

Know Your Rights When Talking to Police

American Muslims strongly support law enforcement and the protection of our communities. We also value civil rights. All Americans have the constitutional right of due process.

If you know of any criminal activity taking place in your community, it is both your religious and civic duty to immediately report such activity to police.

Things to Remember When Talking to Police

- The police will never remind you of your rights, so know them beforehand.
- Never lie or exaggerate to the police.
- Remain calm and polite; never become physical.
- Refusing to allow a police search is not an admission of guilt, it is your 4th amendment right.
- You are considered to be in police custody during questioning but you may ask the officer if you are free to go at any time. However, the officer may refuse and can detain you for further questioning. This is not the same as being under arrest.
- Never sign anything that you have not read.
- If you feel uncomfortable answering a question, politely decline.
- If you are asked about your religion or political beliefs, respectfully reply that although you will answer questions about your identity and cooperate otherwise, you feel it is inappropriate to be asked such questions. Confidently state you are a good citizen and value law enforcement, but that you also value your freedom to express opinions and practice your religion freely and without inquiry.

If You Feel There has been Police Misconduct

- Write down everything that happened as soon as possible, including the officer's name, badge and/or vehicle number.
- Contact CAIR-PA if you feel you have been religiously or racially profiled.
- File a police misconduct report at your local police station.



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Levels of Police Custody

Questioning

- Occurs when a law enforcement officer or agent is trying to obtain basic information about you and/or an event (accident, crime, etc).
- They may ask for your name, identification, where you are coming from and going to or about a particular event. You should always cooperate at this level and answer these basic questions. When you have finished answering these questions, you should ask to leave.
- If you do not understand the question, do not attempt to answer it. If there is a language barrier, ask for a translator.

Detainment

- The police might not let you leave, however, after you have answered their preliminary questions. They may detain you to ask further questions, and are allowed to pat you down, regardless of gender. A detainment does not mean that you are under arrest, but that they may have more information to gather from you.
- You do not, however, have to answer any further questions and should ask to have an attorney present. Moreover, the police are only allowed to detain you for a “reasonable” amount of time.

Vehicle Searches

- The police will question you if pulled over (see “questioning” above) and may ask to search your car. Always politely refuse a request to search the vehicle, unless the police have a warrant. This refusal may result in a short detainment, but if the police find anything in a voluntary search, you will be arrested. Record the officer’s name, badge number, and vehicle number, as well as the date, time, and location of the incident.

Under Arrest

- If you are placed under arrest, you should immediately stop talking and request an attorney. Never provide further information, nothing is “off the record” – anything you say will be used against you.



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