If the Police Come Knocking at Your Door

If the police knock at your door, generally it is up to you whether or not you let them in; however, police officers may conduct searches if there is probable cause to believe that evidence of a crime is present. Police searches must be limited in time and area, and they must be directed toward specific things. Under the exclusionary rule, evidence seized during an improper search normally cannot be introduced at a trial.

As a general rule, a search must be supported by a valid search warrant, but there are some exceptions. During an arrest or hot pursuit of an armed felony suspect, police may search the person being arrested and the immediate surroundings. Also, officers may search a car if the car was in motion when seized and there is probable cause to believe that it contains contraband or evidence of a crime. In an emergency, officers may search a person, vehicle, or property, if it is necessary to prevent injury or loss of life or to prevent serious damage. In addition, police may search any person or property with consent.

If the police do not have a warrant, you may let them in, but unless they insist, you do not have to let them in. Perhaps you can settle this matter at the door. If they do insist in spite of your objections, then be careful to:

1. Ask for a police badge.
2. Ask what their purpose is.
3. Tell them you do not consent to any search of your home.
4. Remember the officers’ names, what they look like and the time of day. Write it all down.

When police officers take any of your property, they must give you a written receipt for it. If they don’t offer one, ask for it.

If the police have an arrest warrant, make sure they have the right person. In Missouri, police officers are not required to have a copy of the arrest warrant in their possession at the time of arrest.

Generally Police Officers…

- Will provide their names upon request.
- Will not use vulgar language or terms that may be viewed as demeaning toward other persons.
- Will inform persons why they are being questioned or detained.
- Will handcuff persons in custody prior to transporting them in a police car.
- Will allow other persons to observe or record their activities from a safe distance, as long as their presence does not jeopardize the safety of the officers or others. If you have questions about officers’ action, wait until they have finished their task before approaching.
- Will only use the force necessary to effect the arrest of a suspect and to retain custody of the prisoner. Excessive force is not tolerated by the department. Even if you do not think you should have been arrested, don’t resist. Missouri law says you don’t have the right to resist arrest by the police.
- Must advise you of your Miranda Rights only if two conditions exist: you are in custody and the officer wants to question you.
- Will only advise you of your rights after you have been taken into custody and prior to any questioning.

Each situation is unique, and police officers must alter their responses to fit the circumstances. Remember, treat the police officers as you would like to be treated yourself.

The material presented in this brochure is based on a publication prepared by the National Black Police Association, an umbrella organization representing over 30,000 dedicated black police officers nationally.

Washington University in St. Louis Police Department
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Introduction

The goal of the Washington University in St. Louis Police Department is to provide services equitably to our entire community. We hope this brochure provides information that may be helpful in reducing or eliminating conflict when you come into contact with a police officer. We caution you, however, not to rely on this as a legal advisor.

Don Strom, Chief of Police
Washington University in St. Louis Police Department

It Could Happen to You

What is your name?
Where do you live?
Have you any identification?

These are very simple questions that probably can be answered easily by most people. But when police officers ask these questions, it can cause problems both for the police officers and for you. Most of the time, there is a reason why officers ask such questions, although it may seem that there isn’t. They may be investigating a complaint phoned in to the police by someone in the neighborhood. They may have been informed by police radio of a crime, and for one reason or another, they may think you are having trouble and need help.

Sometimes, police officers may go about getting answers in a way that does not respect your rights. Sometimes you may over-react to their questions and create an even more serious situation.

This brochure attempts to explain what rights you have, what things you should remember, and what you can expect when a police officer starts asking you questions. It could save you from answering a lot more unnecessarily.

It is also important to note that the Washington University campus is private property and certain rules and regulations apply to you there that may not apply in other situations. Be certain to consult the “Bearings” publication for more specifics.

If You Are Stopped by the Police in Your Car

If you are driving a vehicle, police officers can ask you to pull over at any time, based on probable cause or reasonable suspicion.

The best thing to do in this situation is to pull over and sit tight. Generally, you should not get out of the car unless asked to do so. If you are stopped at night, turn on your dome light to show that nothing is wrong. It is best to do nothing that would give the police a reason to be suspicious of you. Having your light on and your hands on the steering wheel usually will put an officer’s mind at ease. You probably will be asked to produce your driver’s license and proof of insurance for the vehicle. You must do this if asked. If your identification and insurance card are stored in an unusual place, tell the officer where they are before you reach them.

A police officer may issue a citation for a violation. Of course, you may start to explain at this point, but that is as far as you should take it. Be careful about how you protest. Police officers have a great deal of discretion in enforcing the law. The courtroom is the proper place to dispute a ticket, and a judge will decide whether you are guilty.

If You Are Stopped by the Police on the Street

Most of the problems that you may have with the police can be avoided at the time an officer first stops and questions you. Remember, officers believe they have a probable cause or reasonable suspicion to stop you and ask you some questions. Recent court rulings have recognized police officers’ right to approach citizens and ask them questions; however, only when officers have probable cause or reasonable suspicion may they detain you. If the officers don’t tell you why you were stopped, you may inquire.

Police officers take many factors into consideration when they are observing you and think your activities appear suspicious. Every situation is different, but here are some factors officers may have considered before stopping you to question you:

1. You are running, and a crime has just been reported in the area.
2. You are in the company of people who are under police investigation for criminal activity.
3. You are near an area where a crime has just been reported.
4. You are somewhere where officers think people normally would not be at that time of day or night.
5. You are acting in a way that appears to them to be suspicious, and you act even more suspicious when officers see that you have spotted them.
6. Officers think that you possess stolen property.
7. Officers stop you while you are walking on the street or driving in your car, and you refuse to answer simple questions, give false or evasive answers, or make contradictory statements.
8. Someone has pointed you out to them as a suspect.

While officers take all these things into consideration in determining whether to stop you or ask you questions, they still must respect your rights not to answer any question if the questions sound as if you are being accused of something. You are, however, required by law to identify yourself.

Remember: Do not argue with the officer over the reason for the stop. If you believe you were unjustly detained contact Washington University Police Department at (314) 935-5555 to file a complaint, or the department where the incident occurred.