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WHAT TO DO IF YOU ARE STOPPED OR QUESTIONED BY THE POLICE

If you are stopped in a vehicle, or if the police come to your door, you will probably be anxious and intimidated. However, if you know your rights and stand up for them, you are likely to have a better outcome. Read the following instructions and remember them. Keep a copy in the glove compartment of your car.

IF STOPPED IN A MOTOR VEHICLE, pull over as quickly as possible. If you must drive some distance to a safe pullover location, slow down to ten miles per hour below the speed limit and turn on your flashers or turn signal so that the officer knows that you are going to stop. After coming to a complete stop, put your hands on the steering wheel and wait for the officer to approach. Do not reach for your ID until the police officer asks for it. Do not make any movements that could be interpreted or described later as an attempt to conceal a weapon or evidence, justifying a search.

IF YOU ARE THE DRIVER of a vehicle, you must produce a driver's license upon request of a police officer. **No one else in the car is required to produce an ID.** If either the driver or passengers are asked to exit the vehicle, do so and do not resist.

ANSWER NO QUESTIONS other than identifying yourself and providing ID if you are the driver of the car. Even seemingly innocuous questions such as "Where are you going? Where have you been? Have you had any thing to drink?" can be used to establish probable cause for drug testing or field sobriety tests. If pressed by questions, tell the officer that you wish to speak to your attorney. Carry your attorney's business card in your wallet and have his cell phone number in your phone. Never allow yourself to be questioned without your attorney present.

NEVER CONSENT TO A SEARCH OF YOUR PERSON, VEHICLE, OR RESIDENCE. Even if you think that your car or residence is "clean," a friend may have left something behind of which you are not aware. If the police insist on searching, do not resist but do not consent. If the police are asking for your consent, they probably do not have probable cause. Even if they have probable cause, they may be required to get a search warrant. Your consent leaves you with no defense if the police find something in a search.

NEVER GIVE PERMISSION FOR THE POLICE TO ENTER YOUR HOUSE. Do not step outside your residence if you could be the target of the inquiry. That may allow you to be arrested without a warrant and justify a search of your residence. If the police come to your door, call the local police department and offer to talk to the officers by phone, or talk through the closed door and offer to talk to them by phone. If you open the door, the police will be likely to enter your home and call it consent.

Tell all occupants of the car or residence to follow these instructions. Lying to the police is a crime. Keeping your mouth shut is not. Cooperation with the police is rarely rewarded, no matter what they tell you. The officer has no authority to promise you lenient treatment.