black motorists, they were 71% more likely to be pulled over than white drivers and 25% more likely to be arrested.
- In 2019, Black motorists were 95% more likely to be pulled over by police in Missouri and 36% more likely to be arrested.

YOUR RIGHTS

- You have the right to remain silent. If you wish to exercise that right, say so out loud.
- You have the right to refuse to consent to a search of yourself, your car, or your home.
- If you are not under arrest, you have the right to calmly leave.
- You have the right to a lawyer if you are arrested. Ask for one immediately.
- Regardless of your immigration or citizenship status, you have constitutional rights.



YOUR RESPONSIBILITIES

- Do stay calm and be polite.
- Do not interfere with or obstruct the police.
- Do not lie or give false documents.
- Do prepare yourself and your family in case you are arrested.
- Do remember the details of the encounter.
- File a complaint online to the ACLU if you feel your rights have been violated.

IF STOPPED IN CAR...

- 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.
- Avoid making sudden movements and keep your hands where the officer can see them.
- Upon request, show police your driver's license, registration, and proof of insurance.
- If an officer or immigration agent asks to look inside your car, you can refuse to consent to the search. But if police believe your car contains evidence of a crime, your car can be searched without your consent.
- Both drivers and passengers have the right to remain silent. If you are a passenger, you can ask if you are free to leave. If the officer says yes, sit silently or calmly leave. Even if the officer says no, you have the right to remain silent. Both drivers and passengers have the right to remain silent.



IF STOPPED FOR QUESTIONING...

- Stay calm. Don't run. Don't argue, resist or obstruct the police, even if you are innocent or the police are violating your rights. Keep your hands where police can see them.
- Ask if you are free to leave. If the officer says yes, calmly and silently walk away. If you are under arrest, you have a right to know why.
- You have the right to remain silent and cannot be punished for refusing to answer questions. If you wish to remain silent, tell the officer out loud. In some states, you must give 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. You should not physically resist, but you have the right to refuse consent for any further search. If you do consent, it can affect you later in court.