

IF THE POLICE ARREST YOU...

- You may be handcuffed, searched, photographed and fingerprinted.
- Say repeatedly, "I DON'T WANT TO TALK UNTIL MY LAWYER IS PRESENT." Even if your rights aren't read, refuse to talk until your lawyer/public defender arrives.
- Do not talk to inmates in jail about your case.
- If you're on probation/parole, tell your P.O. you've been arrested, but **NOTHING ELSE**.

Police can arrest someone they believe is "interfering" with their actions. Maintain a reasonable distance, and if cops threaten to arrest you, **EXPLAIN THAT YOU DON'T INTEND TO INTERFERE, BUT YOU HAVE THE RIGHT TO OBSERVE THEIR ACTIONS.**

REMEMBER

You have legal rights, but many police will not respect your rights
BE CAREFUL – BE STREET SMART

IMPORTANT PHONE NUMBERS:

Bay Area Police Watch
(Legal Clinics)...(510) 428-3939 x224

IN BERKELEY:

COPWATCH (510) 548-0425
Public Defender (510) 268-7400
UC Jail (510) 642-6760
Jail (510) 981-5766
Police Review
Commission..... (510) 981-4950

IN OAKLAND:

Jail (510) 238-3575
Public Defender (510) 268-7400
Citizens' PRB (510) 238-3159
PUEBLO..... (510) 452-2010
Critical Resistance ... (510) 444-0484

COPWATCH

POCKET GUIDE



2022 Blake Street
Berkeley, CA 94704
(510) 548-0425

www.berkeleycopwatch.org

YOU HAVE THE RIGHT...

- to be in a public place and to observe police activity.

IF THE POLICE STOP ANYONE...

•STOP AND WATCH.

- Write down officers' names, badge numbers, and car numbers. **COPS MUST BE IDENTIFIED BY NAME OR BADGE NUMBER** (*PC sec. 830.10*).
- Write down the time, date, and place of the incident and all details as soon as possible.
- Ask if the person is being arrested, and if so, on what charge.
- Get witnesses' names and contact info.
- Try to get the arrestee's name, but only if they already gave it to the police.
- Document any injuries as soon as possible. Photograph them and have a medical report describing details of the injuries.

IF THE POLICE STOP YOU...

- Ask, "AM I FREE TO GO?" If not, you are being detained. If yes, walk away.
- Ask, "WHY ARE YOU DETAINING ME?" To stop you, the officer must have a "reasonable suspicion" to suspect your involvement in a specific crime (*not just a guess or a stereotype*).
- It is not a crime to be without ID. If you are being detained or issued a ticket, you may want to show ID to the cop because they can take you to the station to verify your identity.
- If a cop tries to search your car, your house, or your person say repeatedly that you **DO NOT CONSENT TO THE SEARCH**. If in a car, do not open your trunk or door – by doing so you consent to a search of your property and of yourself. If at home, step outside and lock your door behind you so cops have

no reason to enter your house. Ask to see the warrant and check for proper address, judge's signature, and what the warrant says the cops are searching for. Everything must be correct in a legal warrant. Otherwise, send the police away.

- The cops can do a "pat search" (search the exterior of one's clothing for weapons) during a detention for "officer safety reasons". They can't go into your pockets or bags without your consent. If you are arrested, they can search you and your possessions in great detail.
- DO NOT RESIST PHYSICALLY.** Use your words and keep your cool. If an officer violates your rights, don't let them provoke you into striking back. Wait until you are out of custody then you can organize for justice.